

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1897

PUBLIC LAWS
OF THE
STATE OF MAINE.

1897.

Chapter 278.

An Act to amend Section six of Chapter one hundred and thirty-two of the Public Laws of eighteen hundred and ninety-one, relating to Punishment for Intoxication.

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

Section six of chapter one hundred and thirty-two of the public laws enacted in the year of our Lord eighteen hundred and ninety-one, is hereby so amended that the punishment for the second or any subsequent conviction for the offense of intoxication shall be by imprisonment for not exceeding ninety days; instead of imprisonment for thirty days as is by such section now provided.

Approved March 25, 1897.

Section 6,
chapter 132,
public laws,
1891,
amended.

—intoxica-
tion, pun-
ishment for.

Chapter 279.

An Act to regulate the packing of Sardines.

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

Sect. 1. The commissioner of sea and shore fisheries shall require a strict observation of the following rules. Whoever catches, takes, preserves, sells, or offers for sale between the first day of December and the tenth day of the following May, any herring for canning purposes less than eight inches long, measured from one extreme to the other, or packs or cans sardines of any description, between the first day of December and the tenth day of the following May, forfeits twenty dollars for every hundred cans so packed or canned, and for every hundred herring so taken; and whoever bakes, fries, packs or cans any herring or other fish for sardines without heading and eviscerating the same, and whoever sells, offers for sale or has in his possession for sale any sardines packed without being so headed and eviscerated shall forfeit twenty dollars for every hundred cans so packed, sold, offered for sale or in possession for sale, to be recovered by indictment or action of debt, one half to the complainant or prosecutor, and one half to the town in which the offense is committed. In packing herring, mackerel or other fish in hermetically sealed cans, either in oil, mustard or vinegar, there shall be used not less than three

Duties of
commis-
sioner of sea
and shore
fisheries.
—penalty
for taking
herring less
than eight
inches long
between
Dec. 1 and
May 10.

—penalty
for pack-
ing herring
without
heading and
eviscerat-
ing same.

amount of
oil and
mustard
that shall
be used in
packing
herring.

CHAP. 279

—how oil shall be measured.

quarts of oil, of the first quality, pure summer or winter cotton oil or any food oil of equal quality, for every hundred cans so packed of the size known as quarter oils; three quarts of mustard sauce of good quality for every fifty cans of the size known as three-quarter mustards; and for every one hundred cans of the size known as one-quarter mustards; one gallon of vinegar for every one hundred cans of the size known as one quarter spiced; and for every fifty cans of the size known as three-quarter spiced or tomato. Proprietors of fish packing factories shall provide sealed measures holding one one-hundredth part of three quarts each, which shall be used in measuring all oil into quarter oil sardine cans, and measures holding one-fiftieth part of a gallon which shall be used in measuring all mustard sauce and vinegar into three-quarter size cans used in packing sardines, and all fish packed as aforesaid shall be when so packed good and sound, except that they shall be cleaned, headed and eviscerated. Whoever packs or cans, or causes to be packed or canned any fish in violation of this section shall forfeit twenty dollars for every one hundred cans, or fifty cans as aforesaid, as the case may be, so packed by him or by his employes, to be recovered by complaint.

—penalty for packing fish in violation of this act.

Cans shall be labeled with quality, packer's name and place of business.

how swell heads, etc., shall be treated.

—penalty for selling sardines in violation of.

No can shall contain less than six fish.

—fish shall be flaked before baking.

—penalty for violation.

Sect. 2. All cans shall be decorated, stamped or labeled with quality, packer's name and place of business, or merchant's name for whom the same are packed, all leaks, swell heads and blow heads, shall be thoroughly mended and filled with oil or vinegar, as per kind of sardines, and then bathed in boiling water for not less than twenty minutes, or in retort, at a temperature of two hundred and forty degrees, not less than five minutes. Whoever sells or offers for sale, any sardines in violation of this section shall forfeit one dollar for every can so sold or offered for sale, to be recovered by action, indictment or action of debt, one-half to the complainant or prosecutor and one-half to the town in which the offense was committed.

