

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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CHAPTER 39.

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TRADE-MARKS.

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LIME AND LIME CASKS.

SEC. 1. The governor with the advice and consent of council, when a vacancy occurs in any town, shall appoint one resident citizen thereof, to be inspector of lime and lime casks therein, for four years, unless sooner removed; he shall be sworn, and give bond with sufficient sureties for the faithful performance of his duties, before entering thereon, to the treasurer of his county in the following sums:

The inspector of Rockland, five thousand dollars; of Thomaston and Camden, three thousand each, and of every other town, two thousand each, to be approved by the county commissioners; and each inspector may appoint in his town as many deputies as are necessary, for whom he is answerable, to be sworn and give bond to their principal for one thousand dollars with sufficient sureties.

SEC. 2. Each inspector, by himself or deputy, shall inspect all lime manufactured in his town, with the casks therefor, at the time that they are filled at the kiln where it is burnt; see that in all respects the lime and casks conform to law, and brand each cask as herein provided. All

Appointment and oath of inspectors and their deputies. R.S., c. 39, § 1.

—amount of their bonds.

Lime, inspectors of; their duties. 1874, c. 265, § 1.

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—first quality, how inspected and branded.

—casks may be marked.

—impure lime, how branded.

—lump lime.

Lime exposed for sale, how packed.

—casks, description and quality of.
1874, c.265, § 2.

—casks to be branded with name of manufacturer, on the head.

—on bilge.

Penalty for inspector or deputy branding casks of lime not inspected by him, &c.
R.S., c. 39, § 4.

Penalty for attempting to sell or buy lime casks

well burned, pure, fine grained lime, of a white or yellowish color, manufactured for shipment or sale, shall be contained in casks well filled, one head of which shall be branded with the name of the town or particular locality where the lime was burnt with letters not less than one inch in length, the initials of the christian name and the whole of the surname of the inspector or deputy, the word "inspected" and the figure "1" and the word "quality", in a legible manner. But instead of being branded, such marks of the inspector may be painted upon the casks, in a suitable and legible manner, with letters of the length hereinbefore provided. All black, dark, or impure lime manufactured for shipment or sale shall be contained in casks well filled and branded with the figure "2" and the word "quality", in a legible manner upon each cask. But no person is forbidden to put up and brand lump lime in the manner now practiced, if it is included in that first above named.

SEC. 3. No lime manufactured in the state shall be sold, exposed for sale, or shipped on board any vessel in casks, unless it is contained in casks made of sound and seasoned staves and headings, well fired on the inside, with at least eight good and strong hoops on each, of oak, ash, beech, birch, maple, cherry, or elm wood, all well driven and secured with nails, and duly inspected and branded as provided in the preceding section, the staves of said casks to be made of sawed or rift timber, not less than thirty inches in length and half an inch thick on the thinnest edge; each of the heads not less than three fourths of an inch thick and well crozed in, each hoop not less than one inch wide in the narrowest part, and each cask not less than twenty-six inches in length between the heads, sixteen inches in width between the chimes, and eighteen inches in the clear on the inside at the bilge at the time of inspection, and made in a workmanlike manner to hold lime; and before any lime is inspected, the manufacturer thereof shall brand on the head of each cask, with letters not less than one inch in length, the first letter of his christian name and the surname at length, with the letters "Man'r"; and all lime casks shall be branded on the outside of the bilge with the initials of the christian name and the whole of the surname of the manufacturer.

SEC. 4. No inspector or deputy shall brand any casks of lime, not inspected by him, or not conformable in all respects to the provisions hereof, nor permit any other person unlawfully to use his brands; and no person shall sell, expose for sale, lade or receive, on board any vessel, any lime in casks not made, inspected and branded according to law; nor shift the contents of any lime cask branded as aforesaid, with intent to sell the same as inspected, under a penalty of one dollar for each cask thus illegally dealt with; and such inspector or deputy is also liable, in an action on the case, to any party for all the damages he sustains by such misdoings; and if the misdoings are on the part of the deputy, the action may be against him or his principal.

SEC. 5. No person shall sell, expose for sale, lade or receive on board any vessel lime in casks not made, inspected and branded according to law; or sell, expose for sale, or purchase any lime cask not made in con-

formity to the provisions of section three, under a penalty of twenty cents for each cask; a lien is created on all such casks for said penalty and costs, and if an attachment is made for said penalty within three months after it is incurred, it shall be good against all prior attachments or a sale by the owner; and the casks may be sold on execution in such action, as in common cases.

