

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

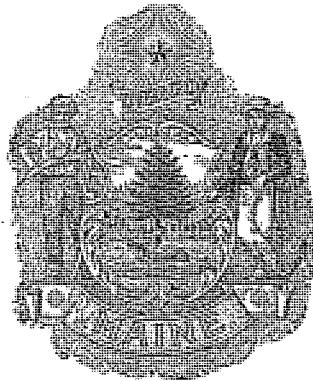
SIXTH REVISION

THE  
REVISED STATUTES

OF THE

STATE OF MAINE

PASSED SEPTEMBER 29, 1916, AND TAKING  
EFFECT JANUARY 1, 1917



By the Authority of the Legislature

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1916

**CHAP. 44**

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.

**Sec. 32. Jurisdiction; penalty for performing duties of port wardens, without authority. R. S. c. 38, § 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 offense one hundred dollars, to be recovered in an action of debt by any prosecutor.

---

## CHAPTER 44.

**Inspection and Sale of Manufactured Articles. Trade-marks and Trade Names. Assayers of Ores and Metals. Maine Mining Bureau.**

Sections 1- 8	Inspection of Flour.
Sections 9-10	Inspection of Leather.
Sections 11-23	Use of Trade-marks and Trade Names.
Section 24	Oils.
Sections 25-29	Inspection of Petroleum, Coal-Oil and Burning-Fluid.
Sections 30-32	Marks on Syphons, Bottles and Cans.
Sections 33-38	Sale of Lightning-Rods.
Section 39	Sale of Firearms.
Section 40	Assayers of Ores and Metals.
Sections 41-44	Maine Mining Bureau.

### Inspection of Flour.

**Sec. 1. Inspectors of flour, their appointment. R. S. c. 39, § 1.** The municipal officers of towns may appoint annually 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.

**Sec. 2. Inspectors to be sworn and to receive certificate of appointment. R. S. c. 39, § 2.** Such inspector, before entering upon his duties, shall be sworn to the faithful and impartial discharge thereof before the town clerk, who, upon payment of fifty cents, shall 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.

**Sec. 3. Inspection; duties of inspectors defined; record to be kept. R. S. c. 39, § 3.** 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 word, "Sound" or "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.

**Sec. 4. Penalty for fraudulent marks.** R. S. c. 39, § 4. 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.

**Sec. 5. Penalty for alteration, etc., of inspection marks.** R. S. c. 39, § 5. 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 be fined not exceeding fifty dollars for each offense 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.

**Sec. 6. Purchasers of flour may require inspection before delivery; fees.** R. S. c. 39, § 6. The purchaser may require flour to be inspected before delivery. The inspector's fees shall be 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.

**Sec. 7. Duties of inspectors in relation to sample packages.** R. S. c. 39, § 7. 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.

**Sec. 8. Contract for sale of uninspected flour not prohibited, if inspection is not required.** R. S. c. 39, § 8. 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.

#### Inspection of Leather.

**Sec. 9. Appointment, duties and fees of inspectors of sole leather.** R. S. c. 40, § 15. The municipal officers of each town, when they deem it expedient, may appoint one or more suitable inspectors of sole leather, who shall 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.

See Const. of Me. Art. ix, § 1.

**Sec. 10. Mode of inspecting and stamping sole leather.** R. S. c. 40, § 16. 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

## CHAP. 44

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 offense, half to the town and half to the prosecutor.

## Use of Trade-marks and Trade Names.

**Sec. 11. Manufacturer of leather, boots and shoes, may stamp his name thereon; effect; penalty for counterfeiting stamp.** R. S. c. 40, § 17. 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.

**Sec. 12. No person shall use another's trade-mark.** R. S. c. 40, § 18. When a person uses any peculiar name, letters, marks, device, or figures, cut, stamped, cast or engraved upon, or in any way attached to or connected with any article manufactured or sold by him to designate it as an article of a peculiar kind, character or quality, or as manufactured by him, no other person shall use, without his consent, the same or any similar names, letters, marks, devices or figures, for the purpose of falsely representing any articles to have been manufactured by him, or to be of the same kind, character or quality, as that manufactured or sold by the party rightfully using the same.

**Sec. 13. Damages for violation.** R. S. c. 40, § 19. Whoever violates the provisions of the preceding section, is liable to any party aggrieved thereby, for all damages actually incurred, to be recovered in an action on the case.

**Sec. 14. Business names, unauthorized use of, prohibited.** R. S. c. 40, § 20. No one shall assume, or continue to use in his business, either alone, or in connection with his own or any other name, or designation, the name of any person formerly connected with him in partnership, without the written consent of such person or his legal representative.

**Sec. 15. Injunctions.** R. S. c. 40, § 21. The supreme judicial court may restrain, by injunction, any use of trade-marks or names, in violation of the foregoing provisions.

