

MAINE STATE LEGISLATURE

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L A W S

OF THE

STATE OF MAINE;

TO WHICH ARE PREFIXED

THE

CONSTITUTION OF THE U. STATES

AND OF SAID STATE,

IN TWO VOLUMES,

WITH AN APPENDIX.

.....
VOL. II.
.....

Published according to a resolve of the State, passed
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....
1821.

ERRATA:

**The following leaf is
inserted because one or more pages
in this chapter have errors
noticed and corrected here.**

VOLUME THE SECOND.

<i>Page.</i>		<i>Page.</i>	
463	Line 7 of page, dele the word <i>whole</i>	663	S. 2 L. 6 of S. dele <i>of</i>
464	Sec. 8 L. 12 of Sec. for <i>towns</i> read <i>town</i>	666	5 2 after the word <i>Governor</i> insert, and <i>Council</i>
484	27 6 at the end of the line insert the word <i>that</i>	666	5 last for <i>his</i> read <i>the</i>
492	43 11 after the word <i>owing</i> insert to	667	L. 3 of the page, dele <i>who</i>
496	47 25 for <i>duty</i> read <i>body</i>	668	S. 10 L. 1 of S. for <i>where</i> read <i>when</i>
500	54 3 at the end of the line dele <i>the</i>	669	L. 3 of p. for <i>effect</i> read <i>affect</i>
506	7 6 after the word or dele to	670	S. 5 L. 7 of S. for <i>the</i> read <i>such</i>
515	L. 28 of p. for <i>highway</i> read <i>highways</i>	671	L. 2 of p. for <i>in</i> read <i>on</i>
517	S. 16 L. 11 of S. after the word <i>be</i> insert <i>the</i>	672	S. 9 L. 3 of S. for <i>make</i> read <i>mark</i>
518	18 9 for <i>of</i> read <i>or</i>	672	11 2 for <i>and</i> read <i>or</i>
520	23 11 before the word <i>proprietors</i> insert <i>the</i>	674	11 8 before the word <i>each</i> insert <i>for</i>
523	L. 6 of p. after the word <i>person</i> insert <i>of</i>	674	2 7 before the word <i>drying</i> insert <i>the</i>
523	last for <i>cannot</i> read <i>can</i>	676	L. 5 of p. for <i>not</i> read <i>none</i>
526	9 for <i>laws</i> read <i>law</i>	677	4 for <i>quality</i> read <i>quantity</i>
533	16 for <i>assessments</i> read <i>assessment</i>	681	Sec. 4 last line of Sec. after the word <i>owner</i> insert <i>or owners</i>
534	13 for <i>appears</i> read <i>appear</i>	682	Sec. 5 L. 2 of Sec. dele <i>away</i>
535	4 at the end of the line insert <i>of</i>	684	2 3 for <i>galo</i> read <i>golo</i>
535	3 from bottom of p. for <i>causes</i> read <i>cause</i>	686	4 2 for <i>on</i> read <i>or</i>
537	S. 12 L. 2 of S. for <i>in</i> read <i>of</i>	687	3 6 before the word <i>stamped</i> insert <i>not</i>
539	L. 11 of p. between the words <i>the</i> and <i>day</i> should be a '—'	688	L. 24 of p. before the word <i>arms</i> at the beginning of the line insert <i>the</i>
539	15 for <i>where</i> read <i>wherein</i>	694	L. 15 of p. after the word <i>shall</i> insert <i>also</i>
543	S. 18 L. 13 of S. dele <i>the</i> before the word <i>said</i>	694	16 after the word <i>of</i> insert <i>the</i>
545	21 7 for <i>and</i> read <i>or</i>	695	12 for <i>usage</i> read <i>usages</i>
546	1 6 for <i>this</i> read <i>thus</i>	716	8 for <i>fixed</i> read <i>affixed</i>
547	2 7 for <i>this</i> read <i>thus</i>	723	6 from bottom of p. dele <i>in</i>
547	2 11 for <i>in capacity</i> read <i>incapacity</i>	734	Sec. 51 L. 4 of Sec. before the word <i>auditing</i> insert <i>the</i>
