

MAINE STATE LEGISLATURE

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FOURTH REVISION.

THE
REVISED STATUTES

OF THE

STATE OF MAINE,

PASSED AUGUST 29, 1883, AND TAKING EFFECT JANUARY 1, 1884.

BY THE AUTHORITY OF THE LEGISLATURE.



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worthy; and the aforesaid report shall be presumptive evidence of the necessity of such repairs and of the sufficiency of the same when made. CHAP. 36.

SEC. 31. Port wardens shall be allowed fees to be paid by the person requesting their services, as follows: For survey of hatches, two dollars; for each survey of cargo on shipboard, one dollar; for certificate of stowage of cargo, two dollars; for each subsequent certificate, one dollar; for each survey to ascertain extent of damage, two dollars; for each certificate thereof, two dollars; for each survey required by section twenty-nine, four dollars; for each certificate thereof, two dollars; on each survey as required by section thirty, for each person, two dollars; for each certificate thereof, two dollars.

Port wardens, their fees of office. 1873, c. 147, § 10.

SEC. 32. In the cities and towns for which they are elected, port wardens shall have exclusive jurisdiction in all matters pertaining to their duties, as specified in this chapter; and any other person who performs or attempts to perform any such duties in any city or town wherein there is a port warden, forfeits for each offence one hundred dollars, to be recovered in an action of debt by any prosecutor.

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CHAPTER 37.

ASSAYERS OF ORES AND METALS.

Assayers, their appointment, oath, duty and compensation.

The governor with the advice and consent of council, may appoint one or more suitable persons to be assayers; who shall be sworn, and shall assay such ores, metals, and other substances, requiring chemical analysis, as are offered for that purpose, and shall give a certificate thereof; for which they shall receive a reasonable compensation from their employers.

Assayers, their appointment, oath, duty, and compensation. R. S., c. 37.

CHAPTER 38.

INSPECTION AND SALE OF AGRICULTURAL PRODUCTIONS, BOUNTIES, MARKING OF SHEEP, AND HORSE RECORDS.

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- SEC. 1. Appointment, removal, oath and bond of inspector general of beef and pork.
2. He shall appoint deputies, and be liable for their misconduct.
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4. They shall not be concerned in the beef and pork business; penalty.
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- CHAP. 38. SEC. 7. Beef and pork to be packed in barrels and half barrels.
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22. Penalty for fraudulently mixing inspected beef and pork with uninspected.
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FLOUR.

- SEC. 36. Inspectors, how appointed; manufacturers and dealers, ineligible.
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HORSE RECORDS.

- SEC. 61. Pedigree of advertised stallions to be recorded in registry of deeds. Penalty for neglect.

BEEF AND PORK.

SEC. 1. The governor, with the advice and consent of council, when a vacancy occurs, shall appoint some skilful person to be inspector general of beef and pork, removable at pleasure; and he shall be sworn and give bond with sufficient sureties in the sum of four thousand dollars to the treasurer of state for the faithful discharge of his duties, before entering thereon.

Appointment, removal, oath and bond of inspector general of beef and pork.
R.S., c. 38, § 1.

SEC. 2. The inspector general shall appoint one or more deputies in every port, whence beef and pork are exported, and a convenient number in the several counties; and shall be responsible for their neglect or misconduct while acting under him; when the office of inspector general becomes vacant, they may continue to discharge the duties of the office, until a successor is appointed; and they shall be accountable to the State.

He shall appoint deputies, and be liable for their misconduct.
R.S., c. 38, § 2.

SEC. 3. Every deputy shall be sworn and give bond to the inspector general, with sureties to his satisfaction, for the faithful performance of his duty, in a sum not less than three hundred, nor more than one thousand dollars; and the bond shall be so expressed as to inure to the State, for the time that the deputy exercises his duties during a vacancy in the office of inspector general.

Deputies to be sworn and give bond.
R.S., c. 38, § 3.

SEC. 4. No inspector or deputy shall be concerned, directly or indirectly, in the beef or pork business, or in buying or selling it for barreling, so long as he holds such office. Whoever violates this section, shall forfeit twenty dollars, and forever after be disqualified from holding such office.

Shall not be concerned in the beef and pork business, under a penalty.
R.S., c. 38, § 4.

