

MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 163

S. P. 116

In Senate, Jan. 31, 1933.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Weatherbee of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-
THREE

AN ACT Relating to Manufacture of Intoxicating Liquor.

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

Section 1. **R. S. c. 137, § 1, amended.** Section 1 of c. 137 of the revised statutes is hereby amended to read as follows :

‘Sec. 1. Manufacturing intoxicating liquors prohibited; exception for extracts. Whoever manufactures or attempts to manufacture any intoxicating liquors **with intent that the same shall be sold in violation of law**, except cider, and whoever has in his possession any wort or mash fit for distillation or for the production of distilled spirits **with intent that the same shall be sold in violation of law**, or has in his possession any worm, still, or other device for the purpose of manufacturing intoxicating liquors **with intent that the same shall be sold in violation of law**, shall be punished by a fine of not less than \$100 nor more than \$1,000 and costs of prosecution, and by imprisonment for not less than 2 months nor more than 6 months, and in default of payment of fine and costs be imprisoned for not less than 60 days nor more than 6 months additional; and said wort, mash, worm, still, or other device shall be seized by any officer having authority to seize intoxicating liquors and shall be declared forfeited by the court or magistrate having cognizance of the case, and ordered destroyed. Alcohol may be used in the manufacture of flavoring extracts and syrups, Jamaica

ginger not included, provided such extracts and syrups contain no more alcohol than is necessary for extraction, solution, and preservation, and measure up to the standards prescribed and published by the commissioner of internal revenue and are unfit for use as beverages or for intoxicating beverage purposes.'

Sec. 2. **R. S. c. 137, § 3, amended.** Section 3 of c. 137 of the revised statutes is hereby amended to read as follows:

'Sec. 3. Transportation of intoxicating liquors without federal permit prohibited; penalty. No person shall knowingly transport into this state or from place to place therein any intoxicating liquor **with intent that the same shall be sold in violation of law**, or aid any person in such transportation without being in possession of a permit therefor duly issued under authority conferred by the provisions of the national prohibition act of October 28, 1919, and amendments thereto, providing for the enforcement of the eighteenth amendment to the constitution of the United States. Whoever violates the provisions of this section shall be punished by a fine of not less than \$300, nor more than \$600 and costs, and in addition thereto, by imprisonment for not less than 3 months nor more than 6 months, and in default of payment of fine and costs by imprisonment for 6 months additional; provided, that if the person so convicted shall have been theretofore convicted of a violation of any of the provisions of this chapter he shall be punished by a fine of not less than \$500, nor more than \$1,000 and costs, and in addition thereto by imprisonment for not less than 6 months nor more than 11 months and in default of payment of said fine and costs by imprisonment for 6 months additional.'