

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

Senate Document

No. 161

S. P. 390

In Senate, March 2, 1927.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Foster of Kennebec.

STATE OF MAINE

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

AN ACT to Prevent the Purchasing of Intoxicating Liquors.

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

R. S., c. 127, sec. 22; P. L. 1917, c. 291, sec. 3; 1923, c. 2 206. Selling of flavoring extracts and syrups for intoxicating beverage purposes included; agent, broker, clerk, etc., 3 of seller or buyer made equally guilty. Section twenty-two 4 of chapter one hundred twenty-seven of the revised statutes, 5 as amended by section three of chapter two hundred 6 ninety-one of the public laws of nineteen hundred and seven- 7 teen and chapter two hundred six of the public laws of 8 nineteen hundred and twenty-three, is hereby further amended, 9 by inserting between the words "servant or agent" and 10 ed, by inserting between the words "servant or agent" and 11 "sells any" in the first line of said section the words 'buys

12 or' and inserting between the words "knowingly" and "sell"
13 in the second line the words 'buy or' and said section is
14 further amended by adding after the word "penalties" in
15 the last line the following: 'provided that it shall not be
16 unlawful for any sheriff, deputy sheriff, or other officer
17 charged with the enforcement of this chapter or any agent
18 of theirs employed to help in its enforcement, to buy in-
19 toxicating liquor for evidence when in the discharge of
20 their duty. Any person called on behalf of the state to tes-
21 tify concerning any violation of this act, who shall give
22 freely and truthfully any testimony tending in any way to
23 incriminate himself, shall be immune from prosecution as
24 any violation of this act growing out of or pertaining to
25 the particular transaction concerning which he testified,' so
26 that said section, as amended, shall read as follows:

'Sec. 22. To prevent the buying of intoxicating liquor.
2 Whoever by himself, clerk, servant or agent, buys or sells
3 any intoxicating liquors in this state, or who shall know-
4 ingly buy or sell any extract or syrup for intoxicating bev-
5 erage purposes, or who shall sell any of the same, under
6 circumstances from which the seller might reasonably ad-
7 duce the intention of the purchaser to be to use them for
8 such purposes, in violation of law, shall be punished by a
9 fine of not less than one hundred nor more than five hun-
10 dred dollars and costs and in addition thereto be impris-
11 oned for not less than two nor more than six months, and
12 in default of payment of said fines and costs he shall be

13 imprisoned not less than two nor more than six months,
14 additional, and on each subsequent conviction he shall be
15 punished by a fine of five hundred dollars and costs and
16 in addition thereto be imprisoned six months, and in de-
17 fault of payment of said fine and costs he shall be impris-
18 oned six months additional. Any person who aids in the
19 sale of intoxicating liquor by acting as agent, broker, clerk,
20 employee, servant or otherwise, or in any manner aids or
21 assists in violating any provision of law relating to intoxi-
22 cating liquors, is equally guilty with the principal and shall
23 suffer like penalties. Provided that it shall not be unlawful
24 for any sheriff, deputy sheriff or other officer charged with
25 the enforcement of this chapter or any agent of theirs em-
26 ployed to help in its enforcement, to buy intoxicating liquors
27 for evidence when in the discharge of their duty. Any
28 person called on behalf of the state to testify concerning
29 any violation of this act, who shall give freely and truth-
30 fully any testimony tending in any way to incriminate him-
31 self, shall be immune from prosecution as to any violation
32 of this act growing out of or pertaining to the particular
33 transaction concerning which he testified.