

MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

SENATE

NO. 275

In Senate, March 22, 1923.

Reported by Mr. Spencer from Committee on Temperance
and laid on table to be printed under joint rules.

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 Sections 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 and
2 twenty-seven of the revised statutes, as amended by chapter
3 two hundred ninety-one of the public laws of nineteen hun-
4 dred seventeen, is hereby further amended by striking out
5 all of said section and inserting in place thereof the follow-
6 ing:

‘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 and nineteen,
7 and amendments thereto, providing for the enforcement
8 of the eighteenth amendment to the constitution of the
9 United States; and the failure of any person so transport-
10 ing intoxicating liquor to exhibit such permit when re-
11 quested to do so by any duly qualified officer charged with
12 the duty of enforcing the provisions of this chapter shall
13 be deemed to be prima facie evidence that no such permit
14 exists. Whoever violates the provisions of this section shall
15 be fined not less than three hundred nor more than six
16 hundred dollars and costs, and in addition thereto shall be
17 imprisoned for not less than three months nor more than
18 six months and in default of payment of fine and costs
19 shall be imprisoned for six months additional, provided that
20 if the person so convicted shall have been theretofore con-
21 victed of a violation of any of the provisions of this chap-
22 ter, he shall be fined not less than five hundred nor more
23 than one thousand dollars and costs and in addition thereto
24 shall be imprisoned not less than six months nor more than
25 one year and in default of payment of said fine and costs
26 shall suffer imprisonment for six months additional.’

Sect. 2. Section twenty-seven of chapter one hundred

2 twenty-seven of the revised statutes, as amended by chapter
3 two hundred ninety-one of the public laws of nineteen hun-
4 dred seventeen, is hereby further amended by striking out
5 the words "in the state of Maine in violation of law," in the
6 third and fourth lines thereof, so that said section as amend-
7 ed 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 in
8 addition thereto be imprisoned for not less than two months
9 nor more than six months, and in default of payment of
10 said fines and costs, he shall be imprisoned six months
11 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.'