

MAINE STATE LEGISLATURE

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FIFTY-EIGHTH LEGISLATURE.

HOUSE.

No. 99.

The Committee on Temperance have listened to the able and exhaustive arguments presented on both sides of the matter in hearing, and the minority of said Committee respectfully present their views in dissent from the report of the majority.

The law regulating the sale of intoxicating liquors, commonly known as the prohibitory liquor law, has had a trial of more than a quarter of a century. Frequent amendments have been made to that law for the purpose of more effectually suppressing the traffic in intoxicating liquors. A person now found guilty of violating that law is subject to no less than five different punishments. A landlord is subject to prosecution for the sale of liquor on his premises. Its severity has no parallel in the laws of any other civilized country. Although enforced with all the power of the State, court records, especially those of large towns and cities, show that the number of prosecutions and convictions is increasing, at great expense to tax-payers. Country towns pay their share for the enforcement of this law in cities without corresponding benefit to them.

The cost of its execution is a burden upon an over-taxed people. A detailed statement, which is hereto annexed, shows the cost for officers to enforce the law in one county alone. From June 1, 1877, to June 1, 1878, this cost for enforcing the liquor law in Cumberland county, was in round numbers, nearly eight thousand dollars, two deputy sheriffs receiving about fifty-one hundred dollars of that amount.

If we add to this amount the amount of subpoenas for witnesses to attend the grand jury, the expense of serving the same, the fees for travel and attendance of witnesses, the prolonged session of court rendered necessary thereby, with its attendant expenses, the cost of witnesses and the expenses of trying parties indicted, their conviction and the expense of their support in jail, it reaches the sum of at least \$28,000 for Cumberland county alone. By the same rule of proportion applied to the population of the State, the amount paid by counties for the enforcement of this law alone would reach the enormous sum of \$220,000.00 annually.

Special deputies. Cost of enforcing the liquor law in Cumberland county, from June 1, 1877, to June 1, 1878:

NAME.	Per diem, \$2.00.	As officer in Municipal Court.	As witness in Municipal Court.	As officer in Superior Court.	As witness in Superior Court.	Mittimus to jail.
Orin Ring	\$679 50	\$1,591 38	\$26 04	\$472 44	\$86 32	\$28 55
E. R. Libby	654 00	1,100 13	16 74	428 60	45 38	20 57
S. T. Chase	730 00	163 11	24 80	70 44	34 18	-
Jabez Marriner	730 00	44 38	13 02	117 76	31 74	-
E. H. Watson	107 00	209 14	3 72	123 77	-	-
	\$2,990 60	\$3,108 14	\$84 32	\$1,213 07	\$197 63	\$49 12

RECAPITULATION.

Orin Ring	\$2,884 23	\$2,990 60	Per diem.
F. B. Libby	2,265 48	3,108 14	Officer in Municipal Court.
S. T. Chase	1,022 53	84 32	Witness in Municipal Court.
Jabez Marriner	936 90	1,213 07	Officer in Superior Court.
E. H. Watson	533 73	197 62	Witness in Superior Court.
		49 12	Mittimus to County Jail.
	7,642 87		
Mittimus	49 12	\$7,691 99	
Total cost	\$7,691 99		

The records of the Insane Hospital show a gradual increase of patients caused by excessive use of intoxicating liquors. At the present time that institution has nearly double the number of inmates from that cause alone which it had when the present prohibitory law was enacted. While the law, with singular inconsistency, does not recognize pure and

beneficial kinds of intoxicating liquors as property when intended for sale by other than city or town agencies, and makes no distinction between the sale of adulterated liquors and pure liquors, it authorizes their indiscriminate sale in numerous city and town agencies. A large and profitable trade is carried on in adulterating and selling vile, poisonous compounds.

Liquor drinking is not done openly to so great an extent, but the consumption is as large. It is notorious that quantities of strong liquors have for years been transported into the State from the Provinces, and especially from Massachusetts, which has drained us of millions of dollars which might have been kept at home under liberal laws. Liquor runners from Boston and New York penetrate every nook and corner of our State to rob our people, and eat out their substance. Liquors are also imported in bond, and under the protection of the Federal government, they cannot be seized in bulk. They are consumed in families, and in club rooms which have been organized in large towns and cities, under that most dangerous guise of social drinking. The liquor agencies, authorized by law, have vended in some years more than a hundred thousand dollars worth of liquors for medicinal, mechanical and manufacturing purposes only, as is supposed. We consider these liquor agencies as leeches upon the people. They not only take so much from the producing power of our State, but the receipts do not, in the opinion of your minority, cover expenses.

The question is whether a law, the severity of which is without example, having failed to accomplish the ends for which it was designed, according to experience and the testimony of officials serving under it, who with singular unanimity give their verdict against it, ought to be so amended that cider, native wine, ale, porter, lager beer, and other malt liquors, shall not be considered intoxicating within the meaning of the statute.

History shows that every nation has its peculiar stimulants, in stronger or milder forms. Men crave stimulant. It is an

undeniable fact, both in the light of history and experience, that in countries like France, Italy, Spain, and in middle Europe, whose climate is not unlike ours, drunkenness is known scarcely more than the strong liquors which cause it. Cheap light wines and nutritious malt beverages supersede strong drink. The peasant uses them at his meals and as a common beverage. The people of those countries are among the healthiest, happiest, most prosperous and temperate on the face of the globe.

We appeal to the wisdom of this Legislature and the consideration of the people, whether it would not promote the cause of temperance and the material welfare of our State to give the amendment proposed a fair trial. Any subsequent Legislature can repeal, alter or amend it. Its adoption would be in accordance with the views of a large proportion of the people, whose voice has been of no effect in the matter of these statutes for a quarter of a century.

It would tend to promote harmony, by removing an irritating and festering sore from our politics. Good citizens, without distinction of party, view with alarm the inroads that this law, in its operation is working upon our social and material interests, driving away business, depreciating real estate, shackling enterprise, cheating labor, increasing taxes, educating intolerance and hypocrisy, influencing elections, and encouraging bribery and perjury and the clandestine compounding, sale and use of poisonous liquors.

DARIUS H. INGRAHAM,
GORHAM L. BOYNTON,
J. B. FARRELL,
ARTHUR MOORE.

STATE OF MAINE.

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

AN ACT in relation to cider, native wine, ale, porter,
lager beer and malt liquors.

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

Cider, native wine, ale, porter, lager beer, and
2 other malt liquors, when pure and unadulterated,
3 shall not be considered intoxicating liquors within
4 the meaning of the laws of this state.



STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 7, 1879. }

Reported from the Minority of the Committee on Temperance,
by Mr. INGRAHAM of Portland, and Report and Bill ordered
printed.

B. L. STAPLES, *Clerk.*