

MAINE STATE LEGISLATURE

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SIXTY-FIRST LEGISLATURE.

SENATE.

No. 56.

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 president
4 of the state college of agriculture and the
5 mechanic arts, who shall be ex-officio president of

6 the board of managers, the secretary of the board
7 of agriculture, who shall be ex-officio secretary of
8 the board of managers, the professor of agricul-
9 ture of the state college of agriculture and the
10 mechanic arts, and two members to be appointed
11 by the governor, whose terms of office shall be
12 two years, except in the first appointment one
13 shall be designated to serve but 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 for the purpose of transacting such business as
6 may be required to put the station in operation;
7 and thereafter the board of managers shall hold a
8 meeting annually at Augusta on the third Tuesday
9 of January for the transaction of business relating
10 to the station. Other meetings may be called, on
11 due notice, by the president at such times and
12 places as will best promote the objects contem-
13 plated 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 president and secretary of the board of
7 managers authorizing the sale of said fertilizers in
8 the state, and shall pay for the same the sum of
9 fifty dollars; and shall furnish the secretary of the
10 board of managers at the time of their appoint-
11 ment, the names of all agents authorized by him to
12 sell the same in this state.

SECT. 9. This act shall not apply to the article
2 known as "pogy chum," or to fish, or fish scrap,

3 or fish waste of any kind, when sold or offered for
4 sale unmixed with other fertilizing material; nor
5 shall it apply to parties manufacturing fertilizers in
6 quantities less than twenty-five tons per year, or to
7 fertilizers in possession of dealers or agents at the
8 time of approval of this act.

SECT. 10. The president and secretary of the
2 board of managers, or any person by them depu-
3 tized, are hereby empowered to select from any
4 parcel or package of commercial fertilizer held or
5 offered for sale in this state, a quantity not exceed-
6 ing two pounds, which quantity shall be for analy-
7 ses to compare with certificate found on the given
8 package held or offered for sale; and they shall
9 select each year at least one sample from each
10 brand held for sale, and shall secure its analysis at
11 the station.

SECT. 11. The secretary of the board of man-
2 agers 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 fertilizers
5 by them sampled; and all license fees received by
6 them 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
16 per cent. of nitrogen, potash, or phosphoric acid
17 claimed to be contained shall not be considered as
18 evidence 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 22, 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.*