

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1885.

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## CHAP. 292

**Chapter 292.**

An Act additional to chapter fifty-one of the Revised Statutes, relating to Railroads.

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

Passenger trains shall not be run over any new railroad until granted certificate of safety by R. R. Commissioners.

SECT. 1. No passenger train shall be run over any new railroad, or over any railroad in process of construction, until the railroad commissioners have made an inspection of such railroad and granted a certificate of its safety for public travel.

Penalty for violation.

SECT. 2. Any person or corporation, violating the provisions of the preceding section, forfeits to the state one hundred dollars for each offense, to be recovered in an action on the case, or by complaint and indictment; and the attorney general shall institute proceedings to recover the same.

Approved March 3, 1885.

**Chapter 293.**

An Act to increase the salary of the County Attorney of Kennebec County.

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

Sec. 2, ch. 116. R. S., amended.

SECT. 1. Section two of chapter one hundred and fifteen of the revised statutes is hereby amended by striking out the words "four hundred and fifty" in the seventh line of said section and inserting in place thereof the words 'six hundred' so that said section when amended in said seventh line, shall read, 'Kennebec, six hundred dollars.'

Salary of attorney for Kennebec Co., increased.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1885.

**Chapter 294.**

An Act to establish an Agricultural Experiment Station.

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

Experiment Station, established.

SECT. 1. That for the purpose of protection from frauds in commercial fertilizers, and from adulterations in foods, feeds and seeds, and for the purpose of promoting agriculture

by scientific investigation and experiment, the Maine Fertilizer Control and Agricultural Experiment Station is hereby established in connection with the State College of Agriculture and Mechanic Arts.

SECT. 2. The direction and management of this station shall be committed to a board of managers, to consist of five members, namely: the professor of agriculture of the State College of Agriculture and Mechanic Arts, ex officio; the secretary of the state board of agriculture, ex officio, and three members to be appointed by the governor, whose terms of office shall be three years, except in the first appointment, one shall be designated to serve but one year, and one to serve two years.

Direction and management of, committed to a Board of Managers.

—tenure.

SECT. 3. The board of managers shall be called together by the secretary of the board of agriculture, at such place in this state as he may designate, within thirty days of the approval of this act, for the purpose of transacting such business as may be required to put the station in operation; and thereafter the board of managers shall hold a meeting annually, at Augusta, on the Tuesday preceding the third Wednesday of January for the transaction of business relating to the station. Other meetings may be called, on due notice, by the president, at such times and places as will best promote the objects contemplated by this act.

—meetings of.

SECT. 4. The board of managers shall organize by the election of a president, a secretary and a treasurer who shall severally hold their offices for one year and until their successors are elected. They shall locate the station herein provided for, and shall appoint a director, who shall have the general management and oversight of the analyses, investigations and experiments necessary to carry out the purposes named in section one of this act, and shall employ competent assistants to aid in prosecuting the work of the station. It shall, whenever public interest will be promoted thereby, publish by bulletin or otherwise, the results of its investigations and experiments, and shall make an annual report of its work to the governor and council, which shall be printed and bound with the report of the secretary of the board of agriculture.

—shall elect president, secretary and treasurer

—locate station and appoint a director.

—publish results.

—report to governor and council annually.

SECT. 5. The sum of five thousand dollars, annually, is hereby appropriated to the Maine Fertilizer Control and Agricultural Experiment Station, and the governor and council,

Annual appropriation for.

CHAP. 294

from time to time, shall draw their warrant on the state treasurer for such sums of money as are necessary to defray the expenses herein provided for, not exceeding in any one year the appropriation herein named, an account of which shall first be approved by the president and secretary of the board of managers.

Board shall be reimbursed for expenses.

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

Fertilizers kept for sale, exceeding in price ten dollars per ton, to be labeled to show weight of package, trade mark and analysis.

SECT. 7. Any manufacturer, company, or person who shall offer, sell, or expose for sale in this state, any commercial fertilizer, the price of which exceeds ten dollars per ton, shall affix to every package, in a conspicuous place on the outside thereof, a plainly printed certificate, stating the number of net pounds in the package sold or offered for sale, the name or trade mark under which the article is sold, the name of the manufacturer, and the place of manufacture, and a chemical analysis stating the percentage of nitrogen, or its equivalent in ammonia, in available form, of potash soluble in water, and of phosphoric acid in available form, soluble or reverted, as well as the total phosphoric acid.

Manufacturer or persons selling, to be licensed.

SECT. 8. The manufacturer, company, or person selling or offering for sale in this state any commercial fertilizers exceeding ten dollars per ton in price shall, on or before the first day of April annually, or before offering the same for sale, procure a license from the board of managers, authorizing the sale of said fertilizers in the state, and shall pay for the same the sum of fifty dollars for a single brand, and fifteen dollars for each additional brand offered for sale; and shall furnish the secretary of the board of managers, at the time of their appointment, the names of all agents authorized by him to sell the same in this state.

—license fee.

—additional fee for each brand.

—to furnish list of agents.

Act not to apply to porgy chum, etc.

SECT. 9. This act shall not apply to the article known as porgy chum, or fish scrap or fish waste of any kind, or bone, when offered for sale unmixed with other fertilizing material; nor shall it apply to parties manufacturing fertilizers in quantities less than twenty-five tons per year, or to fertilizers in possession of dealers or agents at the time of approval of this act.

SECT. 10. The director of the station, or any person by him deputized, is hereby empowered to select from three different parcels or packages, of commercial fertilizers, taken from three different sections of the state, held or offered for sale in this state, quantities not exceeding two pounds from each package, which quantities shall be for analysis, the average of the several analyses shall be taken to compare with the certificate found on the given packages, held or offered for sale; and he shall select each year, at least three samples, as aforesaid, from each brand held for sale, and shall secure these analyses at the station. The agent shall select these samples, in the presence of some representative of the company, from which the quantities are so selected, and shall deliver one-half of said samples, properly sealed by him, to said representative.

Analysis, how regulated.

SECT. 11. The secretary of the board of managers shall register in a suitable book kept in his office, a list of all licenses issued, and of fees received therefor, and a list of all brands of fertilizers sampled; and all license fees received by the board of managers shall be paid into the treasury of the state.

Secretary to keep list of licenses and fees, etc.

SECT. 12. Any person or party, who shall offer or expose for sale any commercial fertilizer, without complying with the requirements of sections seven and eight of this act, or shall permit an analysis to be attached to any package of such fertilizer, stating that it contains a larger percentage of any one or more of the constituents named in section seven of this act than it really does contain, shall be fined not less than one hundred dollars nor more than three hundred dollars for the first offense, and not less than two hundred dollars nor more than five hundred dollars for each subsequent offense; and the offender shall, in all cases, also, be liable for damages sustained by the purchasers of said fertilizers, *provided, however*, that a deficiency of one per cent of nitrogen, potash, or phosphoric acid claimed to be contained shall not be considered as evidence of fraudulent intent.

—fees, how disposed of.

Penalty for violation of sections 7 and 8.

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

Inconsistent acts repealed.

SECT. 14. This act shall take effect when approved.