

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 643

House of Representatives, Mar. 17, 1911.

*Reported by Mr. Libby from committee on Agriculture, and
ordered printed under joint rules.*

C. C. HARVEY, Clerk.

STATE OF MAINE

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

AN ACT to amend and unify the laws regulating the sale of
agricultural seeds, commercial feeding stuffs, commercial fer-
tilizers, drugs, foods, fungicides and insecticides.

Be it enacted by the People of the State of Maine, as follows:

Section 1. It shall be unlawful for any person within this
2 state to manufacture, sell, distribute, transport, offer or ex-
3 pose for sale, distribution, or transportation, any article of
4 agricultural seed, commercial feeding stuff, commercial fer-
5 tilizer, drug, food, fungicide or insecticide which is adulter-
6 ated or misbranded within the meaning of this act.

Sect. 2. The term "agricultural seed" as used in this act
2 shall be held to include the seeds of alfalfa, barley, Canadian
3 blue grass, Kentucky blue grass, brome grass, buckwheat,

4 alsike clover, crimson clover, red clover, medium clover,
5 white clover, field corn, Kaffir corn, meadow fescue flax,
6 Hungarian, millet, oats, orchard grass, rape, redtop, rye,
7 sorghum, timothy and wheat.

The term "commercial feeding stuff" as used herein, shall
9 be held to include all articles of food used for feeding live
10 stock, and poultry, except hays and straws, the whole seeds,
11 and the unmixed meals made directly from the entire grains
12 of wheat, rye, barley, oats, Indian corn, buckwheat, flax
13 seed and broom corn.

The term "commercial fertilizer" as used herein, shall be
15 held to include all materials used for fertilizing purposes,
16 the price of which exceeds \$10 a ton.

The term "drug" as used herein, shall be held to include all
18 medicines and preparations recognized in the United States
19 Pharmacopoeia or National Formulary for internal or ex-
20 ternal use, and any substance or mixture of substances in-
21 tended to be used for the cure, mitigation, or prevention of
22 disease of man or other animals.

The term "food" as used herein, shall be held to include all
24 articles, whether simple, mixed or compound, used for food,
25 drink, confectionery, or condiment by men or other animals.

The term "fungicide" as used herein shall be held to in-
27 clude any substance or mixture of substances intended to
28 be used for preventing, destroying, repelling, or mitigating
29 any and all fungi that may infest vegetation, or be present
30 in any environment whatsoever.

The term "insecticide" as used herein shall include Paris
32 green, lead, arsenate, and any substance or mixture of sub-
33 stances intended to be used for preventing, destroying, re-
34 pelling, or mitigating any insect which may infest vegetation,
35 man or other animals, or houses, or be present in any en-
36 vironment whatsoever.

Sect. 3. Every lot or package of agricultural seed which is
2 sold, distributed, transported, offered or exposed for sale,
3 distribution, or transportation for seed, in the state by any
4 person shall have affixed in a conspicuous place on the out-
5 side thereof, a plainly written or printed statement clearly
6 and truly giving the name thereof and its minimum percent-
7 age of purity and freedom from foreign matter.

Sect. 4. Every lot or package of commercial feeding stuff,
2 which is manufactured, sold, distributed, transported, offer-
3 ed or exposed for sale, distribution or transportation in the
4 state by any person, shall have affixed in a conspicuous place
5 on the outside thereof, a plainly printed statement, clearly
6 and truly giving the number of net pounds in the package ;
7 the name, brand or trademark under which the article is
8 sold ; the name and principal address of the manufacturer or
9 shipper ; a chemical analysis stating the maximum percent-
10 age of crude fiber, the minimum percentage of crude fat,
11 and the minimum percentage of crude protein (allowing 1
12 per cent. of nitrogen to equal 6 1-4 per cent. of protein)
13 which it contains, all three constituents to be determined by
14 the methods adopted by the Association of Official Agricul-

15 tural Chemists; if the feeding stuff is a compound feed, the
16 name of each ingredient contained therein; and if artificially
17 colored, the name of the material used for that purpose. If
18 the feeding stuff is sold in bulk or put up in packages be-
19 longing to the purchaser, the seller shall upon the request
20 of the purchaser furnish him with a copy of the statements
21 named in this section.

