

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

PASSED BY THE

FORTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1866.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 26, 1840, and March 16, 1842.

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1866.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1866.

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CHAP. 41.**Chapter 41.**

An act to increase the salary of the county attorney for the county of Knox.

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

Salary to be  
\$500 per  
annum after  
Jan. 1, 1866.

From and after the first day of January, eighteen hundred and sixty-six, the salary of the county attorney for the county of Knox shall be five hundred dollars, instead of the sum now allowed by law.

Approved February 21, 1866.

**Chapter 42.**

An act to establish the salary of the judge of probate for the county of Penobscot.

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

Salary in-  
creased to \$700  
per annum.

SECT. 1. The salary of the judge of probate for the county of Penobscot, instead of the salary as now fixed by law, shall be seven hundred dollars per year, payable quarterly.

Laws inconsis-  
tent, repealed.

SECT. 2. All provisions of law inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect when approved.

Approved February 23, 1866.

**Chapter 43.**

An act to regulate the inspection of flour.

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

Appointment  
of inspectors  
authorized;  
manufacturers  
and dealers  
not eligible.

SECT. 1. The mayor and aldermen of cities and the selectmen of towns, in this state, are hereby authorized to appoint annually, in their respective cities and towns, one or more suitable persons to be inspectors of flour, for the period of one year from the date of appointment, but no one who is interested in the manufacture, or sale of flour, shall be so appointed.

Inspectors to  
be sworn and  
receive certifi-  
cate of appoint-  
ment.

SECT. 2. Every such inspector, before entering upon the duties of his office, shall be sworn to the faithful and impartial discharge of the same, before the clerk of the city or town in which he is appointed, and such clerk shall give him a certificate of his appointment and qualification, upon payment of a fee of fifty cents, which certificate shall be exhibited on the demand of any person interested in any inspection made by the holder of it.

## CHAP. 43.

SECT. 3. Inspection of flour in this state shall be for the purpose of ascertaining its soundness; every package of flour, inspected under the provisions of this act, shall be opened sufficiently to allow a trier to be passed through it, and a sample of the whole length of the package shall be taken out and examined by the inspector, who shall mark upon each package with a brand, or stencil, the word SOUND or the word UNSOUND as the quality of the flour contained in each shall be found, together with his name, residence, office, and the year of inspection. Every inspector shall keep a record of all flour inspected by him, in a book devoted exclusively to that use, which record he shall be required to exhibit to any person requiring it.

Inspection, how made, and duty of inspectors defined.

Inspectors to keep records and exhibit same.

SECT. 4. Every inspector, who shall wilfully, falsely and fraudulently mark any package of flour with a mark indicating a quality different from the true quality, shall be punished by a fine of five dollars for each package so falsely and fraudulently marked, and shall also forfeit to any person injured thereby, three times the amount of damage to be recovered in an action of debt.

Penalty for fraudulent marks, &c.

SECT. 5. Every person who shall, with intent to defraud and deceive, alter, obliterate or counterfeit, the inspection marks of any inspector, placed on any package of flour under the provisions of this act, and every person who, with intent to deceive and defraud, shall place upon any package of flour, marks which falsely purport to be inspection marks under the provisions of this act, shall, for every offence, be punished by fine not exceeding fifty dollars, and upon conviction of so altering, obliterating, counterfeiting or placing marks falsely purporting to be inspection marks, on as many as ten packages at one time, shall also be punished by imprisonment in the county jail not exceeding ten months.

Penalty for alteration, &c., of inspection mark.

SECT. 6. Any person buying flour, may require the same to be inspected before it is delivered; the fees of the inspector shall be five cents a package, for lots of less than ten packages; for lots of more than ten and not exceeding twenty packages, two cents a package, and for any every package exceeding twenty, one cent; to be paid by the person demanding the inspection.

Purchasers of flour may require inspection of same before delivery. Fees for inspection, and by whom to be paid.

SECT. 7. The inspectors of flour appointed under this act, shall, whenever required, in addition to the inspection of the soundness or unsoundness of the article examined, determine whether it conforms to and equals the sample furnished to them, and shall mark, with some distinct and intelligible mark, the packages that are found like the sample, and for this service they may charge an additional compensation of one half cent per package.

Duties of inspectors in relation to sample packages.

SECT. 8. Nothing contained in this act shall be held to prohibit, or render illegal, any contract for the manufacture, or sale of flour, which has not been inspected, when inspection is not required by the buyer or the seller.

Provisions hereof, not applicable when inspection is not demanded.

CHAP. 44.      SECT. 9. This act shall take effect when approved by the governor.

Approved February 23, 1866.

### Chapter 44.

An act amending seventeenth section of chapter twelve of the revised statutes, relating to parishes and religious societies.

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

Amendment.

Seventeenth section of chapter twelve of the revised statutes, is hereby amended, by inserting after words "episcopal churches," in the first line, the words, *trustees of the methodist episcopal church or societies*, so that said section, as amended, shall read as follows :  
The church wardens of episcopal churches, trustees of the methodist episcopal church, or societies, and the deacons of all other protestant churches, are so far corporations, as to take in succession, all grants and donations of real and personal estate made to their churches, or to them and their successors ; and if the ministers, elders or vestry, are joined with them in such grants or donations, the two classes of officers shall be corporations for that purpose.

Church wardens, trustees, &c., declared to be corporations for certain purposes.

Approved February 23, 1866.

### Chapter 45.

An act authorizing the sale of certain lots of land in township number four, range four, W. E. L. S.

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

Sale of state lands to be made at option of land agent.

Lots or sections of land in township number four, range four, W. E. L. S., exceeding the quantity allowed to be sold to settlers, may be sold upon same terms as are prescribed in chapter five, revised statutes, if, in the judgment of the land agent, such lots or sections are not valuable for the lumber growth and found to be better adapted for settlement than other purposes.

Approved February 23, 1866.