**Sec. 16. Proprietor of trade-mark may file certificate with secretary of state; its contents.** R. S. c. 40, § 22. 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 facsimile 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.

**Sec. 17. Penalty for perjury; if secretary of state believes certificate untrue, he may decline to record it, until compelled by mandamus; proceedings.** R. S. c. 40, § 23. 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 by any proper court, but without costs to the secretary, 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.

**Sec. 18. Exclusive right to use of trade-mark, guaranteed; rights are assignable.** R. S. c. 40, § 24. 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.

**Sec. 19. Certificates and assignments recorded; copies are evidence.** R. S. c. 40, § 25. 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. 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.

See c. 118, § 13.

**Sec. 20. Counterfeiting trade-marks, and sale of goods with such counterfeits thereon, prohibited; penalty.** R. S. c. 40, § 26. Whoever knowingly and wilfully counterfeits, or causes to be counterfeited, any private stamps, labels or trade-marks, used by a mechanic or manufacturer about the sale of his goods, with intent to defraud the purchaser or manufacturer; or sells such goods with such counterfeit stamps, labels or trade-marks thereon, knowing them to be counterfeit, without disclosing the fact to the pur-

## CHAP. 44

chaser, shall be punished by imprisonment for less than one year, or by a fine not exceeding two hundred dollars.

**Sec. 21. Penalty for counterfeiting recorded trade-marks.** R. S. c. 40, § 27. 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. 22. Penalty for fraudulent use of such trade-marks.** R. S. c. 40, § 28. Whoever fraudulently and with intent to deceive, affixes any trade-mark recorded under section nineteen 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.

**Sec. 23. Rights to existing trade-marks not abridged.** R. S. c. 40, § 29. 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.

Note. Labels of Workmen's Unions protected, c. 49, §§ 33-44.

## Oils.

**Sec. 24. Pure sperm-oil defined; penalty for adulteration.** R. S. c. 40, § 8. All oils sold under the names of sperm, summer, fall and winter 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 offense; 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.

## Inspection of Petroleum, Coal-Oil and Burning-Fluid.

**Sec. 25. Inspectors of petroleum, their appointment and duties.** R. S. c. 40, § 9. In towns containing two thousand inhabitants or more, the municipal officers, on or before the first day of May annually, shall appoint one or more persons, and fix their compensation, to be inspectors of petroleum, coal-oil, and burning-fluid, who, when requested, shall 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.

See Const. of Me. Art. ix, § 1.

**Sec. 26. Casks which shall be marked "Unsafe for illuminating purposes;" penalty for false marking. R. S. c. 40, § 10.** 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.

**Sec. 27. Penalty for neglect of such inspection, and marking. R. S. c. 40, § 11.** 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.

See c. 30, § 20.

**Sec. 28. Rights and duties of town and police officers. R. S. c. 40, § 12.** 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.

**Sec. 29. Persons engaged in sale of oil may file with town clerk, description of marks used on cans. R. S. c. 40, § 13.** All persons or corporations, engaged in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids, in cans of a capacity of not less than five gallons, with their names, or other marks or devices branded, stamped, engraved, etched, impressed or otherwise produced upon such cans or anything connected therewith or appertaining thereto, may file in the office of the town or city 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 newspaper published in the county in which said notice may have been filed as aforesaid.

#### Marks on Syphons, Bottles and Cans.

**Sec. 30. Protection of marks on containers used for soda-water and similar beverages. R. S. c. 40, § 37.** All persons or corporations engaged in the manufacture or sale of soda-water, mineral and aerated waters, ginger ale, small beer, spruce beer, white beer, or other similar beverages, in



## CHAP. 44

syphons; boxes, cans, bottles, kegs or other vessels, with their names, or other marks or devices branded, stamped, engraved, etched, blown, impressed or otherwise produced upon such syphons, boxes, cans, bottles, kegs or anything connected therewith and appertaining thereto, may file in the office of the town or city 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 newspaper published in the county in which said notice may have been filed as aforesaid.

**Sec. 31. Unlawful use, or defacing of containers so marked; penalty.** R. S. c. 40, § 38. 1915, c. 98, § 1. Whoever knowingly and wilfully, without the written consent of an owner who has complied with the provisions of the preceding section or of section twenty-nine, uses, buys, sells, fills or traffics in any such syphon, box, can, bottle, keg or other vessel, or any such can of a capacity of not less than five gallons, used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids, so marked as aforesaid, or defaces, covers up or obliterates the names, marks or devices thereon, with intent to use, fill, buy, sell, dispose of or traffic therein, or to convert the same to his own use, shall, on complaint, be punished by imprisonment for not more than thirty days, or by fine of not more than twenty dollars, and fifty cents additional for each such syphon, box, can, bottle, keg or other vessel or such can of a capacity of not less than five gallons, so used, bought, sold, filled, trafficked in or disposed of, or by both such imprisonment and fine in the discretion of the magistrate hearing the complaint; and the said magistrate on finding such person or persons guilty, shall impose the punishment herein prescribed and shall award possession of the property taken to the owner thereof.

