

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

United States and of the State of Maine,

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

APPENDIX.

PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

Augusta:

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

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1841.

CHAP. 52.

CHAPTER 52.

OF POT AND PEARL ASHES.

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Inspector and deputies, to continue.

1821, 151, § 1.

How vacancy to be filled.

1821, 151, § 1.

Inspector's oath and bond.

1821, 151, § 1.

Of his deputies.

1821, 151, § 1.

Mode of inspection.

1836, 207, § 1.

Description of casks.

1821, 151, § 2.

Manufacturer to brand each cask.

1821, 151, § 3.

Process of inspection, packing, branding, &c.

1821, 151, § 4.

SECTION 1. The inspector of pot and pearl ashes for the state, and his deputies, shall continue to hold their respective offices, according to the terms of their appointment.

SECT. 2. When a vacancy shall occur in the office of inspector of pot and pearl ashes, it shall be the duty of the governor, with advice of the council, to appoint some person, well skilled in the knowledge and properties of the same, to supply such vacancy, and who shall be removable at the pleasure of the executive.

SECT. 3. Before entering on the duties of his office, he shall be duly sworn; and shall give bond, with sufficient sureties, to the treasurer of the state, in the penal sum of three thousand dollars, for the faithful discharge of the duties of his office.

SECT. 4. When so qualified, he shall appoint deputy inspectors in every seaport town, where pot and pearl ashes are exported, and such other places, as he shall judge necessary; for all of whom he shall be answerable, and shall take bonds, with sureties, from them, for the faithful discharge of their duty; and they shall be duly sworn.

SECT. 5. The inspector and his deputies shall sort pot and pearl ashes into four sorts, if necessary, which shall be distinguished by the words, *first sort extra*, and *first, second, and third*, sorts.

SECT. 6. Every cask, in which such ashes shall be packed for exportation, shall be made of sound and seasoned oak or white ash staves and heading, full bound, twenty nine inches long, and nineteen inches diameter in the head; and of such weight in proportion to its contents, as will amount, as near as may be, to fourteen-per cent. tare thereon.

SECT. 7. Every manufacturer of said ashes shall brand each cask, with the initial letters of his christian name, and surname at full length, with the name of the town, where manufactured, before the same shall be removed from the manufactory; under penalty of one dollar, for each cask removed without being so previously branded.

SECT. 8. The inspector shall start the ashes out of the casks, and carefully examine, try and inspect the same, and put each sort by itself in tight new casks, well hooped and coopered, which he shall distinguish, if necessary, in the manner prescribed in the fifth section, or by the words, *first sort, second sort* or *third sort*, with the word *pot* or *pearl* ashes, as the case may be, branded in plain

legible letters, together with the letters of his name, and the place where inspected; and also the word, MAINE, at full length on each cask; and the inspector or deputy, at the time of starting pot or pearl ashes for inspection, shall weigh the cask, and mark the weight with a marking iron, on each head.

SECT. 9. Every inspector shall have power to enter, with, or without, a warrant, on board of any vessel in the harbor, where such inspector is authorized to perform duty; and, on discovering any cask of pot or pearl ashes, not branded as before directed, he may seize and carry away, and secure the same for trial, as forfeited property, to be proceeded against according to law.

His right to seize, on board vessels.
1821, 151, § 5.

SECT. 10. No person shall ship any such ashes for exportation, before the same shall have been examined and inspected, as before mentioned; and the master of any such vessel, who shall receive such casks on board, not having been duly inspected and branded, shall forfeit twenty dollars.

Penalty for shipping ashes, not inspected.
1821, 151, § 4, 5.

SECT. 11. Any master of a vessel or other person, who shall obstruct the inspector, in performing his duty in searching such vessel, shall forfeit for each offence thirty dollars.

For obstructing the inspector, while searching.
1821, 151, § 5.

SECT. 12. Any inspector, when applied to, to inspect any pot or pearl ashes, unreasonably refusing, or delaying, to proceed and inspect the same, for the space of three hours, shall forfeit the sum of five dollars.

For unreasonable delay, by the inspector.
1821, 151, § 6.

SECT. 13. If any person shall brand any cask of pot or pearl ashes, manufactured by himself, with the name of another person than his own, or brand any such cask, belonging to another, with his own name, or shall counterfeit any brand belonging to, or proper to be used by, said inspector or any of his deputies, or brand any cask of pot or pearl ashes, with any brand of such inspectors, or with any counterfeit brand, he shall forfeit and pay, for each offence, two hundred dollars.

For falsely branding by the manufacturer.
1821, 151, § 7.

SECT. 14. If any person shall empty any cask of pot or pearl ashes, inspected or branded according to the provisions of this chapter, and put in, any other pot or pearl ashes, for sale or exportation, without first cutting out said brand, he shall forfeit and pay two hundred dollars.

For shifting contents of casks, &c.
1821, 151, § 8.

SECT. 15. All penalties above twenty dollars, and under sixty dollars, when recovered, shall be to the use of the person, suing for the same; and all of sixty dollars, or upwards, shall be one half to the prosecutor, and the other to the state; and one half the proceeds of all forfeited property shall be to the use of the state, and the other half, to the use of the seizing officer.

Appropriation of penalties.
1821, 151, § 9.

SECT. 16. Every inspector of pot and pearl ashes shall annually, in the month of May, make a return to the secretary of state's office, of the number of casks of pot and pearl ashes, naming the number of each brand, and the weight of each specific quality, inspected by him or his deputies; said returns to be made up to the first day of May of each year; and the deputy inspectors shall make seasonable returns to the inspector, to enable him to make his returns.

Annual returns.
1821, 151, § 12.