553	L. 2 of p. at the end of the line insert <i>such</i>	742	L. 4 of p. after the word <i>orders</i> insert <i>to be</i>
556	S. 1 L. 18 of p. for <i>master</i> read <i>masters</i>	744	L. 3 from bottom of p. before the word <i>refuse</i> insert <i>shall</i>
557	L. 16 of p. for <i>in</i> read <i>of</i>	745	Sec. 1 L. 6 of Sec. before the word <i>good</i> insert <i>six</i>
560	S. 7 L. 4 of S. for <i>Court of Sessions</i> read <i>Courts of Sessions</i>	746	2 15 before the word <i>advice</i> dele <i>the</i>
566	1 7 for <i>every</i> read <i>any</i>	751	5 11 for <i>owners</i> read <i>owner</i>
570	9 5 after the word <i>them</i> insert <i>as</i>	751	5 15 for <i>taking</i> read <i>taken</i>
572	12 5 after the word <i>fine</i> insert <i>of</i>	751	5 25 for <i>owners</i> read <i>owner</i>
573	1 3 for <i>and</i> read <i>or</i>	753	8 23 for <i>spurs</i> read <i>spar</i>
576	L. 18 of p. for <i>pounds</i> read <i>ounces</i>	754	10 3 after the word <i>or</i> insert <i>any</i>
576	last line of the page dele <i>and</i>	758	L. 2 of p. for <i>sales</i> read <i>sale</i>
591	S. 5 L. 2 of S. before the word <i>action</i> insert <i>an</i>	759	24 for <i>minor</i> read <i>minors</i>
592	3 3 for <i>time</i> read <i>times</i>	761	19 for <i>another</i> read <i>any other</i>
601	L. 11 of p. at the end of the line insert <i>drawn</i>	761	last dele <i>other</i>
	After p. 604 read p. '605' instead of '506'	762	22 before the word <i>fish</i> insert <i>any</i>
604	S. 12 L. 2 of S. after the word <i>passing</i> insert <i>on</i>	766	6 after the word <i>notice</i> insert <i>is</i>
606	for Sec. 14 read Sec. 16	766	Sec. 5 L. 6 of Sec. for <i>damages</i> read <i>damage</i>
608	S. 22 L. 5 of S. for <i>monies</i> read <i>money</i>	769	4 14 dele <i>to the</i>
610	3 18 dele <i>any</i>	772	first word of the p. for <i>damage</i> read <i>damages</i>
614	4 4 for <i>funnel</i> read <i>fund</i>	774	Sec. 2 L. 7 of Sec. for <i>and</i> read <i>or</i>
617	L. 5 of the page dele <i>a</i>	774	2 14 for <i>any</i> read <i>every</i>
617	S. 1 L. 6 of S. for <i>purpose</i> read <i>purposes</i>	775	1 3 for <i>paasing</i> read <i>passing</i>
621	1 9 for <i>such</i> read <i>said</i>	777	L. 17 of p. for <i>these</i> read <i>their</i>
622	3 16 for <i>or</i> read <i>on</i>	780	14 for <i>ninth</i> read <i>twenty ninth</i>
624	2 12 after the word <i>returns</i> insert <i>as</i>	780	35 for <i>sixteenth</i> read <i>seventeenth</i>
626	3 6 before the word <i>Cashier</i> insert <i>the</i>	788	25 for <i>eight</i> read <i>eighth</i>
631	4 3 before the end of the S. for <i>course</i> read <i>course</i>	790	28 after the word <i>Act</i> insert <i>providing</i>
634	16 5 of S. for <i>inspected</i> read <i>uninspected</i>	791	13 after the word <i>for</i> dele <i>the</i>
635	17 last for <i>and</i> read <i>or</i>	791	14 after the word <i>idle</i> dele <i>and</i>
638	L. 9 of p. for <i>and</i> read <i>or</i>	793	5 for <i>galo</i> read <i>golo</i>
642	7 dele <i>who</i>	793	27 after the word <i>Act</i> dele <i>for</i>
643	S. 4 L. 6 of S. dele <i>are</i> after <i>and</i>	797	4 at the end of the line for <i>eight</i> read <i>eighth</i>
650	4 14 before the word <i>also</i> insert <i>as</i>	808	34 for <i>from</i> read <i>upon</i>
656	12 3 for <i>on</i> read <i>or</i>		
658	in the title, after the word <i>Act</i> insert <i>for</i>		