SEC. 5. The inspector general, within the county where he resides,

General duties of

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inspectors.
R.S., c. 38, § 5.

or his deputy within the district for which he is appointed, shall, as soon as may be, within twenty-four hours after request, attend at any suitable place for the purpose of inspecting any quantity of beef or pork, or both, exceeding five barrels; and shall commence thereon, as soon as a convenient, strong, and secure place is provided by the party claiming such inspection, and the key thereof lodged with him; and he shall keep said key, until such beef or pork is packed, or repacked, salted, coopered, and branded, or otherwise prepared for exportation as herein provided.

Not obliged to act until all charges have been paid or secured.
R.S., c. 38, § 6.

SEC. 6. Such officer shall not be liable for neglecting or refusing to commence any inspection or other service, before all the charges for inspecting, cutting, salting, coopering, and branding such beef or pork are either paid or satisfactorily secured to him.

Beef and pork, how packed.
R.S., c. 38, § 7.

SEC. 7. When the inspector or his deputy has inspected and assorted any beef or pork, as hereinafter directed, he shall with the assistance, if necessary, of laborers and coopers in his employment, and for whose conduct he is responsible, cut, weigh, pack, salt, and cooper said beef and pork in barrels or half barrels, as hereinafter required.

The age of beef cattle, and how to be cut up.
R.S., c. 38, § 8.

SEC. 8. No beef shall be packed or repacked in barrels or half barrels for exportation, unless it is of fat cattle not under two years old; and all such beef shall be cut into pieces, as nearly square as may be, and of not more than eight nor less than four pounds in weight, except where otherwise expressly provided.

How to be assorted and branded.
R.S., c. 38, § 9.

SEC. 9. Except as provided in sections ten and twelve all beef which the inspector or his deputy on examination finds to have been killed at a proper age, and to be otherwise good and merchantable, shall be by him divided into five different sorts for packing or repacking; to be denominated and branded "mess," "number one," "prime," "cargo," and "hearts and cheeks."

—mess beef.

"Mess beef" consists of oxen, cows, and steers well fattened, of three years old and upwards, and weighing six hundred pounds and upwards; the shin, shoulder, clod and neck shall be taken from the fore quarters, and the leg and the leg round from the hind quarters; and each barrel and half barrel, containing beef of this description, shall be branded on one of the heads with the words, "mess beef."

—number one.

"Number one" shall consist of oxen, cows, steers, and heifers not under three years old and weighing not less than four hundred pounds, and averaging five hundred and twenty pounds, without any necks or shanks. On one head of each barrel or half barrel, containing beef of this description, shall be branded "number one."

—prime.

"Prime beef" consists of fat cattle of all descriptions, not before mentioned, of two years old and upwards, bulls excepted, with not more than half a neck, and two shanks, and without any hocks; each barrel and half barrel of which shall be branded, "prime beef."

—cargo.

"Cargo beef" consists of those parts of beef, which are excluded from mess, number one, and prime, not including hearts and cheeks; and shall be packed and inspected by the inspector general, or his deputy, in the same manner as number one, or prime, and branded "cargo beef;" first taking from the parts excluded as aforesaid, namely, from the end of the neck not less than four pounds nor more than six, and from the shank

and shin of each quarter not less than four pounds nor more than eight; which pieces thus taken off shall not be exported from the state. The hearts and cheek pieces of beef may be inspected and packed as aforesaid, and shall be branded, "hearts and cheeks."

SEC. 10. The inspector or his deputy may also, at the request of the owner or agent, inspect and pack the following descriptions of beef, viz:

Oxen of four years old and upwards and weighing seven hundred pounds and upwards, excluding the same parts as for mess beef, to be branded "extra mess;" and

Choice pieces of oxen, steers, cows, and heifers, of three years old and upwards, weighing four hundred pounds or more, and averaging five hundred and fifty pounds, excluding the parts aforesaid, to be cut into pieces of as nearly ten pounds as practicable, to be branded "navy mess."

SEC. 11. Every barrel of beef shall be well salted with seventy-five pounds of clean St. Ubes, Isle of May, Lisbon or Turk's Island salt, or eighty pounds of Liverpool salt, or other salt of equal quality, exclusive of a pickle made of fresh water as strong as salt will make it; and to each barrel of mess, extra, or navy beef, shall be added not more than four, nor less than three ounces of saltpetre; and to each barrel of number one, prime, and cargo beef, shall be added not more than three, nor less than two ounces; and for every half barrel of beef of the different kinds, one half of the stated quantity of salt and saltpetre shall be used.

