

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIRST LEGISLATURE

SENATE

NO. 283

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 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 Nineteen Hundred and Seven-
teen, 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 twen-
2 ty-seven of the revised statutes, as amended by chapter two
3 hundred ninety-one of the public laws of nineteen hundred
4 seventeen, is hereby further amended by striking out all
5 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 author-
5 ity conferred by the provisions of the national prohibition
6 act of October twenty-eight, nineteen hundred and nine-
7 teen, and amendments thereto, providing for the enforce-
8 ment of the eighteenth amendment to the constitution of
9 the United States; and the failure of any person so trans-
10 porting 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 hun-
16 dred dollars and costs, and in addition thereto shall be im-
17 prisoned for not less than three months nor more than six
18 months and in default of payment of fine and costs shall
19 be imprisoned for six months additional, provided that if
20 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 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, and also by inserting
7 after the word "Maine" in the third line the words 'or from
8 place to place therein,' so that said section as amended shall
9 read as follows:

'Sect. 27. No person shall deposit, or have in his pos-
2 session, or order, transport or cause to be transported into
3 the state of Maine, or from place to place therein, any in-
4 toxicating liquors with intent to sell the same, or with in-
5 tent that the same shall be sold by any person or aid or
6 assist any person in such sale. Whoever violates this sec-
7 tion shall be fined not less than one hundred dollars nor
8 more than five hundred dollars and costs, and in addition
9 thereto be imprisoned for not less than two months nor more
10 than six months, and in default of payment of said fines
11 and costs, he shall be imprisoned six 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 whole of said section and inserting in place
4 thereof the following:

'Sect. 28. Intoxicating liquors kept or deposited in the
2 state, intended for sale and the vessels in which they are
3 contained, are contraband and shall be forfeited to the coun-
4 ty in which they are seized under this chapter. And in all
5 cases where an officer may seize intoxicating liquors or the

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