States, for a sum less than five dollars, or whereon less than five dollars shall be due at the time of such issuing or passing thereof, with an intent that the same shall be circulated as currency, he shall forfeit and pay for every such offence the sum of fifty dollars; to be recovered by indictment in the Supreme Judicial Court, to the use of the State, indictment in the Circuit Court of Common Pleas to the use of the county, or action of debt, to the use of any person who shall first sue therefor, in any Court of competent jurisdiction.

[Approved March 13, 1921.]

CHAPTER CXLVIII.

An Act to regulate the Inspection of Beef and Pork intended to be exported from this State.

Governor to appoint inspector general of beef and pork;

who shall give bond to State treasurer.

He may appoint deputies who shall be sworn and give bond.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That there shall be an Inspector General of beef and pork for this State, who shall be well skilled in the knowledge of the same, to be appointed by the Governor, with the advice and consent of Council, and to be by them removeable at pleasure, who before he shall enter on the duties of his office, shall give bonds with sufficient sureties to the Treasurer of this State, in the penal sum of four thousand dollars for the faithful discharge of his duty; and shall also be sworn faithfully to perform the same. And such inspector shall have power, when so qualified, to appoint, and shall appoint deputy inspectors, who shall be removeable by him at pleasure, in every sea port town in this State where beef and pork are exported; and a sufficient number in the several counties in the State to accommodate the citizens without any unreasonable delay; for which deputies he shall be answerable; and the said deputy inspectors shall also be sworn for the faithful discharge of their duty, and shall give bond to the Inspector General, with surety to his satisfaction, in a sum not exceeding one thousand, nor less than three hundred dollars, conditioned for the faithful performance of their duty, according to the provisions of this Act.

SEC. 2. *Be it further enacted,* That every barrel and half barrel in which beef or pork shall be packed and repacked for exportation, shall be made of good seasoned rift white oak, white ash, or maple staves and heading free from any defect; each barrel shall contain two hundred pounds of beef or pork, and each half barrel one hundred pounds of beef or pork; the beef barrels to measure not less than sixteen inches, nor more than sixteen and one half inches between the chimes, and to be not less than twenty eight, nor more than twenty eight and a half inches long, to be covered three fourths of the length with good oak, ash, elm, leverwood or walnut hoops, leaving one fourth in the centre; the heads and staves to be of a proper thickness, the hoops to be well set and drove together; the half barrels to contain not less than fifteen nor more than fifteen and a half gallons, to be hooped in the same manner as the whole barrels. The pork barrels shall measure seventeen inches and one quarter between the chimes, and contain not less than thirty one gallons, nor more than thirty one gallons and one half, to be hooped in the same manner as beef barrels: and all beef and pork barrels and half barrels shall be branded on the bilge with the manufacturer's name.

Quality and size of barrels and half barrels to contain beef and pork for exportation.

Manner of being hooped.

SEC. 3. *Be it further enacted,* That no beef shall be packed or repacked in barrels or half barrels for exportation, unless it be of fat cattle not under two years old; that all such beef shall be cut into pieces as nearly square as may be, and which in size shall not exceed eight pounds, nor be less than four pounds. That all beef which the inspector or deputy inspector shall find on examination to have been killed at a proper age, to be fat and otherwise good and merchantable, shall be sorted and divided by him into five different sorts for packing or repacking into barrels or half barrels to be denominated Mess, No. 1, No. 2, No. 3, and Hearts and Cheeks. And mess beef shall consist of oxen, cows and steers well fatted, of three years old and upwards and weighing six hundred pounds and upwards: the shin, shoulder, clod, and neck shall be taken from the fore quarters, and the leg and the leg rand from the hind quarters; and each barrel and half barrel containing beef of this description, shall be branded on one of the heads with the words

Quality of beef for exportation.

Different kinds of beef.

Mess beef.