SEC. 6. All the penalties before mentioned, may be recovered by any person suing therefor; and when judgment is recovered against an inspector or deputy for penalties or damages on account of any misdoings in his office, and the execution issued thereon is returned unsatisfied, the creditor may avail himself of the benefit of the inspector's bond to the county treasurer, who shall give him a copy thereof on request, in like manner as a judgment creditor of a sheriff or a coroner may avail himself of the official bond of such officer given to the treasurer of state.

POT AND PEARL ASHES.

SEC. 7. The governor with the advice and consent of council, when a vacancy occurs, shall appoint some skilful person, removable at pleasure, to be inspector of pot and pearl ashes for the state; he shall be sworn and give bond for three thousand dollars with sufficient sureties to the treasurer of state, for the faithful discharge of his duties, before entering thereon; and he shall appoint deputies in every seaport town, whence pot and pearl ashes are exported, and in other necessary places, for whom he shall be answerable, who shall be sworn, and give bond to their principal with sureties.

SEC. 8. The inspector or his deputy shall, if necessary, sort pot and pearl ashes into first sort extra, first, second, and third sorts; start the ashes out of the casks, and carefully try and inspect them; put each sort by itself in tight new casks, well hooped and coopered; which he shall distinguish into the sorts aforesaid with the words "pot" or "pearl ashes," as the case may be, his name, the place where they were inspected, and the word "Maine," branded in plain letters on each cask; and shall at the same time weigh the cask and mark the weight with a marking iron on each head; and if when applied to, he unreasonably delays or refuses for three hours, to inspect any such cask, he forfeits five dollars.

SEC. 9. Every cask, in which such ashes are packed for exportation, shall be made of sound and seasoned oak or white ash staves and heading, full bound, twenty-nine inches long, and shall be of nineteen inches diameter in the head; and of such weight in proportion to its contents, as will amount, as nearly as may be, to fourteen per cent. tare thereon; and every manufacturer of said ashes shall brand on each cask the initials of his christian name and the whole of his surname, with the name of the town where they were manufactured, before they are removed from the manufactory, under penalty of one dollar for each cask.

SEC. 10. Whoever transports out of the state, or receives for transportation, any such ashes, before inspection and branding as aforesaid, forfeits twenty dollars for each offence; and any inspector may with or without a warrant enter on board any vessel within his limits, and seize,

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not made conformable to law, or lime in such casks. 1874, c. 265, § 3. R.S., c. 39, § 5.

Penalties, how recovered and appropriated. R.S., c. 39, § 6.

See c. 80, § 14.

Appointment, removal, oath and bond of inspector and his deputies. R.S., c. 39, § 7.

Process of inspecting, packing, and branding. R.S., c. 39, § 8.

Dimensions and materials of casks. R.S., c. 39, § 9.

—how branded.

Penalty for attempting to transport such ashes without inspection. R.S., c. 39, § 10.

CHAP. 39. carry away, and secure for trial all unbranded ashes found therein, as forfeited property, to be proceeded against according to law; and whoever obstructs him in such search and seizure, forfeits thirty dollars for each offence.

Penalty for falsely branding casks of ashes.
R.S., c. 39, § 11.

SEC. 11. Whoever brands any cask of pot or pearl ashes manufactured by himself with the name of another; or another's cask with his name; or with the brand of an inspector or his deputy, or in any way counterfeits any lawful brand; or shifts any such ashes from a cask lawfully branded, and puts in others for sale or exportation without first cutting out said brand, forfeits two hundred dollars.

Appropriation of penalties and forfeited property.
R.S., c. 39, § 12.

SEC. 12. All foregoing penalties under sixty dollars are for the prosecutor; but all others are half for the prosecutor, and half for the State, and all forfeited property is half for the officer seizing and half for the State.

Inspector and his deputies to make returns to secretary of state.
R.S., c. 39, § 13.

SEC. 13. The inspector of pot and pearl ashes shall annually in January, make a return to the first of December, to the secretary of state's office, of the number of casks thereof inspected by him or his deputies, naming the number of each brand, and the weight of each specific quality; and the deputies shall make seasonable returns to the inspector to enable him to make his returns.