SEC. 12. Any person, packing beef under the supervision of the inspector general or his deputy, may reserve for smoking, jerking, or other purposes, the round, being that part of the leg cut from the hind quarter near the edge bone, and the neck and chines of the fore quarter, cut as provided in section ten; and the beef so reserved shall be at the disposal of the owner either for consumption, or to export in hogsheads, or in any other mode of packing; and he may put into each barrel of beef or pork less salt than is required by section eleven, and the same shall be branded "light salted;" but he shall give a good and sufficient bond to the inspector or his deputy to save him harmless from all liabilities and costs in consequence of such light salting.

SEC. 13. Except as provided in the next section, all pork packed, or repacked, in barrels or half barrels for exportation, shall be divided into seven different sorts, to be denominated and branded, respectively, "extra clear," "clear," "bone middlings," "navy mess," "number one," "prime," and "cargo pork;" and in all cases the following parts shall be taken out as refuse, viz.: nose pieces or faces, ears, brains, tail, feet, and lard.

The two kinds of clear pork shall consist of the best pieces of large well-fatted healthy hogs, weighing three hundred pounds or upwards, free from bones or the lean part of the meat, except the ends of the ribs and the brisket; and extra clear pork shall consist of such pieces, not less than three and a half inches thick, in the thickest part thereof, clear of lean; and the clear pork of such pieces not less than two inches and a half thick, in the thickest part thereof, clear of lean.

Bone middlings shall consist of middling pieces taken from hogs well-fatted weighing two hundred and thirty pounds and upwards.

Navy mess pork shall consist of all parts of the carcass, well fatted,

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—hearts and cheeks.

May by request be packed and branded. R.S., c. 38, § 10.
—extra mess and

—navy mess.

Mode of salting beef, R.S., c. 38, § 11.

The round, neck and chines may be reserved for jerking, &c. R.S., c. 38, § 12.

Pork for exportation divided into seven sorts. R.S., c. 38, § 13.

—clear, and extra clear.

—bone middlings.

—navy mess.

CHAP. 38. weighing from one hundred and sixty to two hundred and thirty pounds; except the head, fore and hind legs, the shoulder joint, lard, and refuse parts above mentioned.

—number one.

Number one shall consist of all parts of hogs well fattened, averaging two hundred and twenty pounds or upwards, and each weighing not less than one hundred and eighty pounds, to have no more heads, legs, shoulders, or other coarse parts, than belong to one carcass, deducting the lard and refuse as above.

—prime.

Prime pork shall consist of all parts of one and a half hog well fattened, which shall weigh two hundred pounds, deducting the lard and refuse as above; and if in half barrels, it shall consist of pig pork, all parts of one carcass or not, excluding the lard and refuse as above. In all cases, where the legs of pork are taken out for any other purpose, the weight shall not be made up of heads and shoulders, but with other parts of the carcass, not less valuable than the legs would be, if salted.

—cargo.

Cargo pork shall consist of the merchantable parts of wholesome pork, of quality inferior to prime pork, and there shall not be more than the merchantable parts of two carcasses of pork in one barrel; except that where any of the legs are taken out, the same number of shoulder pieces and no more may be added; the deficiency of weight to be made up in better parts of a carcass of pork.

Pork heads and feet, and mess pork.
R.S., c. 38, § 14.

SEC. 14. Barrels or half barrels filled with pork heads or feet shall be so branded; and the inspector general or his deputy, at the request of the owner or agent, may inspect, cut, weigh, pack, or repack, salt, cooper or brand, pork of the following description, which shall be branded "mess pork", viz.: every part, except the heads, legs, shanks and lard, of well fattened hogs, in good condition, weighing from two hundred to three hundred pounds, and averaging two hundred and fifty pounds.

Pork, how salted; barrels, how branded, &c.
R.S., c. 38, § 15.

SEC. 15. Every barrel of pork shall be well salted with seventy pounds, and every half barrel with thirty-five pounds, of clean coarse salt, exclusive of a strong pickle, except as provided in section twelve; shall be branded on one of the heads with the quality of the pork it contains; and each barrel of beef or pork for exportation shall contain two hundred pounds; and each half barrel one hundred pounds; and the casks shall be made of good, seasoned, rift white oak, white ash, or maple staves and headings, free from defect.

Dimensions of beef barrels and half-barrels.
R.S., c. 38, § 16.

SEC. 16. The beef barrels shall measure not less than sixteen, nor more than sixteen and a half inches between the chimes; and be not less than twenty-eight, nor more than twenty-eight and a half inches long, to be covered three fourths of the length with good oak, ash, elm, leverwood, or walnut hoops, leaving one fourth in the centre; the heads and staves to be of a proper thickness; the hoops to be well set and driven together.