Beef No. 1. Mess Beef; No. 1. shall consist of oxen, cows, steers, and heifers not under three years old, and weighing not under four hundred pounds, and to average five hundred and twenty pounds, without any necks or shanks. On one head of each barrel and half barrel containing beef of this description, shall be branded No. 1. No. 2. shall consist of fat cattle of all descriptions not before mentioned of two years old and upwards (bulls excepted) with not more than half a neck and two shanks, and without any hocks: each barrel and half barrel of which shall be branded No. 2. And those parts of beef which are excluded from mess, No. 1. and No. 2. (not excluding hearts and cheeks) shall be packed and inspected by the Inspector General, or his deputies, in the same manner as No. 1. or No. 2. and shall be branded No. 3.; first taking from said pieces, excluded as aforesaid, viz: the end of the neck, weighing not less than four pounds, nor more than six pounds; and from the shank and shin of each quarter not less than four pounds, nor more than eight pounds: which pieces thus excluded, shall not be exported from this State. And the hearts and cheek pieces of beef may be inspected, and when thus inspected shall be branded Hearts and Cheeks. And every barrel of beef shall be well salted with seventy five pounds of clean St. Ubes, Isle of May, Lisbon or Turks Island salt, or eighty pounds of Liverpool salt, or other salt of equal quality, exclusive of a pickle made of fresh water, as strong as salt will make it; and to each barrel of mess beef shall be added six ounces of saltpetre; and to each barrel of No. 1. No. 2. and No. 3. Beef, shall be added four ounces of saltpetre; and each half barrel of beef shall be salted and saltpetred with one half of the quantity of salt and saltpetre above mentioned.

No. 2.

No. 3.

Hearts and cheeks.

Beef, how salted and preserved.

Quality and kinds of pork.

Clear pork.

SEC. 4. *Be it further enacted*, That all pork packed or repacked in barrels or half barrels for exportation, shall be sorted and divided by the inspector or his deputy, and denominated as follows:—Clear pork, Bone middlings, Navy mess pork, No. 1, No. 2, and No. 3; and in all cases the following parts shall be taken out as refuse, viz: nose pieces or faces, ears, brains, tails, feet and lard. Clear pork shall consist of the best pieces of large well fattened hogs, weighing three hundred pounds and upwards, free from bones or the lean part of

the meat. Bone middlings shall consist of middle pieces taken from hogs well fattened, weighing two hundred and thirty pounds or upwards. Navy mess pork shall consist of all parts of the carcass, well fattened, weighing from one hundred and sixty pounds, to two hundred and thirty pounds, except the head, fore and hind legs, the shoulder joint, lard and refuse parts above mentioned. No. 1, shall consist of all parts of hogs well fattened, averaging two hundred and twenty pounds or upwards, and each of which shall weigh not less than one hundred and eighty pounds, and to have no more heads, legs, shoulders, or other coarse parts than belong to one carcass, deducting the lard and refuse as above. No. 2, shall consist of all parts of one and an half hog well fattened, which shall weigh two hundred pounds, deducting the lard and refuse as above. No. 2, also in half barrels, shall consist of pig pork, all parts of one carcass or not, and not to contain the head or legs of more than one carcass, excluding the lard and refuse as above. And in all cases where the legs of pork are taken out for bacon, or for any other purpose, the weight shall not be made up with heads or shoulders, but with other parts of the carcass not less valuable than the legs would be if they were salted. No. 3, shall consist of the merchantable parts of wholesome pork, of a quality inferior to good No. 2 pork, and the barrels shall contain two hundred pounds of pork each, and there shall not be any more than the merchantable parts of two carcasses of pork in one barrel, except where any of the legs are taken out, the same number of shoulder pieces, and no more may be added, making up the deficiency of weight in better parts of a carcass of pork. Barrels filled with pork heads or feet, shall be branded *Pork heads*, or *Feet*, as the case may be: And each barrel of pork shall be well salted with seventy pounds of clean course salt, exclusive of a strong pickle, and shall be branded on one of the heads with the quality of the pork it contains.

