

MAINE STATE LEGISLATURE

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1863.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1863.

FORTY-SECOND LEGISLATURE.

HOUSE.

No. 13.

REPORT OF COMMITTEE

ON THE

REPORT OF STATE LIQUOR COMMISSIONER.

The Committee to which was referred the Report of the State Liquor Commissioner, with his account of sales, and also the account of sales of the Massachusetts Commissioner annexed, having carefully examined the same ask leave to submit the following

REPORT:

The law establishing the office of State Liquor Commissioner was passed at the last session of the Legislature; and the present incumbent entered upon his duties soon after. His account of sales commences April 1st, 1862. From this time to November 30th, next following, at which time he is by law required to make his annual report, he has made sales to ninety-nine cities, towns and plantations. During the same time twenty-one cities and towns have made their purchases of the Massachusetts Commissioner, as by law they are permitted to do.

The amount of sales by the Maine Commissioner for eight months, is twenty-four thousand six hundred and seven dollars and eighty-six cents, (\$24,607.86.) Amount of commissions on same, one thousand three hundred and seventy-two dollars and seventy-five cents, (\$1,372.75.) Gross amount of sales by the Massachusetts Commissioner during same time, six thousand three hundred and ninety-one dollars and fifty-eight cents, (\$6,391.58.)

The cities and towns which have obtained their supplies of the Massachusetts Commissioner are generally those whose locality

rendered it more convenient for them to do so on account of the means of transportation.

We find that the number of towns actually supplied by these Commissioners is larger than would appear from the foregoing statement—some of the smaller towns having made their purchases at the agencies of the larger ones.

There is no provision in the “act to regulate the agencies for, and to prevent imposition in the sale of intoxicating liquors” for the disposal of the stock of liquors which the Commissioner might have on hand in case of decease or removal from office. It would seem but just and proper that his successor should take the stock at cost.

Your Committee would therefore recommend an amendment to the present law, which is herewith submitted.

It is believed that with increased information among our citizens in regard to the true intent of this Commission, and of its utility in accomplishing the end for which it was designed, viz., that of furnishing pure and unadulterated liquors to be sold for medicinal, mechanical and manufacturing purposes, it will meet the approbation of the friends of law and good order.

Per order of Committee.

JOHN H. PHILBRICK.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-THREE.

An act additional to chapter one hundred and thirty of the laws of eighteen hundred and sixty-two, entitled “an act to regulate the agencies for and to prevent imposition in the sale of intoxicating liquors.”

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

In case of the resignation, removal from office by
2 decease or otherwise, of the commissioner provided for
3 in the first section of the act to which this is addi-
4 tional, and the appointment of a successor, the stock
5 of liquors of the late commissioner remaining on hand
6 at the time of his resignation or removal as aforesaid,
7 shall be taken at cost by the new commissioner ; and
8 he shall be required, before entering upon his office,
9 to pay for the same in cash, or to settle for the same
10 to the satisfaction of his predecessor or his legal repre-
11 sentatives.

REPORT OF STATE LIQUOR COMMISSIONER.

*To the Honorable Governor and the
Executive Council of Maine:*

In accordance with the 4th section of the law entitled "An act to regulate agencies for and to prevent imposition in the sale of intoxicating liquors," I submit my

FIRST ANNUAL REPORT.

Immediately on receiving notice of my appointment, I opened an office in Portland, for transacting the business of my commission. Having obtained a stock of liquors of a superior quality, and pronounced pure by one of the best assayists in the country, a circular was issued to the proper municipal officers throughout the State, giving all necessary information relating to the business of my agency and the manner in which I proposed to conduct its affairs. So far, I have reasons to believe, the goods furnished, have given general satisfaction; and there is evidently a growing appreciation of that provision of the law which makes available in every part of the State, liquors known to be pure, for medicinal and other legitimate purposes. The rise in the price of liquors has been unprecedented and continued through the season; and as all, whose orders I have filled, could not be supposed to be familiar with the market and the causes which have led to this constant rise, it would not be surprising had there been some complaints. But by purchasing largely in advance, goods have risen on my hands, and selling at cost, my prices, especially of imported liquors, have usually been much below the market value at the time of sale; and I am not aware that to any extent, dissatisfactions have occurred. My purchases also, being generally in large quantities, are made at a low rate, so that my sales, with commissions added, are in most cases, as low and often lower than the same quality of goods could be obtained elsewhere in quantities usually bought. However, for some reasons, many towns have not supplied their agents, if any

