

HOUSE No. 19

Bill accompanying the petition of Medley T. Holdsworth for the appointment of a state athletic commission and the regulation of boxing and sparring exhibitions and performances. Legal Affairs. January 8.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty.

AN ACT

Appointing a State Athletic Commission and regulating the Art of Boxing and Sparring Exhibitions or Performances and Bouts in the Commonwealth of Massachusetts.

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. Thirty days after the passage of this act
2 the governor shall appoint three male persons to be known
3 as the state athletic commission, who shall hold office for
4 the term of two years. This commission shall maintain
5 general offices for the transaction of its business in the
6 state house. The members of the commission shall receive
7 as salary the sum of five hundred dollars per annum
8 each. They shall at their first meeting elect one of their
9 members chairman and shall adopt a seal for the office
10 and may make such rules for the administration of the
11 office, not inconsistent herewith, as they may deem ex-

12 pedient; and they may hereafter amend or abrogate such
13 rules. Two of the members of the commission shall
14 constitute a quorum to do business; and the concurrent
15 vote of at least two shall be necessary to render a choice
16 or decision by the commission. The members of the
17 commission shall be entitled to receive the actual and
18 necessary travelling expenses incurred by them in per-
19 formance of their official duties.

1 SECTION 2. The commission shall appoint, and at
2 pleasure remove, a secretary, whose duty it shall be to
3 keep a full and true record of all its proceedings, preserve
4 at its general office all its books, documents and papers,
5 prepare for service such notices and other papers as may
6 be required of him by the commission, and to perform
7 such other duties as the commission may prescribe, and
8 may, under the direction of the commission, issue sub-
9 pœnas for the attendance of witnesses before the com-
10 mission with the same effect as if they were issued in an
11 action in the courts, and may, under the direction of the
12 commission, administer oaths in all matters pertaining to
13 the duties of his office or connected with the administra-
14 tion of the affairs of the commission. Disobedience of
15 such a subpœna and false swearing before such secretary
16 shall be attended by the same consequence and be subject
17 to the same penalties as if same occurred in an action in
18 the courts. The secretary of the commission shall receive
19 a salary of one thousand five hundred dollars per annum
20 and his actual and necessary travelling expenses and other
21 necessary expenses incurred by him in the performance of
22 his official duties.

1 SECTION 3. The commission is given power to appoint
2 one special temporary inspector to represent the com-

3 mission at any performance, exhibition or bout when it
4 will be impossible for some member of the commission to
5 be present at such performance, exhibition or bout, and
6 see that the rules are strictly observed, and he shall also
7 be present at the counting up of the gross receipts and
8 shall immediately mail to the commission the box office
9 statement received by him from the parties giving the
10 exhibition. He shall receive his actual and necessary
11 travelling and other expenses incurred in the performance
12 of his official duties in the manner as prescribed in this
13 act.

1 SECTION 4. The commissioners, the secretary and any
2 special temporary inspector shall be paid monthly by the
3 treasurer on the warrant of the auditor, out of the re-
4 ceipts provided by this act.

1 SECTION 5. The commission shall make to the general
2 assembly a full report of its proceedings for the two years
3 preceding on the first day of December, and may submit
4 with said report such recommendation pertaining to its
5 affairs as it shall deem desirable.

1 SECTION 6. The commission shall have sole direction,
2 management, control of and jurisdiction over all boxing
3 and sparring matches, exhibitions or bouts to be con-
4 ducted, held or given within the state by any club, cor-
5 poration or association and no boxing or sparring match,
6 exhibition, or bout shall be conducted, held or given
7 except pursuant to its authority and in accordance with
8 the provisions of this act. The commission may in its
9 discretion issue, and at its pleasure revoke, a license to
10 conduct, hold or give boxing or sparring matches, exhibi-
11 tion or bouts to any club, corporation or association,

12 which if it be an amateur athletic association may be in-
13 corporated or organized in accordance with the rules of
14 the amateur athletic union of the United States. Every
15 license shall be subject to such rules and regulations and
16 amendments thereof as the commission may prescribe
17 except that whenever amateur boxing, sparring matches,
18 exhibitions or bouts are held under the auspices or sanc-
19 tion of the amateur athletic union or Young Men's
20 Christian Association, the license fee and bond necessary
21 under this act shall not be required of said organization;
22 such matches and exhibitions shall, however, be subject
23 to all the other provisions of this act and the rules and
24 regulations of the commission. Every application for a
25 license, as herein provided for, shall be in writing and
26 shall be addressed to the commission and shall be verified
27 by the duly elected secretary of the club, corporation or
28 association or on whose behalf the application may be
29 made. It shall contain a recital of such facts as under
30 the provisions hereof will show the applicant entitled to
31 receive a license, and in addition thereto such other facts
32 and recitals as the commission may by rule require to be
33 shown.

