

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED OCTOBER 22, 1840;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE

United States and of the State of Maine,

AND TO WHICH ARE SUBJOINED THE OTHER

PUBLIC LAWS OF 1840 AND 1841,

WITH AN

APPENDIX.

PRINTED AND PUBLISHED IN COMPLIANCE WITH A RESOLVE OF OCTOBER 22, 1840.

Augusta:

PUBLISHED BY WILLIAM R. SMITH & Co., PRINTERS TO THE STATE.

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1841.

CHAPTER 56.

OF TOBACCO AND ONIONS.

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| <p>SECT. 1. Inspectors of tobacco, to remain in office.</p> <p>2. Vacancies to be filled by governor.</p> <p>3, 4. Inspector's duties.</p> <p>5. Mode of packing tobacco.</p> <p>6. Casks to be weighed and marked.</p> <p>7. Forfeiture for shipping before inspection.</p> <p>8. Seizure.</p> <p>9. Penalty for shifting contents of casks.</p> <p>10. For fraud in inspection.</p> | <p>SECT. 11. For branding by one, not an inspector.</p> <p>12. For owner's falsely marking weight.</p> <p>13. Inspector's certificate to be produced before clearance.</p> <p>14. Appropriation of penalties.</p> <p>15. Onions, in bunches to be weighed.</p> <p>16. Selectmen to appoint weighers.</p> <p>17. Penalty for selling onions, not weighed.</p> |
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SECTION 1. All inspectors of tobacco, now in office, shall continue therein, according to the terms of their appointment.

SECT. 2. Whenever a vacancy shall occur in the office of any inspector, in any seaport, or other exporting towns in the state, the governor, with advice of the council, shall appoint some skilful and disinterested person to supply the vacancy, who shall be duly sworn, impartially to perform the duties of his office.

SECT. 3. It shall be his duty to inspect all tobacco, intended to be exported from the state, by land or water, to any other of the United States; he shall open every cask containing the tobacco, and inspect it in four equal divisions, and shall take the casks from the tobacco, and with an iron bar or other sufficient instrument, lift one quarter, and then go through with the whole, until it shall be examined in four different parts, and see that it be properly dry, well cured, and not rotten or damaged, and of the weight, and packed in the manner, hereinafter mentioned.

SECT. 4. Such part, as appears damaged and unfit for exportation, shall be burned; and on every cask containing the required quantity, which, on inspection, shall be found to be well cured and not damaged, he shall mark with a burning iron the letters A P., with the name of the town where it shall be thus approved, the name of the inspector at large, and the letter I. at the end, denoting that the same has been inspected and approved.

SECT. 5. No tobacco shall be exported from this state, until it has been inspected and approved, as aforesaid, and packed in straight casks; each cask being four feet and four inches long, and two feet seven inches diameter at the head, containing not less than nine hundred, nor more than fourteen hundred pounds weight each; or if packed in half casks, each to contain not less than four hundred, nor more than six hundred pounds weight, unless such casks of tobacco shall appear to have been inspected and marked, according to the laws of some other state.

SECT. 6. Each cask, before any tobacco shall be packed therein, shall be weighed by the owner of the tobacco, who shall mark on one of the heads, with a marking iron, the full weight of it, and the initial letters of his name.

SECT. 7. If any owner of tobacco or his agent shall lade on board any vessel, bound to any port or place without the state, or

Inspectors of tobacco to remain in office.

1821, 154, § 1.
Vacancies to be filled by governor.

1821, 154, § 1.

Inspector's duties.

1821, 154, § 1.

Same subject.

1821, 154, § 1.

Mode of packing tobacco.

1821, 154, § 2.

Casks to be weighed and marked.

1821, 154, § 7.

Forfeiture for shipping before inspection.

1821, 154, § 3.

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if any master of any such vessel shall receive, on board of her, any tobacco, contrary to the provisions of this chapter, he shall forfeit and pay the sum of thirty dollars; and all such tobacco, so laden or received, shall be forfeited.

SECT. 8. Any justice, on complaint to him, may issue his warrant to the sheriff or his deputy, or a constable, and he may seize and secure such tobacco, so that it may be libeled and disposed of according to law.

Seizure.
1821, 154, § 3.

SECT. 9. If, after any cask of tobacco has been stamped or branded, as aforesaid, any person shall shift the contents, and put therein tobacco, which has not been inspected, he shall forfeit and pay fifteen dollars for each cask.

Penalty for shifting contents of casks.
1821, 154, § 4.

SECT. 10. If any inspector shall be guilty of any neglect or fraud, in the inspection of tobacco, contrary to the provisions of this chapter, or brand any casks containing tobacco which he has not inspected, he shall forfeit and pay fifteen dollars for each cask.

For fraud in inspection.
1821, 154, § 5.

SECT. 11. If any person, not being a sworn inspector of tobacco, shall presume to mark and brand any casks of tobacco, as above described, he shall forfeit and pay fifteen dollars for each cask, so branded.

For branding by one, not an inspector.
1821, 154, § 6.

SECT. 12. If any owner of tobacco shall falsely mark the weight of any cask, in which his tobacco is intended to be packed, he shall forfeit and pay nine dollars for each cask, so marked.

For owners' falsely marking weight.
1821, 154, § 7.

SECT. 13. No vessel, having on board any tobacco in casks, shipped for exportation, shall be cleared out at the custom house, until the master or owner shall produce a certificate from an inspector or prover, appointed and sworn as aforesaid, that the said tobacco has been lawfully inspected, according to the requirements of this chapter.

Inspector's certificate to be produced before clearance.
1821, 154, § 9.

SECT. 14. All the above mentioned penalties, when recovered, shall belong, one half to the state, and the other half to him who shall sue for the same.

Appropriation of penalties.
1821, 154, § 10.

SECT. 15. No onions in bunches shall be exported from the state, unless they shall weigh as follows, viz: rareripes, so called, two and a half pounds, and onions from the seed, three and a half pounds per bunch.

Onions in bunches to be weighed.
1821, 154, § 11.

SECT. 16. The selectmen of each town, where onions are shipped, shall appoint one or more suitable persons, to weigh and give certificates of the weight; they shall be duly sworn to act truly and impartially.

Selectmen to appoint weighers.
1821, 154, § 12.

SECT. 17. If any person shall expose, for sale, any onions in bunches, not so weighed and certified, he shall forfeit the same; one half of the proceeds to the use of the town, where the offence was committed, and the other half to the person, suing therefor; and the selectmen may cause the same to be libeled and sold, according to law.

Penalty for selling onions, not weighed.
1821, 154, § 13.