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Appointment, oath and bond of inspector and his deputies.
R.S., c. 39, § 14.

SEC. 14. The governor, with the advice and consent of council, when a vacancy occurs, shall appoint some suitable person to be inspector of nails; he shall be sworn, and give bond to the State with sufficient sureties in such sum as the governor and council direct, for the faithful discharge of his duties, before entering thereon, and shall appoint one or more deputies in any town where they are necessary, who shall be sworn, and give bond to the State the same as the inspector.

Process of inspecting and branding wrought nails.
R.S., c. 39, § 15.

SEC. 15. The inspector or his deputy shall, on request, inspect every cask of wrought nails by opening the same, turning out the nails, weighing them, and ascertaining the number necessary to make a pound, and their quality, both as to the iron and workmanship; brand on the head of such cask the number thereof, the whole weight of the cask and nails, the weight of the cask only, the number of nails necessary to make a pound, and the quality thereof, viz: "first sort," "second sort," and "third sort," or "refuse;" his own name at large and the title of his office; and give a certificate expressing the number of the cask, the whole weight, the weight of tare, number of nails to a pound, and their quality.

Rules of progression in marking the number of nails to a pound.
R.S., c. 39, § 16.

SEC. 16. He need not brand the head of any cask containing nails, thirty-five of which weigh more than a pound, with the exact number to a pound; but beginning at thirty-five, he shall progress by fives, and mark accordingly above or below the exact number, whichever is nearest to the fact.

Dimensions and materials of casks, and by what weight wrought nails

SEC. 17. The inspector shall see that all casks are well made of sound timber, strong, and lined at both heads; each cask to have eight or more good hoops, and to contain no more than three hundred and fifty pounds of nails; bad casks shall be condemned and deficient hoops supplied at

the expense of the person applying for inspection ; and all wrought nails shall be sold by the pound or by real thousands ; delivering and receiving so many pounds for a thousand, as will produce ten net hundreds.

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shall be sold.
R.S., c. 39, § 17.

SEC. 18. Cut nails and brads shall be packed in strong casks seasoned and well hooped, no cask containing more than three hundred pounds net, free from waste pieces of iron (unless refuse nails,) or fraudulent mixture, increasing the weight. The maker, if also the owner of such nails, shall brand the initials of his christian name and his surname at large on the side of the cask, the town where he resides, and the true weight of the tare under it.

In what kind of casks, cut nails and brads shall be packed.
R.S., c. 39, § 18.
—how branded.

SEC. 19. No person shall sell, offer for sale, transport, or lade or receive for transportation, by land or water, any wrought or cut nails, or brads not inspected and branded, as herein required, under a forfeiture equal to the value thereof ; such articles shall be forfeited, and may be seized, and disposed of according to law ; and the owner forfeits one dollar for each pound of waste mixed with nails, or brads, and for each pound of tare, more than is marked on the cask.

Penalty for attempting to sell or forward brads, or nails not inspected and branded.
R.S., c. 39, § 19.

SEC. 20. Any inspector, who on request, unnecessarily or unreasonably delays to inspect any cask of nails, forfeits for each offence, four dollars.

Penalty for delay of inspector.
R.S., c. 39, § 20.

SEC. 21. Whoever counterfeits any inspector's brand ; marks any nails with the same ; destroys any lawful marks made by another, or shifts any branded nails for those not branded, or from one branded cask to another, forfeits twenty dollars for each offence ; and all the penalties aforesaid belong, half to the prosecutor, and half to the town where the offence is committed.

Penalty for counterfeiting brands, destroying marks, or shifting nails.
R.S., c. 39, § 21.

SEC. 22. The deputies shall make returns once in three months, and oftener if required, to the inspector, and annually on the first day of January, he shall make return to the secretary of state, of the number of casks and weight of wrought and cut nails inspected by him and his deputies, to December first, specifying the different quantities of each.

Inspector to make annual returns.
R.S., c. 39, § 22.
—deputies, quarterly.

PAPER.

SEC. 23. All paper, except that of foreign manufacture, press, bonnet, and such as is usually sold by weight, made or offered for sale in the state, shall be packed in parcels of two reams, single reams, and half reams, at the rate of twenty quires to the ream, and twenty-four sheets to the quire, and on the wrapper of each parcel shall be legibly printed or stamped the name of the maker, his place of residence, and the quantity and quality of paper therein.

