

HOUSE No. 725.

HOUSE OF REPRESENTATIVES, March 9, 1893.

[Bill accompanying petition of the Citizens' Association of Boston for legislation concerning the distribution of liquor licenses in the city of Boston.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-three.

AN ACT

In Relation to the Method of Issuing Licenses for the Sale of Intoxicating Liquors in the City of Boston.

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. The board of police of the city of Boston shall,
2 as soon as possible after each municipal election in which the
3 city has voted to authorize the granting of licenses for the sale
4 of intoxicating liquors, divide the city into as many blocks as
5 there are licenses of the first five classes to be issued under the
6 provisions of law, or if it is not possible or convenient to divide
7 the city into so many blocks, they may make larger blocks, and
8 shall in that case indicate the street or general location within
9 such larger blocks upon or within which a license will be issued ;
10 but the commissioners shall not subdivide the blocks in such

11 way as to limit the location for a license within any block to a
12 single building, except that the commissioners shall determine
13 which hotels the public interests and convenience require should
14 be licensed, and they may include such hotels in larger blocks
15 with other buildings, or may consider each hotel as a block by
16 itself for the purposes of this act, as they shall deem expedient.

1 SECT. 2. The board of police shall then publish in two or
2 more daily newspapers printed in said city, the arrangement
3 of blocks, and the number of licenses if more than one, and
4 the class of license or licenses which will be issued in each
5 block, and the general position in each block in which the
6 license or licenses will be issued, if any such determination has
7 been made by said board under the provisions of section one.
8 The published notice shall also state the time, place and con-
9 ditions of sale under which the said license shall be sold at
10 public auction as hereinafter provided, and such notice shall
11 be published for not less than ten successive days prior to
12 the time of such auction.

1 SECT. 3. The board of police shall, at the time and place
2 named in said public notice, offer each license for sale at pub-
3 lic auction in the following manner, viz.: Each license of the
4 first class shall be offered at the price of ten thousand dollars,
5 and if no bid or acceptance is received at that price it shall be
6 offered successively for nine thousand dollars, eight thousand
7 dollars, seven thousand dollars, six thousand dollars, five thou-
8 sand dollars, and thereafter at prices respectively one hundred
9 dollars lower than the last preceding price until a bid or accept-
10 ance has been received. Each license of the second, third and
11 fourth class shall be offered in a similar manner for two thousand
12 five hundred dollars and then for two thousand dollars, one thou-
13 sand five hundred dollars, and one thousand dollars, and there-
14 after at prices respectively fifty dollars lower than the last pre-
15 ceding price, until a bid or acceptance has been received. Each
16 license of the fifth class shall be offered in a similar manner for
17 one thousand dollars, and thereafter at prices respectively fifty

18 dollars lower than the preceding price, until a bid or acceptance
19 has been received: *provided*, that no bid or acceptance shall be
20 received for any license at a lower price than the fees for
21 licenses of that class provided by chapter three hundred and
22 forty-one of the acts of eighteen hundred and eighty-eight.
23 No bid or acceptance shall be received from any person who
24 has been convicted within one year of any felony or misde-
25 meanor, or of any violation of the liquor laws, or from any
26 person whose character and reputation is such that the board
27 of police consider him to be an unfit person to receive and
28 exercise such license; and if any bid has been accepted at the
29 sale from any person whom the board of police within thirty
30 days thereafter ascertains to be disqualified under this section,
31 or otherwise unfitted to exercise the license, the board of
32 police shall declare the sale null and void, and decline to issue
33 a license to such person.

1 SECT. 4. The power of the board of police to revoke any
2 license shall not be affected by the provisions of this act, and
3 the licenses thus revoked as well as the licenses which have not
4 been sold and those which may have been withheld for any
5 reason after a sale, under the provisions of the previous
6 section, shall be resold in the manner hereinbefore provided,
7 after a similar publication of notice, under the same block
8 arrangement and other terms and conditions, except that the
9 board of police may, in their discretion on such resale, relocate
10 the license or licenses to be sold, in some other blocks than
11 those named in the first publication.

1 SECT. 5. Within five days after the sale of any license, as
2 aforesaid, the person purchasing the same shall notify the
3 board of police as to the building or part of the building in
4 which he intends to sell liquor under such license, and he shall
5 give a description of the premises sufficient for identification.
6 Immediately after such notification the board of police shall
7 cause to be published in not less than three daily newspapers
8 published in said city, a notice which shall state the name of

9 the purchaser of such license, the class of license purchased
10 and an accurate description of the building or part of the
11 building intended to be used by such purchaser for the sale
12 of liquors under such license. Such notice shall be pub-
13 lished for not less than ten successive days, and no license
14 shall be issued by said board of police under said sale until
15 twenty days after the first publication of said notice; and
16 if before the expiration of said twenty days the owner of
17 any real estate adjoining the premises described in such notice
18 for a license to be exercised by a common victualler to sell
19 liquors to be drunk on the premises, notifies the board of police
20 in writing that he objects to the granting of the license no
21 license to sell intoxicating liquors to be drunk on said prem-
22 ises shall be granted.

1 SECT. 6. The fee for a license of the sixth (6th) class
2 shall be five (\$5) dollars, and all the provisions of law relating
3 to the sale of intoxicating liquors which are not inconsistent
4 herewith shall apply to licenses issued under the provisions of
5 this act.