

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# FORTY-NINTH LEGISLATURE.

---

SENATE.

No. 43.

---

---

## STATE OF MAINE.

---

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

---

---

AN ACT additional to chapter thirty-three of the public laws of eighteen hundred and fifty-eight, relating to the sale of intoxicating liquors.

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

SECTION 1. Only one person shall be required to  
2 make, sign and swear to a complaint for a warrant of  
3 search and seizure, instead of three as now provided  
4 in section fourteen of chapter thirty-three of the public  
5 laws of eighteen hundred and fifty-eight.

SECT. 2. In all cases, where now by any of the pro-  
2 visions of said chapter, or any acts additional thereto  
3 or amendatory thereof, an officer is authorized to seize  
4 intoxicating liquors or the vessels containing them by

5 virtue of a warrant therefor, he may seize the same  
6 without a warrant, and keep them in some safe place  
7 for a reasonable time until he can procure such war-  
8 rant.

SECT. 3. The court or magistrate trying any case of  
2 intoxicating liquors seized under said chapter or acts  
3 additional thereto or amendatory thereof, shall, when  
4 such liquors are decreed to be forfeited, order them to  
5 be destroyed in all cases by the officer serving the  
6 process on which they were so forfeited, and he shall  
7 make return accordingly to such court or magistrate.

SECT. 4. If any municipal officer of any city, town  
2 or plantation, after being furnished with a written no-  
3 tice of a violation of any provisions of said chapter or  
4 acts additional thereto or amendatory thereof, signed  
5 by two persons competent to be witnesses in civil suits,  
6 and containing the names and residences of the wit-  
7 nesses to prove such offence, wilfully neglects or refuses  
8 to institute proceedings therefor, he shall be liable to  
9 a fine of not less than twenty nor more than fifty dol-  
10 lars, to be recovered by indictment.

SECT. 5. When a person has been found guilty, in  
2 the supreme court, for a violation of any of the pro-  
3 visions of said chapter and acts additional thereto or  
4 amendatory thereof, the county attorney shall have  
5 him sentenced at the same term, unless for reasons

6 satisfactory to the court, the case may be continued  
7 for sentence one term, but no longer.

SECT. 6. Section three of chapter one hundred and  
2 thirty of the public laws of eighteen hundred and  
3 sixty-two, is amended, so as to read as follows :

4 *Sect. 3.* If any municipal officer or officers shall  
5 purchase any intoxicating liquors to be sold according  
6 to the provision of the laws of this state, of any other  
7 person or persons, except those specified in the second  
8 section of this act, or if he or they, or any person or  
9 persons in his or their employ, or by his or their direc-  
10 tion, shall sell or offer for sale any such liquors that have  
11 been decreed to be forfeited under chapter thirty-three  
12 of the public laws of eighteen hundred and fifty-eight  
13 or any acts additional thereto, or amendatory thereof,  
14 or shall adulterate or cause to be adulterated any  
15 intoxicating, spirituous, or malt liquors which he or  
16 they may keep for sale under this act, by mixing with  
17 the same any coloring matter, or any drug or ingre-  
18 dient whatever, or shall mix the same with other  
19 liquors of a different kind or quality, or with water,  
20 or shall sell or expose for sale such liquors so adul-  
21 terated, knowing it to be such, he or they shall forfeit  
22 for such offence to the town, city, or plantation to  
23 which he or they may belong, and for the use of said  
24 city, town, or plantation, a sum not less than twenty

25 nor more than one hundred dollars, to be recovered by  
26 indictment.

SECT. 7. All acts and parts of acts inconsistent  
2 with this act are repealed ; and nothing herein, except  
3 section five, shall affect any cases pending or offences  
4 already committed, or acts already done.

---

## STATE OF MAINE.

---

IN SENATE, February 28, 1870.

Reported from the Joint Select Committee on so much of the  
Governor's Message as relates to the Subject of Temperance, and  
printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*