

# MAINE STATE LEGISLATURE

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# Sixty-Ninth Legislature.

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SENATE.

No. 90.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT  
HUNDRED AND NINETY-NINE.

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AN ACT to amend Chapter two hundred eighty-five of the  
Public Laws of eighteen hundred ninety-seven, relating  
to Sea and Shore Fisheries.

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

Section 1. Section six of chapter two hundred eighty-five  
2 of the Public Laws of eighteen hundred ninety-seven is here-  
3 by amended by striking out of the last line of said section the  
4 words "month and the" so that said section, as amended, shall  
5 read as follows:

'Sect. 6. Mackerel of the best quality, not mutilated, meas-  
7 uring, when split, not less than thirteen inches from the  
8 extremity of the head to the crotch or fork of the tail, free  
9 from taint, rust or damage, shall be branded 'Number one;'  
10 the next best quality, being not less than eleven inches, meas-  
11 uring as aforesaid, free from taint, rust or damage, shall be

12 branded 'Number two;' those that remain after the above  
13 selection, free from taint or damage, and not less than thir-  
14 teen inches measuring as aforesaid, shall be branded 'Num-  
15 ber three large;' those of the next inferior, free from taint  
16 or damage, not less than ten inches measured as aforesaid,  
17 shall be branded 'Number three;' all other mackerel, free  
18 from taint or damage, shall be branded 'Number three  
19 small.' The inspector shall brand in plain letters on the head  
20 of every such cask, the weight, the initials of his christian  
21 name, the whole of his surname, the name of his town, and  
22 the letters 'Me.,' and an abridgment in figures, of the year,  
23 when packed.'

Sect. 2. Section seven of said chapter is hereby amended  
2 by striking out of the eighth line thereof the word "seven-  
3 teen," and inserting in place thereof the words 'not less than  
4 sixteen and one-half,' and by striking out of the tenth line  
5 thereof the word "twenty-nine" and inserting in place  
6 thereof the word 'twenty-eight,' so that said section, as  
7 amended, shall read as follows:

'Sect. 7. All barrels and casks used for packing pickled  
9 fish, shall be made of sound, well seasoned white oak, white  
10 ash, spruce, pine, chestnut, of poplar staves with heading of  
11 either of such kinds of wood, sound, well planed and sea-  
12 soned, and when of pine, free from sap, and the barrels  
13 hooped with at least three strong hoops on each bilge, and  
14 three also on each chime; the barrel staves shall be twenty-  
15 eight inches in length, and the heads not less than sixteen  
16 and one-half inches between the chimes, and made in a work-  
17 manlike manner, to hold pickle. The barrels from twenty-  
18 eight to thirty gallons each, and the aliquot parts of a barrel  
19 in the same proportion.'

Sect. 3. Section eight of said chapter is hereby amended  
2 by inserting after the word "brand" in the seventh line

3 thereof, the words 'or stencil,' so that said section, as  
4 amended, shall read as follows:

'Sect. 8. Every inspector who inspects pickled alewives or  
6 herring, or other small fish, packed whole or round, shall see  
7 that they are struck with salt or pickle, and then put in good  
8 casks of the size and material aforesaid, packed closely  
9 therein, and well salted, and the casks filled with fish and  
10 salt, putting no more salt with the fish than is necessary for  
11 their preservation; and the inspector shall brand or stencil  
12 all such casks with the name of the inspected fish as afore-  
13 said.'

Sect. 4. Section ten of said chapter is hereby repealed.

Sect. 5. Section eleven of said chapter is hereby amended  
2 b, inserting after the word "damaged" in the seventh line  
3 thereof the words 'unless sold as such,' so that said section,  
4 as amended, shall read as follows:

'Sect. 11. Whoever sells in the State, or exports therefrom  
6 any fish in barrels or boxes, not inspected, packed and  
7 branded, as aforesaid, except good and wholesome fish  
8 packed in kegs of less than ten gallons, or pickled, dry or  
9 smoked fish imported into the State from some other state  
10 or country lawfully inspected and branded there, and who-  
11 ever sells or exports unlawfully any fish known by him to  
12 be tainted or damaged, unless sold as such, forfeits ten dol-  
13 lars for every hundred weight thus sold or exported.'

Sect. 6. Section twelve of said chapter is hereby repealed.

Sect. 7. Section thirteen of said chapter is hereby amended  
2 by striking out all of said section before the word "and" in  
3 the sixth line thereof, and inserting in place thereof the words  
4 'Whoever ships or receives on board any vessel or other car-  
5 riage for transportation from the State, any pickled fish in  
6 barrels, parts of barrels, or casks, not inspected and branded  
7 or stenciled as aforesaid, forfeits not less than fifty dollars

8 for each offense,' so that said section, as amended, shall read  
9 as follows:

'Sect. 13. Whoever ships or receives on board any vessel  
11 or other carriage for transportation from the State, any  
12 pickled fish in barrels, parts of barrels, or casks, not inspected  
13 and branded or stenciled as aforesaid, forfeits not less than  
14 fifty dollars for each offense, and any trial justice may issue  
15 his warrant to the proper officer, directing him to seize and  
16 secure such prohibited fish, and convey it to any inspector  
17 within a convenient distance for inspection; and whoever  
18 refuses to give necessary aid in the service of such warrant  
19 when required by the officer, forfeits five dollars to the prose-  
20 cutor in an action of debt; and such inspector shall open,  
21 inspect, pack, and brand such fish according to law and detain  
22 the same until all lawful charges of seizure and inspection  
23 are paid.'

Sect. 8. Section fourteen of said chapter is hereby  
2 amended by striking out of the first line thereof the word  
3 "box," and inserting in place thereof the word 'barrel;' also  
4 by striking out of the second line thereof the words "cured,  
5 or smoked;" also by striking out of the third line thereof  
6 the words "or any smoked herring lawfully branded;" also  
7 by striking out of the fifth line thereof the word "box" and  
8 inserting in place thereof the word 'barrel;' also by strik-  
9 ing out of the ninth line thereof the words "twenty dollars"  
10 and inserting in place thereof the words 'one dollar;' also  
11 by striking out of the same said ninth line thereof the word  
12 "box" and inserting in place thereof the word 'barrel;' also  
13 by adding at the end of said section the words 'but any  
14 inspector may, after a satisfactory examination, brand such  
15 packages, thereby becoming responsible for the quality of  
16 the contents as represented by his brand;' so that said section,  
17 as amended, shall read as follows:

‘Sect. 14. If any person takes from a cask or barrel, any  
19 pickled fish lawfully inspected and branded, and substitutes  
20 therefor or fraudulently intermixes other fish; or if any  
21 inspector marks any cask or barrel out of his own town, or  
22 which he has not inspected, packed, and himself prepared  
23 according to law; permits other persons unlawfully to use  
24 his brands, or willfully and fraudulently uses the same him-  
25 self after the expiration of his commission, he forfeits one  
26 dollar for each cask or barrel so dealt with; but an inspec-  
27 tor may, after a satisfactory examination, brand such pack-  
28 ages, thereby becoming responsible for the quality of the con-  
29 tents as represented by his brand.’







## STATE OF MAINE.

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IN SENATE, March 3, 1899.

Reported by Mr. SAWYER from Committee on Sea and Shore Fisheries, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.