

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 627

S. P. 463

In Senate, Feb. 18, 1931.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Greenleaf of Androscoggin.

STATE OF MAINE

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

AN ACT Relating to Intoxicating Liquors.

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

Section 1. Section thirty-two of chapter one hundred thirty-seven of the revised statutes is hereby amended by inserting between the word "sale" and the word "and" in the second line thereof, the words 'and intoxicating liquors unlawfully manufactured or transported in the state,' so that said section, as amended, shall read as follows:

'Sec. 32. Liquors forfeited; seizure without warrant. R. S. c. 127, § 28. 1923, c. 167, § 3. Intoxicating liquors kept or deposited in the state, intended for sale, and intoxicating liquors unlawfully manufactured or transported in the state, and the vessels in which they are contained, are contraband and shall be forfeited to the county in which they are seized. And in all cases where an officer may seize intoxicating liquors or the vessels containing them, upon a warrant, he may seize the same without a warrant, and keep them in some safe place for a reasonable time until he can procure such warrant.'

Sec. 2. Section thirty-four of chapter one hundred thirty-seven of the revised statutes is hereby amended by adding thereto the following words: 'Intoxicating liquors and the vessels containing them, which have been seized as provided in this chapter because unlawfully manufactured or transported in the state, shall be libelled in like manner and the

allegations in the libel shall be varied accordingly,' so that said section, as amended, shall read as follows:

'Sec. 34. Duty of officer of seizure; proceedings. R. S. c. 127, § 30. When liquors and vessels are seized as provided in the preceding section, the officer who made such seizure shall immediately file with the magistrate before whom such warrant is returnable, a libel against such liquors and vessels, setting forth their seizure by him, describing the liquors and their place of seizure, and that they were deposited, kept and intended for sale in violation of law, and pray for a decree of forfeiture thereof, and such magistrate shall thereupon fix a time for the hearing of such libel, and shall issue his monition and notice of the same, to all persons interested, citing them to appear at the time and place appointed, and show cause why said liquors and the vessels in which they are contained should not be declared forfeited, by causing a true and attested copy of said libel and monition to be posted in two public and conspicuous places in the town or place where such liquors were seized, ten days at least before the day to which said libel is returnable. Intoxicating liquors and the vessels containing them, which have been seized as provided in this chapter because unlawfully manufactured or transported in the state, shall be libelled in like manner and the allegations in the libel shall be varied accordingly.'