

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 162

STATE OF MAINE.

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

AN ACT to amend Section 30 and Section 32 of Chapter 39 of the Revised Statutes, Section 5 of Chapter 38 of the Public Laws of 1905, and Section 6 of Chapter 68 of the Public Laws of 1905, relating to the jurisdiction of Municipal and Police Courts and Trial Justices.

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

Section 1. Sections 30 and 32 of Chapter 39 of the
2 Revised Statutes, and Section 5 of Chapter 38 of the Public
3 Laws of 1905, and Section 6 of Chapter 68 of the Public
4 Laws of 1905, are hereby amended by adding thereto the
5 following clause: 'Municipal and police courts and trial jus-

6 tices are hereby vested with original jurisdiction concurrent
7 with the supreme judicial and superior courts, to try, and
8 upon conviction, to punish, for offenses against the pro-
9 visions of this act'; so that as amended, said sections shall
10 read as follows:

Chapter 39, Revised Statutes:

'Section 30. Whoever sells, offers or exposes for sale or
13 for distribution, in the state, any commercial fertilizer with-
14 out complying with the requirements of sections sixteen,
15 seventeen, nineteen and twenty-one, or any fertilizer which
16 contains substantially a smaller percentage of constituents
17 than are certified to be contained, or any concentrated com-
18 mercial feeding stuffs as defined in section twenty-four with-
19 out complying with the requirements of section twenty-two,
20 or any feeding stuff which contains substantially a smaller
21 percentage of constituents than are certified to be contained,
22 or any agricultural seeds without complying with the require-
23 ments of sections twenty-seven and twenty-eight, or who-
24 ever, with intention to deceive, wrongly marks or labels any
25 package or bag containing garden or vegetable seeds or any
26 other agricultural seeds, not including those of trees, shrubs
27 or ornamental plants, shall be punished by a fine not exceed-
28 ing one hundred dollars for the first offense and not exceed-
29 ing two hundred dollars for each subsequent offense.

'Municipal and police courts and trial justices are hereby
31 vested with original jurisdiction concurrent with the supreme

32 judicial and superior courts, to try, and, upon conviction, to
33 punish, for offenses against the provisions of this act.'

'Section 32. Whoever adulterates any whole or ground
35 grain with milling or manufactured offals or with any for-
36 eign substance whatever, or any bran or middlings made
37 from the several grains with any foreign substance what-
38 ever, for the purpose of sale, unless the true composition,
39 mixture or adulteration thereof is plainly marked or indi-
40 cated upon the packages containing the same, or in which
41 it is offered for sale; or whoever sells or offers for sale any
42 whole or ground grain, bran or middlings which have been
43 so adulterated, unless the true composition, mixture or adul-
44 teration is plainly marked or indicated upon the package
45 containing the same, or in which it is offered for sale, shall
46 be fined not exceeding one hundred dollars for the first
47 offense, and not exceeding two hundred dollars for each
48 subsequent offense. Municipal and police courts and trial
49 justices are hereby vested with original jurisdiction concu-
50 rent with the supreme judicial and superior courts, to try,
51 and, upon conviction, to punish, for offenses against the
52 provisions of this act.'

Chapter 38 of the Public Laws of 1905:

'Section 5. Any person who violates any provision of the
55 four preceding sections shall be punished for the first offense
56 by a fine not exceeding one hundred dollars and for the
57 second offense by a fine not exceeding two hundred dollars.
58 Municipal and police courts and trial justices are hereby

59 vested with the original jurisdiction concurrent with the
60 supreme judicial and superior courts, to try and upon con-
61 viction, to punish for the offenses against the provisions of
62 this act.'

Chapter 68 of the Public Laws of 1905:

'Section 6. Whoever adulterates or misbrands any article
65 of food as defined in this act, or whoever sells, offers or
66 exposes for sale any adulterated or misbranded article of
67 food, shall be punished by a fine not exceeding one hundred
68 dollars for the first offense, and not exceeding two hundred
69 dollars for each subsequent offense. Municipal and police
70 courts and trial justices are hereby vested with original
71 jurisdiction concurrent with the supreme judicial and supe-
72 rior courts, to try, and if upon conviction, to punish for
73 offenses against the provisions of this act.'

Sect. 2. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 12, 1907.

Reported by Mr. STEARNS from Committee on Legal Affairs, and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*