The half barrels shall contain not less than fifteen, nor more than fifteen and a half gallons, to be hooped like barrels.

Also of pork barrels and half-barrels, &c.
R.S., c. 38, § 17.

SEC. 17. The pork barrels shall measure seventeen inches and a quarter between the chimes, and contain not less than thirty-one gallons nor more than thirty-one gallons and a half; and be hooped like beef

barrels; and all beef and pork barrels and half barrels aforesaid shall be branded on the bilge with the manufacturer's name.

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SEC. 18. Every barrel and half barrel of pork and beef, packed or repacked for exportation, shall be branded with the initials of the christian name and the whole of the surname of the inspector who inspected the same, with the name of the town where, and the month and year, in which it is inspected, in full, or intelligibly abridged, and the actual weight, in legible letters and figures, with the addition of the word, "Maine." Every barrel or half barrel of beef, marked "extra mess," "navy mess," "number one," or "prime;" or of pork, marked "extra clear," "clear," "bone middlings," or "navy mess," shall be branded with the name of the person for whom the same was packed.

The brand of the inspector and owner.
R.S., c. 38, § 18.

SEC. 19. Neither the inspector general nor his deputy shall brand any packages of beef or pork, other than those that he has personally inspected and caused to be weighed and packed, as the law requires; nor, his fees being duly tendered or secured to him, shall he neglect to perform any duty pertaining to his office; or be guilty of any fraud in the exercise thereof, under penalty of ten dollars for each offence.

Penalty for inspector branding packages not inspected by him, or committing other frauds.
R.S., c. 38, § 19.

SEC. 20. No deputy shall inspect or brand any cask of beef or pork out of the district for which he was appointed, under penalty of fifty dollars; and no person, other than the inspector and his deputies, shall stamp or brand any cask of beef or pork, with intent that the same shall pass as inspected and branded according to law, under penalty of twenty dollars for each offence.

Penalty for deputy inspecting out of his district, &c.
R.S., c. 38, § 20.

SEC. 21. When any beef is reserved for exportation agreeably to section twelve, the hogshead or other package containing it, when exported, shall be branded on one head with the name of the owner and of the town where he resides, under a penalty of one dollar for each package not branded; and the feet, ears, and faces of pork, when separated from the cheek part of the head, or any other pieces herein prohibited, shall not be exported under the brand "refuse," or any other brand allowed for exported pork.

Penalty for owner not branding beef reserved for exportation.
R.S., c. 38, § 21.

SEC. 22. Whoever intermixes, takes out, or shifts, any beef or pork, from any cask inspected or branded as hereby required, or puts in any other beef or pork for sale or exportation with fraudulent intent, forfeits twenty dollars for each offence.

Penalty for mixing inspected beef or pork with uninspected.
R.S., c. 38, § 22.

SEC. 23. No pork or beef, except hams reserved for pickling or smoking, packed in the state or imported into it in barrels, half barrels, or other casks not bearing the name and brand of an inspector of some one of the United States, showing the quality and quantity thereof, shall be transported out of the state, or shipped, sold, or offered for sale therein, for exportation, under a penalty of ten dollars for each package; nor shall any salted beef or pork be exported from the state, unless the master or owner of the vessel produces to the collector or other officer of the United States, granting a clearance, a certificate from the inspector general or his deputy, that it has been inspected and branded according to law, and each certificate shall express the number of barrels and half barrels of beef or pork of each sort; and, on producing such certifi-

Penalty for transporting, shipping, or offering for sale beef or pork not inspected, &c.
R.S., c. 38, § 23.

—certificate of inspector to be produced by owners or master of vessel.

CHAP. 38. cate, he shall take and subscribe the following oath before said officer, viz :

—form of oath.

“I, A. B., master” (or owner as the case may be) “of the ———, swear, that according to my best knowledge and belief, the certificate hereunto annexed, contains the whole quantity of salted beef” (or pork as the case may be) “on board the ———, ———, master ; and that no salted beef, or pork, is shipped on board said vessel for the ship’s company, on freight or cargo, but what is inspected and branded, according to the law of the state.”

Purchaser of beef or pork may demand inspection. R.S., c. 38, § 24.