Sect. 5. Any person who shall manufacture, sell, distrib-
2 ute, transport, offer or expose for sale, distribution or trans-
3 portation, in the state, any commercial feeding stuff shall
4 before so doing file with the Director of the Maine Agri-
5 cultural Experiment Station for each and every commercial
6 feeding stuff bearing a distinguishing name or trademark,
7 a certified copy of the statements required by Section 4.
8 Said certified copy shall be accompanied when said Director
9 shall so request, by a sealed package containing not less than
10 one pound of the commercial feeding stuff. The person who
11 shall file said certificate shall pay annually to the Director of
12 the Maine Agricultural Experiment Station a registration
13 fee of ten dollars, this fee to be assessed on any brand of-
14 fered for sale, distribution or transportation in the state.
15 Provided, however, that a brand of commercial feeding stuff
16 may be re-registered for the following year without the pay-
17 ment of the fee upon the establishment by the person who
18 paid said fee that the total sales within the state during the
19 year for which said fee was paid did not exceed fifty tons.
20 Whenever any person shall have filed such certificate and

21 paid such registration fee, no other person shall be required
22 to file such statement or pay such fee.

Sect. 6. Every lot or package of commercial fertilizer,
2 which is manufactured, sold, distributed, transported, offered
3 or exposed for sale, distribution or transportation in the
4 state by any person shall have affixed in a conspicuous place
5 on the outside thereof a plainly printed statement clearly and
6 truly giving the number of net pounds in the package; the
7 name or trademark under which the article is sold; the name
8 and principal address of the manufacturer or shipper and a
9 chemical analysis stating the minimum percentage of nitro-
10 gen, or its equivalent in ammonia in available form, of pot-
11 ash soluble in water, of phosphoric acid in available form,
12 soluble and reverted, and of total phosphoric acid, the con-
13 stituents to be determined by the methods adopted by the
14 Association of Official Agricultural Chemists. If the fer-
15 tilizer is sold in bulk or put up in packages belonging to the
16 purchaser, the seller shall, upon request of the purchaser,
17 furnish the purchaser with a copy of the statements named in
18 this section.

Sect. 7. Any person who shall manufacture, sell, distribute,
2 transport, offer or expose for sale, distribution or transpor-
3 tation in the state any commercial fertilizer shall before so
4 doing file with the Director of the Maine Agricultural Ex-
5 periment Station for each and every fertilizer bearing a dis-
6 tinguishing name or trademark, a certified copy of the state-
7 ments named in section 6. Said certified copy shall be ac-

8 companied when said director shall so request by a sealed
9 package containing not less than two pounds of the com-
10 mercial fertilizer. The person who shall file said certificate
11 shall pay annually to the Director of the Maine Agricultural
12 Experiment Station a registration fee as follows: Ten dol-
13 lars each for the nitrogen and the phosphoric acid and five
14 dollars for the potash, contained or said to be contained in
15 the fertilizer, this fee to be assessed on any brand offered
16 for sale, distribution or transportation in the state. When-
17 ever any person shall have filed said certificate and paid
18 said registration fee, no other person shall be required to
19 file such statement or pay such fee.

Sect. 8. Every lot or package of a fungicide or an insecti-
2 cide which is manufactured, sold, distributed, transported,
3 offered or exposed for sale, distribution or transportation in
4 the state by any person, shall have affixed in a conspicuous
5 place on the outside thereof a plainly printed statement
6 clearly and truly stating the number of net pounds in the
7 package, the name or trademark under which the article is
8 sold, the name and address of the manufacturer or shipper,
9 and a chemical analysis stating the minimum percentage of
10 total arsenic and the maximum percentage of water soluble
11 arsenic which it contains, the constituents to be determined
12 by the methods adopted by the Association of Official Agri-
13 cultural Chemists.

Sect. 9. Any person who shall manufacture, sell, distrib-
2 ute, transport, offer or expose for sale, distribution or trans-

3 portation in the state any fungicide or insecticide shall before
4 so doing file with the Director of the Maine Agricultural Ex-
5 periment Station for each and every fungicide or insecticide
6 bearing a distinguishing name or trademark, a certified copy
7 of the statements made in section 8. Said certified copy shall
8 be accompanied when said Director shall so request by a
9 sealed package containing not less than one pound of fungi-
10 cide or insecticide. The person who shall file such certificate
11 shall pay annually to the Director of the Maine Agricultural
12 Experiment Station, a registration fee of ten dollars, this fee
13 to be assessed on any brand offered for sale, distribution or
14 transportation in the state. Whenever any person shall have
15 filed said certificate and paid said registration fee, no other
16 person shall be required to file such statement or pay such
17 fee.

