

penalty of forfeiting such sum as the inferior court of common pleas of the county, where the same shall be wanted, shall, upon complaint to them made, determine and adjudge to be sufficient to make or repair such wharf or convenient landing ; which forfeiture shall, by order of the said court, be appropriated and laid out for that purpose.

An act to authorize land improvement companies having authority to purchase and enjoy a ferry or ferries, to sell and transfer their franchise or franchises of operating a ferry or ferries and the property connected therewith.

Approved March 22, 1888.

P. L. 1888, p. 198.

12. SEC. 1. That any corporation organized under any law of this state for the purpose of laying out and improving such lands as it is authorized to own or purchase, and having power under its act of incorporation or any supplement thereto, to purchase and enjoy ferry rights, shall have power whenever the directors of such company deem it advisable to separate such ferry rights from the other property and franchise of such company, to sell and transfer its franchise of owning, operating and enjoying a ferry or ferries and all its property, real and personal, connected therewith or appurtenant thereto, to any other corporation organized or to be organized under the laws of this state, authorized by law to transact the business of transporting goods, merchandise or passengers by water, at such price and upon such terms as may be agreed upon by and between the directors of said two corporations, and to receive payment therefor either in money, property or in the capital stock of such purchasing corporation ; and after such sale and transfer it shall be lawful for the corporation purchasing such franchise or franchises and the property connected therewith or appurtenant thereto, to possess and enjoy the same as fully in all respects as the corporation selling the same by its charter or any supplement thereto is authorized to enjoy such rights and franchises ; *provided, however,* that this act shall not apply to any corporation unless such corporation shall first and as a condition precedent to the exercise of any power granted by this act, file in the office of the secretary of state an agreement, to be approved by the governor and attorney-general, waiving all rights of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law of this state now in existence or that may hereafter be passed, taxing such corporations as are now authorized to be taxed by the legislature of the state under any general law, and further agreeing that the exercise of any power granted by this act shall not in any way affect the rights of the state, if any there exist, to take the property of such corporation under any existing law of the state, and agreeing further that all laws affecting such corporations shall be subject to alteration or repeal by the legislature.

Corporations running and enjoying ferry rights may sell franchise for operating ferries.

Proviso.

Fertilizers.

1. Fertilizers offered for sale shall be accompanied with analysis.
2. Who shall inspect fertilizers, and his duties.
3. Dealers may obtain analysis from inspector.
4. Fee for making certificate of analysis.
5. Penalty for selling without analysis.
6. Penalty, how sued for.
7. Amended by section 8.
8. Penalty for selling commercial fertilizer without analysis.

An act to regulate the manufacture and sale of fertilizers.

Approved March 24, 1874.

P. L. 1874, p. 90.

1. That every commercial fertilizer which shall be offered for sale in this state shall be accompanied by an analysis, stating the percentage therein of ammonia or its equivalent of nitrogen of potash, in any form or combination, soluble in distilled water ; and of phosphoric acid in any form or combination ; the portion of phosphoric acid soluble in distilled

Fertilizers offered for sale shall be accompanied with analysis.

water ; that portion soluble in a neutral solution of citrate of ammonia at a temperature not exceeding one hundred degrees Fahrenheit ; and that portion of phosphoric acid not soluble in either of the above-named fluids, shall each be determined separately ; and the material from which the phosphoric acid is obtained shall also be stated ; a legible statement of such analysis shall accompany all packages or lots of over one hundred pounds, sold, offered or exposed for sale.

Who shall inspect fertilizers, and his duties.

2. That the chemist of the state board of agriculture shall be the inspector of fertilizers ; it shall be his duty to analyze one or more samples of every kind of commercial fertilizers coming within the provisions of this act, which may be offered for sale within this state, and of which he shall be informed.

Dealers may obtain analysis from inspector of fertilizers.

3. That manufacturers, dealers, and all persons interested may obtain an analysis by notifying the chemist of the state board of agriculture, upon which notification he shall be authorized to analyze at his discretion, samples selected by himself, and to furnish certified copies of such analysis to the persons on whose application they were made ; and it shall also be his duty to report all such analyses to the state board of agriculture.

Fee for making certificate of analysis.

4. That the chemist of the state board of agriculture shall receive for each certificate of analysis made by him, a sum not to exceed fifteen dollars, to be paid by the person or persons applying therefor.

Penalty for selling without analysis or with a fraudulent one.

5. That any person selling, offering or exposing for sale any commercial fertilizer without the analysis required by the first section of this act, or with an analysis stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, shall forfeit fifty dollars for the first offense, and one hundred dollars for each subsequent offense.

Supplement.

Approved March 31, 1875.

P. L. 1875, p. 47.

Penalty may be sued for and recovered in an action of debt in any court of competent jurisdiction.

6. SEC. 1. That the penalty or penalties prescribed in section five of that act, may be sued for and recovered, in an action of debt, in any court of competent jurisdiction in this state, in the name of any person who will sue for the same, one-half thereof for his own use and the other half to be paid to the county superintendent of public schools of the county in which such suit or suits shall be brought, for the use of the public schools in their county.

Supplement.

Approved March 27, 1878.

P. L. 1878, p. 190.

7. SEC. 1. [Amended by Sec. 8, *post.*]

A supplement to an act entitled "A supplement to an act entitled 'An act to regulate the manufacture and sale of fertilizers,'" approved March twenty-seventh, one thousand eight hundred and seventy-eight.

P. L. 1878, p. 281.

Approved March 14, 1879.

8. SEC. 1. That the amendment contained in the first section of the act to which this is a supplement, which amendment now reads as follows [see P. L. 1878, p. 190], be and the same is hereby amended so as to read as follows :

Penalty for selling commercial fertilizer without analysis.

[That any person selling, offering or exposing for sale any commercial fertilizer without any analysis, required by the first section of this act or the act to which this act is a supplement, or with an analysis stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, shall forfeit fifty dollars for the first offense and one hundred dollars for each subsequent offense, to any person who shall hereafter purchase the same for his own use or benefit and will sue for the same and also the costs of said suit ; *provided further*, that the provisions of this section, or the act to which this act is a supplement, shall not apply to any manure sold at a price not exceeding one-half a cent per pound, or to any special contract made between the buyer and seller.]

Proviso.