

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

**A. D. 1834.**

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FOURTEENTH LEGISLATURE.

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NO. 42.

HOUSE.

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STATE OF MAINE.

IN THE YEAR OF OUR LORD, ONE THOUSAND EIGHT  
HUNDRED AND THIRTY FOUR.

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[NEW DRAFT.]

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AN ADDITIONAL ACT relating to the In-  
spection of Fish.

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SECT. 1. *Be it enacted by the Senate and  
2 House of Representatives in Legislature as-  
3 sembled, That there shall be an Inspector Gen-  
4 eral in each County in this State, in which it  
5 shall be deemed necessary such an appointment  
6 should be made, of all pickled and smoked Fish,*

7 which are to be, or are intended to be exported  
8 from the State, who shall be well skilled in the  
9 quality of the same, to be appointed by the  
10 Governor, with the advice and consent of the  
11 Council, and to be by them removable at pleas-  
12 ure, who, before they shall enter upon the duties  
13 of their offices, shall give bonds with sufficient  
14 sureties, to the Treasurer of the State, in the  
15 sum of Five Thousand Dollars, for the faithful  
16 discharge of their duty, to be approved and cer-  
17 tified by the Court of County Commissioners in  
18 the Counties respectively where such Inspector  
19 Generals reside, who shall be sworn to the faithful  
20 performance of their duties ; and they shall  
21 have power, when thus qualified, to appoint  
22 Deputies under them, who shall be removable at  
23 pleasure, in all towns within their respective  
24 Counties where it shall be deemed necessary to  
25 pack such fish for exportation, and for whose  
26 official conduct they shall be answerable, and  
27 shall take bonds from such Deputies to them-  
28 selves with sufficient sureties in a sum not ex-  
29 ceeding One Thousand Dollars ; and the said  
30 Deputies shall also be sworn to the faithful dis-  
31 charge of their duty.

SECT. 2. *Be it further enacted, That no*

2 Inspector General, or his Deputy shall inspect  
3 any Fish in which he or they may be interested,  
4 but shall have power to inspect in each town in  
5 the respective Counties for which they were ap-  
6 pointed; each Deputy shall on the first or sec-  
7 ond day of June, which shall not be on Sunday,  
8 and the first or second day of December, annu-  
9 ally, make a true and detailed return to the In-  
10 spector General of his County of all Fish by  
11 him inspected since the last return; and each  
12 Inspector General of his County shall, in the  
13 month of January annually, make a true, full and  
14 detailed return to the Secretary of State's of-  
15 fice of all fish inspected both by himself and his  
16 deputies for the year preceding, designating  
17 therein the number of barrels or boxes, and also  
18 the various sorts, together with the place of in-  
19 spection. And if any inspector General of fish  
20 shall neglect or refuse to make his return as  
21 aforesaid, he shall forfeit and pay a sum not less  
22 than one hundred dollars nor more than two  
23 hundred dollars for every offence. And if any  
24 Deputy Inspector shall so neglect or refuse to  
25 make such return to their Inspector Generals  
26 respectively, they and each of them shall forfeit  
27 and pay a sum not less than thirty dollars nor

28 more than sixty dollars. And if any person or  
29 persons shall have sustained any injury by the  
30 misconduct, neglect or refusal of any Inspector  
31 General or his Deputies, such person or persons  
32 may have a remedy by an action of debt on the  
33 bond of said Inspector General, for his own or  
34 his Deputy's misconduct, neglect or refusal, or  
35 against said Deputy for his misconduct, neglect or  
36 refusal, to be recovered in any Court of compe-  
37 tent jurisdiction ; and an attested copy of any  
38 Inspector General's bond, certified by the Treas-  
39 urer of this State, shall be received as evidence in  
40 any case. *Provided nevertheless,* That if in  
41 any suit the execution of the bond shall be dis-  
42 puted, the Court may order the Treasurer to  
43 bring the original bond with him into Court.

SECT. 3. *Be it further enacted,* That the  
2 Inspectors shall be paid for each certificate for  
3 exportation seventeen cents, for inspecting and  
5 branding each tierce eleven cents, one and a  
6 quarter of a cent of which shall be paid over to  
7 the Inspector General ; for one cask or barrel  
8 eight cents, one cent of which to be paid to the  
9 Inspector General ; for every half barrel five  
10 cents, half of one per cent. shall be paid to the  
11 Inspector General ; for each box of smoked,

12 herring or alewives three cents, three fourths of  
 13 one cent of which shall be paid by the Deputy  
 14 in this, as in all the above named cases, to the  
 15 Inspector General. The branding of the bar-  
 16 rels and boxes of said Fish shall remain the  
 17 same as prescribed in the original Act, except-  
 18 ing that in case of any inspection by a Deputy  
 19 Inspector the word Deputy shall be added to  
 20 the Deputy's name, and the name of the County  
 21 in which he lives ; and to the name of the In-  
 22 spector General, the name of the County in  
 23 which he lives.

SECT. 4. *Be it further enacted,* That the  
 2 same penalties and forfeitures shall be incurred  
 3 for the violation of the provisions of this Act, in  
 4 regard to the inspection and marking of pickled  
 5 and smoked Fish, as are provided for in the sev-  
 6 eral Acts to which this is additional.

SECT. 5. *Be it further enacted,* That those  
 2 who have been commissioned Inspectors the  
 3 the present session of the Governor and Council,  
 4 shall have the duty they may have paid on their  
 5 said Commissions refunded by the State ; and  
 6 the Governor, with advice of Council, is au-  
 7 thorized to draw his warrant on the Treasurer  
 8 therefor in their favor.

SECT. 6. *Be it further enacted,* That all  
2 Acts or parts of Acts, inconsistent with the pro-  
3 visions of this Act, be and the same hereby are  
5 repealed.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
February 27, 1834. }

ORDERED, That four hundred copies of this Bill be printed for  
the use of the Legislature.

[Extract from the Journal.]

Attest, ASAPH R. NICHOLS, *Clerk.*