

# SENATE . . . . No. 65

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To accompany the petition of Edward R. Hathaway that a licensing board be established for the city of New Bedford. Cities.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fifteen.

### AN ACT

To establish a Licensing Board for the City of New Bedford.

*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. The mayor shall appoint three citi-  
2 zens of New Bedford who shall have resided therein  
3 for a period of at least two years immediately  
4 preceding the date of their appointment, who shall  
5 constitute a licensing board for said city and who  
6 shall be sworn to the faithful performance of the  
7 duties of their office before entering thereon.  
8 They shall not be in the employ of any person  
9 or corporation engaged in the manufacture or sale  
10 of intoxicating liquors, or in any way directly or  
11 indirectly interested pecuniarily in the manufac-  
12 ture or sale of intoxicating liquors, or in any busi-  
13 ness which requires a license to be issued by them.

14 One member of said board shall be designated  
15 by the mayor as chairman and two members shall  
16 constitute a quorum.

17 Their terms of office shall be so arranged and  
18 designated at the time of the appointment that the  
19 term for one member shall expire on the first Mon-  
20 day of June, nineteen hundred and seventeen; of  
21 another on the first Monday of June, nineteen  
22 hundred and nineteen; and of the third on the first  
23 Monday of June, nineteen hundred and twenty-one.

24 Upon the expiration of the term of any member  
25 of said board the mayor shall appoint his successor  
26 for the term of six years. Vacancies in the board  
27 shall be filled by the mayor for the unexpired  
28 term.

29 The members of said board may be removed by  
30 the mayor for such cause as he shall deem suffi-  
31 cient, which cause shall be stated in the order of  
32 removal.

33 The board shall appoint a secretary, who shall  
34 be exempt from the civil service law, who shall be  
35 sworn to the faithful performance of the duties of  
36 his office. He shall keep a record of all the pro-  
37 ceedings of the board, issue all notices, and attest  
38 all papers and orders as the said board may direct.  
39 His term of office shall be six years, but he may  
40 be removed by said board for such cause as it shall  
41 deem sufficient, which cause shall be stated in its  
42 order of removal.

1 SECTION 2. The salary of the members of the  
2 board shall be fixed by the mayor with the advice  
3 and consent of the board of aldermen.

1 SECTION 3. Said licensing board may employ  
2 such clerks and office employees as it may deem  
3 necessary, and the expenses thereof and the salary  
4 of the secretary shall be determined by the mayor  
5 with the advice and consent of the board of alder-  
6 men.

1 SECTION 4. Except as otherwise provided herein,  
2 said board shall exclusively exercise in said city  
3 all the powers and perform all the duties conferred  
4 or imposed upon licensing boards by sections ten  
5 to ninety, both inclusive, of chapter one hundred  
6 of the Revised Laws and amendments thereof rela-  
7 tive to intoxicating liquor, and by chapter one  
8 hundred and two of the Revised Laws and amend-  
9 ments thereof relative to innholders and common  
10 victualers.

11 Said board shall also exercise, except as other-  
12 wise herein provided, all the powers and perform  
13 all the duties now exercised by the city clerk, con-  
14 ferred upon him by ordinance passed under the  
15 authority of chapter one hundred and forty-one of  
16 the acts of the year nineteen hundred and fourteen.

17 Said board shall also have full power and au-  
18 thority in the matter of granting and issuing the  
19 following named licenses and permits:—

20 As an auctioneer.

21 To keep for hire, gain or reward, billiard, pool  
22 and sippio tables and bowling alleys.

23 To sell, rent or lease firearms.

24 To set up, employ and use a hackney carriage for  
25 the conveyance of persons, for hire, from place to  
26 place.

- 27 To be a driver of a public carriage or wagon.  
28 To be a hawker and pedler of fruits and vege-  
29 tables.  
30 To keep an intelligence office.  
31 To collect junk, old metals or any second-hand  
32 articles.  
33 To deal in junk, old metals or any second-hand  
34 articles.  
35 To be a pawnbroker.  
36 To act as a private detective.  
37 To keep a public lodging house.  
38 To take scallops within the waters of the city of  
39 New Bedford.  
40 To establish, keep open and maintain a skating  
41 rink for the amusement of roller skating, and car-  
42 rousels, inclined railways, ferris wheels and out-  
43 door exhibitions of fire-fighting for the amusement  
44 of the public for hire, gain or reward.  
45 To maintain a vehicle for the sale of food.  
46 To employ and use a wagon or other vehicle for  
47 conveyance, for hire, of goods and other articles,  
48 etc., from place to place.  
49 All licenses issued by said board shall be signed  
50 by a majority of the members thereof and shall be  
51 recorded in the office of said board and all fees for  
52 said licenses shall be paid into the treasury of said  
53 city.

1 SECTION 5. Said licensing board shall annually,  
2 on or before the fifteenth day of December, make  
3 a written report to the mayor.

4 All records of said board shall at all times be  
5 open to the inspection of the mayor of said city,  
6 and to such persons as may be designated by him.

1 SECTION 6. If at any annual city election the city  
2 shall not vote to authorize the granting of licenses  
3 for the sale of intoxicating liquor, the said licens-  
4 ing board shall continue to exercise all the powers  
5 and perform all the duties herein prescribed with  
6 reference to the granting and issuing of all other  
7 licenses.

1 SECTION 7. All acts and parts of acts inconsist-  
2 ent herewith are hereby repealed so far as they  
3 affect the city of New Bedford; and all ordinances  
4 and parts of ordinances of said city in conflict with  
5 this act are hereby annulled.

