

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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House Document

No. 504

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H. P. 1449          House of Representatives, Feb. 28, 1929.

Referred to Committee on Agriculture and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Sargent of Brewer.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE

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AN ACT Relating to Weights and Measures.

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Be it enacted by the People of the State of Maine, as follows:

Section twenty-four of chapter forty-eight of the revised  
2 statutes of nineteen hundred and sixteen as amended by the  
3 public laws of nineteen hundred and seventeen, chapter two  
4 hundred and seven is hereby amended by striking out be-  
5 ginning at the tenth line thereof that part of section twenty-  
6 four which reads as follows: "or whoever by himself, or by  
7 his agent or servant, or as agent or servant of another shall  
8 sell, offer or expose for sale less than the quantity he repre-  
9 sents, or whoever by himself, or by his agent or servant,  
10 or as the agent or servant of another, shall sell, offer for

11 sale, or have in his possession for the purpose of selling,  
12 any false scales, weights or measures, or any device or in-  
13 strument to be used or calculated to falsify any weight or  
14 measure” and inserting in place thereof the following: ‘or  
15 whoever by himself or by his agent or servant, or as agent  
16 or servant of another, shall sell, offer for sale, or have in his  
17 possession or in his place of business for the purpose of  
18 selling, any false scales, weights or measures, or any device  
19 or instrument to be used or calculated to falsify any weight  
20 or measure (such scales, weights or measures or devices  
21 may be tested by any sealer of weights and measures and  
22 condemned or approved according to test; whether said  
23 scales, weights or measures or devices are used or not for  
24 the purpose of buying or selling goods),’ so that the said  
25 section, as amended, shall read as follows:

‘Sect. 24. Whoever by himself, or by his servant, or as  
2 the agent or servant of another, shall use or retain in his  
3 possession any false scales, weight or measure or weighing  
4 or measuring device in the buying or selling of any com-  
5 modity or thing, or whoever after a weight, measure, scale,  
6 balance or beam has been adjusted and sealed, shall alter it  
7 so that it does not conform to the public standard and shall  
8 fraudulently make use of it, or whoever shall dispose of any  
9 condemned scales, weight, measure, or weighing or measur-  
10 ing device, contrary to law, or remove any tag, stamp or  
11 mark placed thereon by the sealer; or whoever by himself  
12 or by his agent or servant, or as agent or servant of another,

13 shall sell, offer for sale, or have in his possession or in his  
14 place of business for the purpose of selling, any false scales,  
15 weights or measures, or any device or instrument to be used  
16 or calculated to falsify any weight or measure (such scales,  
17 weights or measures or devices may be tested by any sealer  
18 of weights and measures and condemned or approved ac-  
19 cording to test, whether said scales, weights or measures  
20 or devices are used or not for the purpose of buying or  
21 selling goods) shall be guilty of a misdemeanor and shall  
22 for the first offense be punished by a fine of not more than  
23 fifty dollars; for the second offense by a fine of not less  
24 than twenty, nor more than two hundred dollars and for  
25 any subsequent offense by a fine of fifty dollars and by  
26 imprisonment for not less than thirty, nor more than ninety  
27 days. The possession or use by any person of any false  
28 weight, measure or other apparatus for determining the  
29 quantity of any commodity or article of merchandise is pre-  
30 sumptive evidence of knowledge by such person of the  
31 falsity of such weight, measure or other apparatus. Every  
32 sealer of weights and measures who has reasonable cause  
33 to believe that a weight, measure, scale, balance or beam has  
34 been altered since it was last adjusted and sealed shall enter  
35 the premises in which it is kept or used and shall examine  
36 the same. A sealer, or his duly appointed deputy may ex-  
37 amine commodities sold or offered for sale and test them  
38 for correct weight, measure or count, and bring complaint  
39 for violations of sections eight to twenty-five, both inclu-

40 sive, of this chapter. He, or his duly appointed deputy,  
41 may, for the purpose stated above and in the general per-  
42 formance of his or their official duties, have access without  
43 formal warrant to any stand, place, building or premises,  
44 or to any sales slip, record of sale, or weight slip, or may  
45 stop any vendor, peddler, junk dealer, coal wagon, ice wag-  
46 on, or any person for the purpose of making the proper  
47 tests. Any person refusing to exhibit any sales slip, record  
48 of sale, or weight slip in his possession, or to allow proper  
49 tests for correct weight, measure or count, or refusing to  
50 proceed to a proper and convenient place for the making  
51 of any such test, shall be punished by a fine not exceeding  
52 ten dollars. It shall be unlawful to use a family type scale  
53 for buying and selling goods.'