

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# ACTS AND RESOLVES

OF THE

## SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

---

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

---

AUGUSTA :  
BURLEIGH & FLYNT, PRINTERS TO THE STATE.  
1893.

---

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1893.

---

---

## CHAP. 256

—when milk shall be deemed to have been diluted.

or milk to which water or any foreign substance has been added, or sells or offers for sale as pure milk, any milk from which cream has been taken, forfeits twenty dollars for the first, and fifty dollars for every subsequent offense, to be recovered for the town where the offense is committed by complaint and indictment. When milk shall, by the gravimetric analysis be found to contain over eighty-eight per cent of water, it shall be deemed prima facie evidence that said milk has been watered, and when milk by the analysis aforesaid, shall be found to contain less than twelve per cent of solids, and less than three per cent of fat, it shall be deemed, prima facie, milk from which cream has been taken, and any milk which, by the analysis aforesaid, shall be found to contain any foreign substance, shall be deemed milk to which a foreign substance has been added.'

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

Approved March 24, 1893.

### Chapter 256.

An Act to regulate the sale and analysis of Commercial Fertilizers.

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

All packages of fertilizer exceeding in price ten dollars per ton, shall have affixed thereto a statement certifying number of pounds, name of trade mark and manufacturer and place of business, and analysis.

SECT. 1. Every manufacturer, company or person who shall sell, offer or expose for sale in this state any commercial fertilizer or any material used for fertilizing purposes the price of which exceeds ten dollars per ton, shall affix to every package of such fertilizer in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the package sold or offered for sale, the name or trade mark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business and a chemical analysis stating the percentage of nitrogen, or its equivalent in ammonia in available form, of potash soluble in water, and of phosphoric acid in available form, soluble and reverted as well as the total phosphoric acid.

Manufacturers shall annually file certified copy of statement with Maine Agricultural

SECT. 2. Every manufacturer, company or person who shall sell, offer or expose for sale in this state, any commercial fertilizer or material used for fertilizing purposes, the price of

CHAP. 256

which exceeds ten dollars per ton, shall for each and every fertilizer bearing a distinguishing name or trade mark, file annually with the director of the Maine Agricultural Experiment Station, between the fifteenth day of November and the fifteenth day of December, a certified copy of the statement, named in section one of this act, said certified copy to be accompanied when required, by a sealed glass jar or bottle containing at least one pound of the fertilizer to be sold or offered for sale, and the company or person filing said certified copy with its accompanying sample of fertilizer shall thereupon make affidavit that said samples corresponds within reasonable limits to the fertilizer which it represents in the percentage of nitrogen, total and available phosphoric acid, and potash soluble in water, which it contains. Such affidavit shall apply to the entire calendar year next succeeding the date upon which said affidavit is made, unless the person or persons making said affidavit shall give notice to the director of the Maine Experiment Station that a change is to be made during the year in the percentages of the above named ingredients contained in the fertilizer, in which case he shall, before selling or offering for sale such fertilizer, file another certified statement with an accompanying sample of fertilizer and an affidavit as hereinbefore required. The deposit of a sample of fertilizer as herein provided shall be required by said director unless the company, manufacturer or person selling or offering for sale a fertilizer coming within the provisions of this act, shall certify that its composition for the succeeding year is to be the same as given in the last previously certified statement, in which case the requiring of said sample shall be at the discretion of said director.

tural Experiment Station, with sample of fertilizer and make affidavit that sample corresponds with fertilizer.

—affidavit shall apply to entire year.

—sample need not be deposited every year, if composition is same each year.

SECT. 3. The director of the Maine Experiment Station shall analyze, or cause to be analyzed, all the samples of fertilizers which come into his possession under the provisions of section two of this act, and shall publish the results thereof in a bulletin or report on or before the fifteenth of March next succeeding.

Director shall analyze samples and publish results.

SECT. 4. Any manufacturer, importer, agent or seller of any commercial fertilizer who shall deposit with the director of the Maine Experiment Station a sample or samples of fertilizer under the provisions of section two of this act, shall pay annually to said director an analysis fee as follows: Five dollars for the phosphoric acid and five dollars each for the

Analysis fees.

