

SENATE . . . . . No. 249.

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[House, No. 400, as amended by the Senate.]

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**Commonwealth of Massachusetts.**

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In the Year One Thousand Eight Hundred and Eighty-one.

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**AN ACT**

Relative to Advertising Applications for Licenses to sell  
Intoxicating Liquors, and Restricting the Granting of  
such 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. Notice of all applications for licenses  
2 to sell intoxicating liquors under the provisions of  
3 chapter ninety-nine of the Acts of the year eighteen  
4 hundred and seventy-five, or any acts in addition  
5 thereto or in amendment thereof, shall hereafter be  
6 published in the following manner, namely: in the

7 city of Boston the police commissioners shall publish  
8 a notice of such applications in at least two daily  
9 newspapers printed in said city; and in other cities  
10 and towns of this Commonwealth, the mayor and  
11 aldermen of cities and the selectmen of towns, or  
11 other board authorized to grant licenses, shall publish  
13 a notice of the applications in their respective cities  
14 and towns in such newspapers printed therein, and  
15 published not less frequently than once a week, as they  
16 may designate; or, if no such newspaper is printed  
17 therein, then the licensing board shall publish said  
18 notice by posting the same in some conspicuous place  
19 on the premises described in the application for the  
20 license, and in two or more places in the neighborhood  
21 where public notices are usually posted. Said notice  
22 shall set forth the name of the applicant in full, and  
23 the character or class of the license applied for, and  
24 shall describe particularly the premises on which the  
25 license is to be exercised, designating the building  
26 or part of a building to be used, and, where practica-  
27 ble, the street and number. Notice of each and  
28 every applicant for a license as aforesaid shall be  
29 published at least ten days before the licensing board  
30 shall take action thereon; and in case a license is  
31 granted to any person or persons to sell intoxicating  
32 intoxicating liquors without previous publication of  
33 the application for such license, any citizen of the  
34 city or town within which such license is issued may  
35 make complaint before the municipal, police, or dis-  
36 trict court, or the trial justice having jurisdiction  
37 therein; and if, after due hearing, it shall appear  
38 that such notice was not given, the court or justice

39 may revoke the license, and notice thereof shall be  
40 sent to the board issuing the same. The cost of  
41 publishing the notices of applications as herein re-  
42 quired shall be paid in advance by the applicants  
43 for licenses.

1     SECT. 2. If at any time before the expiration of  
2 the ten days following the publication of the notice of  
3 an application for a license to sell intoxicating liquors,  
4 as required by the preceding section, the owner or  
5 occupant of any real estate adjoining the premises  
6 described, in any application for a license to be exer-  
7 cised by a common victualler to sell liquor to be  
8 drunk on the premises, shall notify the licensing  
9 board in writing that he objects to the granting of  
10 the license, no license to sell intoxicating liquors to  
11 be drunk on said premises shall be granted by said  
12 board. And in case any such license is granted  
13 after an objection has been filed as aforesaid, the  
14 owner of any real estate adjoining the licensed prem-  
15 ises may apply to the municipal, police, or district  
16 court, or to any trial justice within whose jurisdic-  
17 tion the premises are situated, for a hearing in the  
18 case; and, if it shall appear to said court or justice  
19 that due notice was given by the said owner of his  
20 objection to the granting of such license, the said  
21 court or justice shall revoke the license; and notice  
22 of such revocation shall be sent to the licensing board,  
23 and any city or town in which any such license has  
24 been revoked as is provided in this act shall refund  
25 to said licensee or his legal representatives what-  
26 ever sum or sums of money has been expended by  
27 him for said license and his court fees and costs.

1 SECT. 3. Any acts or parts of acts inconsistent  
2 herewith are hereby repealed.

1 SECT. 4. This act shall take effect upon the first  
2 day of May of the current year.

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HOUSE OF REPRESENTATIVES, April 21, 1881.

Passed to be engrossed.

Sent up for concurrence.

GEO. A. MARDEN, *Clerk.*