**Sec. 32. Search warrant may issue to search for such containers.** R. S. c. 40, § 39. 1915, c. 98, § 3. Whenever any person in his own behalf or in behalf of any corporation shall make complaint on oath to any magistrate or court, authorized to issue warrants in criminal cases, that he has reason to believe and does believe that any of his or said corporation's syphons, boxes, cans, bottles, kegs or other vessels, or any of his or said corporation's cans of a capacity of not less than five gallons, used in the sale of kerosene, refined petroleum, gasoline or other burning or illuminating oils or fluids, a description of the names, marks or devices whereon has been so filed and published as aforesaid, are being unlawfully used, filled, bought, sold, disposed of or trafficked in, or unlawfully had by any person or corporation, manufacturing or selling said beverages, oils, fluids or liquids, or by any junk dealer or dealer in second-hand articles, or by any vendor of such syphons, boxes, cans, bottles, kegs or other vessels, or cans of a capacity of not less than five gallons used for the purposes aforesaid, the said magistrate shall thereupon issue a search warrant to search therefor.

**Sale of Lightning-Rods.**

**Sec. 33. Manufacturer selling lightning-rods shall be licensed.** 1915, c. 270, § 1. No manufacturer, whether a person, firm or corporation, shall sell or offer for sale material used for the protection of buildings from

damage by lightning until licensed so to do by the insurance commissioner, as hereinafter provided.

**Sec. 34. Conditions under which insurance commissioner may issue license; filing of bond to fulfil guarantee; form of guarantee.** 1915, c. 270, § 2. No such license shall be issued until the insurance commissioner has approved of the material made by such manufacturer for protection from lightning, and of the manner and system of installing such material, nor until such manufacturer has filed a bond with the insurance commissioner in the penal sum of ten thousand dollars, with surety or sureties satisfactory to the insurance commissioner, conditioned for fulfilling the guarantee agreement provided for by this section, together with a written stipulation that legal process affecting such manufacturer or his agent, served upon the insurance commissioner for the time being, shall have the same effect as if personally served upon such manufacturer or his agent within the state. The manufacturer shall also file with the insurance commissioner a copy of the guarantee agreement to be issued by him, which shall be in a form approved by the insurance commissioner and must provide in substance that in the event of damage by lightning to property equipped by said manufacturer or his agent, any money paid for the equipment of said building shall be returned to the owner thereof, or the damage to said building repaired. When the manufacturer has complied with the foregoing requirements, and the insurance commissioner is satisfied that the manufacturer is safe and reliable as to assets, business standing and methods, and is entitled to confidence, the insurance commissioner shall issue a license to such manufacturer, to continue in force one year from date of issue. The license may be revoked at any time by the insurance commissioner for good cause, after a hearing.

**Sec. 35. Agent's license.** 1915, c. 270, § 3. Upon written notice from a manufacturer licensed under the preceding section, of the appointment of a suitable person, who must be a resident of the state, to act as his agent in this state, and upon the presentation of a certificate of the good reputation and moral character of such person, signed by the mayor or selectmen of the city or town of which he is a resident, the insurance commissioner may, if he is satisfied that the appointee is a suitable person and a resident of this state, issue to him a license as such agent. Such license shall continue in force one year from date of issue, but may be revoked at any time by the insurance commissioner for good cause, after a hearing.

**Sec. 36. Agent shall exhibit license when requested by public officer.** 1915, c. 270, § 4. Every agent shall, upon demand, exhibit his license to any mayor, selectman, sheriff or his deputy, constable or police officer, and to any person to whom he sells or offers to sell lightning-rods, and shall furnish a copy of sections thirty-three to thirty-eight, both inclusive, to every person to whom he sells such lightning-rods. If he neglects or refuses to do so, he shall be liable to the penalty provided by the following section for acting as such agent without a license.

**Sec. 37. Penalty for selling without license; license not transferable.** 1915, c. 270, § 5. Whoever sells or offers for sale such lightning-rods or other material, without being licensed as provided by section thirty-four or section thirty-five, shall be punished by a fine of not more than two hun-

## CHAP. 44

dred dollars, or by imprisonment for six months for each offense. The licenses provided for by sections thirty-four and thirty-five are valid for only one person, firm or corporation, and are not transferable.