Sect. 10. The Director of the Maine Agricultural Experi-
2 ment Station shall have power to refuse to register any com-
3 mercial feeding stuff, commercial fertilizer, bearing a name,
4 brand or trademark which is misleading or deceptive or
5 which would tend to mislead or deceive as to the materials
6 of which it is composed, and in the case of commercial feed-
7 ing stuff when the specific name of each and all of the in-
8 gredients used in its manufacture are not stated. He shall
9 also have power to cancel the registration of any feeding
10 stuff, commercial fertilizer, fungicide or insecticide that he
11 deems to be manufactured, sold, distributed, transported,
12 offered or exposed for sale, distribution or transportation in

13 violation of any of the provisions of this act. The registra-
14 tion of each brand of commercial feeding stuff, commercial
15 fertilizer, fungicide or insecticide shall terminate on the
16 thirty-first day of December of each year.

Sect. 11. For the purpose of this act an article shall be
2 deemed to be adulterated:

In case of agricultural seed:

First. If its purity falls below its accompanying guaranty.

Second. If it contains the seed of any poisonous plant.

In case of commercial feeding stuff:

First. If its weight, composition, quality, strength or purity
8 do not conform in each particular to the claims made upon
9 the affixed guaranty.

Second. If it be colored, coated, or stained in a manner
11 whereby damage or inferiority is concealed.

Third. If it contains any poisonous or deleterious ingre-
13 dients which may render such article injurious to the health
14 of live stock or poultry.

Fourth. If any milling or manufactured offals or any for-
16 eign substance whatever have been added to any whole or
17 ground grain or other commercial feeding stuff, unless the
18 true composition, mixture or adulteration is plainly marked
19 or indicated upon the container thereof.

In case of commercial fertilizer:

First. If its weight, composition, quality, strength or
22 purity do not conform in each particular to the claims made
23 upon the affixed guaranty.

Second. If it contains any materials deleterious to growing
25 plants.

In case of drug:

First. If when a drug is sold under or by a name recog-
28 nized in the United States Pharmacopoeia or National For-
29 mulary, it differs from the standard of strength, quality, or
30 purity, as laid down in the United States Pharmacopoeia, or
31 National Formulary official at the time of investigation, or
32 as fixed by the Director of the Maine Agricultural Experi-
33 ment Station: Provided, that no drug defined in the United
34 States Pharmacopoeia, the National Formulary or by said
35 Director shall be deemed to be adulterated under this pro-
36 vision if the standard of strength, quality, or purity be plain-
37 ly stated, so as to be understood by the non-professional per-
38 son, upon the bottle, box or other container thereof, al-
39 though the standard may differ from that laid down in the
40 United States Pharmacopoeia, National Formulary, or that
41 fixed by said Director.

Second. If its strength or purity differs from the pro-
43 fessed standard or quality under which it is sold.

In case of confectionery:

If it contains terra alba, barytes, talc, chome yellow, or
46 mineral substances, or poisonous color or flavor, or other
47 ingredients deleterious or detrimental to health, or any
48 vinous, malt, or spiritous liquor or compound, or narcotic
49 drug.

In case of food:

First. If any substance has been mixed and packed with
52 it so as to reduce or lower or injuriously affect its quality
53 or strength.

Second. If any substance has been substituted wholly or in
55 part for the article.

Third. If any valuable constituents of the article have been
57 wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated, or
59 stained in a manner whereby damage or inferiority is con-
60 cealed.

Fifth. If it contain any poisonous or other added deleteri-
62 ous ingredient which may render such article injurious to
63 health.

Sixth. If it consists in whole or in part of a filthy, decom-
65 posed or putrid animal or vegetable substance, or any portion
66 of an animal unfit for food, whether manufactured or not.
67 or if it is the product of a diseased animal, or one that has
68 died otherwise than by slaughter.

