

## **GALVANIZED WIRE FENCE**

### **Act 227 of 1915**

AN ACT to provide a standard test and gauge of galvanized wire fence within this state, to provide for the grading of such fence according to such test and gauge, to regulate the use of tags or labels in connection with the sale of such fence within this state, and to provide a penalty for the violation of this act.

**History:** 1915, Act 227, Eff. Jan. 1, 1916.

*The People of the State of Michigan enact:*

#### **290.351 Galvanized wire fence; standard test gauge.**

Sec. 1. The Washburn and Moen gauge is hereby declared to be the standard gauge for testing galvanized wire fence within this state.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2231;—CL 1929, 1089;—CL 1948, 290.351.

#### **290.352 Galvanized wire fence; galvanizing test.**

Sec. 2. The following test as to quality of galvanizing is hereby declared to be the standard test of the galvanizing of such fence within this state. The wire shall be thoroughly cleansed with a solution of soap, using a soft cloth or cotton waste. It shall then be immersed in a solution of copper sulphate neutralized with copper oxide and filtered, of a density of 1.186 at 65 degrees Fahrenheit. It shall be kept in this solution at a temperature of from 60 to 70 degrees Fahrenheit for 1 minute, then immersed in clear water and afterward wiped dry. After such immersion and drying, if the wire does not show a deposit of copper indicating that some portion of the zinc coating is entirely removed, it shall be considered as "1 minute wire" as hereinafter mentioned. This test shall be immediately repeated and the wire shall be graded according to the number of immersions it may be able to stand without showing a deposit of copper, and such grades shall be designated as "1 minute," "2 minute," "3 minute," "4 minute," etc. wire, in accordance with the number of minutes during which such wire respectively stood such test without showing a deposit of copper: Provided, however, That all tests shall be made on straight sections of stay or line wire and not on locks, wraps or winds of such fence.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2232;—CL 1929, 1090;—CL 1948, 290.352.

#### **290.353 Galvanized wire fence; standard grades.**

Sec. 3. The different grades of galvanized wire fence, as determined by the test provided by section 2 of this act, are hereby declared to be the standard grades of such fence within this state.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2233;—CL 1929, 1091;—CL 1948, 290.353.

#### **290.354 Galvanized wire fence; label.**

Sec. 4. Any manufacturer or dealer manufacturing or selling galvanized wire fence, whether such fence is manufactured within or without this state, shall, after complying with the provisions of this act, be permitted to attach to each and every bundle of such fence the tag or label prescribed by section 6 of this act, showing such fence so tagged or labeled to be of the standard grade and gauge as defined in this act.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2234;—CL 1929, 1092;—CL 1948, 290.354.

#### **290.355 Galvanized wire fence; label, annexing conditions; fee.**

Sec. 5. Before any person shall attach any tag or label specified in section 6 of this act to any galvanized wire fence to be sold or offered for sale within this state, he shall file with the secretary of the state board of agriculture a certified copy of each variety of tag or label proposed to be attached to such fence, and shall also deposit annually with the secretary not less than 10 feet of wire of each grade and gauge to be used in the manufacturing of any fence which is to be offered for sale in this state, and at the same time shall pay to the secretary of the state board of agriculture a fee of 10 dollars for each gauge of wire so deposited.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2235;—CL 1929, 1093;—CL 1948, 290.355.

#### **290.356 Galvanized wire fence; test, board of agriculture; permit; label contents.**

Sec. 6. It shall be the duty of the state board of agriculture to test all samples of galvanized wire fence submitted to them for that purpose and to determine whether such fence is of the standard gauge and grades provided in this act. If they shall find such fence to be of such standard gauge and grades, they shall issue to the manufacturer or dealer applying therefor a certificate good for 1 year from the date thereof, permitting such manufacturer or dealer manufacturing or selling such galvanized wire fence, to attach to each and every bundle of such fence of the same gauge and grades so tested, a tag or label bearing the following statements:

1. Name and address of manufacturer or dealer;
2. Date of expiration of certificate;
3. Date of manufacture of such fence;
4. Galvanizing test,—Whether “1 minute,” “2 minute,” “3 minute”;
5. Gauge of top wire;
6. Gauge of bottom wire;
7. Gauge of line wire;
8. Gauge of stay wire.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2236;—CL 1929, 1094;—CL 1948, 290.356.

#### **290.357 Galvanized wire fence; unlawful sales, penalty; civil liability.**

Sec. 7. Any person who shall sell or offer for sale any galvanized wire fence tagged or labeled with the tag or label prescribed in section 6 of this act without having the same tested as prescribed in this act and without paying the required fee and procuring the certificate provided for by this act, or which is found to be of an inferior grade or gauge to that specified on such tag or label, when submitted to the test provided for in section 8 of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than 100 dollars for each offense, or by imprisonment in the county jail or house of correction for a period not exceeding 6 months or by both such fine and imprisonment in the discretion of the court, and in addition to such fine and imprisonment, such convicted person shall be liable for all damages sustained by the purchaser on account of such misrepresentation. The state board of agriculture shall have authority to institute prosecutions through the proper officers for all violations of this act: Provided, That an average maximum variation of .003 of an inch will be permitted in the gauge of such wire of which the fence is composed.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2237;—CL 1929, 1095;—CL 1948, 290.357.

#### **290.358 Galvanized wire fence; taking samples; tests.**

Sec. 8. The state board of agriculture, by any duly authorized agent, may take from any bundle of galvanized wire fence so tagged and labeled and which is being offered for sale in this state, a sample of such fence not exceeding 12 inches in length, the same to be measured along the length of the fencing and comprise the whole width thereof, such sample to be kept by said state board of agriculture and tested for the purpose of ascertaining whether the manufacturer or dealer has complied with the terms of this act: Provided, That in making all tests or measurements for the purpose of ascertaining whether or not such fence is inferior grade or gauge to that specified on the tags or labels thereof, the state board of agriculture, by its duly authorized agent or agents, shall select 5 separate samples of such fence from 5 separate bundles thereof, and if, after applying the standard gauge and test prescribed by this act, 3 or more of such samples shall not equal the gauge and grade indicated on such tags or labels, then such fence from which the 5 samples were taken shall be deemed to be of inferior gauge or grade as the case may be.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2238;—CL 1929, 1096;—CL 1948, 290.358.

#### **290.359 Tests, accounts, publication; expenses; unexpended balance.**

Sec. 9. The secretary of the state board of agriculture shall publish in his annual report a correct statement of all tests made under this act, together with a statement of all moneys received from fees and the amount of the same expended in making such tests. All expenses incurred by said board under the provisions of this act shall be paid from the funds arising from the fees provided in section 5 of this act, and any surplus from the total of such fees remaining on hand at the close of the fiscal year shall be placed to the credit of the experimental funds of the board.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2239;—CL 1929, 1097;—CL 1948, 290.359.

#### **290.360 Effective date.**

Sec. 10. The provisions of this act shall not take effect until January 1, 1916.

**History:** 1915, Act 227, Eff. Jan. 1, 1916;—CL 1915, 2240;—CL 1929, 1098;—CL 1948, 290.360.