

MAINE STATE LEGISLATURE

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FIFTH REVISION.

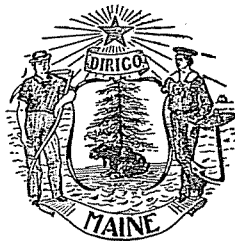
THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED SEPTEMBER 1, 1903, AND TAKING EFFECT JANUARY 1, 1904.

BY THE AUTHORITY OF THE LEGISLATURE.



AUGUSTA :
KENNEBEC JOURNAL PRINT,
1904.

CHAPTER 60.

AGRICULTURAL INSTITUTIONS.

DEPARTMENT OF AGRICULTURE.

State department of agriculture. 1901, c. 204, § 1.
 —commissioner shall be elected biennially. See Const. of Me. Art. ix., § 1.

—tenure.

—bond.

—duties. R. S., c. 58, § 5.

Shall hold institutes annually. 1901, c. 204, § 3.

—character of the work of the institutes.

—may employ lecturers, etc.

—how institutes may be held.

Shall hold a state dairymen's conference. 1901, c. 204, § 4.

Appropriation. 1901, c. 204, § 5.

Shall assist in promoting horticultural and dairy work. 1901, c. 204, § 6.

SEC. 1. A state department of agriculture shall be maintained for the improvement of agriculture and the advancement of the interests of husbandry. A commissioner of agriculture shall be elected biennially by the legislature by joint ballot of the senators and representatives in convention and shall hold his office for the term of two years and until his successor is elected and qualified. He shall give bond in the sum of ten thousand dollars to the state, with sufficient sureties, to be approved by the treasurer of state, conditioned to faithfully account for all moneys received and disbursed by him as said commissioner. He shall by personal observation, investigation and correspondence, acquaint himself, with the methods and wants of practical husbandry, the means of fertilization, and the adaption of various products to the soils and climate of Maine; also with the progress of scientific and practical agriculture elsewhere, with a view to the more complete development of the natural resources of the state.

SEC. 2. The commissioner of agriculture shall hold or cause to be held two farmers' institutes in each county annually and as many more as the appropriation therefor will allow. The work of said institutes shall be devoted to the presentation and discussion of questions bearing upon agriculture and the agricultural interests of the state; and for this purpose said commissioner may employ speakers who are qualified and versed in the subjects assigned them; and he shall semi-annually publish in the leading agricultural paper of the state a list of available speakers and their subjects, from which lists selection may be made for said institute purposes. He may also appoint and employ assistants, experts, lecturers, a stenographer and other aids needed in conducting such institute work, and shall fix the compensation of such employees. He may hold such institutes independently or in connection with other organizations devoted to agricultural interests and as far as possible and for the best agricultural interests of the state, aid and encourage agricultural societies and associations in the state, and shall collect and preserve in his office for public inspection all valuable data relating to the practical work of such societies and associations.

SEC. 3. He shall, in connection with, and with the aid of the state dairymen's association, annually hold a state dairymen's conference for the exhibit of dairy products and appliances, wherein prizes for high merit and quality in butter and cheese may be offered, and may employ experts and lecturers to enhance dairy interests, but the expenses of the same shall not exceed the sum of five hundred dollars annually.

SEC. 4. An appropriation of three thousand dollars annually shall be made for said institute work and for all other purposes set out in the two preceding sections.

SEC. 5. The commissioner of agriculture shall aid and assist societies and associations organized and established for the advancement of pomology, horticulture and dairy work, also societies devoted to the interests of the pure breeding of stock of all kinds.

SEC. 6. He shall apportion annually the stipend due from the state to the said agricultural societies, including the state pomological society; he shall issue blanks to the proper officers of said societies for such returns as may be deemed necessary for a full and complete knowledge of the work of said societies for each year, and shall certify to the governor and council the amount of bounty due such society, and shall designate to the treasurer of state to whom such moneys shall be paid, but said societies shall not be entitled to such bounty, unless they shall make such returns.

Shall apportion the state stipend due societies.
1901, c. 204, § 7.

