

SENATE No. 338.

[Engrossed Bill, printed as House, No. 1368, and amended as it will read if the amendments moved by Senator Berry are adopted.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Two.

AN ACT

Relative to the Sale of Ice Cream, Soda Water and Confectionery on 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 1. Section three of chapter ninety-
2 eight of the Revised Laws is hereby amended by
3 inserting after the word "week," in the tenth line
4 the words:— nor the retail sale of ice cream, soda
5 water and confectionery by licensed innholders
6 and druggists, and by such licensed common vic-
7 tuallers as are not also licensed to sell intoxicating
8 liquors and who are authorized to keep open their
9 places of business on the Lord's day,— so as to
10 read as follows:—

11 *Section 3.* The provisions of the preceding
12 section shall not be held to prohibit the manu-
13 facture and distribution of steam, gas or electric-
14 ity for illuminating purposes, heat or motive
15 power; nor the distribution of water for fire or
16 domestic purposes; nor the use of the telegraph
17 or the telephone; nor the retail sale of drugs and
18 medicines, nor articles ordered by the prescription
19 of a physician, or mechanical appliances used by
20 physicians or surgeons; nor the retail sale of to-
21 bacco in any of its forms by licensed innholders,
22 common victuallers, druggists and newsdealers
23 whose stores are open for the sale of newspapers
24 every day in the week; nor the retail sale of ice
25 cream, soda water and confectionery by licensed
26 innholders and druggists, and by such licensed
27 common victuallers as are not also licensed to sell
28 intoxicating liquors and who are authorized to
29 keep open their places of business on the
30 Lord's day; nor the letting of horses and
31 carriages or of yachts and boats; nor the run-
32 ning of steam ferry boats on established routes;
33 nor the running of street railway cars; nor the
34 preparation, printing and publication of news-
35 papers, nor the sale and delivery of newspapers;
36 nor the wholesale or retail sale and delivery of
37 milk, nor the transportation of milk, nor the
38 making of butter and cheese; nor the keeping
39 open of public bath houses; nor the making or
40 selling by bakers or their employees, before ten
41 o'clock in the morning and between the hours of
42 four o'clock and half past six o'clock in the even-

43 ing, of bread or other food usually dealt in by
44 them; nor the carrying on of the business of boot-
45 blacks before eleven o'clock in the forenoon.

1 SECTION 2. This act shall take effect upon its
2 passage.

