

HOUSE No. 1327

Bill accompanying the petition of James H. McInerney relative to the payment of fees and to certain further conditions under licenses for the sale of intoxicating liquors. Legal Affairs. January 18.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

AN ACT

Relative to the Payment of Fees and Conduct of Certain
Liquor Licenses.

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. No person, firm or corporation established
2 outside of this commonwealth, shall themselves, or
3 through any agent, solicit orders for, or offer for sale,
4 any intoxicating liquors, unless they are licensed by the
5 secretary of the commonwealth.

1 SECTION 2. Before, and for the issuance of such li-
2 cense, which shall be known as a non-resident liquor
3 license, the secretary of the commonwealth shall exact
4 a license fee of one thousand dollars, which shall be
5 paid into the state treasury.

1 SECTION 3. Licenses of the non-resident class shall be
2 granted by the secretary of state upon application made
3 to him by citizens or corporations of this or any other
4 state or country. Such application shall be in such
5 form as the secretary of state shall prescribe, and shall
6 be accompanied by the license fee of one thousand dollars.

1 SECTION 4. Licensees of the non-resident class shall
2 furnish to the secretary of the commonwealth the names
3 of their soliciting agents if they are to have such, who
4 are to solicit business in this state; and said secretary
5 shall thereupon issue a certificate to said agents showing
6 their authority to solicit under such license, for whom,
7 and for what period. Such agents shall carry such
8 certificate at all times when doing business in this state,
9 and, upon request, shall produce the same for the in-
10 spection of any police officer or person about to make a
11 purchase. Any agent of a wholesale liquor dealer who
12 refuses to produce such certificate upon such request
13 shall be fined fifty dollars and costs of prosecution for
14 the first offense and two hundred dollars and costs of
15 prosecution for each subsequent offense.

1 SECTION 5. No person for himself or for any other
2 person, persons or corporations, either in person, by
3 mail, or in any other manner, shall solicit orders, offer
4 for sale or in any manner traffic at wholesale in intoxi-
5 cating liquor by virtue of or under a license of the
6 non-resident class, without having secured from the
7 secretary of state the certificate prescribed by the pre-
8 ceding section. A person who violates a provision of
9 this section shall be fined fifty dollars with costs of
10 prosecution for the first offense and two hundred dollars
11 and costs of prosecution for each subsequent offense.

1 SECTION 6. No person, acting as agent of a non-
2 resident class licensee, shall be appointed as agent for
3 any other licensees of any class, nor shall a person
4 holding a license of any class be appointed an agent of
5 a non-resident class licensee, nor shall a person to whom
6 an agent's certificate has been granted in any way repre-
7 sent any other person or corporation engaged in the sale
8 of intoxicating liquors.

1 SECTION 7. The attorney general may, upon the com-
2 plaint of a reputable citizen, investigate violations of
3 this act, and if, in his judgment, the case warrants, he
4 shall prosecute such licensee. If a licensee is found
5 guilty of a violation of any of the preceding sections,
6 the attorney general shall notify the secretary of state
7 thereof, and said secretary shall forthwith revoke such
8 license and notify said licensee thereof.

1 SECTION 8. This act shall take effect on the first
2 day of January, nineteen hundred and eighteen.