SEC. 24. When any beef or pork, packed in barrels, half barrels, or casks, not bearing the name or brand of an inspector of this state or some one of the United States, is sold or offered for sale in this state, the purchaser thereof may, at the time of purchase, demand an inspection conformable to the laws of this state, and in case of refusal or neglect of the seller to cause the same to be properly inspected and branded, and to pay all charges thereon, he forfeits not less than ten dollars for each package sold, to be recovered as provided in section thirty-five ; but the purchaser is entitled to damages for any deficiency in quality or quantity, if purchased without inspection.

—penalty, if seller refuses or neglects to cause inspection.

—how recovered.

Penalty for shipping, exporting or having on board uninspected salt beef or pork. R.S., c. 38, § 25.

SEC. 25. If any person exports or ships for exportation out of the state any salted beef or pork, not inspected and branded, as herein directed, every owner or shipper thereof privy to such offence, forfeits six dollars, and the master of every vessel, having on board such uninspected beef or pork, two dollars, for every such cask.

How the same may be seized. R.S., c. 38, § 26.

SEC. 26. Any trial justice on complaint made to him, that any such beef or pork has been put on board any vessel in his county for exportation, may issue his warrant directed to the proper officer, requiring him to seize and secure the same for trial ; or the inspector general or his deputy may, on like information, so seize and secure it.

The officer seizing, to libel same; forfeiture, how appropriated. R.S., c. 38, § 27.

SEC. 27. The officer, making such seizure, shall, as soon as may be, file a libel or information thereupon, and if upon trial it appears that such beef or pork was thus shipped against the provisions hereof, it shall be forfeited, half to the State, and half to the officer.

Inspector general and deputies to make returns. R.S., c. 38, § 28.

SEC. 28. Every deputy inspector shall make an annual return to the inspector general of the number of barrels and half barrels of beef and pork inspected by him ; and the inspector general in January, annually, shall make a return, up to the first day of December, into the office of the secretary of state, of the whole number of barrels and half barrels inspected by him and his deputies during the preceding year, under each of the respective brands used by them ; designating in the return the different sorts, and places where inspected.

Oaths. R.S., c. 38, § 29.

SEC. 29. The inspector general may administer all oaths required of his deputies or of others, pertaining to the business of his office.

By what scales beef and pork are to be weighed. R.S., c. 38, § 30.

SEC. 30. No beef or pork shall be weighed by the owners or keepers of slaughter-houses, stores, or warehouses, or by persons under their control in the transaction of their business, in any greater quantity than fifty pounds, unless in scales and with weights, or by the vibrating steelyard invented by Benjamin Dearborn, the vibrating steelyard invented

or improved by Samuel Hills, or the Fairbanks' scales, sealed according to law, under penalty of ten dollars. CHAP. 38.

SEC. 31. The municipal officers of towns, where beef cattle are sold for immediate consumption or for barrelling, shall appoint one or more suitable persons not dealers in cattle, to be weighers of beef, and they shall be sworn. Town officers to appoint sworn weighers of beef. R.S., c.38, § 31.

SEC. 32. All beef sold as aforesaid, shall be weighed by the sworn weighers, and certificates of the weight of all the beef, hide, and tallow of each head of cattle shall be signed by said weighers, and delivered to the seller thereof in the form following, viz. : Weigher's certificate. R.S., c.38, § 32.

"This certifies, that I have duly weighed the cattle, bought by ————, of ————, from ————, of ————, this ———— day of ————, 18— : —form.

Beef,				
Hide,				
Tallow,				
Total,				

A. B., *Sworn Weigher.*"

SEC. 33. Any person, purchasing for market or exportation beef cattle not weighed pursuant to the foregoing provisions, other than live cattle, and except when the weight or mode of weighing is expressly agreed upon by the buyer and seller, forfeits thirty dollars for each offence. Penalty for purchasing dead beef cattle without weighing, unless agreed. R.S., c.38, § 33.

SEC. 34. The inspector general and his deputies, by themselves or by other persons by them appointed and sworn, shall weigh all hides taken from cattle slaughtered for barrelling, making reasonable deduction for tare and drainage; and give a certificate, specifying the gross weight and the deductions made as aforesaid. Hides to be weighed and certified by inspector. R.S., c.38, § 34.

SEC. 35. All the foregoing fines and forfeitures, not herein otherwise provided for, may be recovered by action of debt, complaint, or indictment, half to the prosecutor, and half to the town where the offence is committed. Penalties, how recovered and appropriated. R.S., c.38, § 35.

FLOUR.

SEC. 36. The municipal officers of towns may annually appoint in their towns, one or more suitable persons not interested in the manufacture and sale of flour, to be inspectors thereof for one year from the date of appointment. Inspectors, how appointed. R.S., c.38, § 36.

