

HOUSE No. 1064.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 5, 1901.

The committee on Bills in the Third Reading, to whom was referred the bill to prohibit the sale of native wines in cities and towns which refuse to license the sale of intoxicating liquors (House, No. 1026), report recommending the substitution of the accompanying bill.

For the Committee,

A. S. APSEY.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

To restrict the Sale of Native Wines in Cities and Towns which Refuse to License the Sale of Intoxicating Liquors.

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 one of chapter one hun-
2 dred of the Public Statutes, as amended by chap-
3 ter four hundred and eighty-nine of the acts of
4 the year eighteen hundred and ninety-four, is
5 hereby further amended by adding at the end
6 thereof the following: — *provided, however, that*
7 *in cities and towns which vote, as provided in*
8 *section five of this chapter, not to license the sale*
9 *of intoxicating liquors, native wines shall not be*
10 *sold, or exposed or kept for sale, except by the*
11 *makers thereof, on the premises where they were*
12 *made, and they shall be sold not to be drunk*
13 *on the said premises, — so as to read as fol-*
14 *lows: —*

15 *Section 1.* No person shall sell, or expose or
16 keep for sale, spirituous or intoxicating liquor,
17 except as authorized in this chapter; but nothing

18 herein contained shall apply to sales made by a
19 person under a provision of law requiring him to
20 sell personal property, or to sales at wholesale,
21 by the manufacturers thereof, of cider manufac-
22 tured in this Commonwealth, or by farmers in any
23 quantity who raise apples sufficient to make the
24 cider which they sell, if the same be not drunk on
25 their premises; nor shall anything herein con-
26 tained apply to sales, by the makers thereof, of
27 native wines or of cider manufactured in this
28 Commonwealth, if the cider contain not more
29 than three per centum of alcohol by weight at
30 sixty degrees Fahrenheit, not to be drunk on their
31 premises: *provided, however,* that in cities and
32 towns which vote as provided in section five of
33 this chapter not to license the sale of intoxicating
34 liquors, native wines shall not be sold or exposed
35 or kept for sale, except by the makers thereof on
36 the premises where they were made, and they
37 shall be sold not to be drunk on the said premises.

1 SECTION 2. Whoever shall sell, or expose or
2 keep for sale, native wines in violation of this act
3 shall be punished by a fine of not less than fifty
4 nor more than five hundred dollars, or by im-
5 prisonment for not less than one month nor more
6 than six months, or by both such fine and im-
7 prisonment.

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Passed to be engrossed.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