1 SECTION 7. Before any license shall be granted to any
2 club, corporation or association to conduct, hold or give
3 any boxing or sparring match, exhibition or bout such
4 applicant shall execute and file with the secretary of the
5 commonwealth a bond in the sum of ten thousand dollars
6 to be approved as to form, and the sufficiency of the
7 sureties thereon, by the secretary of the commonwealth,
8 conditioned for the payment of the tax hereby imposed.
9 Upon the filing and approval of such bond the secretary
10 of the commonwealth shall issue to such applicant for
11 such license a certificate of such filing and approval, which

12 shall be by such applicant filed in the office of the com-
13 mission with its application for such license; and no such
14 license shall be issued until such certificate shall be filed.

1 SECTION 8. Every club, corporation or association
2 which may hold or exercise any of the privileges conferred
3 by this act shall, within twenty-four hours after the de-
4 termination of every contest, furnish to the commission a
5 written report, duly verified by the treasurer and secre-
6 tary, showing the exact number of tickets sold for such
7 contest and the amount of the gross proceeds thereof, and
8 such other matters as the commission may prescribe, and
9 shall also within the said time pay to the treasurer and
10 receiver general a tax of five per centum of its total gross
11 receipts from the sale of tickets of admission to such box-
12 ing or sparring match, contest or exhibition, which tax
13 shall be paid into the state treasury.

1 SECTION 9. Whenever any such club, corporation or
2 association shall fail to make a report of any contest at
3 the time prescribed by this act or whenever such report
4 is unsatisfactory to the secretary of the commonwealth, he
5 may examine, or cause to be examined, the books and
6 records of such club, and subpoena and examine under
7 oath its officers and other persons as witnesses for the
8 purpose of determining the total amount of its gross re-
9 ceipts for any contest and the amount of tax due pur-
10 suant to the provisions of this act, which tax he may
11 upon the result of such examination fix and determine.
12 In case of the default in the payment of any tax so ascer-
13 tained to be due, together with the expenses incurred in
14 making such examination, for a period of twenty days
15 after notice to such delinquent club, corporation or asso-
16 ciation of the amount at which the same may be fixed by

17 the secretary of the commonwealth, such delinquent shall
18 forfeit its license and shall be thereby disqualified from
19 receiving any new license or any renewal of license; and
20 it shall in addition forfeit to the state the sum of five
21 hundred dollars, which may be recovered by the attorney-
22 general in the name of the state in the same manner as
23 other penalties are by law recovered.

1 SECTION 10. All buildings or structures used, or in-
2 tended to be used, for the purpose of this act shall be
3 properly ventilated and provided with fire exits and fire
4 escapes in conformance with the laws, ordinances and
5 regulations pertaining to buildings in the city, town,
6 township or village where situated. When a part of a
7 building or structure is used for the purpose set forth in
8 this act, this section shall apply in the same manner.

1 SECTION 11. Any club, corporation or association
2 which shall sell, or cause to be sold, more tickets or invi-
3 tations for any exhibition or performance than the seating
4 capacity of the building, structure, or a part thereof,
5 actually used for such exhibition or performance, shall for
6 the first offense be subject to a penalty of three hundred
7 dollars, which shall and must be paid to the state and for
8 the second offense forfeit its license, and shall be thereby
9 disqualified from receiving any new license or any re-
10 newal of license, also forfeit to the state the sum of five
11 hundred dollars, which may be recovered by the attorney-
12 general in the same manner as other penalties are by law
13 recovered.

1 SECTION 12. The price of seats must be published in
2 at least two local newspapers, three separate editions, in a
3 space not less than two by three inches in size; any

4 failure to comply with this provision shall be guilty of a
5 misdemeanor and penalized as prescribed in this act.