SEC. 37. Such inspector before entering upon his duties, shall be sworn to the faithful and impartial discharge thereof before the town clerk, who shall, upon payment of fifty cents, give him a certificate of his appointment and qualification, to be exhibited on the demand of any person interested in any inspection made by him. Inspectors to be sworn and to receive certificate of appointment. R.S., c.38, § 37.

SEC. 38. Inspection of flour shall be for the purpose of ascertaining its soundness; every package inspected shall be opened sufficiently to allow a trier to be passed through it, and a sample of the whole length of the passage shall be taken out and examined by the inspector, who shall mark upon each package with a brand, or stencil, the words, "Sound" or Inspection, how made, and duties of inspectors, defined. R.S., c.38, § 38.

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—inspectors
to keep a
record, and to
exhibit same.

“Unsound,” as the quality of the flour contained in each is found, and his name, residence, office, and the year of inspection. He shall keep a record of all flour inspected by him, in a suitable book which he shall exhibit to any person requiring it.

Penalty for
fraudulent
marks.
R.S., c.38, § 39.

SEC. 39. If an inspector falsely and fraudulently marks any package of flour, he shall be fined five dollars for every such package, and forfeits to any person injured thereby, three times the amount of damage, in an action of debt.

Penalty for
alteration,
&c., of inspec-
tion marks.
R.S., c.38, § 40.

SEC. 40. Whoever, with intent to defraud, alters, obliterates or counterfeits the marks of an inspector, and whoever, with such intent, places upon any package of flour, marks falsely purporting to be inspection marks, shall for every offence, be fined not exceeding fifty dollars, and on conviction of placing such false marks on as many as ten packages at one time, shall also be imprisoned not exceeding ten months.

Purchasers
of flour may
require in-
spection be-
fore delivery.
R.S., c.38, § 41.
—fees, and by
whom paid.

SEC. 41. The purchaser may require flour to be inspected before delivery. The inspector's fees are five cents a package, for lots of less than ten; for lots of more than ten and not exceeding twenty, two cents a package; and for every package exceeding twenty, one cent; to be paid by the person demanding inspection.

Duties of
inspectors in
relation to
sample
packages.
R.S., c.38, § 42.

SEC. 42. Inspectors shall, when required, determine whether the flour conforms to and equals the sample furnished, and shall mark, with some distinct and intelligible mark, the packages that are found like the sample, and for this service they may charge an additional compensation of one half cent a package.

Inapplicable,
if inspection
is not
demanded.
R.S., c.38, § 43.

SEC. 43. Nothing herein contained prohibits any contract for the manufacture, or sale of uninspected flour, when inspection is not required by the buyer or the seller.

MILK.

Inspectors of
milk shall be
appointed in
towns of not
less than
three thou-
sand
inhabitants.
R.S., c.38, § 44.

SEC. 44. The municipal officers of towns containing not less than three thousand inhabitants shall, on application of ten voters therein, annually appoint one or more persons to be inspectors of milk, who shall, before entering upon their duties, be sworn, and give notice of their appointment by publishing the same for two weeks in a newspaper published in their towns, if any, otherwise by posting such notice in two or more public places therein.

Duties of
inspectors.
R.S., c.38, § 45.

SEC. 45. Inspectors shall keep an office and books for the purpose of recording the names and places of business of all persons selling milk within their limits. They may enter any place where milk is kept or stored for sale, and examine all carriages used in the conveyance thereof, and when they have reason to believe any milk found therein to be adulterated, they shall take specimens thereof, and cause them to be analyzed or otherwise satisfactorily tested, and they shall preserve the result as evidence, and prosecute for all violations of the two following sections.

All vessels
used in sale
of milk to be
annually
sealed and
marked.
1872, c. 68.

SEC. 46. All measures, cans, or other vessels used in the sale of milk, shall annually be sealed by the sealer of weights and measures by ale and beer measure, and shall be marked by the sealer with figures indicating the quantity which they hold, and whoever fraudulently sells by any other measure, can or vessel, forfeits twenty dollars for each offence.

SEC. 47. Whoever acting for himself or as the employe of another, knowingly or wilfully sells or offers for sale, milk from cows diseased, sick, or fed upon the refuse of breweries or distilleries, or upon any substance deleterious to its quality, or milk to which water or any foreign substance has been added, forfeits twenty dollars for the first, and fifty dollars for every subsequent offence; to be recovered for the town where the offence is committed, by complaint or indictment.