Sect. 3. No can of sardines shall be packed with less than six fish and no fish shall be packed as sardines unless they have been headed and eviscerated within twenty-four hours from the time they arrive at the factory. No fish shall be baked for sardines in ovens unless they shall first be properly flaked in rows and laid on without overlapping. Whoever flakes, bakes or packs any sardines in violation of this section forfeits five dollars for every hundred fish so flaked, baked or packed, to be recovered by action, indictment or action of debt, one-half to the complainant or prosecutor and one-half to the town in which the offense was committed.

ered by indictment or action for debt, one-half to the complainant or prosecutor, and one-half to the town in which the offense is committed.

Sect. 4. Section two of this act shall not apply to certain articles of stock in possession of any packer of sardines when this act is approved, as follows: decorated tin plate, cans, metal, labels and cans of sardines, nor to goods packed previous to the approval of this act. But this exemption does not apply to any of the methods, processes or regulations in regard to canning sardines or mending leaky cans provided for in this act. All packers of sardines shall file with the commissioner of sea and shore fisheries, or his wardens, within ten days after the approval of this act, a true list or schedule of all decorated cans and tin plate, metal, labels and cans of sardines, in his possession at the time of the approval of this act, subscribed and sworn to by said packer of sardines before a notary or justice of the peace, otherwise he shall not obtain the benefits of this section.

Act shall not apply to certain articles in stock.

—packers shall file schedule of all cans in possession on approval of this act.

Sect. 5. The commissioner of sea and shore fisheries shall insist upon the strict enforcement of this act and require from his wardens who have jurisdiction in localities where sardine canning factories are located, to give a good and sufficient bond in the sum of five thousand dollars payable to the treasurer of the state of Maine, said bond to be deposited in the state treasury, to guarantee the faithful and strict enforcement of the provisions of this act and its penalties, and in no case shall a packer of sardines be accepted as a surety.

Commissioner shall insist on enforcement of act and require bond of wardens.

Sect. 6. The commissioner of sea and shore fisheries or his wardens shall inquire into violations of the laws relating to sardines and enforce the penalties thereto, and for the purpose of inquiring into any violation of said laws, and enforcing the penalties thereof, such commissioner or his deputies may at all reasonable times enter any manufactory, or canning establishment, and make investigations concerning the methods employed and the condition of the product, and if necessary, open packages and cut open cans of sardines for such investigation. Sufficient wardens shall be appointed by the commissioner of sea and shore fisheries to enforce the provisions of this act, and for the city of Eastport and town of Lubec not less than two each, and the compensation of the wardens shall be two dollars per day and expenses when actually employed. No person shall be eligible for appointment as warden who is the owner

Commissioner and wardens may enter any canning establishment for purposes of investigation.

—wardens for Eastport and Lubec.

—eligibility of wardens.

CHAP. 280 in a sardine factory or a relative of such an owner in the town where such factory is located.

Inconsis-
tent acts,
repealed.

Sect. 7. All acts or parts of acts, that conflict with this act, are hereby repealed.

Approved March 25, 1897.

Chapter 280.

An Act to amend Section thirteen of Chapter three of the Revised Statutes, in relation to election of Town Officers.

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

Section 13,
chapter 3,
R. S., as
amended by
chapter 10,
laws, 1887,
further
amended.

Section thirteen of chapter three of the revised statutes, as amended by chapter ten of the public laws of eighteen hundred and eighty-seven, is hereby further amended by striking out, after the word "ballot" in the third line, the words "or other method agreed on by vote of the town" and substitute instead thereof the words 'or to be appointed by the selectmen,' so that said section, as amended, shall read as follows:

Officers
chosen by
ballot.

'Sect. 13. Moderator, town clerk, selectmen, assessors, and overseers of the poor, treasurer, auditor, school committee, and town agent shall be elected by ballot, and the other said officers by ballot or to be appointed by the selectmen. The town agent shall act under the direction of the selectmen and receive such compensation for his services as fixed by vote of the town; otherwise, as the selectmen shall allow to be paid out of the treasury of the town.'

-town
agent, ap-
pointment
and com-
pensation.

Approved March 25, 1897.