

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1864.



AUGUSTA:

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1864.

FORTY-THIRD LEGISLATURE.

HOUSE.

No. 1.

REPORT OF STATE LIQUOR COMMISSIONER.

To the Honorable Governor and the Executive Council of Maine :

In compliance with Section four of the law authorizing a Commission for the sale of "pure unadulterated intoxicating liquors," I submit my

SECOND ANNUAL REPORT.

The affairs of the Commission are not materially different from the exhibit made in my report of the preceding year. Sales in cost amount have in some degree diminished, and in quantity they have lessened considerably. This has been occasioned in part, no doubt, by greatly advanced prices, though other causes, by no means favorable to the progress of temperance, have largely contributed to the result.

Agencies in about one hundred cities and towns are now supplied directly from this office, and from these agencies, the citizens and agents in various other towns obtain their supply. In the early part of the year, several agencies were discontinued,—some, where the patronage was small, on account of the expense of a United States license, others, evidently, because the existing municipal boards do not regard a prohibitory or restrictive law with favor. New agencies, however, have been opened in other towns, so that the number in operation has continued about the same.

Very little effort has been made to extend the patronage of the general agency, except through the medium of circulars, and general correspondence, calling the attention of the proper authorities to the subject of appointing agents, and inviting their coöperation

in carrying out the provisions of the law. Nothing, perhaps, has embarrassed the general agency so much as the operations of persons travelling through the principal cities and towns, who represent, or claim to represent, large liquor establishments in other States. By false and libellous representations of the State agency, and by a display of their samples, usually below the standard proof, but skilfully prepared and made to resemble as nearly as possible such as are unadulterated, and offering them at a price below the market value of what are genuine and pure, they too often succeed in obtaining orders, or in effecting sales for agencies ostensibly keeping only pure analyzed liquors. Every such sale is urged as a reason for others to purchase, and is made the means of increasing the sale of these adulterated preparations in every part of the State. In my judgment, the fine in such cases should be increased to a much larger sum and imprisonment added for a second offence.

In some towns where no agents have been appointed, citizens are often subjected to great inconvenience on account of the omission. They must travel quite a distance to an agency in a neighboring town in order to find an article known to be pure; and in many instances they are constrained to patronize the common seller, and thereby encourage the illegal traffic. In an adjoining State, a fine is imposed if an agent is not appointed, and as a consequence, an agency is established in nearly every town. If the law in this State was so amended as to impose a fine in cases of neglect to appoint an agent in a city or town having a given number of inhabitants, the benefits would be decidedly important.

The prevalent use of strong beer and other malt liquors has become an alarming evil, and there is unquestionably a strong and growing sentiment in favor of having them classed, by a legislative act, with other intoxicating drinks.

The extensive issue of licenses in this State under the United States law, to sell intoxicating liquors, is an occasion of deep regret. A seemingly plausible though fallacious claim is set up of having the sanction of the supreme law of the land in carrying on a business distinctly prohibited by State enactment, and fraught with evils no fancy can portray. The fact is well supported, that wherever the sale of intoxicating liquors, as a beverage, is extended, intemperance invariably increases. That the sale has been greatly extended by the grant of these licenses, no one can doubt,

who has given attention to the subject. But it is now more generally known that a license, if obtained, gives no authority in States where prohibition exists, except in cases specially provided for by the laws thereof. Hence it is the opinion of distinguished jurists that these licenses should be withheld to the extent of the prohibition, and efforts are being made for the issue of an order to that effect. In Massachusetts, cases of prosecution for a violation of the State liquor law, which have come before the Supreme Court of that Commonwealth, when a defence has been made on the ground of having a license under the United States law, have in every instance been given against the defendant.

As a medium of supply for the city and town agencies with pure analyzed liquors, the State agency has very generally, it is judged, the confidence and approbation of those by whom it has been patronized; and our system of agencies now established, in its adaptation to meet what, by a large class of citizens is held to be a necessity in medicine, the mechanic arts and manufacturing interests, is doubtless the best that experience and observation are able to suggest, and with present public sentiment, must be considered indispensable to the maintenance of general prohibition.

