

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1875.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1875.

Chapter 2.

An act to regulate the inspection of fish.

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

Inspectors of fish,
appointment of,
and term of office.

SECT. 1. The governor, with advice of the council, shall, from time to time, as occasion may require, appoint in each city, town and plantation in this state, where pickled fish are cured or packed for exportation, one or more persons skilled in the quality of the same, to be inspectors of fish, who shall hold their office for a term of five years, unless sooner removed by the governor and council.

—shall be sworn.

—bond of.

SECT. 2. Every such inspector, before entering upon the duties of his office, shall be duly sworn, and shall give bonds with sufficient sureties to the treasurer of the city, town or plantation for which he is appointed, to the satisfaction of the mayor and aldermen of the city, the selectmen of the town, and the treasurer of the plantation, in the penal sum of not less than five hundred nor more than five thousand dollars, for the faithful performance of his official duties ; and such municipal officers shall, at least once a year, examine the bonds given by said inspectors, and if that of any inspector is not in their opinion sufficient, they shall forthwith notify him, and if he for thirty days after such notice neglects to give a bond satisfactory to them, they shall give information thereof to the governor, and he shall remove such inspector from office.

Bond shall be
examined by
municipal officers
once a year.

Inspector may be
removed if he
neglects to give
sufficient bond.

—shall make
return.

SECT. 3. Every inspector shall, on or before the tenth day of December, annually, make a return into the office of the secretary of state of all fish by him inspected during the year preceding the first day of December, designating the quantities, kinds and qualities of pickled fish, and the secretary shall publish the same immediately after in the state paper.

Remedy for neg-
lect or misdoings
of inspector.

SECT. 4. Any person injured by the neglect or misdoings of any inspector, on tendering to such treasurer a reasonable indemnity against the costs, shall be entitled to bring an action on such inspector's bond in the name of the treasurer, for his own use, and to have a copy of the bond therefor ; and if judgment shall be rendered thereon for the plaintiff, execution shall issue for the sum found due to the person for whose use such action is brought, and the sum awarded in damages shall be entered by the clerk of the court on the original bond, to remain in the custody of the treasurer.

Duty of inspec-
tors.

Fish, how put up.

SECT. 5. Every inspector who inspects any kind of fish that are split and pickled for packing, shall see that they are, in the first instance, free from taint, rust or damage, and well struck with salt or pickle ; and such of said fish as are in good order and of good quality, shall be pickled in tierces, barrels, half barrels, quarter barrels, and tenths of barrels, or kids ; each tierce containing three

hundred pounds, each barrel two hundred pounds, and so on in that proportion; and the same shall be packed in good, clean, coarse salt, sufficient for their preservation; and then each cask shall be headed up and filled with clear, strong pickle, and shall be branded by the inspector with the name and quality of the fish therein. Mackerel of the best quality, not mutilated, measuring, when split, not less than thirteen inches from the extremity of the head to the crotch or fork of the tail, free from taint, rust or damage, shall be branded number one; the next best quality, being not less than eleven inches, measuring as aforesaid, free from taint, rust or damage, shall be branded number two; those that remain after the above selection, free from taint or damage, and not less than thirteen inches, measuring as aforesaid, shall be branded number three large; those of the next inferior quality, free from taint or damage, not less than ten inches, measured as aforesaid, shall be branded number three; all other mackerel, free from taint or damage, shall be branded number three small. The inspector shall brand in plain letters on the head of every such cask, the weight, the initials of his christian name, the whole of his surname, the name of his town, and the letters Me., an abridgement of the month and the year, in figures, when packed.

Fish, how
branded.
Number 1.

—2.

—3 large.

—3.

—3 small.

Casks, how
branded.

SECT. 6. All tierces, barrels and casks which are used for the purpose of packing pickled fish, shall be made of sound, well seasoned white oak, white ash, spruce, pine, chestnut, or poplar staves, with heading of either of such kinds of wood, sound, well planed and seasoned, and when of pine, to be free of sap, and the barrels to be hooped with at least three strong hoops on each bilge, and three also on each chime; the barrel staves to be twenty-eight inches in length, and the heads to be seventeen inches between the chimes, and made in a workmanlike manner, to hold pickle.

Quality of casks,
and how made.

SECT. 7. Every inspector who inspects pickled alewives or herring, packed whole or round, shall see that they are struck with salt or pickle, and then put in good casks of the size and material aforesaid, packed closely therein, and well salted, and the casks filled with the fish and salt, putting no more salt with the fish than is necessary for their preservation; and the inspector shall brand all such casks with the name of the inspected fish as aforesaid, but in no case shall the inspector brand the casks unless the fish contained therein shall have been packed and prepared under his immediate supervision.

Pickled alewives,
&c., how packed
and branded.

SECT. 8. The fees for inspection and branding, exclusive of cooperage, shall be for each barrel seven cents, and all such fees shall in the first instance be paid by the original owners of the fish, but such owners shall be entitled to recover the amount thereof from the party purchasing or receiving the same, under

Fees for inspec-
tion and brand-
ing.

CHAP. 3. the marks and brands aforesaid, and in addition to the price thereof.

Inconsistent acts repealed.

SECT. 9. Section one to section seven, chapter forty, of the revised statutes of eighteen hundred and seventy-one, and all other acts and parts of acts inconsistent with this act, are hereby repealed, but nothing herein contained shall be construed to affect the liability of any person or remedy therefor existing when this act takes effect.

SECT. 10. This act shall take effect when approved.

Approved February 10, 1875.

Chapter 3.

An act to amend, so far as the county of Cumberland is concerned, chapter one hundred and thirty-three of the laws of eighteen hundred and seventy-three, relating to the jail system of the state.

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

Sec. 6, ch. 133, laws 1873, amendment of.

Section six of chapter one hundred and thirty-three of the laws of eighteen hundred and seventy-three, is hereby amended, by inserting in the fourth line of said section, after the word "dollars," the words 'and commissioners of Cumberland county, a sum not exceeding twenty thousand dollars,' so that said section as amended, shall read as follows :

Commissioners authorized to raise money to make alterations in county jails.

'**SECT. 6.** Said boards of commissioners in the several counties may, after the passage of this act, raise by loan to their several counties, or otherwise, a sum of money not exceeding five thousand dollars, and commissioners of Cumberland county, a sum not exceeding twenty thousand dollars, to make the alterations and improvements mentioned in the first section of this act, and to expend so much of said money as may be necessary for the purpose.'

Approved February 10, 1875.

Chapter 4.

An act to amend chapter one hundred and thirteen of the revised statutes, relating to relief of poor debtors.

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

Sec. 21, ch. 113, R. S., amendment of.

Section twenty-one of chapter one hundred and thirteen of the revised statutes, is hereby amended by striking out the words