

# MAINE STATE LEGISLATURE

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New Draft of: H. P. 816, L. D. 1131

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Legislative Document

No. 1562

H. P. 1135

House of Representatives, April 25, 1961

Reported by Mr. Rust from the Committee on Judiciary. Printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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**AN ACT Relating to Search and Seizure of Vehicles Containing Liquor.**

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Be it enacted by the People of the State of Maine, as follows:

**R. S., c. 61, § 82, repealed and replaced.** Section 82 of chapter 61 of the Revised Statutes is repealed and the following enacted in place thereof:

'Sec. 82. Seizure and forfeiture of vehicles containing intoxicating liquor. All automobiles, trucks, wagons, aircraft, boats or vessels, and vehicles of every kind, not common carriers, containing intoxicating liquors intended for illegal sale shall be seized by any officers seizing the intoxicating liquors transported therein, and the said intoxicating liquors shall be libeled as provided for in section 85. In all cases where an officer may seize intoxicating liquors which are transported for illegal sale he may seize within a period of 30 days of such transportation, with a warrant upon a sworn complaint issued by a judge of a municipal court or trial justice upon complaint, said automobile, truck, wagon, aircraft, boat or vessel or vehicle of every kind, not common carrier, which have been so used to transport intoxicating liquors intended for illegal sale. Said automobile, truck, wagon, aircraft, boat or vessel and vehicle of every kind shall be libeled in the same manner as intoxicating liquors as provided in section 85 and disposed of in the same manner as intoxicating liquors as provided for in section 86. Provided however that the provisions of this section shall not interfere with the rights of a bona fide purchaser, or holder of a bona fide lien who has acquired such status between the time of such illegal transportation and such seizure under the terms of this section and provided further that the provision of this section is subject to the rights of persons not in possession or control of such automobile, truck, wagon, aircraft, boat or vessel or vehicle of every kind as provided by section 83.'