The law obviously needs a few other slight amendments in addition to those already named, and at a favorable time will probably be brought to the consideration of our Legislature. And then by a faithful administration of the law, the community would soon be largely relieved of the accumulated evils which the illegal traffic and consequent intemperance have brought upon it.

Subjoined will be found an account of sales for the year ending Nov. 30, 1863, and by permission, a statement of amount of sales made in this State during the same period by the Commissioner of Massachusetts, Hon. E. T. Porter, is also added.

Very respectfully yours,

EATON SHAW, *Commissioner.*

PORTLAND, Dec. 28, 1862.

Statement of Sales to Cities and Towns for year ending November 30, 1863.

Town of Abbot,	\$ 31 96	Town of Lisbon,	\$320 06
Albion,	357 04	Livermore,	263 94
Andover,	235 09	Monmouth,	394 98
Auburn,	807 22	Mercer,	88 51
Athens,	526 06	Monhegan pl.,	14 70
City of Bath,	1,252 58	Milton pl.,	28 20
Town of Belgrade,	209 14	Town of Millbridge,	149 62
City of Biddeford,	43 72	Minot,	446 90
Town of Bethel,	466 16	Mt. Vernon,	147 76
City of Belfast,	397 59	New Sharon,	593 51
Town of Bowdoin,	425 46	Nobleboro',	93 86
Bowdoinham,	576 48	Norway,	861 86
Brunswick,	1,140 97	Norridgewock,	367 43
Buckfield,	817 93	North Berwick,	336 44
Bucksport,	221 83	Oxford,	192 73
Canton,	251 62	Palmyra,	365 69
Canaan,	36 75	Paris,	379 77
China,	425 19	Phillips,	897 18
Chesterville,	215 54	Plymouth,	226 28
Clinton,	194 63	Pittsfield,	112 48
Cornish,	374 64	City of Portland,	660 02
Cornville,	126 32	Town of Readfield,	527 11
Cumberland,	7 32	Rome,	298 47
Danville,	660 39	City of Rockland,	127 28
Dexter,	368 77	Town of Richmond,	902 17
Dover,	273 89	Rumford,	495 20
Eastport,	346 22	Salem,	225 77
East Livermore,	349 26	Saco,	814 03
Fayette,	123 39	Skowhegan,	1,102 75
Farmington,	819 87	Smithfield,	416 11
Fort Fairfield,	310 48	Solon,	176 63
Freeport,	242 07	Somerville,	91 75
Fryeburg,	104 57	St. Albans,	195 62
City of Gardiner,	652 33	Strong,	207 55
Town of Greenwood,	414 96	Sumner,	223 77
Gorham,	232 52	Topsham,	124 91
Greene,	206 69	Turner,	334 27
Hiram,	6 31	Union,	45 42
City of Hallowell,	301 03	Vassalboro',	48 74
Town of Harmony,	401 68	Vienna,	468 43
Hebron,	192 11	Wales,	43 65
Jefferson,	117 68	Waterville,	1,020 62
Kennebunk,	688 36	Wayne,	391 60
Kennebunkport,	229 53	Weld,	408 80
Lee,	591 73	Webster,	341 76
Leeds,	353 46	Wilton,	728 70
Lincoln,	446 09	Wiscasset,	774 80
Litchfield,	305 05	Woodstock,	181 37

Amount of sales, including commissions, \$35,538 88

Amount of commissions, \$1,894 62

Amount of sales in this State by Commissioner of Massachusetts, 8,802 47

Total amount of sales to city and town agencies, \$44,341 35

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 13, 1864. }

Ordered, That the Committee to whom was referred the Report of the State Liquor Commissioner, be directed to order the usual number of copies of so much of said report printed as they may think proper.

Read and passed Sent up for concurrence.

HORACE STILSON, *Clerk*.

IN SENATE, January 14.—Concurred.

EZRA C. BRETT, *Secretary*.

IN HOUSE OF REPRESENTATIVES, }
January 20, 1864. }

The Committee to whom was referred the Liquor Commissioner's Report, hereby order the printing of three hundred and fifty copies of the Preamble to said Report, together with the name of each town and the gross amount furnished the same.

JOSIAH MERROW, }
JOSEPH W. PARKER, } *Committee*.