Seventh. If in the manufacture, sale, distribution, trans-
70 portation, or in the offering or exposing for sale, distribu-
71 tion or transportation, it is not at all times securely protect-
72 ed from filth, flies, dust or other contamination, or other un-
73 clean, unhealthful or unsanitary conditions.

Eighth. If it does not conform to the standards of
75 strength, quality, and purity, now or hereafter to be estab-
76 lished by statute or fixed by the Director of the Maine Agri-
77 cultural Experiment Station: Provided, that a food shall not

78 be deemed to be adulterated under this provision if the stan-
79 dard of strength, quality or purity be plainly stated, so as to
80 be understood by the non-professional person, upon the con-
81 tainer thereof, although the standard may differ from that
82 established by statute or fixed by said director.

Ninth. If its strength or quality or purity fall below the
84 professed standard or quality under which it is sold.

In case of fungicide or insecticide:

In case of Paris green:

First. If it does not contain at least fifty per centum of
88 arsenious oxide (As_2O_3).

Second. If it contains arsenic in water-soluble forms
90 equivalent to more than three and one-half per centum of
91 arsenious oxide (As_2O_3).

Third. If any substance has been mixed and packed with
93 it so as to reduce or lower or injuriously affect its quality or
94 strength.

In the case of lead arsenate.

First. If it contains more than fifty per centum of water.

Second. If it contains total arsenic equivalent to less than
98 twelve and one-half per centum of arsenic oxide (As_2O_5).

Third. If it contains arsenic in water-soluble forms equiv-
100 alent to more than seventy-five one-hundredths per centum
101 of arsenic oxide (As_2O_5).

Fourth. If any substances have been mixed and packed
103 with it so as to reduce, lower, or injuriously affect its quality
104 or strength: Provided, however, that extra water may be

105 added to lead arsenate if the resulting mixture is labeled
106 lead arsenate and water, the percentage of extra water being
107 plainly and correctly stated on the label.

In the case of fungicide or insecticide other than Paris green
109 and lead arsenate :

First. If its strength or purity fall below the professed
111 standard or quality under which it is sold.

Second. If any substance has been substituted wholly or
113 in part for the article.

Third. If any valuable constituent of the article has been
115 wholly or in part abstracted.

Fourth. If it is intended for use on vegetation and shall
117 contain any substance or substances injurious to such vege-
118 tation.

Sect. 12. The term "misbranded" as used herein, shall ap-
2 ply to all articles of agricultural seed, commercial feeding
3 stuff, commercial fertilizer, drug, food, fungicide and insecti-
4 cide, the package or label of which shall bear any statement,
5 design, or device regarding such article, or the ingredients
6 or substances contained therein which shall be false or mis-
7 leading in any particular, or which is falsely branded in any
8 particular.

For the purpose of this act an article shall also be deemed to
10 be misbranded.

In case of agricultural seed :

If any lot or package fail to bear all the statements required
13 by section 3.

In case of commercial feeding stuff :

First. If any package fails to bear all of the statements
16 required by section 4.

Second. If the printed statements required by section 4
18 to be affixed to the package differ from the statements re-
19 quired by section 5.

Third. If any brand is manufactured, transported, dis-
21 tributed, sold, offered or exposed for sale, distribution, or
22 transportation upon which the registration fee required by
23 section 5 has not been paid.

In case of commercial fertilizer:

First. If any package fail to bear all the statements re-
26 quired by section 6.

Second. If the printed statements required by Section 6
28 to be affixed to the package differ from the statement re-
29 quired by Section 7.

Third. If any brand is manufactured, distributed, trans-
31 ported, sold, offered or exposed for sale, distribution or
32 transportation upon which the registration fee required by
33 section 7 has not been paid.

In case of drug.

First. If it be an imitation of or offered for sale under
36 the name of another article.

Second. If the contents of the package as originally put
38 up shall have been removed, in whole or in part, and other
39 contents shall have been placed in such package, or except
40 in the case of a physician's prescription compounded by a
41 physician or a registered pharmacist, if the package fail to

42 bear a statement on the label of the quantity or proportion
43 of any alcohol, morphine, opium, cocaine, heroin, alpha or
44 beta eucaine, chloroform, cannabis indica, chloral hydrate or
45 acetanilide or any derivative or any preparation of any such
46 substances contained therein.

