

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Ninth Legislature

OF THE

# STATE OF MAINE

1919

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Published by the Secretary of State, in accordance with the Resolves of the Legislature  
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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

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## CHAP. 237

the other owners or occupants shall erect or repair the same, and have an action on the case against such delinquent for his share of the expenses. If the owner or occupant of such dam resides out of the state, said penalties may be recovered by a libel against the dam and land on which it stands, filed in the supreme judicial court in the county where it is located, in the name of the commissioner of inland fisheries and game or of any inland fish and game warden who shall give to such owner or occupant, and all persons interested therein, such notice as the court or any justice thereof in vacation orders, and the court may render judgment therein, against said dam and lands for said penalties and costs, and order a sale thereof to satisfy such judgment and costs of sale, subject, however, to all said requirements for the erection and maintenance or repair of said fishway. The commissioner of inland fisheries and game may delegate to any inland fish and game warden or other lawful officer of inland fisheries and game any of the powers given to said commissioner in relation to the construction of fishways.'

Approved April 4, 1919.

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## Chapter 237.

An Act to Amend Section Three and Section Twelve of Chapter Thirty-six of the Revised Statutes, Relating to Marking Packages of Agricultural Seeds.

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

**Sec. 1. R. S., c. 36, § 3; relating to marking of agricultural seeds, amended.** Section three of chapter thirty-six of the revised statutes is hereby amended by adding thereto the words 'together with the name and amount of each kind of weed seed contained therein, and also a guarantee of the germinating power of the seed and the date of the test for germination', so that said section, as so amended, and as further amended by Senate amendment A, Senate amendment B and House amendment A, shall read as follows:

**'Sec. 3. Name and approximate amount of noxious weed seed and guarantee of germination power and date of test for germination included.** Every lot or package of agricultural seed which is sold, distributed, transported, offered or exposed for sale, distribution or transportation for seed, in the state by any dealer in seed shall have affixed in a conspicuous place on the outside thereof, a plainly written or printed statement clearly and truly giving the name thereof and its minimum percentage of purity and freedom from foreign matter, together with the name and approximate amount of each kind of noxious weed seed contained therein, and also a guarantee of the germinating power of the seed and the date of the test for germination.'

Sec. 2. R. S., c. 36, § 12; relating to when goods shall be deemed to be adulterated, amended. Section twelve of said chapter thirty-six is hereby amended, in the first paragraph thereof, namely, the paragraph defining the adulteration of agricultural seed, by adding in the fourth line of said paragraph after the word "plant" the words 'or any kind or amount of weed seed other than the kinds or amounts represented in the statement required by section three of this chapter. Third. If it, upon test for germination made within six months of the date of test in statement under the provisions of section three herein above, does not show the same germinating power given in said statement prescribed by the provisions of said section three,' so that said third paragraph of said section twelve, as so amended, and as further amended by Senate Amendment A, shall read as follows:

'Sec. 12. Agricultural seed not to contain any amount of weed seed not so marked; test of germination made within six months must show same result, provided package has been kept under proper conditions; proceeding in case of violation as to agricultural seed. For the purpose of this chapter an article shall be deemed to be adulterated:

In case of agricultural seed:

First. If its purity falls below its accompanying guaranty.

Second. If it contains the seed of any poisonous plant, or any kind or amount of weed seed other than the kinds or amounts represented in the statement required by section three of this chapter.

Third. If it, upon test of germination made within six months of the date of test in statement under the provisions of section three herein above, does not show the same germinating power given in said statement prescribed by the provisions of said section three. Provided said seed has been constantly kept under conditions not injurious to its germinating qualities, and that a margin of tolerance of five per cent. shall be allowed. Provided, also, that in the event of violation of this act in relation to seeds, the commissioner of agriculture shall proceed according to the provisions of sections thirty-six and thirty-seven of this chapter.'

Approved April 4, 1919.

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## Chapter 238.

An Act to Amend Chapter Fifty of the Revised Statutes, Relating to Workmen's Compensation.

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

Sec. 1. Title; words and phrases defined. The first fifty sections of this chapter shall be known, and may be cited, and referred to in proceed-