

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

STATE OF MAINE.

1866.



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1866.

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# FORTY-FIFTH LEGISLATURE.

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SENATE.

No. 13.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-SIX.

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AN ACT to regulate the inspection of flour.

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

SECTION 1. The mayor and aldermen of cities and  
2 the selectmen of towns in this state are hereby author-  
3 ized to appoint annually, in their respective cities and  
4 towns, one or more suitable persons to be inspectors of  
5 flour, for the period of one year from the date of ap-  
6 pointment, but no one who is interested in the manu-  
7 facture or sale of flour shall be so appointed.

SECT. 2. Every such inspector, before entering upon  
2 the duties of his office, shall be sworn to the faithful  
3 and impartial discharge of the same, before the clerk  
4 of the city or town in which he is appointed, and such

5 clerk shall give him a certificate of his appointment  
6 and qualification, upon payment of a fee of fifty cents,  
7 which certificate shall be exhibited on the demand of  
8 any person interested in any inspection made by the  
9 holder of it.

SECT. 3. Inspection of flour in this state shall be  
2 for the purpose of ascertaining its soundness; every  
3 package of flour inspected under the provisions of this  
4 act shall be opened sufficiently to allow a trier to be  
5 passed through it, and a sample of the whole length  
6 of the package shall be taken out, and examined by  
7 the inspector, who shall mark upon each package with  
8 a brand or stencil the word "sound" or the word  
9 "unsound" as the quality of the flour contained in  
10 each shall be found, together with his name, resi-  
11 dence, office, and the year of inspection: Every  
12 inspector shall keep a record of all flour inspected by  
13 him, in a book devoted exclusively to that use, which  
14 record he shall be required to exhibit to any person  
15 requiring it.

SECT. 4. Every inspector, who shall wilfully, false-  
2 ly and fraudulently mark any package of flour with a  
3 mark indicating a quality different from the true  
4 quality, shall be punished by a fine of five dollars for  
5 each package so falsely and fraudulently marked, and

6 shall also forfeit to any person injured thereby three  
7 times the amount of damage to be recovered in an  
8 action of debt.

SECT. 5. Every person who shall, with intent to  
2 defraud and deceive, alter, obliterate or counterfeit, the  
3 inspection marks of any inspector, placed on any pack-  
4 age of flour under the provisions of this act, and every  
5 person who, with intent to deceive and defraud, shall  
6 place upon any package of flour, marks which falsely  
7 purport to be inspection marks, under the provisions of  
8 this act, shall for every offence be punished by fine  
9 not exceeding fifty dollars, and upon conviction of so  
10 altering, obliterating, counterfeiting or placing marks  
11 falsely purporting to be inspection marks, on as many  
12 as ten packages at one time shall also be punished by  
13 imprisonment in the county jail not exceeding ten  
14 months.

SECT. 6. Any person buying flour may require the  
2 same to be inspected before it is delivered; the fees  
3 of the inspector shall be five cents a package for lots  
4 of less than ten packages; for lots of more than ten  
5 and not exceeding twenty packages two cents a pack-  
6 age, and for every package exceeding twenty one  
7 cent, to be paid by the person demanding the  
8 inspection.

SECT. 7. The inspectors of flour appointed under  
2 this act, shall, whenever required, in addition to the  
3 inspection of the soundness or unsoundness of the  
4 article examined, determine whether it conforms to  
5 and equals the sample furnished to them, and shall  
6 mark with some distinct and intelligible mark the  
7 packages that are found like the sample, and for this  
8 service they may charge an additional compensation of  
9 one half cent per package.

SECT. 8. Nothing contained in this act shall be held  
2 to prohibit, or render illegal any contract for the man-  
3 ufacture or sale of flour, which has not been inspected;  
4 when inspection is not required by the buyer or seller.

SECT. 9. This act shall take effect when approved  
2 by the governor.

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## STATE OF MAINE.

IN SENATE, February 31, 1866.

Reported by Mr. MANSON, from the Committee on Mercantile  
Affairs and Insurance.

THOMAS P. CLEAVES, *Clerk.*