In case of food:

First. If it be an imitation of or offered for sale under
49 the distinctive name of another article.

Second. If the contents of the package as originally put
51 up shall have been removed in whole or in part and other
52 contents shall have been placed in such package, or if it fail
53 to bear a statement on the label of the quantity or propor-
54 tion of each and any added coloring matter, preservative,
55 chemical or drug contained therein.

Third. If the package containing it or its label shall bear
57 any statement, design, or device regarding the ingredients
58 or the substances contained therein, which statement, de-
59 sign, or device shall be false or misleading in any particular:
60 Provided, that an article of food which does not contain
61 any added poisonous or deleterious ingredients shall not be
62 deemed to be adulterated or misbranded in the following
63 cases:

First. In the case of mixtures or compounds which may
65 be now or from time to time hereafter known as articles of
66 food, under their own distinctive names, and not an imita-
67 tion of or offered for sale under the distinctive name of
68 another article, if the name be accompanied on the same

69 label or brand with a statement of the place where said ar-
70 ticle has been manufactured or produced.

Second. In the case of articles labeled, branded, or tag-
72 ged so as to plainly indicate that they are compounds, imi-
73 tations, or blends, and the word "compound," "imitation,"
74 or "blend," as the case may be, is plainly stated on the pack-
75 age in which it is offered for sale: Provided, that the term
76 "blend" as used herein shall be construed to mean a mix-
77 ture of like substances, not excluding harmless coloring or
78 flavoring ingredients used for the purpose of coloring and
79 flavoring only, and whose presence is declared upon the
80 label. And provided further, that nothing in this act shall
81 be construed as requiring or compelling proprietors or man-
82 ufacturers of proprietary goods which contain no unwhole-
83 some added ingredient to disclose their trade formulas ex-
84 cept in so far as the provisions of this act may require to
85 secure freedom from adulteration or misbranding.

In case of fungicide and insecticide:

First. If any lot or package fail to bear all the state-
88 ments required by Section 8.

Second. If the printed statements required by Section 8
90 to be affixed to the lot or package differ from the statements
91 required by Section 9.

Third. If any brand is manufactured, transported, dis-
93 tributed, sold or offered or exposed for sale, distribution or
94 transportation upon which the registration fee required by
95 Section 9 has not been paid.

Fourth. If it be an imitation of or offered for sale under
97 the name of another article.

Fifth. If it be labeled or branded so as to deceive or mis-
99 lead the purchaser, or if the contents of the package as orig-
100 inally put up shall have been removed in whole or in part,
101 and other contents shall have been placed in such pack-
102 ages.

Sixth. If it consists partially or completely of an inert
104 substance or substances which do not prevent, destroy, re-
105 pel, or mitigate insects or fungi and does not have the
106 percentage amount of such inert ingredients plainly and
107 correctly stated on the label.

Sect. 13. The Director of the Maine Agricultural Ex-
2 periment Station shall make uniform rules and regulations
3 for carrying out the provisions of this act. The said Di-
4 rector may also fix standards of purity, quality or strength
5 when such standards are not specified or fixed by law and
6 shall publish them together with such other information
7 concerning articles of agricultural seed, commercial feed-
8 ing stuff, commercial fertilizer, drug, food, fungicide and
9 insecticide as he may deem to be of public benefit.

Sect. 14. The Director of the Maine Agricultural Ex-
2 periment Station shall annually analyze, or cause to be an-
3 alyzed, samples of articles of agricultural seed, commer-
4 cial feeding stuff, commercial fertilizer, drug, food, fungi-
5 cide and insecticide, at such time and to such extent as said
6 Director may determine. And said Director, in person or

7 by deputy, shall have free access, ingress and egress at all
8 reasonable hours to any place or any building wherein arti-
9 cles of agricultural seed, commercial feeding stuff, com-
10 mercial fertilizer, drug, food, fungicide, insecticide are
11 manufactured, stored, transported, sold, offered or exposed
12 for sale. He shall also have power, in person or by dep-
13 uty to open any case, package or other container, and may,
14 upon tendering the market price, take samples for analysis.
15 The results of all analyses of articles of agricultural seed,
16 commercial feeding stuff, commercial fertilizer, drug, food,
17 fungicide and insecticide made by said Director shall be
18 published by him in the bulletins or reports of the Experi-
19 ment Station, together with the names of the persons from
20 whom the samples were obtained, the names of the manu-
21 facturers thereof, and such additional information as to
22 him may seem advisable.

