

To accompany the petition of Edward L. Logan for legislation to permit certain outdoor sports and games on the Lord's Day. Legal Affairs.

The Commonwealth of Massachusetts

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

An Act to permit Certain Outdoor Sports and Games
on the Lord's Day.

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 1. Section two of chapter one hun-
2 dred and thirty-six of the General Laws is hereby
3 amended by striking out all after the word "to"
4 in the tenth line and inserting in place thereof
5 the words: — twenty-five, inclusive, in any city
6 or town which accepts said sections or in accord-
7 ance with sections twenty-one to twenty-eight
8 of chapter one hundred and thirty-six of the
9 General Laws, in any city or town which has
10 accepted said sections, — so as to read as follows:
11 — *Section 2.* Whoever on the Lord's day is
12 present at a game, sport, play or public diversion,
13 except a concert of sacred music, a public enter-
14 tainment duly licensed as provided in section
15 four or a free open air concert given by a town,
16 or by license of the mayor or the selectmen, upon

17 a common or public park, street or square, shall
18 be punished by a fine of not more than five dol-
19 lars. Whoever on the Lord's day takes part in
20 any game, sport, play or public diversion, except
21 as aforesaid, shall be punished by a fine of not
22 more than fifty dollars. This and the following
23 section shall not apply to sports or games con-
24 ducted in accordance with sections twenty-one
25 to twenty-five, inclusive, in any city or town
26 which accepts said sections or in accordance with
27 sections twenty-one to twenty-eight of chapter
28 one hundred and thirty-six of the General Laws,
29 in any city or town which has accepted said
30 sections.

1 SECTION 2. Said chapter one hundred and
2 thirty-six is hereby further amended by strik-
3 ing out sections twenty-one to twenty-eight,
4 inclusive, and inserting in place thereof the fol-
5 lowing: —

6 *Section 21.* In any city which accepts sections
7 twenty-one to twenty-five, inclusive, by vote of
8 its city council and in any town which accepts
9 said sections by vote of its inhabitants it shall be
10 lawful to take part in or witness any athletic
11 outdoor sport or game on the Lord's day between
12 the hours of two and six in the afternoon as
13 hereinafter provided.

14 *Section 22.* Such sports or games shall take
15 place on such playgrounds, parks or other places
16 as may be designated for that purpose in a license
17 or permit issued by the city council, with the

18 approval of the mayor, or by the selectmen;
19 provided, that if, under any statute or ordinance,
20 a public playground or park is placed under the
21 exclusive charge and authority of any other
22 officials, such officials shall, for that playground
23 or park, be the licensing authority; and provided,
24 that no sport or game shall be permitted in a
25 place, other than a public playground or park,
26 within one thousand feet of any regular place of
27 worship now established.

28 *Section 23.* Such sports or games shall be
29 conducted subject to such regulations and restric-
30 tions as shall be prescribed from time to time by
31 the city council or the selectmen; provided, that
32 they shall not prohibit the charging of admission
33 fees or the taking of collections at any such sport
34 or game, nor shall they prohibit the receiving of
35 remuneration by any proprietor, manager or
36 person in charge of, or sponsoring, or interested
37 in any such sport or game or by any participant
38 therein. Said regulations and restrictions shall
39 be stated in the license or permit.

40 *Section 24.* The licensing authorities described
41 in section twenty-two may at any time and with-
42 out previous notice revoke permits to conduct the
43 said sports or games if any provision of sections
44 twenty-one to twenty-five, inclusive, or of any
45 regulation or restriction prescribed under section
46 twenty-three, is being violated.

47 *Section 25.* Sections twenty-one to twenty-
48 five, inclusive, shall not prohibit participation at
49 other hours on the Lord's day in other outdoor

50 exercise not involving the element of contest, nor
51 shall they permit horse racing, automobile racing,
52 boxing, wrestling, or hunting with firearms.

1 SECTION 3. Any city or town which has ac-
2 cepted sections twenty-one to twenty-eight, in-
3 clusive, of chapter one hundred and thirty-six of
4 the General Laws or corresponding provisions of
5 earlier laws shall continue to be governed by the
6 provisions of said sections until said sections
7 have failed of acceptance on resubmission in
8 accordance with section twenty-seven of said
9 chapter one hundred and thirty-six or until the
10 provisions of section two of this act have been
11 accepted in the manner provided therein.