

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1849.



Augusta:

WM. T. JOHNSON;.....PRINTER TO THE STATE.

1850.

TWENTY-NINTH LEGISLATURE.

No. 37.]

[HOUSE.

STATE OF MAINE.

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

AN ACT in relation to common sellers of intoxicating
liquors.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. No person, either by himself, clerk,
2 servant or agent shall be a common seller of wine,
3 brandy, rum, gin or any strong or intoxicating liquors,
4 except such person be duly authorized, as provided in
5 chapter two hundred and five of the laws of this state,
6 passed in 1846, on pain of forfeiting not less than
7 fifty nor more than three hundred dollars, or such of-

8 fender, at the discretion of the court, may be punished by imprisonment in the county jail not less than 10 thirty nor more than sixty days.

SEC. 2. Any justice of the peace, on complaint 2 made to him in writing under oath by three persons 3 that they have reason to believe and do believe that 4 intoxicating liquors are sold in violation of law, designating the persons and places, may issue his warrant 6 to any officer, empowered by law to serve the same, 7 commanding him to search the places designated, for 8 such liquors, and the apparatus of selling and other 9 evidences of a violation of the laws in relation to intoxicating liquors; which warrant shall be in the form 11 substantially required by section fifteen of chapter one 12 hundred and seventy of the revised statutes of this 13 state.

SEC. 3. If the officer, on such search, shall find 2 such liquors and other evidences of selling, he shall 3 make return thereof on the warrant and bring the 4 person in whose possession the same are found before 5 the court to which said warrant is returnable; and if 6 said court, is satisfied from the officer's return alone, 7 when not explained, or from that and other evidence 8 in the case, that such person is a common seller, or

9 keeps intoxicating liquors, with intention to sell the
10 same in violation of law, he shall be subject to the
11 penalty and punishment provided in section one of
12 this act.

SEC. 4. All fines and forfeitures provided in this
2 act, may be recovered in the mode provided in chap-
3 ter thirty-six of the revised statutes of this state.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, Aug. 9, 1849.

ORDERED, That 350 copies of the foregoing Bill, (reported by Mr. Tucker of Gardiner, from the joint select committee to which was referred the petition of the Mayor and Aldermen of the City of Portland, praying for an alteration of the law regulating the sale of intoxicating drinks,) be printed for the use of the Legislature.

E. W. FLAGG, *Clerk.*