Sect. 15. When the said Director becomes cognizant of
2 the violation of any of the provisions of this act he shall
3 cause notice of such fact, together with a copy of the find-
4 ings, to be given to the person from whom the sample was
5 obtained, and the person whose name appears upon the
6 label. The persons so notified shall be given an opportunity
7 to be heard under such rules and regulations as may be
8 prescribed by said Director. Notices shall specify the date,
9 hour and place of the hearing.

Sect. 16. Any person who adulterates or misbrands with-
2 in the meaning of this act, any article of agricultural seed,

3 commercial feeding stuff, commercial fertilizer, drug, food,
4 fungicide or insecticide, or any person who manufactures,
5 sells, distributes, transports, offers or exposes for sale, dis-
6 tribution or transportation any article of agricultural seed,
7 commercial feeding stuff, commercial fertilizer, drug, food,
8 fungicide or insecticide in violation of any of the provisions
9 of this act, shall be punished by a fine not exceeding one
10 hundred dollars for the first offense, and by a fine not ex-
11 ceeding two hundred dollars for each subsequent offense.

Sect. 17. No person shall be prosecuted under the pro-
2 visions of this act when he can establish proof of purchase
3 and a guaranty signed by the person residing in the United
4 States, from whom the purchase was made, to the effect
5 that the article in question is not adulterated or misbranded
6 within the meaning of this act.

Sect. 18. The word "person" as used in this act shall be
2 construed to import both the plural and the singular, as the
3 case demands, and shall include corporations, companies,
4 societies and associations. When construing and enforcing
5 the provisions of this act, the act, omission, or failure of
6 any officer, agent, or other person acting for or employed
7 by any corporation, company, society, or association, within
8 the scope of his employment or office, shall in every case
9 be also deemed to be the act, omission, or failure of such
10 corporation, company, society, or association as well as that
11 of the person.

Sect. 19. The Director of the Maine Agricultural Ex-

2 periment Station shall diligently enforce all of the pro-
3 visions of this act, and, in this connection, he shall be en-
4 titled to have and receive the advice, counsel and assistance
5 of the attorney general and of the attorney for the State in
6 the several counties.

The said Director in his discretion, may recover the pen-
8 alties for the violation of the provisions of this act in an
9 action on the case in his own name, the venue to be as in
10 other civil actions, and the plaintiff prevailing in any such
11 action shall recover full costs; or he may prosecute vio-
12 lators by complaint or indictment in the name of the State,
13 and such prosecution may be commenced in the county in
14 which the offense was committed, or in any adjoining coun-
15 ty. All fines received under this act by county treasurers
16 shall be paid by them to the Director of the Maine Agri-
17 cultural Experiment Station.

All money received by the Director of the Maine Agri-
19 cultural Experiment Station under this act shall be paid by
20 him to the treasurer of the Maine Agricultural Experiment
21 Station and shall be expended in carrying out the provisions
22 of this act.

Trial justices and municipal and police courts are hereby
24 invested with original jurisdiction, concurrent with the su-
25 preme judicial and superior courts, to hear, determine, en-
26 ter, and by appropriate process enforce judgment in actions
27 commenced for the recovery of the penalties aforesaid, and

28 to try, and, upon conviction, to punish, for offenses against
29 the provisions of this act.

Sect. 20. Every certificate duly signed and acknowledged
2 by the Director of the Maine Agricultural Experiment Sta-
3 tion, relating to the collection and analysis of any sample
4 of agricultural seed, commercial feeding stuff, commercial
5 fertilizer, drug, food, fungicide, or insecticide, shall be pre-
6 sumptive evidence of the facts therein stated.

Sect. 21. Sections sixteen to thirty-three inclusive of
2 chapter thirty-nine of the Revised Statutes, and all amend-
3 ments and additions thereto, chapter sixty-six of the Public
4 Laws of nineteen hundred and five, chapter one hundred
5 and twenty-four of the Public Laws of nineteen hundred
6 and seven and all other acts or parts of acts inconsistent
7 herewith, are hereby repealed.