

# HOUSE . . . . . No. 1002

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By Mr. Capraro of Boston, petition of Howard M. Strong, Jr., and Charles W. Capraro relative to the licensing of entertainment on the Lord's Day. Mercantile Affairs.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-Seven.

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### AN ACT RELATIVE TO LICENSING OF ENTERTAINMENT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 4 of chapter 136, as amended, is hereby further  
2 amended by inserting in the first sentence of said section after  
3 the word "solely" the words:— for the benefit of patrons in  
4 a dining room or, — so as to read as follows:— Except as  
5 provided in section one hundred and five of chapter one hun-  
6 dred and forty-nine, the mayor of a city or the selectmen of a  
7 town may, upon written application describing the proposed  
8 entertainment, grant, upon such terms or conditions as they  
9 may prescribe, a license to hold on the Lord's day a public  
10 entertainment, including musical entertainment provided by  
11 mechanical or electrical means, in keeping with the character  
12 of the day and not inconsistent with its due observance,  
13 whether or not admission is to be obtained upon payment of  
14 money or other valuable consideration, and, if the proposed  
15 entertainment described in the application is solely for the  
16 benefit of patrons in a dining room or for the use of television,  
17 the use of radio, or musical entertainment provided by me-  
18 chanical or electrical means, the mayor or selectmen may  
19 grant an annual license therefor; provided, that no such  
20 license shall be granted to have effect before one o'clock in

21 the afternoon, nor shall it have effect unless the proposed  
22 entertainment shall have been approved in writing by the  
23 commissioner of public safety as being in keeping with the  
24 character of the day and not inconsistent with its due obser-  
25 vance. The application for the approval of the proposed  
26 entertainment by the commissioner shall be accompanied by  
27 a fee of two dollars, or, in the case of an application for the  
28 approval of an annual license, as herein provided, by a fee  
29 of fifty dollars. Any such license may, after notice and a  
30 hearing given by the mayor or selectmen issuing the same,  
31 or by said commissioner, be suspended, revoked or annulled  
32 by the officer or board giving the hearing. The foregoing  
33 provisions, in so far as they authorize any person to refuse  
34 to grant, or to suspend, revoke or annul a license upon the  
35 ground that the proposed entertainment is not in keeping  
36 with the character of the Lord's day or not consistent with  
37 its due observance, and in so far as they require written ap-  
38 proval of the proposed entertainment by said commissioner,  
39 shall not apply to any person making an application for a  
40 license to exhibit motion pictures or for the use of radio or  
41 television on said day, nor to any license issued upon such  
42 application.