

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FOURTEENTH LEGISLATURE,

At its Session, held in January, 1834.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :

I. BERRY & CO., PRINTERS TO THE STATE.

1834.

SECT. 3. *Be it further enacted*, That it shall be lawful for any person, who shall find any of the obstructions, mentioned in the foregoing sections, placed or erected in said ponds, or their branches as aforesaid, to take up, pull down and destroy the same. And all penalties and forfeitures arising by force and virtue of this Act shall be recovered by action of debt in any court competent to try the same—one moiety thereof to the use of the town where such forfeitures shall incur, and the other moiety to any one who may sue therefor.

Persons may destroy obstruction found in said ponds.

How penalties may be recovered.

[Approved by the Governor, February 28, 1834.]

Chapter 113.

AN ACT to repeal certain sections of "An Act to regulate the Herring Fishery."

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That the first, second, third, and fifth sections of an Act, entitled "An Act to regulate the Herring Fishery"—be and the same are hereby repealed.

Part of former Act repealed. Chap. 177, Vol. 2, page 772.

[Approved by the Governor, March 4, 1834.]

Chapter 114.

AN ADDITIONAL ACT to provide for the packing and inspection of Pickled and Smoked Fish.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That from and after the passing of this Act, it shall be the duty of the inspector or inspectors of salmon, mackerel, shad, and all other kinds of split pickled fish, or fish for barrelling to see that they are well struck with salt or pickle in the first instance and preserved sweet, free from rust, taint or damage; and such fish as are in good order, and are of a good quality shall be packed in tierces, barrels or half barrels; the tierces shall contain three hundred

Duty of Inspectors of salmon, mackerel, &c.

Contents of tierces and barrels.

pounds, the barrels shall contain two hundred pounds, and the half barrels one hundred pounds of fish each; and the same shall be packed with thirty five pounds of good and clean coarse salt, suitable for the purpose to each barrel; and said casks after being packed and headed up with the fish and sufficient salt to preserve the same, shall be filled up with a clear strong pickle, and shall be branded salmon, mackerel, shad (or as the case may be;) those of the best quality caught in the right season, to be most approved, and free from damage, shall be branded No. 1; those which remain, after the best have been selected being sweet and free from taint, rust or damage, shall be branded No. 2; and there shall be a third quality, which shall consist of the thinnest and poorest of those that are sweet and wholesome, which shall be branded No. 3. And the inspector shall also brand in plain legible letters on the head of each and every cask in which merchantable fish or whole fish are packed or repacked and inspected, the weight, and initials of his christian name with his surname at large; the name of the town for which he is appointed and the word *Me.* annexed, together with the initials of the month, and the year in figures. And the owner of all pickled and smoked fish, shall, when so required by the inspector, furnish a brand containing the initials of his christian and the whole of his surname, for the purpose of being put and branded upon the casks containing such fish, with the said owner's name as aforesaid. And each cask shall be filled with fish of one and the same kind; and if any person shall intermix, take out or shift any inspected fish which are packed and branded as aforesaid or put in other fish for sale or exportation contrary to the true intent and meaning of this act, he or they shall forfeit and pay fifteen dollars for each and every package so altered—*Provided however*, if any casualty shall render it necessary to repack a cask of inspected fish it may in

To be branded according to their quality.

Inspector's name to be branded on barrels, &c.

And owner's when required.

Casks to be filled with fish of same kind.

Penalty.

Proviso.

all cases be done by an inspector of such fish. And if any person, shall sell or export or cause to be sold or exported within or from this State, any tainted or damaged fish he shall forfeit and pay ten dollars for every hundred weight, that shall be thus sold or exported.

Penalty for exporting damaged fish.

SECT. 2. *Be it further enacted,* That all smoked herrings, shall be divided and sorted by the inspector and denominated according to their quality No. 1 and No. 2. Number one shall consist of all the largest and best cured fish, of not less than eight inches long; number two of the smaller, but well cured fish of not less than seven inches long; and in all cases the following shall be taken out as refuse: all those which are belly broken, tainted, scorched or burnt slack salted or not sufficiently smoked. And each box of herrings so inspected shall be branded on the top by the inspecting officer with the first letter of the christian name, and the surname at length of the inspector who inspected the same; and in like manner the name of the owner thereof, with the name of the town where it was inspected with the addition of Me.—and also with the quality of number one, and number two; and that it shall be the duty of the inspectors, in inspecting what are known and called by the name of Magdalen Herrings, being all such as are distinguished from what are called shore herring—to inspect mark and brand them as Magdalen Herring, so that they may be easily distinguished from the other kind.—*Provided always,* That nothing contained in this section shall be considered as altering or affecting any of the provisions of an Act, passed January twenty ninth eighteen hundred and twenty two—“Providing for the packing and inspection of pickled and smoked fish.”

Smoked herrings to be divided according to quality.

Boxes to be branded with inspector's name and name of the owner and town.

Magdalen herring to be branded as such.

Proviso.

SECT. 3. *Be it further enacted,* That the fourth and seventh sections of an act, passed March twenty second, eighteen hundred and twenty one to “provide

Part of former Act repealed. Chap. 150, Vol. 2, p. 641.

for the packing and inspection of pickled and smoked fish," be and the same are hereby repealed.

[Approved by the Governor, March 4, 1834.]

Chapter 115.

AN ADDITIONAL ACT establishing a Supreme Judicial Court within this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the passing of this Act, the term of the Supreme Judicial Court which by law is now established, to be annually held in the County of Waldo on the seventh Tuesday next after the third Tuesday of May, is hereby constituted a law term, and to be held exclusively for the trial and decisions of questions of law and equity—At which term the attendance of the Grand and Traverse Jurors shall be dispensed with—And all causes either civil or criminal for trial by Jury now pending in said Court, or which may be pending, at the next July term thereof, shall be continued without cost, have day in, and be tried at the term of said Court to be holden then next following on the second Tuesday of December annually as is hereinafter provided.

SECT. 2. *Be it further enacted,* That in addition to the term of the Supreme Judicial Court as now by law established to be holden within and for the County of Waldo, there shall be one other term for the trial by Jury of all civil and criminal causes in said County, to be holden at Belfast, on the second Tuesday of December annually by one or more of the Justices of said Court, and the usual number of Grand and Traverse Jurors shall be summoned to attend in like manner as is by law provided in similar cases; when and where all civil and criminal causes ready for trial shall be acted upon and tried.

[Approved by the Governor, March 5, 1834.]

Term of Supreme J. Court in Waldo constituted a law term.

Attendance of Jurors dispensed with.

Causes to be continued.

Additional term at Belfast second Tuesday of December.