SEC. 5. *Be it further enacted*, That it shall be the duty of the Inspector General and his deputies to attend, as soon as may be, within twenty four hours after request made, at any suitable place within the county where he resides, for the purpose of inspecting any quantity of beef or pork ex-

Bone middlings. -

Navy mess.

No. 1.

No. 2.

No. 3.

Pork heads or feet.

Barrels of pork, how salted, &c.

Duty of inspectors to inspect as soon as may be in counties where they reside.

ceeding thirty barrels: And whenever said inspector or his deputies shall have inspected and assorted beef or pork, as the law requires, the said inspector or his deputies, with their own labourers and coopers, or such other labourers and coopers as they shall employ, and for whose conduct in said business they shall be accountable, shall cut, weigh, pack, salt and cooper the said beef, which they have thus inspected.

Manner of branding barrels and half barrels of beef and pork.

SEC. 6. *Be it further enacted*, That all barrels and half barrels of pork and beef packed or repacked for exportation, shall be branded with the first letter of the christian name, and the surname at length, of the inspector who has inspected the same, with the name of the town where, and with the month and year in which the same has been, or may hereafter be so inspected, in legible letters, with the addition of the word *Maine*; and every barrel and half barrel of the three first sorts shall also be branded with the name of the person for whom the pork or beef was packed.

Name of month may be abbreviated in certain cases of inspection.

SEC. 7. *Be it further enacted*, That the Inspector General or his deputy or either of them, may, when the month in which any beef or pork shall be inspected, shall consist of more than one syllable, so abbreviate the name of the month, as conveniently to brand the same on the head of each barrel or half barrel, by him or them inspected.

Penalty for inspectors branding any packages of provisions not inspected and weighed by them; or any cask not inspected, or being guilty of fraud, &c. in inspecting.

SEC. 8. *Be it further enacted*, That the Inspector General and his deputies shall not, nor shall either of them, brand any packages of provisions, other than those which they have inspected, and have caused to be weighed and packed as the law requires. And if any inspector or deputy inspector, appointed by virtue of this Act, shall be guilty of any neglect or fraud in inspecting any beef or pork, contrary to the true intent and meaning of this Act, or shall mark with their respective brands any cask containing beef or pork, which has not been actually inspected, he or they shall forfeit and pay ten dollars for each and every cask so falsely marked.

Penalty for deputy inspector branding any cask of beef or pork out of the

SEC. 9. *Be it further enacted*, That no deputy appointed by virtue of this Act, shall inspect or brand any cask of beef or pork out of the town or county for which he shall be appointed, under the penalty of fifty dollars; and if any per-

son, other than the said inspector or his deputy shall presume to stamp or brand any cask of beef or pork, in the manner directed by this Act, every person so offending, shall forfeit the sum of twenty dollars for each and every cask so unlawfully branded.

town for which he is appointed.

SEC. 10. *Be it further enacted*, That if any inspector or deputy inspector shall neglect or refuse to brand any beef or pork to be exported agreeably to this Act, he shall be subject and liable to the same penalties and forfeitures as are recoverable in the eighth section of this Act for falsely marking any cask.

Penalty for inspector's refusal or neglect to brand beef or pork intended for exportation.

SEC. 11. *Be it further enacted*, That if any person shall intermix, take out or shift any beef or pork out of any cask inspected or branded as by this Act is required, or put in any other beef or pork for sale or exportation contrary to the intention of this Act, the person or persons so offending shall for each and every offence, forfeit and pay the sum of twenty dollars.

Penalty for fraudulently mixing or shifting contents of casks.

SEC. 12. *Be it further enacted*, That no person or persons whatsoever shall ship or export from this State any salted pork, except in barrels or half barrels, nor any salted beef except in barrels or half barrels of the quality and dimensions herein provided, and the contents thereof are inspected and packed, and unless the casks containing the same are branded agreeably to the directions in this Act.

Penalty for exporting, &c. beef and pork, except in barrels and half barrels made, marked and contents inspected and packed as aforesaid.

