

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

SENATE.

No. 158

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to provide for the protection of trees and shrubs
from injurious insects and disease.

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

Section 1. All nursery stock shipped into this state
2 from any other state, country or province shall bear on
3 each box or package a certificate that the contents of said
4 box or package have been inspected by a duly authorized
5 inspecting officer, and that said contents appear to be free
6 from all dangerous insects or diseases. In case nursery
7 stock is brought into the state without such a certificate
8 the consignee shall return it to the consignor at the expense
9 of the latter ; provided, however, that any box or package

10 bearing a certificate of fumigation, which shall be an affi-
11 davit made before a justice of the peace, that all stock sold
12 by the consignor has been fumigated in a manner approved
13 by the state nursery inspector of the state from which said
14 nursery stock is shipped, the same may be accepted as
15 though bearing a proper certificate of inspection.

Sect. 2. Any transportation company that shall bring
2 into this state any nursery stock such as trees, shrubs,
3 vines, cuttings or buds, and any transportation company,
4 owner or owners of nursery stock, or persons selling
5 nursery stock as thus defined, who shall transport such
6 stock or cause it to be transported within the state, the
7 same not having attached to each box or package an un-
8 expired official certificate of inspection or an affidavit of
9 fumigation, which shall meet the requirements specified in
10 section one of this act, shall be guilty of a misdemeanor,
11 and on conviction thereof be subject to a fine not exceed-
12 ing one hundred dollars for each offense.

Sect. 3. Should any person in the State suspect the
2 presence of San Jose scale or other injurious insects or
3 diseases preying upon trees, shrubs or vines in his pos-
4 session or within his knowledge he shall forthwith notify
5 the commissioner of agriculture to that effect; and it shall
6 be the duty of said commissioner of agriculture to cause
7 the said trees, shrubs or vines to be inspected by a com-
8 petent entomologist, who shall forthwith make a report of
9 the results of his inspection and file the same with the

10 commissioner of Agriculture at Augusta. If dangerous
11 insects or injurious diseases are found by the entomologist
12 the commissioner of agriculture shall publish the report
13 of the same, and see that the best known treatment is
14 applied to such trees, shrubs or vines for the destruction
15 of the insects or diseases with which the same may be
16 infested. And for the above purposes the commissioner
17 of agriculture or his employes shall have authority to
18 enter private or public grounds and treat any trees, shrubs
19 or vines that may be infested with dangerous insects or
20 injurious diseases.

Sect. 4. In case of violations of this act it shall be the
2 duty of the commissioner of agriculture to enforce the
3 penalties set down in section 2 of this act.

Sect. 5. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, March 3, 1903.

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

KENDALL M. DUNBAR, *Secretary*.