SEC. 7. He shall annually make a report to the governor and council, on or before the first day of January of each year, of the work of the department of agriculture in detail, combining in the same a report of the state pomological society, state dairymen's association, and the State of Maine Cattle Commission, and all other matters relating to the promotion of agriculture; and for the purpose of making his said report, said society, association and commission shall furnish said commissioner with all necessary data therefor on or before the first day of December of each year. He shall further report all farmers' institutes held and the work therein done, and all public lectures carried on under his authority, and such part of said reports as is of public interest shall be printed for free distribution; for the purpose of making up his report as herein provided, said commissioner shall attend the various agricultural exhibitions in the state and report upon the quality and character of the work of the same.

Shall make report annually.
1901, c. 204, § 8.

See c. 19, § 9.

—shall report all institutes and lectures.

SEC. 8. He shall render on the first day of January of each year a detailed and itemized account of all expenses of his office, of all institutes held and of all moneys paid out for employees under the provisions hereof, also all sums of money paid for prizes on exhibits and for all other purposes; and for this purpose he shall keep necessary books in which an account of all moneys received and expended shall be entered, which books shall be open to public inspection.

Shall render annually an itemized account of all expenses.
1901, c. 204, § 9.

—keep books of account.

SEC. 9. He shall act for the state in the enforcement of the laws relating to the sale or manufacture of any impure or adulterated food or seed products; and for said purpose he may employ chemists, agents and counsel, as may be necessary for the proper enforcement of such laws; and for such expenses there shall be appropriated a sum not exceeding five hundred dollars, to be allowed upon the approval of the governor and council upon the presentation of proper itemized vouchers.

Shall enforce laws relating to sale of adulterated food or seed products.
1901, c. 204, § 10.

—expenses.

AGRICULTURAL EXPERIMENT STATION.

SEC. 10. The department of the University of Maine known and designated as the Maine Agricultural Experiment Station, heretofore established at said university in connection therewith, and under its direction, for the purpose of carrying into effect the provisions of an act of the Congress of the United States, approved March two, eighteen hundred and eighty-seven, to establish Agricultural Experiment Stations in connection with the colleges established in the several states under the provisions of an act approved July two, eighteen hundred and sixty-two, and of the acts supplementary thereto, shall be maintained in accordance with the purposes for which it was originally established.

Agricultural experiment station.
1887, c. 119.

STATE AGRICULTURAL SOCIETY.

SEC. 11. The Maine State Agricultural Society, at its annual meeting, shall elect, by ballot, a president, secretary, treasurer, trustees and other necessary officers.

Officers to be elected.
R. S., c. 58, § 8.

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Powers of society; bond and account of treasurer; annual report of secretary.
R. S., c. 58, § 9.

SEC. 12. Said society may take and hold property, real and personal, the annual income of which shall not exceed five thousand dollars, to be applied exclusively to the advancement of agriculture, horticulture, and the arts connected therewith; and the treasurer of said society shall give a suitable bond to the board of trustees, for the safe keeping of said property, and for the faithful discharge of his duties. At each annual meeting, the treasurer shall submit a full and correct account of the money received and expended; and the secretary shall make a report of the doings of the society, with such information and suggestions as he deems useful to the public.

COUNTY AND LOCAL AGRICULTURAL SOCIETIES.

County and local societies, or treasurers, may hold and manage property; treasurers to give bonds.
R. S., c. 58, § 10.

SEC. 13. County and local agricultural societies may take and hold property, real and personal, the annual income of which shall not exceed three thousand dollars, to be applied to the purposes provided in their charters; or their treasurers may receive conveyances or leases of such property, for their societies, and hold, sell, mortgage or pledge it, and shall give bonds to the trustees for the safe keeping thereof and the faithful discharge of their duties.

Amount that shall be paid to the agricultural societies by the state.

SEC. 14. There shall be appropriated annually from the state treasury, a sum of money not exceeding one cent and one-quarter to each inhabitant of the state, which shall be divided among the legally incorporated agricultural societies of the state not provided for by special enactment, according to the amount of premiums and gratuities actually paid in full by said societies, *provided*, that the stipend shall be based entirely upon the premiums and gratuities actually paid in full on exhibition stocks and products, and *provided*, that no society shall receive from the state a sum greater than that actually raised and paid by the society for said purposes; *provided also*, that each of the said societies shall cause the prohibitory liquor law to be enforced on all grounds over which they have control, and not allow gambling in any form or games of chance on said grounds.

