

1904, art. 43, sec. 137. 1904, ch. 653, sec. 51 c.

162. Every person, firm or corporate body who shall violate any of the provisions of sections 160 and 161 shall, for every offense, forfeit and pay not less than five dollars nor more than one hundred dollars, which shall be recoverable, with costs, including expense of inspection and analysis, by any person suing in the name of the State, as debts of like amount are by law recoverable; provided, that the state board of health or other health authority, through its executive officers, together with its deputies, agents and assistants, shall be charged with the enforcement of sections 160 and 161, and shall have full access to all places of business, factories, mills, buildings, carriages, cars, vessels, barrels, tanks and packages of whatever kind used in the manufacture and transportation and sale of any vinegar or any adulteration or imitation thereof, or any package in which vinegar is mixed with articles of food. They shall also have power and authority to open any package, barrel or vessel containing any vinegar or any adulteration or imitation thereof which may be manufactured, sold or exposed for sale, and they shall also have full power and authority to take samples therefrom for analysis upon tendering the value of said samples; and all charges, accounts and expenses of the department for the enforcement of sections 160 and 161 through the said executive officer or officers and his or their deputies, agents, assistants, chemist and counsel employed by him or them in carrying out said provisions shall be paid by the treasurer of the State in the same manner as other accounts and expenses of the department are paid; and all penalties and costs for the violation thereof shall be paid to the secretary of the state board of health, and by him immediately covered into the state treasury.

Ibid. sec. 138. 1904, ch. 653, sec. 51 d.

163. Every person who violates any of the provisions of sections 160 and 161 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars nor more than one hundred dollars; provided, that all fines and costs, including the expense of inspection and analysis imposed under this section shall be covered into the state treasury, and all vinegar sold or offered for sale in violation thereof shall be subject to forfeiture and spoliation.

Ibid. sec. 139. 1904, ch. 653, sec. 51 e.

164. Magistrates and justices of the peace throughout the State shall have jurisdiction to hear and determine actions arising for violations of these provisions, and to hold for court or impose the penalties provided therein, subject to appeal, as the law shall direct.

Ibid. sec. 140. 1904, ch. 653, sec. 51 f.

165. The sum of five hundred dollars is appropriated to carry out the foregoing provisions. The money so appropriated shall be paid by the treasurer of the State upon the warrant of the comptroller, to the state board of health for the purposes herein contemplated.