CHAP. 256

—certificate of compliance.

—when fee is paid by manufacturers, payment shall not be required of agent.

Penalty for selling without compliance with this act.

Director shall annually analyze one sample of every fertilizer sold under this act.

—how samples shall be taken.

nitrogen and potash, contained or said to be contained in the fertilizer, this fee to be assessed on any brand of which thirty tons or more are sold in the state, and upon receipt of such fee and of the certified statement named in section two of this act, said director shall issue a certificate of compliance with this act. Whenever the manufacturer or importer of a fertilizer shall have filed the statement made in section two of this act and paid the analysis fee, no agent or seller of said manufacturer, importer or shipper shall be required to file such statement or pay such fee. The analysis fees received by said director shall be paid immediately by him into the treasury of said experiment station.

SECT. 5. Any manufacturer, importer or person who shall sell, offer or expose for sale in this state any commercial fertilizer without complying with the requirements of sections one, two and four of this act, or any fertilizer which contains substantially a smaller percentage of constituents than are certified to be contained, shall, on conviction in a court of competent jurisdiction, be fined one hundred dollars for the first offense, and two hundred dollars for each subsequent offense.

SECT. 6. The director of the Maine Experiment Station shall annually analyze, or cause to be analyzed, at least one sample of every fertilizer sold or offered for sale under the provisions of this act. Said director is hereby authorized and directed in person or by deputy to take a sample, not exceeding two pounds in weight, for said analysis, from any lot or package of fertilizer or any material used for manurial purposes which may be in the possession of any manufacturer, importer, agent or dealer in this state; but said sample shall be drawn in the presence of said party or parties in interest, or their representative, and taken from a parcel or a number of packages which shall not be less than ten per cent of the whole lot sampled, and shall be thoroughly mixed and then divided into two equal samples and placed in glass vessels and carefully sealed and a label placed on each, stating the name or brand of the fertilizer or material sampled, the name of the party from whose stock the sample was drawn and the time and place of drawing, and said label shall also be signed by the director or his deputy and by the party or parties in interest or their representatives at the drawing and sealing of said samples; one of said duplicate samples shall

be retained by the director and the other by the party whose stock was sampled; and the sample or samples retained by the director shall be for comparison with the certified statement named in section two of this act. The result of analysis of the sample or samples so procured shall be reported to the person or persons requesting the analysis, and shall also be published in a report or bulletin within a reasonable time.

—result shall be published.

SECT. 7. Whenever the director becomes cognizant of the violation of any of the provisions of this act he shall report such violation to the secretary of the board of agriculture, and said secretary shall prosecute the party or parties thus reported; but it shall be the duty of said secretary upon thus ascertaining any violation of this act, to forthwith notify the manufacturer or importer in writing, and give him not less than thirty days thereafter in which to comply with the requirements of this act, but there shall be no prosecution in relation to the quality of any fertilizer or fertilizing material if the same shall be found substantially equivalent to the certified statement named in section two of this act.

Directors shall report violations to secretary of board of agriculture.

—secretary shall notify manufacturer, who shall comply within thirty days.

SECT. 8. All acts and part of acts inconsistent with this act, are hereby repealed.

Inconsistent acts, repealed.

SECT. 9. This act shall take effect September one, eighteen hundred and ninety-three.

When act shall take effect.

Approved March 24, 1893.

### Chapter 257.

An Act to regulate the method of obtaining private and special legislation for Fish and Game.

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

SECT. 1. Whoever petitions the legislature, or whoever shall introduce any bill, act, or resolve for private and special legislation, regarding or in any manner pertaining to fish or game, shall first have given notice of their intention with full description of the territory or waters affected by such legislation, in some weekly publication nearest the locality so affected, for eight consecutive weeks, the last notice to be not less than one, nor more than three weeks before the

Whoever petitions to the legislature for private legislation pertaining to fish and game, shall publish notice of intention.