

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

January 18, 1936

Hon. Charles O. Beale
Commissioner of Labor
Augusta, Maine

Re: Interpretation of
Section 13, Chapter 85
Public Laws 1935.
Now 164 Chap. 25, P.S. 1904.

Dear Sir:

In your recent communication you ask my interpretation concerning the exemptions mentioned in Section 13 of Chapter 85, P. L. 1935, as they relate to "boilers used for agricultural purposes only", and especially as to whether such exemption includes boilers in green houses in cities and towns wherein vegetables are raised.

The real question is whether such greenhouses are used "for agricultural purposes".

Agricultural is rather an indefinite word which renders the statute somewhat uncertain. The definition given by Webster is, "Of or pertaining to agriculture; connected with or engaged in tillage." "Agriculture" is defined as the "art or science of cultivating the ground, including the harvesting of crops and rearing and management of live stock; tillage; husbandry; farming; in a broader sense, the science and art of the production of plants and animals useful to man, including to a reasonable extent the preparation of these products for man's use. In this broad use it includes farming, horticulture and forestry together with such subjects as butter and cheese making, sugar making, etc.."

The words "agricultural purposes" "are descriptive of the nature of the use to which the land is put".

The term "agriculture" has been further defined as the art or science of cultivating the ground, including the preparation of the soil, planting the seeds, the raising and harvesting the crops

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and the rearing, feeding, and management of livestock. "It is incident to husbandry", and "husbandry" Webster defines to be "the business of a farmer, comprehending agriculture or tillage of the ground, the raising of cattle and other domestic animals, the management of the dairy and whatever the land produces *****. But in a more common and appropriate sense it is used to signify that species of cultivation which is intended to raise grain and other field crops for man and beast."

From the foregoing it seems evident that the legislative intent, in the use of the words "agricultural purposes" in the Act under consideration, was for the benefit of those cultivating lands susceptible of being ploughed and seeded from which crops may be produced, and not for those operating a greenhouse in towns or cities.

Very truly yours,

Deputy Attorney General

SLF H

DEPARTMENT OF THE ATTORNEY GENERAL
STATE OF MAINE

