

# MAINE STATE LEGISLATURE

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# FIFTY-FOURTH LEGISLATURE.

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HOUSE.

No. 9.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FIVE.

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AN ACT to regulate the inspection of fish.

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

SECTION 1. The governor with the advice of the  
2 council, shall from time to time, as occasion may  
3 require, appoint in each city, town and plantation in  
4 this state, where pickled fish are cured or packed for  
5 exportation, one or more persons skilled in the quality  
6 of the same, to be inspectors of fish ; who shall hold  
7 their office for a term of five years, unless sooner re-  
8 moved by the governor and council.

SECT. 2. Every such inspector before entering upon  
2 the duties of his office, shall be duly sworn, and shall  
3 give bonds with sufficient sureties to the treasurer of  
4 the city, town or plantation for which he is appointed,

5 to the satisfaction of the mayor and aldermen of the  
6 city, the selectmen of the town, and the treasurer of  
7 the plantation, in the penal sum of not less than five  
8 hundred nor more than five thousand dollars, for the  
9 faithful performance of his official duties ; and such  
10 municipal officers shall, at least once a year, examine  
11 the bonds given by said inspectors, and if that of any  
12 inspector is not in their opinion sufficient, they shall  
13 forthwith notify him, and if he for thirty days after  
14 such notice neglects to give a bond satisfactory to them  
15 they shall give information thereof to the governor,  
16 and he shall remove such inspector from office.

SECT. 3. Every inspector shall, on or before the  
2 tenth day of December annually, make a return into  
3 the office of the secretary of state of all fish by him  
4 inspected during the year preceding the first day of  
5 December, designating the quantities, kinds and quali-  
6 ties of pickled fish, and the secretary shall publish the  
7 same immediately after in the state paper.

SECT. 4. Any person injured by the neglect or mis-  
2 doings of any inspector, on tendering to such treasurer  
3 a reasonable indemnity against the costs, shall be  
4 entitled to bring an action on such inspector's bond in  
5 the name of the treasurer, for his own use, and to have  
6 a copy of the bond therefor ; and if judgment shall be  
7 rendered thereon for the plaintiff, execution shall issue

8 for the sum found due to the person for whose use such  
9 action is brought, and the sum awarded in damages,  
10 shall be entered by the clerk of the court on the origi-  
11 nal bond, to remain in the custody of the treasurer.

SECT. 5. Every inspector who inspects any kind of  
2 fish that are split and pickled for packing, shall see  
3 that they are, in the first instance, free from taint,  
4 rust or damage, and well struck with salt or pickle ;  
5 and such of said fish as are in good order, and of good  
6 quality, shall be pickled in tierces, barrels, half bar-  
7 rels, quarter barrels, and tenths of barrels, or kids ;  
8 each tierce containing three hundred pounds ; each  
9 barrel two hundred pounds, and so on, in that propor-  
10 tion ; and the same shall be packed in good, clean,  
11 coarse salt, sufficient for their preservation ; and then  
12 each cask shall be headed up and filled with clear,  
13 strong pickle, and shall be branded by the inspector  
14 with the name and quality of the fish therein. Mack-  
15 erel of the best quality, not mutilated, measuring,  
16 when split, not less than thirteen inches from the  
17 extremity of the head to the crotch or fork of the tail,  
18 free from taint, rust or damage, shall be branded num-  
19 ber one. The next best quality, being not less than  
20 eleven inches, measuring as aforesaid, free from taint,  
21 rust or damage, shall be branded number two. Those  
22 that remain after the above selection, free from taint

23 or damage, and not less than thirteen inches, meas-  
24 uring as aforesaid, shall be branded number three  
25 large. Those of the next inferior quality, free from  
26 taint or damage, not less than ten inches, measured as  
27 aforesaid, shall be branded number three. All other  
28 mackerel, free from taint or damage, shall be branded  
29 number three small. The inspector shall brand in  
30 plain letters on the head of every such cask, the  
31 weight, the initials of his christian name, the whole of  
32 his surname, the name of his town, and the letters  
33 “Me.” an abridgment of the month and the year, in  
34 figures, when packed.

SECT. 6. All tierces, barrels and casks which are  
2 used for the purpose of packing pickled fish, shall be  
3 made of sound, well-seasoned white oak, white ash,  
4 spruce, pine, chestnut, or poplar staves, with headings  
5 of either of such kinds of wood, sound, well planed  
6 and seasoned, and when of pine to be free of sap, and  
7 the barrels to be hooped with at least three strong  
8 hoops on each bilge, and three also on each chime; the  
9 barrel staves to be twenty-eight inches in length, and  
10 the heads to be seventeen inches between the chimes  
11 and made in a workmanlike manner, to hold pickle.

SECT. 7. Every inspector who inspects picked ale-  
2 wives or herring, packed whole or round, shall see  
3 that they are struck with salt or pickle, and then put

4 in good casks of the size and material aforesaid,  
5 packed closely therein, and well salted, and the casks  
6 filled with the fish and salt ; putting no more salt with  
7 the fish than is necessary for their preservation ; and  
8 the inspector shall brand all such casks with the name  
9 of the inspected fish as aforesaid, but in no case shall  
10 the inspector brand the casks, unless the fish contained  
11 therein shall have been packed and prepared under his  
12 immediate supervision.

SECT. 8. The fees for inspection and branding, ex-  
2 clusive of cooperage, shall be for each barrel seven  
3 cents, and all such fees shall in the first instance be  
4 paid by the original owners of the fish, but such owners  
5 shall be entitled to recover the amount thereof from the  
6 party purchasing or receiving the same, under the  
7 marks and brands aforesaid, and in addition to the  
8 price thereof.

SECT. 9. Section one to section seven, chapter forty  
2 of the revised statutes of eighteen hundred and seventy-  
3 one, and all other acts and parts of acts inconsistent  
4 with this act, are hereby repealed ; but nothing herein  
5 contained shall be construed to affect the liability of  
6 any person or remedy therefor existing when this act  
7 takes effect.

SECT. 10. This act to take effect upon its approval.



STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES, }  
January 27, 1875. }

Reported from the Committee on Fisheries, by Mr. DAVIS, and  
ordered printed under Joint Rule.

S. J. CHADBOURNE, *Clerk.*