**Sec. 38. Holder of guarantee agreement may bring suit on bond.** 1915, c. 270, § 6. The holder of any guarantee agreement issued under the provisions of section thirty-four may bring suit in the name of the insurance commissioner upon the bond provided by said section, and have the same procedure and remedies thereon as in the case of official bonds of sheriffs, but the amount of damages need not be first ascertained. Whenever legal process against such manufacturer is served upon the commissioner, he shall take such action as is provided in the case of the service of legal process against foreign insurance companies.

See c. 85, §§ 14-18.

## Sale of Firearms.

**Sec. 39. Record shall be kept of all firearms sold; penalty for not keeping record, or for giving false name to dealer.** 1913, c. 133. No dealer shall sell, let, or loan any firearm to any person without first recording in a book kept for the purpose, the name or make, calibre and number, if any, of said firearm, also the name and address of the purchaser or recipient of said firearm. Said record shall be made before said firearm is delivered, and shall be open to the inspection of any sheriff, deputy sheriff, police officer, constable, game warden, or prosecuting attorney. Any dealer who fails to keep such record or refuses to show the same to any officer named above, shall be punished by a fine not exceeding fifty dollars. Whoever gives a false or fictitious name to said dealer shall be punished by a fine not exceeding fifty dollars. This section shall not apply to wholesalers, who sell only to other dealers, or to manufacturers who sell only at wholesale.

**Note.** Sale or use of firearms fitted with device to deaden sound prohibited, c. 33, § 80.

## Assayers of Ores and Metals.

**Sec. 40. Assayers, their appointment, duty and compensation.** R. S. c. 40, § 1. The governor, with the advice and consent of the council, may appoint one or more suitable persons to be assayers, who shall assay such ores, metals and other substances, requiring chemical analysis, as are offered for that purpose, and shall give a certificate thereof; they shall receive a reasonable compensation from their employers.

See Const. of Me. Art. ix, § 1.

## Maine Mining Bureau.

**Sec. 41. Organization.** R. S. c. 40, § 59. The land agent, the commissioner of agriculture and the commissioner of labor and industry are constituted a mining board to be known as the Maine Mining Bureau. They shall organize by electing from their number a president and a secretary.

**Sec. 42. Duty of bureau.** R. S. c. 40, § 60. Said bureau shall collect reliable information concerning the deposits of all precious and useful minerals and other valuable subterranean productions in the state that are supposed to exist in quantities sufficient to justify the development of such properties.

**Sec. 43. Metallurgical cabinet shall be established. R. S. c. 40, § 61.** It shall establish a metallurgical cabinet of exhibit of the state in such room in the state house, as the superintendent of public buildings may direct, and in such cabinet they shall properly arrange samples and specimens of ores, valuable rocks and metals of the state collected by them, for the safe keeping and preservation of same.

**Sec. 44. Report. R. S. c. 40, § 62.** It shall biennially issue a pamphlet containing such reliable information concerning the mineral resources of the state as it has collected, and shall distribute at least one thousand copies of such pamphlet among the business men and capitalists of other states.

---

## CHAPTER 45.

### Sea and Shore Fisheries.

- Sections 1- 4 Department of Sea and Shore Fisheries.
- Sections 5-16 Inspection of Fish.
- Sections 17-47 Regulation of Lobster Industry.
- Sections 48-49 Regulation of Packing Fish.
- Sections 50-52 Fish Culture and Development of Fishing Industry.
- Sections 53-67 Regulation of Shell-Fish Industry.
- Sections 68-83 Use of Seines, Weirs, Nets and Artificial Flies.
- Sections 84-93 General Provisions.

#### Department of Sea and Shore Fisheries.

**Sec. 1. Commissioner of sea and shore fisheries, appointment, term, duties, report; record of prosecutions. R. S. c. 41, § 1. 1905, c. 16, § 1. 1913, c. 131.** The governor, with the advice and consent of the council, shall appoint a commissioner who shall have general supervision of the sea and shore fisheries and shell-fish regulated by this chapter and shall hold his office for three years and until his successor is appointed and qualified. He shall exercise supervision over all the fisheries and their products taken from tide-waters within the state, including the proper enforcement of all laws relating to the catching, packing, curing, manufacturing, branding and transportation of all kinds of pickled, salt, smoked, fresh, canned, or frozen shell or other fish. He shall make a detailed biennial report in the month of December, showing the amount of capital invested in, number of men employed in, value of products of, and any other information that he may be able to obtain relating to the sea and shore fisheries, excepting the sardine fishery, concerning which no statement or estimate of the number of cases packed shall be made. He shall keep a record of all prosecutions for violations of this chapter; the names of persons or firms prosecuted, the fines imposed and collected in each case, and the final disposition of the same, and submit the same in his report to the governor.