

HOUSE No. 1051

Bill accompanying the petition of Thomas J. Burke relative to the conditions under which licenses are granted for the sale of intoxicating liquors. Social Welfare. January 19.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fourteen.

AN ACT

Relative to granting Licenses of the Fourth and Fifth Classes
for 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 thirteen of chapter one hundred
2 of the Revised Laws, as amended by chapter four hun-
3 dred and seventy-six of the acts of the year nineteen hun-
4 dred and ten, is hereby amended by striking out, in the
5 ninth and tenth and following lines, the words " Nowhere
6 in the commonwealth shall a fourth or fifth class license
7 be granted to be exercised upon the same premises with a
8 license of any of the first three classes, except that a
9 licensed innholder who has a license of any of the first
10 three classes may likewise be granted a license of the
11 fourth or fifth class for the purpose of supplying liquor

12 to guests who have resorted to his inn for food or lodging.
13 No more than one license shall be granted by any one vote
14 of the licensing board," and inserting in place thereof the
15 following words: — No more than one such place shall be
16 licensed by any one vote of the licensing board, — so as
17 to read as follows:— *Section 13.* In cities and towns
18 which vote to authorize the granting of licenses for the
19 sale of intoxicating liquors the number of places licensed
20 for the sale of such liquors shall not exceed one for each
21 one thousand of the population as ascertained by the last
22 preceding national or state census, but one such place may
23 be licensed in any town having a population of less than
24 one thousand. In Boston one such place may be licensed
25 for each five hundred of the population, but in no event
26 shall the total number of licensed places therein exceed
27 one thousand. No more than one such place shall be
28 licensed by any one vote of the licensing board. Such
29 licenses shall be numbered in regular order as granted,
30 and license granted contrary to, or in excess of, the
31 provisions of this section shall be void; but in a town
32 voting as aforesaid at its last annual town meeting which
33 has less than five thousand permanent residents according
34 to the last preceding state or national census but has an
35 increased resident population during the summer months,
36 the selectmen may, on or before the fifteenth day of May
37 in any year, apply to the chief of the bureau of statistics
38 of labor to have an enumeration made of the temporary
39 or summer residents of such town. Said chief shall there-
40 upon make such enumeration, between the twenty-third
41 and the twenty-eighth day of June next following, under
42 such rules as he shall establish. A person who has not
43 been a resident of such town for at least three days pre-
44 ceding the enumeration shall not be regarded as a tem-
45 porary or summer resident thereof. Said chief may

46 employ, for such enumeration, such persons as may be
47 necessary, who shall in all cases be residents of the town
48 if suitable and competent persons can be found; other-
49 wise, non-residents may be employed. The chief shall
50 report the total number of temporary or summer residents
51 to the selectmen of the town on or before said twenty-
52 eighth day of June. The expenses incurred in making
53 such special enumeration shall be paid by the common-
54 wealth. The treasurer and receiver general shall there-
55 upon issue his warrant as provided in section thirty-four,
56 chapter twelve, requiring the assessors of such towns to
57 assess a tax to the amount of the expense incurred in mak-
58 ing this special enumeration, and such amount shall be
59 collected and paid over to the treasurer and receiver gen-
60 eral in the same manner as other state taxes. The select-
61 men may, in April, receive applications for such licenses
62 and investigate and publish the same; and may grant one
63 such license for each five hundred of such temporary resi-
64 dent population, not including the permanent inhabitants
65 of such town, as ascertained by said special enumeration,
66 to take effect on the first day of July and to expire on the
67 first day of October next following. A selectman, member
68 of a licensing board or census enumerator who violates
69 any provision of this section shall be punished by a fine
70 of five hundred dollars.

1 SECTION 2. This act shall be submitted to the voters
2 of the several cities and towns of the commonwealth at
3 the next annual election for state officers; and in cities
4 and towns where a majority of the voters voting thereon
5 vote in favor of its acceptance it shall become effective
6 thereafter in any year in which such cities and towns vote
7 to license the sale of intoxicating liquors.