have been appointed, from the Commissioner of Massachusetts nor myself, but what the reasons are, I have not been able fully to learn, though I have solicited information on the subject. Several towns, I am credibly informed, which have had no account with me, have supplied their agents from regular agencies in cities or towns adjacent, while other towns have established no agencies for the reason that it was quite convenient for the citizens thereof to obtain their supply from agents in towns around them. I have reasons for believing that the agents in some towns are allowed to purchase wherever they choose. But whether it is from a mistaken apprehension that they can purchase goods of the same quality cheaper elsewhere or because there is a demand for cheap liquors which are generally adulterated and will not bear analysis and which I am not allowed to sell, or whether it is because there is no sympathy with the law regulating agencies, I have no positive information. It is to be hoped, should the affairs of the State

be conducted with discretion, that when its designs and advantages come to be well understood, these matters will be corrected, and the law "to prevent imposition in the sale of intoxicating liquors" will receive a more general and cordial support. It will be seen by the exhibit annexed that the amount of sales to cities and towns in the State, falls much below what many professedly expected. This would be a gratifying fact if it warranted the opinion that the use of intoxicating drinks was actually diminishing in this State. However, this clearly is not the case at the present time, and we cannot congratulate ourselves with such a conclusion. The appalling evils of intemperance are still prevalent among us, nor can we expect it to be otherwise, while so many dram shops are permitted to be open and the illegal sale of intoxicating drinks is allowed to go on with so little restraint.

So utterly engrossed has been the public mind in our national affairs, that it ought not to surprise us perhaps, if there be a seeming indifference to other interests, though of vital importance. It has been urged that the undivided energies of the people should be given to the government, in raising troops and supplies for carrying on the war, and that any decided attempt to prosecute our prohibitory law would be disastrous both to the cause of temperance and the raising of volunteers for the public service. These doubtless are the principal reasons which have led the friends of prohibition to relax, to some extent, their efforts. It is admitted that

there is determined opposition and many discouraging and stubborn obstacles to be overcome.

The subject, however, has decidedly bright and hopeful aspects. It cannot be doubted that the moral convictions of a large majority of the citizens of this State favor prohibition and a system of agencies to meet the exigencies of medicine and art. The public mind is still alive to the enormity of the evils occasioned by intemperance. There are large numbers, not only in our own State, but throughout the country, among the most worthy and reliable in the community, identified individually with various religious and political bodies, who are united in permanent temperance organizations, and pledged to the support of the cause. We have an ably conducted temperance journal, having a wide circulation, published in our midst. Other States, sympathizing with prohibition, are legislating in its support. The hazard which attends the use of intoxicating drinks in every enterprize, and the disasters to which it has evidently led in carrying on the war against southern rebellion, has so impressed the public mind that those who supervise our national affairs, have wholly excluded spirit rations from the navy, and in Washington, as well as in other localities, dram-shops have been prohibited from selling intoxicating drinks to our soldiers, or been wholly suppressed, either by the civil authorities or military command. And it is coming to be a settled policy in the army to dismiss officers as well as privates for habits of inebriation.

In foreign States, distinguished professional men and eminent statesmen are giving the whole weight of their influence to the principle of total abstinence, and are recommending the disuse of intoxicating liquors as a beverage, by legal restraint. These facts we consider highly encouraging and favorable to the cause of prohibition, with which our system of agencies is intimately connected.

When we shall emerge from the furnace-fires of civil war, chastened and subdued, when patriotism, justice, and the valor of our arms shall triumph, and our citizen soldiers shall return to the genial pursuits of peace, may we not justly anticipate the dawn of a more pure and exalted civilization, which shall wholly exclude that gross intemperance, so universally attendant on the beverage-use of the intoxicating cup. Will a people who are raising the standard of intelligence so high—whose literature is permeated with christian ideas—whose temple-teaching is so eminently chaste, ele-

vated and pure, and whose humanities and charities keep pace with misfortune and want, and are like crystal fountains in the deserts, *will such a people* continue to tolerate drinking shops and saloons, so destructive to every interest vital to man? *We hope not! We believe not!* Humanity forbids it and calls for relief.

In my judgment no additional legislation is necessary at present to secure the end. Some modifications of the law relating to the subject might perhaps be beneficial and may hereafter be recommended; but I forbear to suggest them now, as an extended observation may render it more obvious what changes, if any, are really expedient.

An account of sales to the various cities and towns from the 1st of April to the 30th of November, is subjoined; and by the favor of Hon. Edward F. Porter, Commissioner of Massachusetts, his account of sales in this State, during the same period, is also given.

Very respectfully yours,

EATON SHAW, *Commissioner.*

Portland, Dec. 15, 1862.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
March 11, 1863. }

Ordered, That 500 copies of the Report of the Commissioner on Liquor Agency, together with the Report of Legislative Committee on same, be printed for the use of the Legislature.

CHARLES A. MILLER, *Clerk*.