

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1903

PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

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 may be killed
 in one day.

sandpipers, the number of which shall not exceed seventy in any one day, during the respective open season for each; nor shall any person at any time kill or have in possession any ruffed grouse, commonly called partridge, woodcock, wood duck, dusky duck, commonly called black duck, teal or gray duck, except for his own consumption within this state, except as hereinafter provided, under a penalty of five dollars and costs for each bird so unlawfully killed or had in possession; nor shall any person at any time sell or offer for sale, any ruffed grouse, commonly called partridge, woodcock, wood duck, dusky duck, commonly called black duck, teal or gray duck within this state under the same penalty; nor shall any person or corporation carry or transport from place to place any of the birds mentioned in this section, in close time, nor in open season unless open to view, tagged and plainly labeled with the owner's name and residence and accompanied by him, unless tagged in accordance with section twenty-six of this chapter, under the same penalty.

—penalty.

—transportation of game birds.

Any person, not the actual owner of such bird or birds, who, to aid another in transportation, falsely represents himself to be the owner thereof, shall be liable to the same penalty; nor shall any person or corporation carry or transport at any one time more than fifteen of any one variety of the birds above mentioned as the property of one person, under the same penalty; and it shall be unlawful for a term of ten years, to hunt for, take, catch, kill or destroy the capercaillie, or cock of the woods, so called, black game, so called, or any species of the pheasant, except ruffed grouse, or partridge, under a penalty of fifty dollars for each offense.'

—capercaillie, black game, pheasant.

Approved March 28, 1903.

Chapter 230.

An Act to regulate the Sale and Analysis of Concentrated Commercial Feeding Stuffs.

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

Section 1. Every package of any concentrated commercial feeding stuff, as defined in section three of this act, used for feeding farm live stock, sold, offered or exposed for sale in this state, shall have affixed thereunto, in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the package, the name, brand or trade mark under which the article is sold, the name and address of the manufacturer or importer, and a chemical

Packages shall have printed statement on outside.

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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.

If the feeding stuff is sold in bulk or put up in packages belonging to the purchaser, the agent or dealer shall, upon request of the purchaser, furnish him with the certified statement named in this section.

What the term concentrated commercial feeding stuff shall not include.

Section 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 wheat bran and middlings mixed together, nor pure grains ground together.

What the term concentrated commercial feeding stuff shall include.

Section 3. The term concentrated commercial feeding stuff, as here used, shall include linseed meals, cottonseed meals, cottonseed feeds, pea meals, cocoanut meals, gluten meals, gluten feeds, maize feeds, starch feeds, sugar feeds, dried brewers' grains, dried distillers' grains, malt sprouts, hominy feeds, cerealine feeds, rice meals, oat feeds, corn and oat chops, corn and oat feeds, corn bran, ground beef or fish scraps, condimental foods, poultry foods, stock foods, patented proprietary or trade marked stock and poultry foods, mixed feeds other than those composed solely of wheat bran and middlings mixed together, or pure grains ground together, and all other materials of similar nature not included in section two of this act.

Appropriation for expenses of analysis.

Section 4. There shall be annually appropriated from the state treasury the sum of one thousand dollars in favor of the treasurer of the Maine Agricultural Experiment Station, the same, or such portion thereof as is found necessary, to be expended by said experiment station in the analysis of concentrated commercial feeding stuffs.

How, by whom and to whom, appropriation may be paid.

Section 5. So much of the appropriation granted under this act shall be paid by the state treasurer to the treasurer of said experiment station as the director of said station may show by his bills has been expended in performing the duties required by this act, such payment to be made quarterly upon the order of the governor and council, who are hereby directed to draw the order for such purpose. The director shall annually publish a statement of the receipts and expenditures under this act.

Penalty for violation of his act.

Section 6. Whoever 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 section one 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.

Section 7. The director of the Maine Agricultural Experiment Station shall annually analyze, or cause to be analyzed, at least one sample 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; said sample should be placed in a suitable jar or bottle, tightly closed and a label placed thereon, 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; provided, however, that when so requested said sample shall be taken in duplicate in the presence of the party or parties in interest or their representatives, in which case one of said duplicate samples shall be retained by the director and the other by the party whose stock was sampled. The sample or samples retained by the director shall be for comparison with the certified statement named in section one 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.

Director of Maine agricultural experiment station shall analyze.

--shall take samples.

--shall take sample in duplicate when requested.

Section 8. Any person who shall adulterate any whole or ground grain with milling or manufactured offals, or with any foreign substance whatever, or any bran or middlings made from the several grains with any foreign substance whatever, for the purpose of sale, unless the true composition, mixture or adulteration thereof is plainly marked or indicated upon the packages containing the same, or in which it is offered for sale; or any person who sells or offers for sale any whole or ground grain, bran or middlings which have been so adulterated, unless the true composition, mixture or adulteration is plainly marked or indicated upon the package containing the same, or in which it is offered for sale, shall on conviction in a court of competent jurisdiction be fined not more than one hundred dollars for the first

Adulterations, penalty for.

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offense, and not more than two hundred dollars for each subsequent offense.

Proceedings
for violation
of this act.

Section 9. Whenever the directors of the Maine Agricultural Experiment Station becomes cognizant of the violation of any of the provisions of this act, he shall forthwith report such violation to the commissioner of agriculture, and said commissioner shall prosecute the party or parties thus reported. But there shall be no prosecution in relation to the quality of any concentrated commercial feeding stuff if the same shall be found in its constituent parts substantially equivalent to the certified statement named in section one of this act.

Chapter 334,
public laws
of 1897, and
other acts,
repealed.

Section 10. Chapter three hundred thirty-four of the public laws of eighteen hundred ninety-seven, and all other acts and parts of acts inconsistent with this act are hereby repealed.

Section 11. This act shall take effect June one, nineteen hundred and three.

Approved March 28, 1903.

Chapter 231.

An Act to amend Chapter three hundred and seventy-eight of the Public Laws of eighteen hundred and eighty-five, regulating the erection of posts and lines for purposes of Electricity.

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

Section 2 of
chapter 378,
public laws
of 1885,
amended.

Section 1. Section two of chapter three hundred seventy-eight of the public laws of eighteen hundred and eighty-five is hereby amended by striking out the first six lines thereof and inserting in place thereof the following: 'No such company, person or association shall construct lines upon and along highways and public roads, without first obtaining a written permit, signed by the mayor and aldermen in case of cities, the selectmen in case of towns, and the county commissioners in case of plantations and unorganized townships, specifying the kind of posts, where and how they shall be located and set, and the height of the wire above the ground; and if the line specified in the permit is a telephone line and is not constructed and public telephone service established in connection therewith within eighteen months from the time the decision is filed, the permit shall be void.'

--permit to
erect posts
must be
had from
municipal
officers.

Also by adding at the end of said section the following words: 'In case of plantations and unorganized townships any person or corporation interested may appeal from the decision of the county commissioners to the supreme judicial court in the manner pro-

--appeal
in case of
plantations,
etc.