—how divided.
R. S., c. 58, § 11.
1897, c. 288, § 1.
1903, c. 215, § 1.

SEC. 15. None of such payments shall be made to any society until the treasurer thereof files with the treasurer of state a certificate on oath stating the amount raised by it and containing the specifications required in section nineteen; and also a certificate from the commissioner of agriculture that he has examined into the claim of said society; that in his opinion it has complied with the provisions of sections nineteen and twenty and with the following section; that there has been awarded and paid by said society as premiums and gratuities a sum at least equal to the amount apportioned to said society and that the provisions in regard to gambling and the sale of intoxicating liquors have been strictly complied with.

—proviso.

No payments made until certain certificates and specifications are filed.
R. S., c. 58, § 12.
1903, c. 215, § 2.

SEC. 16. No state stipend shall be paid to any agricultural society offering or paying premiums on grade males; the commissioner of agriculture may make this a part of the sworn return to be made by the proper officers of all agricultural societies; *provided* that evidence as to eligibility to registration be accepted as satisfactory proof of purity of blood.

Society offering premiums on grade males not entitled to stipend.
1903, c. 215, § 3.

SEC. 17. The payment of the state stipend to the Eastern Maine State Fair and Maine State Agricultural Society shall be conditional upon the use of the score card system in the judging of all horses, breeds of cattle, sheep and swine, and of dairy products; the cards to be used for pure bloods to be those adopted by the several breeders' associations. A copy of each score card as filled by the judge shall be delivered to the exhibitor of each individual animal judged. All county societies receiving a three

Stipend to Eastern Maine State Fair and Maine State Agricultural Society conditional.
1903, c. 215, § 4.

hundred dollar stipend or more, shall be required to faithfully observe the same system and conditions.

SEC. 18. Every society receiving the bounty of the state, shall expend an equal amount each year in premiums and gratuities for the improvement and encouragement of agriculture, horticulture or the mechanic arts, unless the commissioner of agriculture directs for what purposes a sum not exceeding half of such bounty shall be expended; and then it shall be expended accordingly.

How the bounty of the state shall be spent.
R. S., c. 58, §13.

SEC. 19. Every society applying for the bounty of the state shall require of all competitors for premiums either on animals, crops, dairy products or improvements of soils or manures, a full and accurate statement of the process or method of rearing, managing, producing and accomplishing the same, together with its cost and value, with a view of showing the profits or benefits derived or expected therefrom; and the application for bounty shall embrace all the specifications included in the following form, to wit:

Statements required from competitors, for bounties, and specifications in treasurer's certificate to treasurer of state.
1897, c. 288, § 2.

"I, A. B., treasurer of the _____ society, hereby apply for bounty in aid of said society, as granted by law, and being sworn, or affirmed, say that \$_____ has been raised and paid in good faith into the treasury of said society, and that \$_____ has been actually paid in full in premiums, in conformity with law."

—form of application for bounty.

SEC. 20. The secretaries of the several societies shall prepare an annual report, embracing a concise statement of the financial condition and doings of the society, with a synopsis of the premiums awarded, to be made by filling blanks furnished by the commissioner of agriculture. Said report shall also state the leading features of the annual exhibition, the character of the efforts of the society for the advancement of agriculture, the principal crops raised in the county or district, the success attending their culture as compared with former years, and the obstacles met with; and generally the condition, prospects and wants of agriculture; which report, with a list of the officers of the society and the post office address of each, renewed at each new election, and all statements made by successful competitors for premiums, and any reports of committees, essays, addresses or other papers presented to the society containing matters of general interest, shall be returned to the commissioner by the first Wednesday of each December. Upon receipt and after examination of said returns, if the commissioner finds them full, faithful and accurate, according to the intent hereof, he shall issue the certificate mentioned in section fifteen, and not otherwise.