Mode of packing and marking paper.
R.S., c. 39, § 23.

SEC. 24. Whoever makes, sells, offers for sale, transports out of the state, or places on board any vessel or carriage for transportation, any paper not packed and stamped as aforesaid, forfeits four dollars for each parcel, half to the county where the offence is committed, and half to the prosecutor ; and all such paper is forfeited, and liable to seizure, for any person libeling it within seven days after seizure.

Penalty for making, selling or transporting paper not lawfully packed.
R.S., c. 39, § 24.

OILS.

SEC. 25. All oils sold under the names of sperm, summer, fall, and win-

What shall be

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deemed pure
sperm oil.
R.S., c. 39, § 28.

ter oils, are deemed to be sold for pure sperm oil, the test of which is Southworth's oleometer. Whoever sells under said names, any oils which are adulterated by the mixture of an inferior article, without disclosing the full extent of adulteration to the purchaser, forfeits to the prosecutor fifteen dollars for each offence; and the oil so sold shall be deemed whale oil, and the seller is liable to the purchaser for the difference between pure sperm and whale oil, to be recovered in an action on the case.

PETROLEUM, COAL OIL AND BURNING FLUID.

Inspectors of
petroleum to
be appointed
in towns of
two thousand
inhabitants
or more.
R.S., c. 39, § 29.

—duty of
inspectors.

SEC. 26. In towns containing two thousand inhabitants or more, the municipal officers shall, on or before the first day of May annually, appoint one or more persons, and fix their compensation, to be inspectors of petroleum, coal oil, and burning fluid, who shall be sworn, and shall, when requested, inspect such oils and burning fluids by applying the fire test with G. Tagliabue's pyrometer or some other accurate instrument, to ascertain the igniting or explosive point thereof in degrees of Fahrenheit's thermometer, and they shall cause every vessel or cask thereof by them so inspected to be plainly marked by the name of such inspector, the date of inspection, and the igniting or explosive point of the contents thereof.

What casks
shall be
marked
"unsafe for
illuminating
purposes."
R.S., c. 39, § 30.
—penalty for
affixing false
marks.

SEC. 27. When a cask or vessel of such oil or fluid will not bear the fire test of at least one hundred and twenty degrees Fahrenheit without ignition or explosion, the same shall be marked as aforesaid, and also "UNSAFE FOR ILLUMINATING PURPOSES." If an inspector knowingly puts false marks upon such casks or vessels inspected by him, he shall be fined not exceeding five hundred dollars, or be imprisoned six months.

Remedy for
neglect of
such inspec-
tion, and
marking.
—penalty.
R.S., c. 39, § 31.
See c. 26, § 20.

SEC. 28. Every person and corporation engaged in manufacturing petroleum, coal oil or burning fluid, shall cause every cask or other vessel thereof to be so inspected and marked, by a sworn inspector. Whoever manufactures or sells such oil or burning fluid not so inspected and marked in this state, or that has been so inspected and marked as unsafe for illuminating purposes, shall pay a fine not exceeding five hundred dollars, or be imprisoned six months, upon indictment.

Rights and
duties of
town and po-
lice officers.
R.S., c. 39, § 32.

SEC. 29. The municipal officers of towns, and the police of cities, may at all times examine all such oils and fluids kept in their towns for sale, and cause them to be inspected and tested; and they shall do so in all cases where they are informed or believe that the same are kept for sale in violation of law; and cause the keeper and seller to be prosecuted therefor.

FIRE—ARMS.

Appoint-
ment and
duties of
provers of
fire-arms.
R.S., c. 39, § 33.

SEC. 30. The governor, with the advice and consent of council, whenever a vacancy occurs, or otherwise, as he judges necessary, may appoint suitable persons to be provers of the barrels of all new or unused fire-arms; and each prover shall prove the strength of the barrels of all fire-arms offered to him for that purpose, in such manner as to satisfy him of their strength; and shall, in a permanent manner, mark and number every barrel by him proved, and deliver to the applicant a certificate thereof, in the following form:

"I certify that on this — day of —, 18—, I proved for — —, a musket," (pistol or rifle,) "barrel," (as the case may be,) "which is numbered and marked, as in the margin, and that the same is good and strong.

