

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIRST LEGISLATURE

SENATE

NO. 276

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.

STATE OF MAINE

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

AN ACT Amending Section Thirty-three and Chapter One
Hundred Twenty-seven of the Revised Statutes of Maine,
Relating to the Disposal of Intoxicating Liquors Declared
Forfeited.

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

Section thirty-three of chapter one hundred twenty-seven
2 of the revised statutes of Maine is hereby amended by
3 striking out the whole of said section and inserting in place
4 thereof the following section, so that said section, as amend-
5 ed, shall read as follows:

'Sect. 33. All spirituous and distilled liquors and all other
2 liquors, declared forfeited by any court under this chapter,

3 which shall have been found by said court to contain more
4 than twenty per cent of alcohol, shall, by order of the court
5 rendering final judgment thereon, be turned over to the
6 sheriff of the county where such seizure was made, by any
7 officer competent to serve the process on which they were
8 forfeited, and he shall make return accordingly to said
9 court; and said sheriff shall receipt to said officer there-
10 for; said sheriff shall mingle said liquors together, and as
11 soon as he has accumulated a quantity equal to five barrels,
12 he shall ship the same to some responsible rectifying dis-
13 tiller, outside of this state, and have the alcohol redistilled
14 therefrom, as is hereinafter provided. Said sheriffs shall
15 annually contract with some responsible rectifying distiller,
16 outside the limits of this state to take such liquors and distill
17 the alcohol therefrom, and to account for and pay over to
18 the treasurer of the county from which said liquors are re-
19 ceived, in cash, at an agreed price for each gallon of one
20 hundred degrees strength, determined by the United States
21 internal revenue inspector at place of rectification. Before
22 delivering any liquor under the aforesaid contract, the said
23 sheriff shall take a bond, with sureties residing in this
24 state, and to be approved by the treasurer of the county,
25 from said rectifying distiller to the treasurer of his county,
26 in the penal sum of one thousand dollars, conditioned that
27 all of said liquors so received under said contract, shall be
28 rectified and the alcohol distilled therefrom, and that the
29 contractor will account for and pay over to the treasurer

30 of said county from which said liquors are received, in cash,
31 the amount due under said contract. In all suits upon
32 bonds given under this section the damages shall be the full
33 penal sum of said bond. All other liquors, except cider,
34 declared forfeited by any court under this chapter, shall,
35 by order of the court rendering final judgment thereon, be
36 destroyed by any officer competent to serve the process on
37 which they were forfeited, and he shall make return ac-
38 cordingly to said court. Such liquors shall be destroyed by
39 pouring them upon the ground. A record of vessels for-
40 feited shall be kept by each officer, and returned to the
41 county commissioners once in each three months, and once
42 in six months, or oftener, if they deem it advisable the
43 commissioners shall order such officers to sell the vessels at
44 public or private sale, and pay the proceeds thereof into the
45 county treasury.

All cider, declared forfeited by any court under this chap-
2 ter, shall by order of the court rendering final judgment
3 thereon, be turned over to the sheriff of the county where
4 such seizure was made, by any officer competent to serve
5 the process on which they were forfeited, and he shall make
6 return according to said court; and said sheriff shall receipt
7 to said officer therefor. Said sheriffs may sell and dispose
8 of such cider to be used in the manufacture of vinegar and
9 for no other purpose. A record of such sales shall be kept
10 by each sheriff and he shall pay the proceeds from such
11 sales into the county treasury. Before delivering any cider

12 under any sale made in accordance with the provisions of
13 this section, the said sheriff shall take a bond, with sureties
14 residing in this state, and to be approved by the treasurer
15 of the county, from the purchaser of such cider in the
16 penal sum of double the amount of the value of such cider,
17 conditioned that all of said cider so received under such
18 sale, shall be used in the manufacture of vinegar and for
19 no other purpose.'