

# MAINE STATE LEGISLATURE

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# EIGHTY-THIRD LEGISLATURE

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**Senate Document**

**No. 82**

S. P. 202

In Senate, Feb. 15, 1927.

Referred to Committee on Temperance and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Oakes of Cumberland.

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## S. T A T E   O F   M A I N E

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

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AN ACT to Amend Chapter One Hundred Twenty-seven, Revised Statutes, as Amended by Chapter One Hundred Fifty-one of the Public Laws of One Thousand Nine Hundred Twenty-three, Relating to the Disposal of Liquors Which Have Been Forfeited.

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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 as amended by chapter one hundred  
3 fifty-one of the public laws of one thousand nine hundred  
4 twenty-three is hereby further amended by inserting therein  
5 after the words "all other liquors" in the twenty-seventh  
6 line thereof the words 'and whenever by reason of the op-

7 eration of any federal law or regulation it is impractical  
8 otherwise to comply with the provisions of this section, all  
9 liquors,' and by inserting therein after the words "upon the  
10 ground" in the thirty-second line thereof the words 'or into  
11 some public sewer,' so that said section as amended shall  
12 read as follows:

'Sect. 33. Liquors forfeited by order of court; disposal  
2 thereof; revised statutes, chapter 29, section 53. All spirit-  
3 ous and distilled liquors and all other liquors, declared for-  
4 feited by any court under this chapter, which shall have  
5 been found by said court to contain more than twenty per  
6 cent. of alcohol, shall, by order of the court rendering final  
7 judgment thereon, be turned over to the sheriff of the  
8 county where such seizure was made, by any officer com-  
9 petent to serve the process on which they were forfeited,  
10 and he shall make return accordingly to said court; and  
11 said sheriff shall receipt to said officer therefor; said sheriff  
12 shall mingle said liquors together and as soon as he has ac-  
13 cumulated a quantity equal to five barrels, he shall ship  
14 the same to some responsible rectifying distiller, outside of  
15 this state, and have the alcohol redistilled therefrom, as is  
16 hereinafter provided. Said sheriffs shall annually contract  
17 with some responsible rectifying distiller, outside the limits  
18 of this state, to take such liquors and distill the alcohol  
19 therefrom, and to account for and pay over to the treasurer  
20 of the county from which said liquors are received, in cash,  
21 at an agreed price for each gallon of one hundred degrees

22 strength, determined by the United States internal revenue  
23 inspector at place of rectification. Before delivering any  
24 liquor under the aforesaid contract, the said sheriff shall  
25 take a bond, with sureties residing in this state, and to be  
26 approved by the treasurer of the county from said rectify-  
27 ing distiller to the treasurer of his county, in the penal sum  
28 of one thousand dollars, conditioned that all of said liquors  
29 so received under said contract, shall be rectified and the  
30 alcohol distilled therefrom, and that the contractor will ac-  
31 count for and pay over to the treasurer of said county  
32 from which said liquors are received, in cash, the amount  
33 due under said contract. In all suits upon bonds given un-  
34 der this section the damages shall be the full penal sum of  
35 said bond. All other liquors, and whenever by reason of  
36 the operation of any federal law or regulation it is imprac-  
37 tical otherwise to comply with the provisions of this sec-  
38 tion, all liquors, except cider, declared forfeited by any  
39 court under this chapter, shall, by order of the court ren-  
40 dering final judgment thereon, be destroyed by any officer  
41 competent to serve the process on which they were forfeited,  
42 and he shall make return accordingly to said court. Such  
43 liquors shall be destroyed by pouring them upon the ground  
44 or into some public sewer. A record of vessels forfeited  
45 shall be kept by each officer and returned to the county  
46 commissioners one in each three months, and one in six  
47 months, or oftener, if they deem it advisable the commis-  
48 sioners shall order such officers to sell the vessels at public

49 or private sale, and pay the proceeds thereof into the county  
50 treasurer.

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 accordingly to said court; and said sheriff shall re-  
7 ceipt to said officer therefor. Said sheriffs may sell and  
8 dispose of such cider to be used in the manufacture of vine-  
9 gar and for no other purpose. A record of such sales shall  
10 be kept by each sheriff and he shall pay the proceeds from  
11 such sales into the county treasury. Before delivering any  
12 cider under any sale made in accordance with the provisions  
13 of this section, the said sheriff shall take a bond, with sure-  
14 ties residing in this state, and to be approved by the treas-  
15 urer 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.'