A. B., *Prover of Fire-Arms.*"

SEC. 31. Whoever sells or offers for sale any new or unused musket, rifle, or pistol barrel, without having it proved, marked, and certified, as aforesaid, forfeits ten dollars for each barrel to the prosecutor, or by indictment to the State; and if he falsely alters the mark or certificate of any prover of fire-arms, he so forfeits to the State not less than twenty, nor more than one hundred dollars, to be recovered by indictment.

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Penalty for selling new and unused gun, rifle, or pistol barrels. R.S., c. 39, § 34.

LEATHER, BOOTS AND SHOES.

SEC. 32. Every manufacturer of leather, and of boots and shoes, of any description, has the exclusive right of stamping them with the initials of his christian name, and the whole of his surname; and such stamping is a warranty that the article is merchantable, and well made of good materials; and if any person fraudulently stamps any such articles with the name or stamp of any other person, he shall be fined not exceeding twenty dollars, or imprisoned not exceeding six months.

Manufacturer of leather, boots and shoes, may stamp his name thereon, &c. R.S., c. 39, § 25. —penalty for counterfeiting stamp.

SEC. 33. The municipal officers of each town, when they deem it expedient, may appoint one or more suitable inspectors of sole leather, who shall be sworn, and receive such fees from their employer, as said officers establish; and when paid by the seller, to be repaid to him by the buyer; when requested, they shall go to any place in their town to inspect any sides of sole leather, which have not been inspected in this state according to law.

Appointment, oath, duties and fees of inspectors of sole leather. R.S., c. 39, § 26.

SEC. 34. Each inspector shall provide himself with a proper apparatus, with which he shall weigh and stamp every side of sole leather inspected by him, with the weight thereof, his surname, and the name of his town; and on all sole leather made of good hides, and in the best manner, the word "best," shall be stamped; on all made of such hides in a merchantable manner, the word "good;" and on all other, the words, "second quality," "third quality," "damaged," or "bad," according to the fact; and whoever counterfeits, alters or defaces such mark, forfeits twenty dollars for each offence, half to the town and half to the prosecutor.

Mode of inspecting and stamping sole leather. R.S., c. 39, § 27.

BOTTLED SODA, MINERAL WATERS AND SMALL BEER.

SEC. 35. All persons or corporations engaged in the manufacture and sale of soda waters, mineral waters, ginger ale, small beer, spruce beer, white beer, or other similar beverages, in syphons or bottles with their names, or other marks or devices branded, stamped, engraved, etched, blown, impressed or otherwise produced upon such bottles or syphons, or anything connected therewith and appertaining thereto, may file in the office of the town clerk in which their principal place of business is situated, a description of the names and marks aforesaid used by them, and cause the same to be published once a week for three successive weeks in any weekly paper published in said county.

Protection of trade-marks on bottles or syphons. 1874, c. 219, § 1.

—how secured.

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Unlawful use
or defacing of
such trade-
marks.
1874, c. 219, § 2.
—penalty.

SEC. 36. Whoever knowingly and wilfully, without the written consent of the owner uses any such syphon or bottle so marked, or defaces or obliterates the names, marks or devices thereon, with intent to sell, dispose of, buy or traffic therein, or to convert the same to his own use, unless purchased of the lawful owner, forfeits ten dollars, half to the prosecutor, and half to the town where such offence is committed, to be recovered by complaint or action of debt in the county where the offence is committed.

TRADE-MARKS.

Proprietor of
trade-mark
may file certi-
ficate with
secretary of
state.
1883, c. 215, § 1.
—what certi-
ficate must
set forth.

SEC. 37. Any person entitled to the exclusive use of any trade-mark, or who intends to adopt and use any trade-mark not previously adopted or used by another, may file for record in the office of the secretary of state a certificate setting forth his name, residence and place of business; the class of merchandise and the particular description of goods comprised in such class to which such trade-mark has been or is to be appropriated; a description thereof, and of the mode in which it is to be applied and used; the date when it was first used or adopted; that he has a right to the use of it; and that no other person, firm or corporation has the right to such use, either in the identical form, or having such near resemblance thereto as is calculated to deceive. A fac-simile of such trade-mark shall be incorporated in or annexed to said certificate, and a duplicate shall be filed therewith, to be pasted or bound into the record book, if practicable. Such certificate shall be signed and sworn to by such person, or his agent.

