

# MAINE STATE LEGISLATURE

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**EIGHTY-FIRST LEGISLATURE**

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**SENATE**

**NO. 120**

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In Senate, Feb. 20, 1923.

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

L. ERNEST THORNTON, Secretary.

Presented by Senator Cram of Cumberland.

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**STATE OF MAINE**

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

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AN ACT to Amend Chapter Two Hundred and Ninety-four of the Public Laws of 1917, Relating to Seizure and Forfeiture of Vehicles Carrying Intoxicating Liquors Intended for Illegal Sale.

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

Chapter two hundred and ninety-four of the public laws of 2 1917 as amended by chapter sixty-three of the public laws 3 of 1921 is further amended by striking out the word "illegal" 4 and the words "within the state" in the third line of said 5 amended section and inserting after the word "state" in the 6 third line of said amended section the words 'or containing 7 intoxicating liquor in the possession of or in the control of

8 any person transporting the same without being in posses-  
9 sion of a permit therefor duly issued under authority by the  
10 provisions of the national prohibition act of October twenty-  
11 eight, 1919, and amendments thereto providing for the en-  
12 forcement of the eighteenth amendment to the constitution  
13 of the United States,' and by striking out the words "using  
14 them for the transportation of intoxicating liquors intended  
15 for illegal sale within the state," and by adding after the  
16 word "liquors" in the twelfth line of said chapter as amend-  
17 ed, the words 'any claimant of any such boat, vessel, or  
18 vehicle must allege and prove that the use of such boat,  
19 vessel or vehicle for the transportation of intoxicating  
20 liquors as aforesaid was without his knowledge or consent,'  
21 so that said chapter two hundred and ninety-four as amend-  
22 ed shall read as follows:

'Claim that boat or vehicle was being used without con-  
2 sent of owner not a defense. All automobiles, trucks,  
3 wagons, boats or vessels, and vehicles of every kind, not  
4 common carriers, containing intoxicating liquors intended  
5 for sale or containing intoxicating liquor in the possession  
6 of or in the control of any person transporting the same  
7 without being in possession of a permit therefor duly issued  
8 under authority by the provisions of the national prohibition  
9 act of October twenty-eight, 1919, and amendments thereto  
10 providing for the enforcement of the eighteenth amendment  
11 to the constitution of the United States, found within the  
12 state in the possession or control of any person, shall be

13 seized by any officer seizing the liquors therein and said  
14 liquors and said automobiles, trucks, wagons, boats or ves-  
15 sels, and vehicles of every kind, not common carriers shall  
16 be libelled as is provided for the libeling of intoxicating  
17 liquors and the vessels in which they are contained under  
18 chapter one hundred and twenty-seven of the revised stat-  
19 utes, and shall be declared forfeited by the court and sold  
20 in the same manner as is provided for the sale of vessels  
21 containing intoxicating liquors. Any claimant of any  
22 such boat, vessel or vehicle must allege and prove that the  
23 use of such boat, vessel or vehicle for the transportation of  
24 intoxicating liquors as aforesaid was without his knowledge  
25 or consent.'