

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

SENATE

NO. 52

In Senate, Feb. 7, 1923.

Referred to Committee on Temperance and five hundred copies ordered printed. Sent down for concurrence.

L. ERNEST THORNTON, Secretary.

Presented by Senator Sargent of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT to Amend Section Twenty, Twenty-seven and Twenty-eight, of Chapter One Hundred and Twenty-seven, Revised Statutes, as Amended by Chapter Two Hundred and Ninety-one, Public Laws of 1917, Relating to Intoxicating Liquors.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section twenty of chapter one hundred twenty-seven of the revised statutes, as amended by chapter two hundred ninety-one of the public laws of nineteen hundred and seventeen, is hereby further amended by striking out all of said section and inserting in place thereof the following:

'Sect. 20. No person shall knowingly transport into this

2 state or from place to place therein, any intoxicating liquor
3 or aid any person in such transportation without being in
4 possession of a permit therefor duly issued under authority
5 conferred by the provisions of the national prohibition act
6 of October twenty-eight, nineteen hundred nineteen, and
7 amendments thereto, providing for the enforcement of the
8 eighteenth amendment to the constitution of the United
9 States; and the failure of any person so transporting intoxi-
10 cating liquor to exhibit such permit when requested to do so
11 by any duly qualified officer charged with the duty of en-
12 forcing the provisions of this chapter shall be deemed to
13 be prima facie evidence that no such permit exists. Who-
14 ever violates the provisions of this section shall be fined not
15 less than three hundred nor more than six hundred dollars
16 and costs, and in addition thereto shall be imprisoned for
17 not less than three months nor more than six months and
18 in default of payment of fine and costs shall be imprisoned
19 for six months additional, provided that if the person so
20 convicted shall have been theretofore convicted of a viola-
21 tion of any of the provisions of this chapter, he shall be
22 fined not less than five hundred nor more than one thousand
23 dollars and costs and in addition thereto shall be imprisoned
24 not less than six months nor more than one year and in
25 default of payment of said fine and costs shall suffer im-
26 prisonment for six months additional.'

Sect. 2. Section twenty-seven of chapter one hundred
2 twenty-seven of the revised statutes, as amended by chap-

3 ter two hundred ninety-one of the public laws of nineteen
4 hundred seventeen, is hereby further amended by striking
5 out the words “in the State of Maine in violation of law,”
6 in the third and fourth lines thereof, so that said section
7 as amended shall read as follows:

‘Sect. 27. No person shall deposit, or have in his posses-
2 sion, or order, transport or cause to be transported into the
3 state of Maine any intoxicating liquors with intent to sell
4 the same, or with intent that the same shall be sold by any
5 person or aid or assist any person in such sale. Whoever
6 violates this section shall be fined not less than one hundred
7 dollars nor more than five hundred dollars and costs, and
8 in addition thereto be imprisoned for not less than two
9 months nor more than six months, and in default of pay-
10 ment of said fines and costs, he shall be imprisoned six
11 months additional.

Sect. 3. Section twenty-eight of chapter one hundred
2 twenty-seven of the revised statutes is hereby amended by
3 striking out the word “unlawful” in the second line thereof,
4 and the words “in the state” in the third line thereof, so
5 that said section as amended shall read as follows:

‘Sect. 28. Intoxicating liquors kept and deposited in the
2 state, intended for sale and the vessels in which they are
3 contained, are contraband and forfeited to the county in
4 which they are so kept at the time when they are seized
5 under this chapter. And in all cases where an officer may
6 seize intoxicating liquors or the vessels containing them,

7 upon a warrant, he may seize the same without a warrant,
8 and keep them in some safe place for a reasonable time
9 until he can procure such warrant.'