

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

SENATE.

No. 21.

STATE OF MAINE.

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

AN ACT to regulate the sale of Intoxicating Liquors to
Town Agents and to abolish the office of State Liquor
Commissioner.

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

SECTION 1. Section 15 of chapter 27 of the Revised
2 Statutes, as amended by section 1, chapter 140 of the
3 Public Laws of 1887, is hereby amended by striking out
4 all of said section and inserting in lieu thereof the follow-
5 ing: The governor shall appoint three members of the
6 executive council who shall constitute and are hereby
7 made a committee to purchase pure and unadulterated
8 intoxicating liquors to be furnished municipal officers of

9 the towns of said State for sale through town agencies in
10 the State for medicinal, mechanical and manufacturing
11 purposes.

The governor and council shall designate a clerk or
13 store-house keeper to take charge of and keep all intoxi-
14 cating liquors purchased as aforesaid, and the same shall
15 be placed and stored in some suitable store-house in this
16 State designated by the governor and approved by the
17 council, and when sold shall be shipped therefrom to such
18 town agencies. Said clerk or store-house keeper, under
19 the supervision and direction of such committee of the
20 executive council, shall furnish intoxicating liquors pur-
21 chased as aforesaid, to the municipal officers of towns in
22 this State where agencies shall be established; said liquor
23 to be kept and sold by such towns only for medicinal,
24 mechanical and manufacturing purposes.

For all liquors so sold to such municipal officers no more
26 than per centum, above the actual cost thereof
27 delivered at such store-house in this State, shall be taken
28 from or charged to said towns and all sums due from any
29 town on account of such purchase shall be paid by said
30 town to the State treasurer within thirty days after deliv-
31 ery of said liquor. Said committee shall cause such books
32 of account and records to be kept as may be prescribed
33 by the governor and council; and such clerk or store-
34 house keeper shall give bonds to the treasurer of the State
35 for the faithful performance of his duties, as may be
36 required by the governor and council. Said clerk or

37 store-house keeper and any other necessary clerk em-
38 ployed by the governor and council shall receive such
39 compensation as the governor and council may fix and be
40 removable at their pleasure.

All intoxicating liquors, purchased as aforesaid, after
42 their arrival at such store-house in this State, shall be
43 tested by a competent assayer, and certified by him to be
44 pure and unadulterated, before they shall be shipped to
45 any town agency.

The Governor and Council are hereby authorized to
47 employ a competent assayer and empower him to enter,
48 at any time and without notice, any town agency in this
49 State to test the purity of the whole or any part of any
50 intoxicating liquors kept therein.

All liquors purchased as aforesaid and all the expense
52 of assaying as herein authorized and all incidental
53 expenses connected with the purchase, keeping and sale
54 of liquors to municipal officers as herein specified shall be
55 paid by the State treasurer upon warrants drawn by the
56 Governor and Council therefor.

SECT. 2. Section 16 of chapter 27 of the Revised Stat-
utes is hereby amended so as to read as follows :

Section 16. Immediately after the designation of such
4 clerk or store-house keeper, the Governor shall issue to the
5 municipal officers of towns notice of his name and place of
6 business, and such officers shall buy such intoxicating
7 liquors as they may keep to sell for the purposes specified

8 herein of such clerk or store-house keeper and of no other
9 person.'

SECT. 3. Section 18 of chapter 27 of the Revised Statutes is hereby amended so as to read as follows :

'Section 18. Such committee of the Executive Council shall keep a record, in a suitable book, of the amount of intoxicating liquors purchased by them specifying the kind and quantity of each and the price paid and they shall also cause to be kept a record of the towns in which liquors are sold and of persons buying of said towns, the kind and quantity of liquor sold to each and the price paid for the same and shall make report thereof to the Governor and Council annually in December to the last day of the preceding month to be by them laid before the legislature.'

SECT. 4. Section 21 of chapter 27 of the Revised Statutes as amended by section 11 of chapter 140 of the Public Laws of 1887 is hereby amended by adding to said section the following : 'And all liquors sold, or authorized to be sold by such city or town, and percentage of profit, above the cost of such liquors delivered at such city or town agency, sufficient to pay the actual expense of maintaining such city or town agency, may be charged by said city or town through its said clerk or store-house keeper, but no more ; and any city or town charging or receiving a profit materially in excess of the aforesaid percentage shall forfeit to the State not less than one hundred nor more than five hundred dollars, to be recovered on com-

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SECT. 5. Section 25 of chapter 27 of the Revised Statutes is hereby amended by adding to said section the following: 'Or upon complaint in writing to a single justice of the supreme judicial court, in term time or vacation, of the legal voters of any town, in which a liquor agency is established, that the clerk or store-house keeper is conducting such agency in violation of the law regulating his rights and duties, and particularly specifying the violation complained of, such justice shall after reasonable notice to such clerk or store-house keeper and to the municipal officers of said town to appear and be heard, the justice shall have authority to remove such clerk or store-house keeper from his office, and enjoin said town from further maintaining a liquor agency.'

All fees connected with said complaint shall be the same as are now allowed in criminal cases.'

SECT. 6. Such committee of the executive council may purchase and take of the state liquor commissioner in office, at the time of the passage of this act, such part of the stock of pure and unadulterated intoxicating liquors remaining on hand at the time of the passage of this act, as said committee may determine, and said liquor commissioner may sell to such committee, such part of such liquor as said committee may determine to take.

SECT. 7. Section 2 of chapter 27 of the Revised Statutes is hereby repealed, as well as all acts inconsistent therewith.

STATE OF MAINE.

IN SENATE, January 23, 1895.

Presented by Mr. SHAW of Aroostook and laid on table to be printed, pending reference to Committee on the Judiciary, on motion by same senator.

KENDALL M. DUNBAR, *Secretary.*