

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

HOUSE.

No. 35.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE.

AN ACT to regulate the purchase and sale of Intoxicating
Liquors by cities and towns.

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

SECTION 1. Agents of towns authorized to sell intoxicating liquors, shall keep a record in a suitable book, of the amount of intoxicating liquors purchased by the municipal officers, specifying the kind and quantity of each, the price paid, and of whom purchased; and shall also keep a record of the kind and quantity of liquors sold by them, the date of sale, the name of the purchaser, and the price for which it was sold, which record shall be open to inspection. And if such agent fails to keep such

10 record, he shall forfeit to the town for every such offense
11 not less than ten dollars nor more than twenty dollars,
12 to be recovered on complaint or indictment. Whoever
13 knowingly misrepresents to any agent the purposes for
14 which he purchases such liquors forfeits to his town twenty
15 dollars, to be recovered on complaint or indictment.

SECT. 2. All intoxicating liquors purchased by the
2 selectmen of any town, and mayor and aldermen of any city,
3 under the provisions of section twenty-one of chapter 27
4 of the Revised Statutes of this state, as amended by sec-
5 tion 11 of chapter 140 of the Public Laws of 1887, shall,
6 after their arrival in this state, and before they shall be
7 placed on sale at the agency of said city or town, be tested
8 by a competent assayer, and certified by him to be pure
9 and unadulterated. And if any municipal officer, or any
10 person in his employment, or by his direction, buys, sells
11 or offers for sale any intoxicating liquors that have been
12 decreed to be forfeited, or causes or permits any intoxi-
13 cating or malt liquors, which he or they keep for sale, to
14 be adulterated, by mixing with the same any coloring
15 matter, drug, or ingredient, or mixes the same with other
16 liquors of a different kind or quality, or water, or exposes
17 for sale such intoxicating liquors, so adulterated, such
18 offender forfeits to the town or city to which he belongs
19 not less than fifty dollars nor more than two hundred
20 dollars, to be recovered by complaint or indictment.

SECT. 3. No city, town or plantation in this state
2 establishing a city or town agency for the sale of intoxi-

3 eating liquors, shall sell said liquors for a percentage of
4 profit in excess of an amount actually required to pay the
5 expense of maintaining such city or town agency; and
6 any city or town charging or receiving a profit materially
7 in excess of the sum required to maintain said agency,
8 shall forfeit to the state not less than two hundred dollars,
9 nor more than five hundred dollars, to be recovered on
10 complaint or indictment, or in an action of debt in the
11 name of the state.

SECT. 4. The governor and council are hereby author-
2 ized to employ a competent assayer, and empower him to
3 enter, at any time and without notice, any city or town
4 agency in this state, to test the purity of the whole or any
5 part of any intoxicating liquors kept therein. And upon
6 petition and representation, in writing, to any single
7 justice of the supreme judicial court, in term time or vaca-
8 tion of ten or more well known tax payers of any city or
9 town in which a liquor agency is established, that said
10 agency is being conducted in violation or evasion of the
11 law creating the same, specifying in said petition the
12 violation complained of, such justice after reasonable
13 notice to said city or town, and upon hearing it is shown
14 that said agency is not being conducted in accordance with
15 the law authorizing the establishment of the same, then
16 said justice may order said agency closed, and the liquors
17 found therein forfeited to the state, to be destroyed.

SECT. 5. Every agent shall, under oath, on the first
2 day of March, June, September and December furnish a

3 statement of all liquors purchased by the municipal
4 officers, enumerating the different kinds and quantity of
5 each kind, the prices paid and the terms of payment, the
6 names of the parties of whom the liquors were purchased,
7 their place of business and date of purchase; also in tabu-
8 lated form, the amount of each kind of liquor purchased,
9 sold and on hand for the preceding quarter. Such report
10 shall be sent by mail at the end of each quarter to the
11 governor and council, and a copy filed with the city or
12 town clerk; and the tabulated form shall be published at
13 least once in some local newspaper, if any, otherwise in
14 some newspaper published in the county.

SECT. 6. Section 15 of chapter 27 of the Revised Stat-
utes, as amended by section 1 of chapter 140 of the Public
Laws of 1887, section 16, 17, 18, 19 and 20 of said chapter
27, are hereby repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 29, 1895.

Tabled, pending reference to Committee on Judiciary, by Mr. MER-
RILL of Portland, and ordered printed.

W. S. COTTON, *Clerk.*