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Penalty for selling or offering for sale impure or diluted milk.
R.S., c. 38, § 47.

COMMERCIAL FERTILIZERS.

SEC. 48. Every lot or parcel of commercial fertilizer sold, or offered or exposed for sale, shall be accompanied by a printed label, stating clearly the composition thereof, as follows; to wit: In the case of all fertilizers which are sold at more than twelve dollars a ton, and which contain nitrogen, potash, or phosphoric acid, such label shall give the percentage of nitrogen or its equivalent in ammonia, in an available form; of potash soluble in water, and of phosphoric acid, in an available form, soluble or reverted, as well as the total phosphoric acid. In the case of those fertilizers which consist of other and cheaper materials, the label shall give a correct general statement of the composition and ingredients of the fertilizer which it accompanies.

Fertilizers kept for sale, to be labelled to show component parts.
1883, c. 238, § 1.

—form of label.

SEC. 49. Every importer of commercial fertilizers, as specified in the preceding section, before offering the same for sale, shall procure from the secretary of state a license as an importer thereof, and shall pay into the state treasury fifty dollars annually, as a license fee; and shall at the same time file with the secretary of the state board of agriculture, a paper giving the names of his principal agents, and the name and composition of the fertilizers manufactured or imported by him. Such license entitles the licensee to sell and offer for sale only one distinct kind of fertilizer; but he may sell any other kind upon paying into said treasury an additional license fee of fifteen dollars for each every additional kind.

Importer to be licensed.
1883, c. 238, § 2.
1883, c. 238, § 8.
1883, c. 238, § 2.
—license fee.

—shall file paper with secretary of board of agriculture.
—to sell only one kind, or pay additional fee.

SEC. 50. Any person selling, offering or exposing for sale any such fertilizer, without the statement required by section forty-eight, or with a label stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, or respecting the sale of which, all the provisions of the preceding section have not been fully complied with, forfeits one hundred dollars for the first offence and two hundred dollars for each subsequent offence. Suits may be brought for the recovery of fines or damages under the two preceding sections, in the county where the fertilizer was offered for sale or where it was manufactured; and all fines so recovered shall be paid into the state treasury by the court collecting them. Such suits shall be brought by the secretary of the state board of agriculture in the name of the State.

Penalty for violation of two preceding sections.
1883, c. 238, § 3.

—where suits may be brought by secretary of board of agriculture.

SEC. 51. The secretary of the state board of agriculture is state inspector of fertilizers. Said inspector or some competent person by him deputized, shall, annually, analyze one or more specimens of every kind of commercial fertilizers coming within the three preceding sections, and

Secretary to be the state inspector of fertilizers; his duties and powers.
1883, c. 238, § 4.

CHAP. 38. offered for sale within the state, of the existence of which he shall be informed by the secretary of the state board of agriculture; and for this purpose he shall take from any packages of such fertilizers in the possession of any dealer a sample not exceeding one pound. He shall report annually to said board the result of his inspection and analysis, and furnish said secretary such important information in regard to commercial fertilizers as he from time to time obtains.

Fees of inspector. 1883, c. 238, § 5.

SEC. 52. The fee of said state inspector is fifteen dollars for each analysis made by him or under his direction, and travelling expenses to be paid from the state treasury on certificate of said board; *provided*, that no larger sum shall be paid for such services each year than is paid into the state treasury for license fees as provided in section forty-nine.

Duty of inspector, in case of violation. 1883, c. 238, § 6.

SEC. 53. Said inspector upon ascertaining any violation of the five preceding sections shall forthwith in writing inform the manufacturer and the secretary of said board thereof; and said secretary shall immediately institute proceedings against all such violators.

Penalty for neglect of duty by secretary of board of agriculture, or by analyzing chemist. 1883, c. 238, § 7.

SEC. 54. If the secretary of the state board of agriculture, or the chemist making the analysis of fertilizers under the six preceding sections, violates, or knowingly fails to perform his duty prescribed in section fifty-one, or colludes with any manufacturer of, or agent, or dealer in any fertilizer, to evade either of said sections, so as to injure any manufacturer of, or agent, or dealer in any fertilizer, such secretary or chemist shall be fined five hundred dollars.

HAY.

Pressed hay how to be marked. 1874, c. 224, 54 Me., 149, 64 Me., 397, 71 Me., 82.

