

HOUSE....No. 134.

Commonwealth of Massachusetts.

Mr. Brigham, of Westboro', moves to amend the bill (House, No. 116) in relation to the Sale of Fermented and Spirituous Liquors, by striking out all after the enacting clause, and inserting the following, viz :—

1 SECT. 1. Spirituous and other intoxicating liquors
2 may be sold in less quantities than twenty-eight gal-
3 lons, for medicinal, sacramental, and mechanical pur-
4 poses, by suitable persons employed therefor, but not
5 otherwise.

1 SECT. 2. The mayor and aldermen of the several
2 cities, and the selectmen of the several towns, within
3 this Commonwealth, may employ as many suitable
4 agents to purchase and sell intoxicating liquors, in
5 their respective cities and towns, for the purposes
6 named in the first section of this act, as, in their
7 judgment, the public good may require, for a time
8 not exceeding one month after the expiration of their
9 term of office; and any person so employed, who
10 shall knowingly sell for other purposes than those
11 mentioned in the first section of this act, shall, upon

12 due conviction thereof, be subject to a fine of not less
13 than twenty nor more than fifty dollars, and shall
14 forthwith be removed from office.

1 SECT. 3. The said agents shall receive such com-
2 pensation for their services, from the treasuries of
3 the several towns and cities, as, in the opinion of the
4 mayor and aldermen of the cities, and the selectmen
5 of the towns, is just and reasonable, and said liquors
6 shall, in all cases, be sold at cost, including the ex-
7 pense of transportation.

1 SECT. 4. Every agent so employed shall keep a
2 true and perfect account of all purchases and sales
3 by him made, which shall be exhibited to his em-
4 ployers whenever required.

1 SECT. 5. Any person obtaining the abovenamed
2 liquors by false pretence, or misrepresentation, shall
3 be liable to imprisonment in the county prison, or
4 hard labor in the workhouse, or house of correction,
5 for a time not less than thirty days.

1 SECT. 6. If any person, not employed according
2 to the provisions of this act, shall sell by himself, or
3 employee, directly or indirectly, any intoxicating
4 drinks, he shall be liable for every such offence to
5 imprisonment and labor, in the county jail or house
6 of correction, not less than thirty days; and, pending
7 any complaint or indictment, under this act, the sev-
8 eral courts and justices of the peace, on a complaint
9 under oath, may issue a search-warrant against the
10 place or building in which the traffic in such liquors
11 is suspected to be carried on, commanding to seize all

12 such liquor, the casks or vessels containing the same,
13 and the implements used in the traffic thereof, found
14 in and upon the premises, and to hold the same, to
15 be used as evidence on the trial of the defendant,
16 and, in case of conviction, they shall be forfeited to
17 the Commonwealth and disposed of by order of the
18 court. Upon a second and all subsequent convic-
19 tions, under this act, the time of imprisonment and
20 labor shall be doubled.

1 SECT. 7. All penalties incurred under this act,
2 may be prosecuted and enforced by the statutes of
3 the Commonwealth applicable thereto, in the several
4 courts competent to try the same.

1 SECT. 8. All existing laws inconsistent with the
2 above are hereby repealed.

