

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1895.

Chapter 163.

An Act to amend chapter thirty-nine of the Revised Statutes, entitled "Inspection and Sale of Manufactured Articles."

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

Sec. 4, ch. 39,
R. S., as
amended by
ch. 74, Laws of
1891, further
amended.

SECT. 1. Section four of chapter thirty-nine of the revised statutes, as amended by chapter seventy-four of the laws of eighteen hundred and ninety-one, is hereby further amended by striking out all of such amended section after the word "manufactured" in the sixteenth line, and inserting instead thereof: 'In addition to the penalties hereinafter provided, such inspector or deputy is also liable in an action on the case to any party, for all damages he sustains by such misdoings, and if the misdoings are on the part of the deputy the action may be against him or his principal'; so that said section when amended, shall read as follows :

Penalty if
inspector or
deputy brands
casks of lime
not inspected
by him, etc.

SECT. 4. No inspector or deputy shall brand any casks of lime, not inspected by him, or not conformable in all respects to the provisions hereof, nor permit any other person unlawfully to use his brands; and no person shall sell, expose for sale, lade or receive on board any vessel, any lime in casks not made, inspected and branded according to law; nor shift the contents of any lime cask, branded as aforesaid, with intent to sell the same as inspected; nor shall any person, firm or corporation, put up or fill, or cause to be put up or filled, sell, expose for sale, or cause to be sold, or exposed for sale, or lade or receive, or cause to be laden or received on board any vessel or car, any lime in casks, upon which is either branded, stamped, painted or marked, in any place, the name of any city or town, or any imitation or abbreviation thereof, other than that in which such lime is burned or manufactured. In addition to the penalties hereinafter provided, such inspector or deputy is also liable in an action on the case to any party, for all damages he sustains by such misdoings, and if the misdoings are on the part of the deputy the action may be against him or his principal.'

—additional
penalty.

Sec. 5,
amended.

SECT. 2. Section five of said chapter is amended by striking out all after the word "three" in the fourth line thereof, so that said section, as amended, shall read as follows :

‘SECT. 5. No person shall sell, expose for sale, lade or receive on board any vessel, lime in casks not made, inspected and branded according to law; or sell, expose for sale, or purchase any lime casks not made in conformity to the provisions of section three.’

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Selling, etc., lime casks, not made in conformity to law, prohibited.

SECT. 3. Section six of said chapter is amended by striking out all of said section down to and including the word “therefor” in the second line, and inserting in place thereof the following: ‘Any person convicted of a violation of any of the provisions of the foregoing sections of this chapter shall be punished by a fine not exceeding fifty dollars;’ so that said section, when amended, shall read as follows:

Sec. 6, amended.

‘SECT. 6. Any person convicted of a violation of any of the provisions of the foregoing sections of this chapter shall be punished by a fine not exceeding fifty dollars; and when judgment is recovered against an inspector or deputy for penalties or damages on account of any misdoings in his office, and the execution issued thereon is returned unsatisfied, the creditor may avail himself of the benefit of the inspector’s bond to the county treasurer, who shall give him a copy thereof on request, in like manner as a judgment creditor of a sheriff or a coroner may avail himself of the official bond of such officer given to the treasurer of state.’

Penalty for violation of foregoing sections.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

Inconsistent acts, repealed.

SECT. 5. No suit shall be begun or maintained for any penalty incurred under the provisions of sections four and five of said chapter thirty-nine.

Suits shall not be begun under Secs. 4 and 5, ch. 33, R. S.

SECT. 6. This act shall take effect when approved.