1 SECTION 13. No club, corporation or association shall
2 permit or allow any person or persons to sell or exchange
3 any tickets or ticket or invitations for seating reservation
4 for any money which is more than the box office price;
5 any person violating this section shall be guilty of a mis-
6 demeanor and penalized as prescribed in this act.

1 SECTION 14. The commission is authorized to grant
2 licenses, upon the application and the payment of a fee of
3 ten dollars annually, to competent referees, and may re-
4 voke any license so granted to any such referee upon
5 such cause as the commission shall deem sufficient. The
6 referee must stop the contest or match at which he is
7 officiating when either of the contestants shows a marked
8 superiority or is apparently outclassed. The fee of the
9 referee as decided upon between club and referee, must be
10 paid by said club.

1 SECTION 15. Any club, corporation or association
2 which may conduct, hold or give, participate in, any
3 sham or fake boxing or sparring match, exhibition, per-
4 formance or bout shall thereby forfeit its license issued in
5 accordance with the provisions in this act, which shall
6 thereupon be, by the commission, cancelled and declared
7 void; and it shall not thereafter be entitled to receive
8 another such or any license pursuant to the provisions of
9 this act.

1 SECTION 16. Any contestant who shall participate in
2 any sham or fake boxing or sparring match, exhibition or
3 bout shall be penalized in the following manner: for the
4 first offense he shall be restrained for a period of six

5 months, such period to begin immediately after the
6 occurrence of such offense, from participating in any box-
7 ing competition or bout to be held or given by any club,
8 corporation or association duly licensed to give or hold
9 such boxing or sparring match, exhibition or bout; for a
10 second offense he shall be totally disqualified from further
11 admission or participation in any contest held or given by
12 any club, corporation or association duly licensed for said
13 purpose.

1 SECTION 17. No boxing or sparring match or per-
2 formance shall be of more than twelve rounds in length,
3 and the contestants shall wear during such contests
4 gloves weighing at least eight ounces each.

1 SECTION 18. Any principal, principals, manager, man-
2 agers, second, seconds, promoter or promoters or match-
3 maker if found guilty of receiving or accepting any money
4 or presents from any boxer or exhibitor of the art of box-
5 ing or sparring for some special privilege or for discrimi-
6 nating in matters of making a match shall be guilty of a
7 misdemeanor and subject to a penalty as prescribed in
8 this act.

1 SECTION 19. No boxing or sparring exhibition, bout or
2 exhibitions, performance or performances, shall be held or
3 conducted in any building, buildings, structure or struc-
4 tures where liquor is sold or served.

1 SECTION 20. No boxing or sparring match, exhibition,
2 performance or bout shall be held on Sunday.

1 SECTION 21. No boxer shall be permitted to enter the
2 ring unless he has been declared in physical fitness by a
3 competent physician who shall be in attendance through-

4 out all exhibitions or performances. Said physician shall
5 be one who has been licensed to practice in Massachusetts
6 for not less than two years, and shall be appointed by the
7 commission. The physician shall verify in writing over
8 his signature as to the contestant's physical condition to
9 engage in such contest and his fee as decided by the com-
10 mission must be paid by the club, organization or cor-
11 poration conducting said sparring match or boxing ex-
12 hibition.

1 SECTION 22. No contestant under sixteen years of age
2 shall be permitted to engage in any such boxing match,
3 sparring match, exhibition, performance or bout.

1 SECTION 23. No betting or wagering at any boxing or
2 sparring match or bout shall be permitted by any club or
3 organization before, after, or during any such contest, in
4 the building where such contest is held.

1 SECTION 24. No person under the age of sixteen years
2 shall be admitted to a boxing or sparring exhibition unless
3 accompanied by his parent.

1 SECTION 25. Any person or persons who violates any
2 of the provisions of this act for which a penalty is not
3 expressly prescribed shall be guilty of a misdemeanor, and
4 subject to a fine not to exceed one hundred dollars.

1 SECTION 26. All acts and parts of acts inconsistent
2 herewith are hereby repealed. If any section, clause or
3 proviso of this act shall be declared to be inconsistent
4 with the constitution and void by any court of competent
5 jurisdiction, the said section, clause or proviso so declared
6 to be unconstitutional and void shall thereby cease to be
7 a part of this act, but the remainder of the act shall stand
8 and be in full force.





