

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-FIFTH LEGISLATURE

OF THE  
STATE OF MAINE.

1911

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

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth  
Legislature

*1911*

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**CHAP. 151**

and the trustees thereafter appointed shall hold office for six years.

Powers and duties of trustees.

Section 3. Said board shall perform all the duties required, and have all the powers given by statute to the trustees of state school for boys and trustees of Maine industrial school for girls and said last named boards are hereby abolished.

Compensation.

Section 4. Said trustees shall receive as compensation five dollars a day for time actually employed, and necessary traveling expenses, to be audited by the state auditor.

Inconsistent acts repealed.

Section 5. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 30, 1911.

### Chapter 151.

An Act relating to the Packing of Food.

Preamble.

Whereas, it is necessary for the packing interests of Maine that some form of official inspection of their goods be provided, and whereas the packing season begins before the first of July next, and whereas in the opinion of the legislature these facts render the immediate passage of this act necessary for the preservation of the public health, peace and safety and constitute an emergency within the meaning of the constitution, now, therefore

*Be it enacted by the People of the State of Maine, as follows:*

Packing of food in tin or glass, regulated.

Section 1. Any person intending to pack food in tin or glass within this state may annually file with the director of the Maine agricultural experiment station an application for a permit. Said application shall state the location of the factory, the kind of food to be packed, the name of the packer and the date on which it is expected that packing will begin.

—permit for packing food, by whom issued and fee.

Within sixty days after the filing of such application for permit, the director of said station shall, upon receipt of one hundred dollars, issue to such applicant a permit for packing said food in conformity with the requirements of the Maine pure food and drug law for the calendar year. Such packer shall also pay monthly not later than the tenth day of each month the cost of maintaining the inspection for the food packed during the previous month. The one hundred dollars paid by a person for a permit, as aforesaid, shall be credited to him, at the close of the calendar year, as a payment toward the cost of inspecting his product. Said director shall, however, have

—packer shall pay monthly for inspection of food.

—packer shall be credited at end of year with \$100.

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power to cancel any permit whenever the provisions of this act or those of the Maine pure food and drug law have not been complied with.

Section 2. The director of the Maine agricultural experiment station shall, by adequate inspection, see that the food packed under this act is in conformity with the requirements of the Maine pure food and drug law. Said director shall make uniform rules and regulations for carrying out the provisions of this and said pure food and drug law. Said director shall authorize the persons packing a food in conformity with this and said pure food and drug law to mark the container of said food with a statement certifying that the food contained therein was packed, inspected and passed under the Maine pure food and drug law.

Director of experiment station shall see that food is packed in conformity with law.

Section 3. Whenever said director becomes cognizant of the violation of any of the provisions of this act he shall cause notice of such fact together with a copy of the charge to be preferred, stating the date, hour and place of hearing to be given to the packer so charged, who shall be given an opportunity to be heard under such rules and regulations as may be prescribed by said director.

Notice to packer of any violation of this act.

Section 4. Any person who shall falsely mark any container as having been packed in conformity with the requirements of this act shall be punished by a fine not exceeding five hundred dollars for each container thus falsely marked.

Penalty falsely marking.

Section 5. The word "person" as used in this act shall be construed to import both the singular and the plural, as the case demands, and shall include corporations, companies, societies and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person acting for or empowered by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association as well as that of the person.

Word "person" how construed as used in this act.

Section 6. Said director shall diligently enforce all of the provisions of this act, and shall be entitled to and shall have and receive the assistance of the attorney general and of any county attorney. Said director, in his discretion, may recover the penalties for the violation of this act in an action of debt brought in his own name, the venue to be as in other civil cases, and the plaintiff prevailing in any such action shall recover full costs; or he may prosecute violations by complaint or indictment in the name of the state. All fines received under this act shall be paid by the county treasurer to the director of the

Director shall enforce provisions of this act, and have assistance of attorney general.

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Maine agricultural experiment station. All moneys received by said director under this act shall be paid by him to the treasurer of the Maine agricultural experiment station and shall be expended in carrying out the provisions of this act.

Court jurisdiction.

Section 7. Trial justices, municipal and police courts are hereby invested with original jurisdiction, concurrent with the supreme judicial court, to hear, determine, enter, and by appropriate process, enforce judgment in actions brought for the recovery of the penalties aforesaid, and to try, and, upon conviction, to punish for offenses against the provisions of this act.

When this act takes effect.

Section 8. This act shall take effect when approved.

Approved March 30, 1911.

**Chapter 152.**

An Act imposing an annual license fee upon Foreign Corporations and repealing Chapter one hundred thirteen of the Public Laws of nineteen hundred and nine.

*Be it enacted by the People of the State of Maine, as follows:*

Chapter 113, public laws 1909, repealed.

Section 1. Chapter one hundred and thirteen of the public laws of nineteen hundred and nine is hereby repealed and the following enacted in its stead:

Foreign corporations, before doing business in this state, shall appoint a lawful attorney.

Section 1. Every corporation established under laws other than those of this state for any lawful purpose other than as a bank, savings bank, trust company, surety company, safe deposit company, insurance company or public service company, which has a usual place of business in this state or which is engaged in business in this state permanently or temporarily, without a usual place of business therein, shall before doing business in this state, in writing appoint a resident of the state having an office or place of business therein to be its true and lawful attorney upon whom all lawful processes in any action or proceedings against it may be served, and in such writing, which shall set forth said attorney's place of residence, shall agree that any lawful process against it which is served on said attorney shall be of the same legal force and validity as if served on it, and that the authority shall continue in force so long as any liability remains outstanding against it in this state.

—power of attorney and copy of vote shall be filed.

The power of attorney and a copy of the vote authorizing its execution, duly certified and authenticated, shall, upon payment of a fee of ten dollars, be filed in the office of the secretary of state and copies certified by him shall be sufficient evidence thereof. Service of such process shall be made by leaving a copy of the process in the hands or in the office of the said

—fee.

—service of process.