Secretaries to report annually to commissioner of agriculture.
R. S., c. 58, §15.

—when to be made.

SEC. 21. All incorporated agricultural societies may, by their officers, define and fix bounds of sufficient extent for the erection of their cattle pens and yards, and for convenient passage ways to and about the same, on the days of their cattle shows and exhibitions, and for their plowing matches and trial of working teams, within which no person shall enter or pass, unless in conformity with the regulations of the officers thereof; but they shall not so occupy or include the lands of any person without his consent, or obstruct the public travel of any highway.

May fix bounds for exhibitions, but not to include land without owner's consent, nor to obstruct highway.
R. S., c. 58, §16.

SEC. 22. Whoever, contrary to such regulations and after notice thereof, enters or passes within the bounds so fixed, forfeits to such society not exceeding five dollars, to be recovered on complaint.

Penalty for violation of regulations.
R. S., c. 58, §17.

SEC. 23. The officers of any such society may appoint a sufficient number of suitable persons, to act as constables at cattle shows and exhibitions, with all the powers of constables, for the preservation of the public peace, and the enforcement of the regulations of said society, within the

Persons may be appointed to keep order, with powers of constables.
R. S., c. 58, §18.

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towns where such shows and exhibitions are held, from noon of the day preceding the commencement of the same until noon of the day succeeding the termination thereof, and no longer.

Sale of merchandise and refreshments, and exhibitions, near grounds of agricultural societies, restricted. R. S., c. 53, § 19.
—penalty.

SEC. 24. Whoever sells any refreshments, or other merchandise, or exhibits any show or play, within a quarter of a mile of the fair grounds of any agricultural society, during the time of any exhibition thereof, unless in his own dwelling-house, or usual and ordinary place of business or lets any land or building adjoining, or overlooking the fair grounds of such society, to spectators of any exhibition thereof, during the time of such exhibition, without the written consent of its trustees, forfeits to such society not exceeding one hundred dollars, to be recovered on complaint of two of its trustees.

Powers and privileges of Eastern Maine State Fair. P. & S. L. 1885, c. 459, §§ 3, 4.

SEC. 25. The corporation known as Eastern Maine State Fair shall have all of the police powers, together with all other powers and privileges, at all of its exhibitions of whatever name or nature, which are conferred upon agricultural societies by sections twenty-one, twenty-two and twenty-three and the provisions, restrictions, forfeitures and penalties provided by the preceding section shall be applicable to all exhibitions of such corporation.

Receipts of fairs and agricultural societies, exempt from attachment. 1887, c. 94. 1893, c. 77.

SEC. 26. The receipts of the Maine State Agricultural Society, the Eastern Maine State Fair and all county and local agricultural societies, are hereby exempted from attachment, trustee process and seizure on execution until current expenses of the fair, purses and premiums awarded by the society are paid, *provided*, that the same are paid within three months from the close of the fair.

Competitors for premiums offered by agricultural societies, holden to pay entry fee. 1891, c. 70, § 1.

SEC. 27. Whoever makes entries of animals or articles as competitors for premiums or purses offered by any agricultural society, or by any person or association in the state, shall be holden to pay the entry fee in accordance with the advertised rules and regulations of any such society, person or association, not in conflict with the laws of the state; and a lien is hereby created upon such animals and articles for such entry fee to secure payment thereof with costs, to be enforced by an action of debt against the person owning such animals or articles, or the person entering the same; the same to be enforced in the same manner as liens on goods in possession and choses in action, but such lien shall not affect the title of any innocent purchaser of said animals or articles without actual notice of such lien.

—lien on animals, to secure payment.
—how enforced. See c. 93, § 66.

SEC. 28. Agricultural societies, persons and associations, holding public exhibitions for competition for premiums or purses are authorized to conduct and manage the same in accordance with the advertised rules and regulations, not in conflict with the laws of the state.

How exhibitions shall be conducted. 1891, c. 70, § 3.

Note. Penalty for false registration of blooded animal, c. 127, § 10.
Penalty for entering in any race a disguised horse, or entering a horse in wrong class, c. 127, § 11.