

MAINE STATE LEGISLATURE

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SIXTY-FIRST LEGISLATURE.

SENATE.

No. 15.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-THREE.

AN ACT establishing the Maine Fertilizer Control
and Agricultural Experiment Station.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. That for the purpose of protecting
2 farmers from fraud in commercial fertilizers, and
3 from adulteration in seeds and feeds and for the
4 purpose of promoting agriculture by scientific
5 investigation and experiment, the Maine Fertilizer
6 Control and Agricultural Experiment Station is
7 hereby established.

SECT. 2. The direction and management of this
2 station shall be committed to a board of managers
3 to consist of five members, namely: the secretary
4 of the board of agriculture, the president, and

5 professor of agriculture of the state college of
6 agriculture and the mechanic arts, and two mem-
7 bers to be appointed by the governor, whose terms
8 of office shall be two years, except in the first
9 appointment one shall be designated to serve but
10 one year.

SECT. 3. The board of managers shall be called
2 together by the secretary of the board of agricult-
3 ure, at such place in this state as he may designate,
4 within thirty days after the approval of this act,
5 and shall organize by election of a president and
6 secretary, who shall hold their offices for one year,
7 or until their successors are elected; and thereafter
8 the board of managers shall hold a meeting
9 annually at Augusta on the third Tuesday of
10 January for the election of officers and the trans-
11 action of other business relating to the station.
12 Other meetings may be called, on due notice, by
13 the president at such times and places as will best
14 promote the objects contemplated by this act.

SECT. 4. The board of managers shall locate the
2 station herein provided for, and shall appoint a
3 director who shall have general management and
4 oversight of the analyses, investigations and exper-
5 iments necessary to carry out the purposes named

6 in section one of this act, and shall employ compe-
7 tent assistants to aid in prosecuting the work of
8 the station. It shall, whenever public interest will
9 be promoted thereby, publish by bulletin or other-
10 wise, the results of its investigations and experi-
11 ments, and shall make an annual report of its work
12 to the governor and council, which shall be printed
13 and bound with the report of the secretary of the
14 board of agriculture.

SECT. 5. The sum of five thousand dollars annu-
2 ally is hereby appropriated to the Maine Fertilizer
3 Control and Experiment Station, and the governor
4 and council from time to time shall draw their
5 warrant on the state treasurer for such sums of
6 money as are necessary to defray the expenses
7 herein provided for, an account of which shall first
8 be approved by the president and secretary of the
9 board of managers.

SECT. 6. The board of managers shall receive no
2 compensation for time and services rendered, but
3 shall be reimbursed for actual expenses incurred in
4 the performance of their duties.

SECT. 7. Any manufacturer, company, or person
2 who shall offer, sell, or expose for sale in this state,
3 any commercial fertilizer the price of which ex-

4 ceeds ten dollars per ton, shall affix to every pack-
5 age, in a conspicuous place on the outside thereof,
6 a plainly printed certificate, stating the number of
7 net pounds in the package sold or offered for sale,
8 the name, or trade mark under which the article is
9 sold, the name of the manufacturer, and the place
10 of manufacture, and a chemical analysis stating the
11 percentage of nitrogen, or its equivalent in
12 ammonia, in available form, of potash soluble in
13 water, and of phosphoric acid in available form,
14 (soluble or reverted,) as well as the total phos-
15 phoric acid.

SECT. 8. The manufacturer, company, or person
2 selling or offering for sale any commercial fertil-
3 izers exceeding ten dollars per ton in price, shall
4 on or before the first day of April annually, or
5 before offering the same for sale, procure a license
6 from the secretary of the board of agriculture,
7 authorizing the sale of said fertilizers in the state,
8 and shall pay for the same the sum of fifty dollars;
9 and shall furnish the secretary of the board of
10 agriculture, at the time of their appointment, the
11 names of all agents authorized by him to sell the
12 same in this state.

SECT. 9. This act shall not apply to parties
2 manufacturing fertilizers in quantities less than
3 twenty-five tons per year, or to fertilizers in pos-
4 session of dealers or agents at the time of approval
5 of this act.

SECT. 10. The secretary of the board of agri-
2 culture, or any person by him deputized, is hereby
3 empowered to select from any parcel or package of
4 commercial fertilizer held or offered for sale in this
5 state, a quantity not exceeding two pounds, which
6 quantity shall be for analyses to compare with
7 certificate found on the given package held or
8 offered for sale; and he shall select each year at
9 least one sample from each brand held for sale, and
10 shall secure its analysis at the station.

SECT. 11. The secretary of the board of agri-
2 culture shall register in a suitable book kept in his
3 office, a list of all licenses issued and of fees re-
4 ceived therefor, and a list of all brands of fertil-
5 izers by him sampled; and all license fees received
6 by him shall be paid into the treasury of the state.

SECT. 12. Any person, or party, who shall offer
2 or expose for sale any commercial fertilizer without
3 complying with the requirements of sections seven
4 and eight of this act, or shall permit an analysis to

5 be attached to any package of such fertilizer, stat-
6 ing that it contains a larger percentage of any one
7 or more of the constituents named in section seven
8 of this act, than it really does contain, shall be
9 fined not less than one hundred dollars nor more
10 than three hundred dollars for the first offence, and
11 not less than two hundred dollars nor more than
12 five hundred dollars for each subsequent offence;
13 and the offender shall in all cases also be liable for
14 damages sustained by the purchasers of said fertil-
15 izers, provided however that a deficiency of one per
16 cent. of nitrogen, potash, or phosphoric acid claimed
17 to be contained shall not be considered as evidence
18 of fraudulent intent.

SECT. 13. All acts and parts of acts inconsistent
2 with this act are hereby repealed.

SECT. 14. This act shall take effect when ap-
2 proved by the governor.

STATE OF MAINE.

IN SENATE, February 1, 1883.

Reported by Mr. PARKHURST, of Aroostook, from the Committee on Agriculture, laid on the table to be printed under the Joint Rules.

C. W. TILDEN, *Secretary.*