SEC. 13. *Be it further enacted*, That no salted beef or pork shall be exported out of this State, unless the master or owner of the vessel produces to the Collector, or any other officer authorized by the laws of the United States to clear vessels out, a certificate from the Inspector General or his deputy, that the same has been inspected and branded according to the directions in this Act; and each certificate shall express the number of barrels and half barrels of beef or pork of each sort. And the master or owner of every vessel in which beef or pork, is so exported, on producing said certificate, shall take and subscribe the following oath before the officer authorized as aforesaid.

Collector of customs to be furnished with certificate of inspection and branding, by master of vessel.

Substance of certificate.

To be sworn to.

I, A. B. of the — do swear, that according to the best of my knowledge and belief the certificate hereunto annexed contains the whole quantity of salted beef (or pork as the

Form of oath.

case may be) on board the —, — master; and that no salted beef (or pork, as the case may be) is shipped on board said vessel for the ship's company, on freight or on cargo, but what is inspected and branded, according to the law of this State. *So help me GOD.*

Rounds of beef may be exported in kegs, &c. and how branded.

SEC. 14. *Be it further enacted,* That nothing in this Act shall prevent the exportation of rounds of beef in kegs or tubs as is now practised: *Provided however,* That the name of the owner, and the town where he resides, shall be branded on one head of each keg or tub, under the penalty of one dollar for each keg or tub not branded.

Feet, ears, and faces shall not be exported under brand refuse, &c.

SEC. 15. *Be it further enacted,* That the feet, ears and faces of pork (when separated from the cheek part of the head, or any other pieces prohibited by this Act) shall not be exported under the brand *refuse*, or any other brand approved or provided for the exportation of pork.

Penalty for exporting beef or pork not inspected.

SEC. 16. *Be it further enacted,* That if any person or persons shall export or ship for exportation out of this State any salted beef or pork not inspected and branded as by this Act is directed, every such exporter or shipper, and the master of every vessel having on board such inspected beef or pork, shall, on conviction, respectively forfeit and pay the sums following: The owner or exporter shall forfeit and pay the sum of six dollars, and the master of every vessel having the same on board, the sum of two dollars, for every cask exported or shipped for exportation. And it shall be lawful for any Justice of the Peace, upon any information given of any beef or pork being put on board any vessel as aforesaid, not inspected and branded as required by this Act, to issue his warrant, directed to the Sheriff, or his deputy, or to a Constable, requiring them respectively to make seizure of any such salted beef or pork not marked and branded as aforesaid, and to secure the same in order for trial; and said officers are hereby respectively required and empowered to execute the same. And it shall be the duty of every person when required, to give the necessary aid for that purpose, on pain of forfeiting five dollars for his refusal.

Justice of peace may issue warrant for seizing un-inspected beef or pork on board vessel, and to secure it for trial.

Penalties how recovered.

SEC. 17. *Be it further enacted,* That all penalties and forfeitures aforesaid shall be recovered by an action of debt

or information, in any Court proper to try the same; one moiety thereof to the use of the town wherein the offence shall be committed, and the other moiety to him or them who shall inform and sue for the same.

SEC. 18. *Be it further enacted*, That if the Inspector General of beef, or any of his deputies, having information or knowledge of any quantity of beef or pork being laden in any port or place within this State for exportation, in respect to which there shall not be a conformity to this Act, it shall and may be lawful for the said Inspector General or his deputy, to make seizure thereof forthwith, and to file a libel or information thereupon, in any Court proper to try the same: And upon trial of such beef or pork so seized as aforesaid, in case a breach of this Act shall be proved, shall be liable to condemnation and forfeiture; one moiety to the use of the State, and the other moiety to the use of the officer seizing and prosecuting for the same.

Inspectors may seize beef and pork laden for exportation in certain cases,

which may be condemned as forfeited in case.

SEC. 19. *Be it further enacted*, That all the provisions, penalties, regulations and requirements contained in this Act, shall be construed to extend, and shall extend to all beef or pork transported, or intended to be transported coastwise from any port or place in this State, to any of the United States, or shipped on board of any vessel for any purpose whatever.

This act to extend to beef and pork transported coastwise from this State to any other of the U. States.

