

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1844.

AUGUSTA:
WM. R. SMITH & Co., PRINTERS.

1844.

TWENTY-FOURTH LEGISLATURE.

No. 42.]

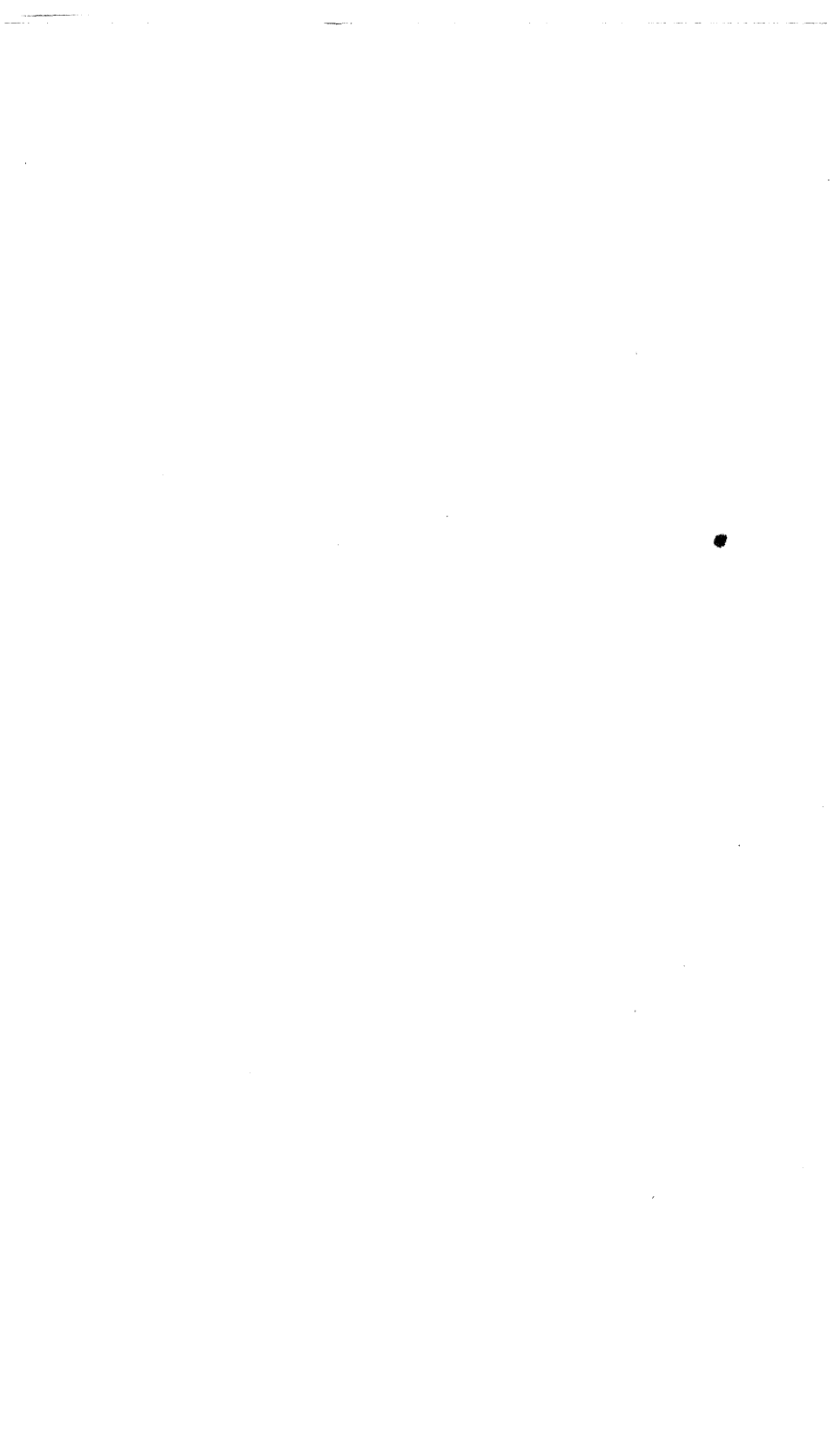
[SENATE.]

AN ACT ADDITIONAL

TO CHAPTER THIRTY-SIX OF

THE REVISED STATUTES.

[WM. R. SMITH & Co....Printers.]



STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FORTY-FOUR.

AN ACT additional to the thirty-sixth chapter of the
Revised Statutes.

*Be it enacted by the Senate and House of Represen-
tatives in Legislature assembled—as follows :*

SECTION 1. Any person, who shall be a common
victualer, innholder, or seller of wine, brandy, rum,
or any strong, or intoxicating, or mixed liquors, part
of which is spiritous, by retail or in a less quantity
than twenty-eight gallons and that delivered and car-
ried away all at one time, except such person be duly
licensed, and have given bond therefor, pursuant to the
provisions of the chapter to which this is additional,
shall be punished by imprisonment in the county jail
not less than three nor more than twelve months.

SEC. 2. If any person, not being licensed and under
bonds as aforesaid, shall at any time sell any spiritous
or intoxicating liquors, or any mixed liquors, part of
which is spiritous, by retail as aforesaid ; he shall upon
conviction thereof before any justice of the peace, or
judge of any municipal or police court, be punished

7 by imprisonment in the house of correction or the
8 county jail two months for each offence.

SEC. 3. Any justice of the peace or judge of any
2 municipal or police court, within the county where
3 the offence may be committed, shall have original
4 and exclusive jurisdiction over the offences mentioned
5 in the second section of this act; and may also com-
6 mit or bind over for trial to the court having jurisdic-
7 tion thereof, all persons who shall violate the provis-
8 ions of the first section of this act.

SEC. 4. Any person, convicted before any justice
2 of the peace or judge of any municipal or police
3 court, of violating the provisions of this act, who shall
4 appeal from such decision, or any person, who shall
5 be bound over as provided for in the preceding sec-
6 tion, shall, in addition to the present requirements of
7 law, also recognize to the State with two good and
8 responsible sureties in a sum of not less than two
9 hundred, nor more than five hundred dollars, that he
10 will not during the pendency of said complaint violate
11 any of the provisions of this act, or the chapter to
12 which this is additional, nor suffer the same to be
13 done on his premises; in default of such recognizance
14 he shall be committed to the common jail in the coun-
15 ty, until the final determination of said complaint.

SEC. 5. For the purpose of sustaining any prosecu-
2 tion under the provisions of this act it shall not be
3 necessary to prove that the defendant was not licensed
4 according to law.

SEC. 6. Nothing in this act shall be construed to
2 affect any action, complaint, or indictment now pend-
3 ing ; but the same shall be prosecuted as if this act
4 had not passed.

SEC. 7. The seventeenth and eighteenth sections
2 of chapter thirty-six of the Revised Statutes, and all
3 acts and parts of acts inconsistent with the provisions
4 of this act, are hereby repealed.

SEC. 8. This act shall take effect and be in force
2 from and after its approval by the Governor.

STATE OF MAINE.

IN SENATE, February 29, 1844.

ORDERED, That 500 copies of the foregoing Bill, be printed for the use of the Legislature.

JERE HASKELL, *Secretary.*

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