

To accompany the petition of E. Tallmadge Root that certain innholders and common victuallers be required to obtain a license where dancing is permitted. Legal Affairs.

The Commonwealth of Massachusetts

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

An Act requiring Certain Innholders and Common Victuallers where Dancing is permitted to obtain a License.

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

1 Chapter one hundred and forty under the
2 General Laws is hereby amended by adding the
3 following new sections:

4 *Section 206.* No person or persons, firm or
5 corporation, and no innholder or common vic-
6 tualler expressed to be subject to section twenty-
7 two to thirty-two, inclusive, of this chapter and
8 sections twenty-five to twenty-seven, inclusive,
9 of chapter two hundred and seventy-two, shall
10 on week days offer to view, set up, set on foot,
11 maintain or carry on a concert or dance hall,
12 cabaret or public show, of any description, at
13 which food or drink or other refreshment is sold
14 or exposed for sale, and to which admission is
15 obtained upon payment of money or other val-

16 uable consideration, or in or upon which, after
17 free admission, music or other amusement is
18 provided or furnished upon payment or deposit
19 of money, either as a cover charge or in payment
20 for the sale of food, drink or other refreshment to
21 be consumed either on or off the premises, or
22 otherwise, unless and until the license as herein-
23 after provided has first been obtained.

24 *Section 207.* The mayor of the city of Boston,
25 the mayor or licensing authorities of any city,
26 and the selectmen of any town, may upon written
27 application grant upon such terms and conditions
28 as they may prescribe, a license for any of the
29 purposes described in the preceding section.

30 *Section 208.* In all towns having less than one
31 thousand registered voters at the last state elec-
32 tion prior to the date of application for a license
33 under the provisions of this act, no license for
34 any purpose as set forth in section two hundred
35 and six shall be valid unless and until the said
36 license, accompanied by a fee of five dollars, has
37 been approved in writing by the commissioner of
38 public safety as in the interest of public good and
39 morals. Any such license granted under this and
40 the preceding two sections may, after a notice in
41 writing given by the mayor or aldermen, the li-
42 censing authorities or the selectmen granting the
43 same, or by said commissioner be suspended,
44 revoked or annulled.

45 *Section 209.* Any person or persons, firm or
46 corporation, any innholder or common victualler
47 violating any of the provisions of this act shall

48 for the first offense be punished by a fine of not
49 less than one hundred dollars nor more than one
50 thousand dollars, or by imprisonment for not
51 less than three months nor more than two years,
52 or both such fine and imprisonment, and for any
53 subsequent offence shall be imprisoned for not
54 less than three months nor more than two years.

55 *Section 210.* Nothing in the foregoing shall
56 be construed as affecting in any way the provi-
57 sions of sections one hundred and eighty-one, one
58 hundred and eighty-two, one hundred and eighty-
59 three and one hundred and eighty-four, of this
60 act, or section one hundred and five of chapter one
61 hundred and forty-nine.

