

SENATE No. 432

[Senate, No. 432. — Substituted by amendment (Putnam) for the House Report of the committee on Legal Affairs, "reference to the next annual session," on the petition of Albert O. Boyer, accompanied by bill, House, No. 929.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Six.

An Act regulating the Number of Licenses in Small Towns for the Sale of Alcoholic Beverages to be Consumed on the Premises.

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 seventeen of chapter one hundred and
2 thirty-eight of the General Laws, as most recently
3 amended by section fifteen of chapter four hundred
4 and forty of the acts of nineteen hundred and thirty-
5 five, is hereby further amended by striking out, in
6 the fourteenth and fifteenth lines, the words "may
7 grant two licenses under section twelve and also two
8 licenses under section fifteen, irrespective of popu-
9 lation" and inserting in place thereof the words:—
10 , irrespective of its population, may grant not more
11 than four licenses in the aggregate under sections
12 twelve and fifteen, and in such case not more than
13 three may be granted under section twelve nor more

14 than two under section fifteen, — so that the first
15 paragraph will read as follows: — Except as other-
16 wise provided in this chapter, the number of licenses
17 granted by the local licensing authorities in any city
18 or town under sections twelve and fifteen shall not
19 exceed in the aggregate one for each population unit
20 of one thousand or fraction thereof; provided, that
21 within said aggregate number the licensing authori-
22 ties may grant three licenses under section fifteen in
23 any city or town having a population of five thou-
24 sand or more but not exceeding fifteen thousand and
25 may grant not more than one license thereunder for
26 each population unit of five thousand or fraction
27 thereof in any city or town having a population of
28 more than fifteen thousand; and provided, further,
29 that the licensing authorities in any town, irrespec-
30 tive of its population, may grant not more than four
31 licenses in the aggregate under sections twelve and
32 fifteen, and in such case not more than three may
33 be granted under section twelve nor more than two
34 under section fifteen; and provided, further, that in
35 the city of Boston licenses under section twelve may
36 be granted up to a total number not exceeding one
37 thousand and licenses under section fifteen up to a
38 total number not exceeding three hundred and fifty;
39 and provided, further, that in any city or town which
40 has an increased resident population during the sum-
41 mer months, the local licensing authorities may make
42 an estimate prior to April first in any year of such
43 temporary resident population as of July tenth fol-
44 lowing, a copy of which estimate shall be transmitted
45 forthwith to the commission, and one additional license
46 under section twelve, to be effective from April first
47 to November thirtieth only, may be granted for each

48 unit of one thousand or additional fraction thereof
49 of such population as so estimated, and one addi-
50 tional license under section fifteen, to be effective
51 from April first to November thirtieth only, may be
52 granted for each unit of five thousand or additional
53 fraction thereof of such population as so estimated;
54 and provided, further, that said authorities may grant
55 in addition and irrespective of any limitation of
56 number of licenses contained in this section seasonal
57 licenses under section twelve to duly incorporated
58 clubs in their city or town if deemed by them to be
59 in the public interest.