—fac-simile
to be annexed
to certificate.

—certificate
to be sworn
to

Penalty for
perjury.
1883, c. 215, § 2.

—secretary of
state may
decline to
record certi-
ficate, if he
believes it
untrue, until
compelled by
mandamus.
1883, c. 215, § 3.

—proceed-
ings.

SEC. 38. Whoever wilfully swears or affirms falsely to any such certificate, is guilty of perjury, and shall pay treble damages to every party injured thereby. If the secretary of state has reason to apprehend, on the filing of such certificate, that any statement therein contained is untrue, he may decline to record the same, unless the party filing it obtains a writ of mandamus to compel him. Such writ may be granted, but without costs to the secretary, by any proper court, on proof that all the statements in such certificate are true, but no final hearing on the application therefor, shall be had until such notice thereof as said court orders has been advertised in one or more newspapers published in the county where the party filing said certificate resides; and any persons who desire may appear and intervene as parties defendant, and oppose the granting of such writ, and shall be liable to judgment for any costs occasioned by such intervention.

Exclusive
right to use of
trade-mark,
guaranteed.
1883, c. 215, § 4.

—rights are
assignable.

SEC. 39. Every party entitled to make and file such certificate and affidavit, upon recording the same in said office, becomes entitled to the exclusive use of the trade-mark therein described, so long as he or his assigns continue to be engaged in the manufacture or sale of the merchandise or description of goods to which it is appropriated; and such right is assignable in writing; but all assignments thereof are good only against the assignor and his personal representatives, until lodged for record in said office.

Certificates
and assign-

SEC. 40. The secretary of state shall retain all such certificates on

file, and cause the same and all assignments of trade-mark rights to be recorded at length in his office, and is entitled to a fee of three dollars for each certificate, and one dollar for each assignment so filed and recorded. Copies of the record of any such certificate, attested by him under the seal of the State, are prima facie evidence of the right of the party filing such certificate to the exclusive use of the trade-mark therein described for the periods limited in the preceding section.

SEC. 41. Whoever reproduces, copies, counterfeits, or imitates any such recorded trade-mark, knowing the same to have been recorded, and affixes such reproduction, copy, counterfeit, or imitation to goods resembling or designed to resemble those to which such trade-mark is so appropriated, shall pay to the owner of such trade-mark double damages, besides such sum, not exceeding five hundred dollars, as the court before which the action is brought orders to be added to the damages found by the verdict or judgment.

SEC. 42. Whoever fraudulently and with intent to deceive, affixes any trade-mark recorded under this chapter, or any such imitation thereof as is calculated to deceive, to any goods, receptacle or package similar in descriptive properties to those to which such trade-mark is appropriated, or who fraudulently and with intent to deceive, places in any receptacle or package to which is lawfully affixed a recorded trade-mark, goods other than those which said trade-mark is designed and appropriated to protect; or who fraudulently and with intent to deceive, deals in or keeps for sale any goods with a trade-mark fraudulently affixed, as above described, or any goods contained in any package or receptacle having a lawful trade-mark, but not being such goods as said trade-mark was designed and appropriated to protect, shall be fined not more than five hundred dollars, or imprisoned not more than thirty days, or both.

SEC. 43. This chapter does not abridge rights to any existing trade-marks, whether the same are hereafter recorded or not, nor any remedies or rights of action otherwise or heretofore existing in favor of owners of trade-marks.

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ments, where recorded.
—fees.
1883, c.215, § 5.
—copies are evidence of right to use trade-mark.

Penalty for counterfeiting such trade-marks.
1883, c.215, § 6.

Penalty for fraudulent use of such trade-marks.
1883, c.215, § 8.

Rights to existing trade-marks not abridged.
1883, c.215, § 7.

CHAPTER 40.

FISH AND FISHERIES.

INSPECTION OF FISH.

- SEC. 1. Inspectors of fish to be appointed by governor and council, for five years, wherever needed.
2. Oath and bond. Town officers to examine bond yearly.
3. Inspectors to make annual return to secretary of state by December tenth, to be published in state paper.
4. Remedy on bond, for neglect or misconduct of inspector.