

# SENATE . . . . No. 130

---

---

To accompany the petition of Frank Hurley that the number of licenses in certain towns for the sale of alcoholic beverages be further regulated. Legal Affairs.

---

---

## The Commonwealth of Massachusetts

---

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

---

An Act further Regulating the Number of Licenses in  
Certain Towns for the Sale of Alcoholic Beverages.

1 *Whereas*, The deferred operation of this act would  
2 tend to defeat its purpose, therefore it is hereby  
3 declared to be an emergency law, necessary for the  
4 immediate preservation of the public convenience.

*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 seven of chapter three hundred  
4 and eighty-five of the acts of nineteen hundred and  
5 thirty-four, is hereby further amended by striking out  
6 the second proviso and inserting in place thereof the  
7 following:— and provided, further, that the licensing  
8 authorities in any town may grant in the aggregate  
9 four licenses under sections twelve and/or fifteen,  
10 irrespective of population,— so that the first para-

11 graph will read as follows:— Except as otherwise  
12 provided in this chapter, the number of licenses  
13 granted by the local licensing authorities in any city  
14 or town under sections twelve and fifteen shall not  
15 exceed in the aggregate one for each population unit  
16 of one thousand or fraction thereof; provided, that  
17 the total number of licenses granted under section  
18 fifteen in any city or town shall not exceed one for  
19 each population unit of five thousand or fraction  
20 thereof; and provided, further, that the licensing  
21 authorities in any town may grant in the aggregate  
22 four licenses under sections twelve and/or fifteen,  
23 irrespective of population, and provided, further,  
24 that, in the city of Boston licenses under section  
25 twelve may be granted up to a total not exceeding  
26 one thousand and licenses under section fifteen up to  
27 a total not exceeding three hundred and fifty, and  
28 provided, further, that in any city or town which  
29 has an increased resident population during the sum-  
30 mer months, the local licensing authorities may make  
31 an estimate prior to April first in any year of such  
32 temporary resident population as of July tenth fol-  
33 lowing, and one additional license, under section  
34 twelve to be effective from April first to October  
35 thirty-first, only, may be granted for each unit of one  
36 thousand, or additional fraction thereof, of such popu-  
37 lation as so estimated, and one additional license  
38 under section fifteen to be effective from April first  
39 to October thirty-first, only, may be granted for each  
40 population unit of five thousand or additional frac-  
41 tion thereof, of such population as so estimated; and  
42 provided, further, that said authorities may grant in  
43 addition seasonal licenses under section twelve to

44 duly incorporated clubs in any city or town if deemed  
45 by them to be in the public interest. Any license  
46 issued under section twelve or fifteen for the sale of  
47 wines or malt beverages only or both shall not be  
48 included in the number of licenses that may be  
49 granted in any city or town as provided in this section.

