

# MAINE STATE LEGISLATURE

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Sixty - Second Legislature.

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SENATE.

No. 1.

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STATE OF MAINE.

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

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AN ACT to establish an Agricultural Experiment  
Station.

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

SECTION 1. That, for the purpose of protection  
2 from frauds in commercial fertilizers, and from  
3 adulterations in foods, feeds and seeds, and for the  
4 purpose of promoting agriculture by scientific in-  
5 vestigation and experiment, the Maine Fertilizer  
6 Control and Agricultural Experiment Station is  
7 hereby established in connection with the State  
8 College of Agriculture and Mechanic Arts.

SECT. 2. The direction and management of this  
2 station shall be committed to a board of managers  
3 to consist of five members, namely: The professor

4 of agriculture of the State College of Agriculture  
5 and Mechanic Arts, ex-officio; the secretary of the  
6 state board of agriculture, ex-officio; and three  
7 members to be appointed by the governor, whose  
8 terms of office shall be three years, except in the  
9 first appointment one shall be designated to serve  
10 but one year, and one to serve two years.

SECT. 3. The board of managers shall be called  
2 together by the secretary of the board of agricul-  
3 ture at such places in this state as he may designate,  
4 within thirty days of the approval of this act, for  
5 the purpose of transacting such business as may  
6 be required to put the station in operation; and  
7 thereafter the board of managers shall hold a  
8 meeting annually, at Augusta, on the Tuesday  
9 preceding the third Wednesday of January, for  
10 the transaction of business relating to the station.  
11 Other meetings may be called, on due notice, by  
12 the president, at such times and places as will best  
13 promote the objects contemplated by this act.

SECT. 4. The board of managers shall organize  
2 by the election of a president, a secretary and a  
3 treasurer, who shall severally hold their offices for  
4 one year, and until their successors are elected.  
5 They shall locate the station herein provided for,  
6 and shall appoint a director who shall have the

7 general management and oversight of the analyses,  
8 investigations and experiments necessary to carry  
9 out the purposes named in section one of this act,  
10 and shall employ competent assistants to aid in  
11 prosecuting the work of the station. It shall,  
12 whenever public interest will be promoted thereby,  
13 publish, by bulletin or otherwise, the results of its  
14 investigations and experiments, and shall make an  
15 annual report of its work to the governor and  
16 council, which shall be printed and bound with the  
17 report of the secretary of the board of agricul-  
18 ture.

SECT. 5. The sum of five thousand dollars an-  
2 nually is hereby appropriated to the Maine Fer-  
3 tilizer Control and Agricultural Experiment Sta-  
4 tion, and the governor and council, from time to  
5 time, shall draw their warrant on the state treas-  
6 urer for such sums of money as are necessary to  
7 defray the expenses herein provided for, not ex-  
8 ceeding in any one year the appropriation herein  
9 named, an account of which shall first be approved  
10 by the president and secretary of the board of man-  
11 agers.

SECT. 6. The board of managers shall receive no  
2 compensation for time and services rendered, but

3 shall be reimbursed for actual expenses incurred in  
4 the performance of their duties.

SECT. 7. Any manufacturer, company, or person  
2 who shall offer, sell, or expose for sale in this state,  
3 any commercial fertilizer, the price of which ex-  
4 ceeds ten dollars per ton, shall affix to every pack-  
5 age, in a conspicuous place on the outside thereof,  
6 a plainly printed certificate, stating the number of  
7 net pounds in the package sold or offered for sale,  
8 the name, or trade mark under which the article is  
9 sold, the name of the manufacturer, and the place  
10 of manufacture, and a chemical analysis stating  
11 the percentage of nitrogen, or its equivalent in  
12 ammonia, in available form, of potash soluble in  
13 water, and of phosphoric acid in available form,  
14 (soluble or reverted), as well as the total phos-  
15 phoric acid.

SECT. 8. The manufacturer, company, or person  
2 selling or offering for sale in this state any com-  
3 mercial fertilizers exceeding ten dollars per ton in  
4 price, shall on or before the first day of April  
5 annually, or before offering the same for sale, pro-  
6 cure a license from the board of managers author-  
7 izing the sale of said fertilizers in the state, and  
8 shall pay for the same the sum of fifty dollars  
9 for a single brand and fifteen dollars for each

10 additional brand offered for sale; and shall furnish  
11 the secretary of the board of managers at the  
12 time of their appointment the names of all agents  
13 authorized by him to sell the same in this state.

SECT. 9 This act shall not apply to the article  
2 known as "porgy chum," or to fish, or fish scrap,  
3 or fish waste of any kind, when sold or offered for  
4 sale unmixed with other fertilizing material; nor  
5 shall it apply to parties manufacturing fertilizers  
6 in quantities less than twenty-five tons per year,  
7 or to fertilizers in possession of dealers or agents  
8 at the time of approval of this act.

SECT. 10. The director of the station or any  
2 person by him deputized, is hereby empowered to  
3 select from any parcel or package of commercial  
4 fertilizer held or offered for sale in this state, a  
5 quantity not exceeding two pounds, which quan-  
6 tity shall be for analysis to compare with the cer-  
7 tificate found on the given package held or offered  
8 for sale; and he shall select each year at least one  
9 sample from each brand held for sale, and shall  
10 secure its analysis at the station.

SECT. 11. The secretary of the board of mana-  
2 gers shall register in a suitable book kept in his  
3 office, a list of all licenses issued and of fees re-  
4 ceived therefor, and a list of all brands of fertil-

5 izers sampled; and all license fees received by the  
6 board of managers shall be paid into the treasury  
7 of the state.

SECT. 12. Any person, or party, who shall offer  
2 or expose for sale any commercial fertilizer without  
3 complying with the requirements of sections seven  
4 and eight of this act, or shall permit an analysis to  
5 be attached to any package of such fertilizers, stat-  
6 ing that it contains a larger percentage of any one  
7 or more of the constituents named in section seven  
8 of this act, than it really does contain, shall be  
9 fined not less than one hundred dollars nor more  
10 than three hundred dollars for the first offence, and  
11 not less than two hundred dollars nor more than  
12 five hundred dollars for each subsequent offence;  
13 and the offender shall in all cases also be liable for  
14 damages sustained by the purchasers of said fertil-  
15 izers, *provided, however*, that a deficiency of one  
16 per cent of nitrogen, potash, or phosphoric acid  
17 claimed to be contained shall not be considered as  
18 evidence of fraudulent intent.

SECT. 13. All acts and parts of acts inconsistent  
2 with this act are hereby repealed.

SECT. 14. This act shall take effect when ap-  
proved by the governor.





STATE OF MAINE.

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IN SENATE CHAMBER, }  
January 21, 1885. }

Reported by Mr. ROAK from Committee on Agriculture, and laid on  
table to be printed under joint rules.

C. W. TILDEN, *Secretary.*