SEC. 55. All hay pressed and put up in bundles shall have the first letter of the christian name, and the whole of the surname of the person putting up the same, written, printed or stamped on bands or boards made fast thereto, with the name of the state, and the place where such person lives. Whoever offers for sale or shipment, any pressed hay not marked as aforesaid, forfeits one dollar for each bale so offered, to be recovered by complaint.

—penalty. 1881, c. 98.

—penalty for taking on board of vessels, hay not marked. 1874, c. 224.

If the master of any vessel takes on board pressed hay not marked as aforesaid, he forfeits one dollar for each bundle so received, to be recovered by complaint.

MEASURERS OF SALT, CORN AND GRAIN.

Appointment, oath and fees of measurers, &c. R.S., c. 38, § 55.

SEC. 56. The municipal officers of towns may annually appoint measurers of salt, corn and grain therein, who shall be sworn; and receive such fees from the purchaser as said officers establish; and in every contract made in the state for the sale of salt by the hogshead, such hogshead shall consist of eight bushels; and when the buyer or seller requests, salt, corn, or grain in places where such measurers live, shall be measured by them.

WEIGHT OF CORN AND GRAIN, MEAL, VEGETABLES, AND HAY.

The standard weight fixed. R.S., c. 38, § 56. 1874, c. 167.

SEC. 57. The standard weight of a bushel of potatoes, in good order and fit for shipping, is sixty pounds; of apples, in good order and fit for the market, forty-four pounds; of wheat, sixty pounds; of corn, fifty-six

pounds; of barley and buckwheat, forty-eight pounds; of carrots, fifty pounds; of onions in good order and fit for shipping, fifty-two pounds; of ruta бага, sugar beets, mangel wurzel, and turnip beets, in like condition, sixty pounds; of English turnips, in like condition, fifty pounds; of beans, sixty-two pounds; of peas, sixty pounds; of rye and Indian meal, fifty pounds; of oats, thirty pounds, or strike measure; of Turk's Island, or other coarse grades of salt, seventy pounds, and of Liverpool, or other fine grades, sixty pounds; and of hair used in masonry, well dried and cleansed, eleven pounds; and the measure of each of these articles shall be determined as aforesaid at the request of the vendor or vendee; and if either party refuses so to do, he forfeits twenty cents for each bushel, to the person prosecuting therefor within thirty days.

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1878, c. 7.

1881, c. 29.

BOUNTY ON SILK.

SEC. 58. Treasurers of towns, on satisfactory proof, shall pay a bounty of ten cents for every pound of cocoons, and one dollar for every pound of silk reeled from cocoons, raised in the state, to the person raising it in such town; such applicant shall make oath, that no bounty has been received by any person for such cocoons or silk; and each treasurer shall keep an account of the money so paid, and present it, verified by his oath, to the next legislature, and if found correct, it shall be allowed and paid from the state treasury.

Treasurer of town to pay bounty on cocoons and silk raised in town.
R.S., c. 38, § 57.

BOUNTY ON BEET SUGAR.

SEC. 59. The governor and council may, on such terms and conditions as they deem advantageous to the State, contract with any responsible party or company, to pay said party or company not exceeding one cent a pound, on all beet sugar manufactured in the state, from beets raised in the state; but the bounty, so paid, shall not exceed seven thousand dollars in any one year, and shall not exceed ten years from the time of the payment of the first bounty money.

Governor and council may pay a bounty on beet sugar manufactured in the state.
1877, c. 184.
—limited to ten years.

MARKING SHEEP.

SEC. 60. All owners of sheep shall mark them with some distinctive mark, by a cut in the ears, or a brand on some part of the animal, and cause such mark to be recorded by the clerk of their town in a book kept for that purpose, paying the clerk eight cents therefor.

Owner of sheep shall have a distinctive mark, to be recorded by town clerk.
R.S., c. 38, § 58.

RECORD OF STALLIONS.

SEC. 61. The owner or keeper of any stallion for breeding purposes, before advertising, by written or printed notices, the services thereof, shall file a certificate with the register of deeds in the county where said stallion is owned or kept, stating the name, color, age, and size, of the same, together with the pedigree of said stallion as fully as attainable, and the name of the person by whom he was bred. Whoever neglects to make and file such certificate shall recover no compensation for said services, and if he knowingly and wilfully makes and files a false certificate of the statements aforesaid, he forfeits one hundred dollars, to be recovered by complaint, indictment or action of debt for the county where the offence is committed.

Record of advertised stallions to be filed with register of deeds.
1873, c. 135, § 1.
See c. 7, § 16.

—penalty for neglect.
1873, c. 135, § 2.