

MAINE STATE LEGISLATURE

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FORTY-NINTH LEGISLATURE.

SENATE.

No. 48.

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 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 warrant.

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 any officer competent to
6 serve the process on which they were so forfeited, and
7 he shall make return accordingly to such court or
8 magistrate.

SECT. 4. If any municipal officer of any city, town
2 or plantation, after being furnished with a written
3 notice of a violation of any provisions of said chapter
4 or 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
8 refuses to institute proceedings therefor, he shall be
9 liable to a fine of not less than twenty nor more than
10 fifty dollars to be recovered by indictment. The oath
11 required of any such officer to the complaint may be
12 in substance, that from a written notice signed by two
13 persons competent to be witnesses in civil suits he
14 believes the complaint by him signed to be true.

SECT. 5. When a person has been found guilty, in
2 the supreme judicial court, for a violation of any of the

3 provisions of said chapter and acts additional thereto
4 or 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 for
7 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
11 have been decreed to be forfeited under chapter thirty-
12 three of the public laws of eighteen hundred fifty-
13 eight, or any acts additional thereto or amendatory
14 thereof, or shall adulterate or cause to be adulterated
15 any intoxicating, spirituous, or malt liquors which he
16 or they may keep for sale under this act, by mixing
17 with the same any coloring matter, or any drug or in-
18 gredient whatever, or shall mix the same with other
19 liquors of a different kind or quality, or with water, or
20 shall sell or expose for sale such liquors so adulterated,
21 knowing it to be such, he or they shall forfeit for such

22 offence to the town, city, or plantation to which he or
23 they may belong, and for the use of said city, town,
24 or plantation, a sum not less than twenty nor more
25 than one hundred dollars, to be recovered by indict-
26 ment.

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2 this act are repealed; and nothing herein, except sec-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

STATE OF MAINE.

IN SENATE, March 3, 1870.

Read twice, amended as per sheets "A" and "B," and on mo-
tion of Mr. LANG, laid on the table and ordered to be printed as
amended.

SAMUEL W. LANE, *Secretary.*