

HOUSE No. 604.

[Bill accompanying the petition of Samuel H. Borofsky and others for legislation to authorize persons who refrain from secular business and labor on the seventh day of the week to perform certain secular business and labor on the Lord's day. Judiciary. Jan. 31.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

Relative to the Observance of 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 two of chapter four hundred thirty-
2 four of the acts of the year eighteen hundred and
3 ninety-five is hereby amended by inserting, in the
4 thirty-eighth line, after the words "secular
5 business and labor on that day," the words: — or
6 during the period from sundown on Friday night
7 to sundown on Saturday night; — and by insert-
8 ing, in the fortieth line, after the words "secular
9 business and labor," the words: — or for keeping

10 open his shop, warehouse or workhouse for such
11 purpose, — so as to read as follows: —

12 *Section 2.* Whoever on the Lord's day keeps
13 open his shop, warehouse or workhouse, or does
14 any manner of labor, business or work, except
15 works of necessity and charity, or takes part in
16 any sport, game or play, or public diversion,
17 except a concert of sacred music, or an entertain-
18 ment given by a religious or charitable society
19 the proceeds of which, if any, are to be devoted
20 exclusively to a charitable or religious purpose,
21 shall be punished by fine not exceeding fifty
22 dollars for each offence, and the proprietor,
23 manager or person in charge of such game,
24 sport, play or public diversion, other than such
25 concert of sacred music, or an entertainment
26 given by a religious or charitable society the
27 proceeds of which, if any, are to be devoted
28 exclusively to a charitable or religious purpose,
29 shall be punished by fine not less than fifty and
30 not exceeding five hundred dollars for each
31 offence; but nothing in this section shall be held
32 to prohibit the manufacture and distribution
33 of steam, gas or electricity for illuminating
34 purposes, heat or motive power, nor the distribu-
35 tion of water for fire or domestic purposes, nor
36 the use of the telegraph or the telephone, nor the
37 retail sale of drugs and medicines, nor articles
38 ordered by the prescription of a physician, nor
39 mechanical appliances used by physicians or
40 surgeons, nor the letting of horses and carriages,
41 nor the letting of yachts and boats, nor the run-

42 ning of steam ferry boats on established
43 routes, or of street railway cars, nor the pre-
44 paration, printing and publishing of newspapers,
45 nor the sale and delivery of newspapers, nor the
46 wholesale or retail sale and delivery of milk, nor
47 the transportation of milk, nor the making of
48 butter and cheese, nor the keeping open of pub-
49 lic bath houses, nor the making or selling by
50 bakers or their employees of bread or other food
51 usually dealt in by them, before ten o'clock in
52 the morning and between the hours of four
53 o'clock and half-past six o'clock in the evening.
54 Whoever conscientiously believes that the sev-
55 enth day of the week ought to be observed as
56 the Sabbath, and actually refrains from secular
57 business and labor on that day, or during the
58 period from sundown on Friday night to sun-
59 down on Saturday night, shall not be liable
60 to the penalties of this section for performing
61 secular business and labor or for keeping open
62 his shop, warehouse or workhouse for such pur-
63 pose on the Lord's day, if he disturbs no other
64 person.