SEC. 20. *Be it further enacted*, That it shall be the duty of every deputy inspector to make a return to the Inspector General once in every year of the number of barrels and half barrels of beef or pork inspected by them agreeably to the directions of this Act; and the Inspector General in the month of January annually shall make a return into the office of the Secretary of this State, of the whole number of barrels and half barrels inspected according to the directions of this Act, by him or his deputies the year preceding, under each of the respective brands used by him, designating in the return the different sorts and the places at which it was inspected: said returns to be made up to the first day of January in each year. And the Inspector General may, and he is hereby authorized to administer the several oaths required by this Act.

Deputy inspectors to make annual return to inspector general.

Inspector general to make annual returns to secretary of State, of whole number of barrels, &c. inspected by him and his deputies.

How beef and
pork may be
weighed in
slaughter
houses.

SEC. 21. *Be it further enacted,* That no beef or pork shall be weighed by the owners or keepers of any slaughter houses, stores, or warehouses, or by any persons under their direction or control in said houses, in any greater quantity than fifty pounds; except in scales and with weights, or by the vibrating steelyard invented by Benjamin Dearborn, or the vibrating steelyard invented or improved by Samuel Hills duly sealed, according to the Act entitled "An Act for the due regulation of weights and measures;" and every owner or keeper of any slaughter house, store or warehouse, or any person or persons by their direction, or under their control in said houses, who shall weigh any beef or pork in any greater quantity than fifty pounds by steelyards other than above named, or in any other way than by scales and weights duly sealed as aforesaid, shall, for every such offence, forfeit and pay the sum of ten dollars to be recovered by action of the case, before any Court competent to try the same, by any person who shall first sue for the same; one half to the use of the person who shall sue as aforesaid, and the other half to the use of the poor of the town in which such offence shall be committed.

Penalty for
weighing in
any other
manner.

Selectmen
may appoint
weighers of
beef to be
sold in mar-
ket.

SEC. 22. *Be it further enacted,* That it shall be the duty of the Selectmen of every town within this State where beef cattle are sold for the purpose of market, or barrelling, to appoint one or more person or persons not being dealers in cattle, and conveniently situated in such town, to be weigher or weighers of beef, who shall be sworn to the faithful discharge of the duties of their office, and shall receive such fees as are hereinafter described.

Weighers to
be sworn.

Beef so sold to
be weighed by
sworn weigh-
ers, who are
to give certifi-
cates, &c.

SEC. 23. *Be it further enacted,* That all beef sold as aforesaid, shall be weighed by the said sworn weighers, and certificates of the weight of all the beef, hide and tallow of each head of cattle, in the form following, shall be signed by the said weighers, and delivered to the seller or sellers thereof:

Form of Certificate.

This certifies that I have duly weighed the cattle bought by _____ of _____ from _____ of _____ this _____ day of _____ 182 _____.

Form of certificate.

Beef				
Hide				
Tallow				
Total				

Sworn Weigher.

SEC. 24. *Be it further enacted,* That any butcher or purchaser of beef cattle, intended for market or barrelling, who shall purchase any such beef cattle contrary to the true intent and meaning of this Act shall forfeit and pay the sum of thirty dollars for each and every such offence to be recovered with cost of suit by action, before any Court proper to try the same; one half to the use of the State, and the other half to the person who shall prosecute for the same: *Provided* nothing in this Act shall prevent any person or persons from buying or selling live cattle, commonly called cattle on the foot: and *Provided*, that no person shall be obliged to weigh any beef cattle when the weight or mode of weighing shall be agreed upon by the buyer and seller.

Penalty for buying beef cattle for market or barrelling, contrary to this act, &c.

SEC. 25. *Be it further enacted,* That the inspector of beef and pork and his deputies, who are now in office in this State, shall and may continue to exercise and perform all the duties of their respective offices, in as full and ample manner as they might lawfully do if appointed pursuant to the first section of this Act.

Provision for continuing present inspectors, &c. in office.

[Approved March 19, 1821.]

CHAPTER CXLIX.

An Act to ascertain the quality of Butter, and Hogs Lard; and for the more effectual Inspection of the same.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in Legislature assembled,* That there shall be an inspector of butter and lard for the State who shall be skilled in the knowledge and properties of the same, to be

Governor to appoint inspector of butter and lard,