

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1897.

CHAP. 333

Chapter 333.

An Act to prohibit the manufacture of cigarettes, and the sale thereof to minors.

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

Manufacture and sale of cigarettes to minors, prohibited.—penalty.

Sect. 1. Whoever, by himself, his clerk, servant or agent, directly or indirectly, manufactures for sale, or directly or indirectly sells, offers for sale, has in his possession with intent to sell, or gives away to any person under the age of twenty-one years, any cigarette, shall be punished by fine not exceeding fifty dollars, or by imprisonment not exceeding sixty days.

Jurisdiction of offenses.

Sect. 2. Trial justices and municipal and police courts shall have jurisdiction of offenses described in the preceding section.

When act shall take effect.

Sect. 3. This act shall take effect May one, eighteen hundred and ninety-seven.

Approved March 27, 1897.

Chapter 334.

An Act to regulate the sale and analysis of concentrated commercial feeding stuff.

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

Dealers in concentrated commercial feeding stuff, shall affix printed statement to each package thereof.

Sect. 1. Every manufacturer, company or person who shall sell, offer or expose for sale or for distribution in this state any concentrated commercial feeding stuff, as defined in section three of this act, used for feeding farm live stock, shall, in addition to the tax tag described in section five of this act, affix to every package of such feeding stuff, 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 crude protein, allowing one per cent of nitrogen to equal six and one-fourth per cent of protein and of crude fat it contains, both constituents to be determined by the methods adopted at the time by the association of official agricultural chemists.

—what it shall contain.

What term, feeding stuff, shall not include.

Sect. 2. The term concentrated commercial feeding stuff, as here used, shall not include hays and straws, the whole seeds

nor the unmixed meals made directly from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, and broom corn. Neither shall it include wheat, rye and buckwheat brans or middlings, not mixed with other substances, but sold separately, as distinct articles of commerce, nor pure grains ground together.

Sect. 3. The term concentrated commercial feeding stuff, as here used, shall include linseed meals, cotton seed meals, pea meals, cocoanut meals, gluten meals, gluten feeds, maize feeds, starch feeds, sugar feeds, dried brewer's grains, malt sprouts, hominy feeds, cerealine feeds, rice meals, oat feeds, corn and oat chops, ground beef or fish scraps, mixed feeds, and all other materials of similar nature not included within section two of this act.

Sect. 4. Before any manufacturer, company or person shall sell, offer or expose for sale in this state any concentrated commercial feeding stuff, as defined in section three of this act, he or they shall for each and every feeding stuff bearing a distinguishing name or trade mark, file with the director of the Maine Agricultural Experiment Station a certified copy of the statement named in section one of this act, said certified copy to be accompanied, when the director shall so request, by a sealed glass jar or bottle containing at least one pound of the feeding stuff to be sold or offered for sale, and the company or person furnishing said sample shall thereupon make affidavit that said sample corresponds within reasonable limits to the feeding stuff which it represents, in the percentage of protein and fat which it contains.

Sect. 5. Each manufacturer, importer, agent or seller of any concentrated commercial feeding stuff, as defined in section three of this act, shall pay to the director of the Maine Agricultural Experiment Station an inspection tax of ten cents per ton for each ton of such concentrated feeding stuff sold or offered for sale in the state of Maine, and shall affix to each car shipped in bulk and to each bag, barrel or other package of such concentrated feeding stuff, a tag to be furnished by said director, stating that all charges specified in this section have been paid. The director of said experiment station is hereby empowered to prescribe the form for such tags, and adopt such regulations as may be necessary for the enforcement of the law. Whenever the manufacturer or importer or shipper of a concentrated feeding stuff shall have filed the statement made in section one

What term shall include.

Certified copy of statement shall be filed director of Maine Agricultural Experiment Station, with specimen of stuff.

Manufacturers and dealers, required to pay inspection tax to director of station.

—affix tag to each car, etc., of feeding stuff certificate of payment of tax.

—director shall prescribe form for tag, etc.

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—tax shall be paid into the treasury of station.

Treasurer shall report annually receipts and expenditures.

Penalty for not complying with provisions of preceding section.

Director shall annually analyze one sample at least of all stuff offered for sale.

Samples may be taken by director from manufacturer, etc.

—shall be drawn in presence of parties in interest.

—samples shall be divided in two parts, sealed and labeled.

—one duplicate sample shall be retained by parties in interest.

—sample kept by director, is for comparison.

of this act and paid the inspection tax, no agent or seller of said manufacturer, importer or shipper shall be required to file such statement or pay such tax. The amount of inspection tax received by said director shall be paid by him into the treasury of the Maine Agricultural Experiment Station. The treasurer of said station shall make an annual report of receipts and expenditures of funds from this inspection tax, and all receipts in excess of three thousand dollars shall be carried into the state treasury.

Sect. 6. Any manufacturer, importer or person who shall sell, offer or expose for sale or for distribution in this state any concentrated commercial feeding stuff, as defined in section three of this act, without complying with the requirements of the preceding sections of this act, or any feeding stuff 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 not more than one hundred dollars for the first offense, and not more than two hundred dollars for each subsequent offense.

Sect. 7. The director of the Maine Experiment Station shall annually analyze, or cause to be analyzed, at least one sample to be taken in the manner hereinafter prescribed, of every concentrated commercial feeding stuff 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 concentrated commercial feeding stuff 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 feeding stuff 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 representative 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 four of this act. The result of the analysis of the sample or samples so procured, together with such additional information as circumstances advise, shall be published in reports or bulletins from time to time.

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—result of analyses, shall be published.

Sect. 8. 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, importer or dealer 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 concentrated commercial feeding stuff if the same shall be found substantially equivalent to the certified statement named in section four of this act.

Secretary of board of agriculture shall prosecute for violations.

—he shall notify parties of violations.

Sect. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts, repealed.

Sect. 10. This act shall take effect October first, eighteen hundred and ninety-seven.

When act shall take effect.

Approved March 27, 1897.