

SENATE No. 439

Mr. Vinson moves that this bill be substituted, by amendment, for the report of the committee on the Liquor Law, leave to withdraw, on the petition (accompanied by bill, Senate, No. 23) of Edwin C. Stevens.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

AN ACT

Relative to the Issuing to Clubs of Licenses^f for the Distributing and Dispensing 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 eighty-eight of chapter one hundred
2 of the Revised Laws is hereby amended by striking out, in
3 the eighth line of said section, the words "in which the
4 inhabitants vote that licenses shall be granted", — and in-
5 serting after the word "board", in the ninth line of said
6 section, the following words: — and in cities having no
7 licensing board the mayor and aldermen, and in towns
8 having no licensing board the selectmen, — *by inserting*
9 *after the words "five hundred dollars", in the twelfth line of*
10 *said section, the following words: — per annum, — by insert-*

11 *ing after the word "club", in the twelfth line of said section,*
12 *the words: — which has been duly incorporated under the laws*
13 *of this commonwealth, — by inserting after the word "mem-*
14 *bers", in line twenty, the words: — who pay the full member-*
15 *ship fee or enjoy full membership privileges, — and by inserting*
16 *after the word "time", in the twenty-first line of said section,*
17 *the following words or provisos: —*

18 *Provided, however, that, to be entitled to the privileges of this*
19 *section, a club in a town or city having no licensing board*
20 *must have been in existence and actual operation for a con-*
21 *tinuous period of at least three years just prior to the granting*
22 *of said license, must present annually with its application*
23 *for a license a complete printed list of its members and of its*
24 *rules and by-laws, which shall at all times be open to the in-*
25 *spection of the local and state authorities, must own or lease*
26 *for its club purposes a building or buildings, separate and*
27 *apart from any building or structure partly devoted to other*
28 *uses, and must not allow or permit intoxicating liquors to be*
29 *sold, given, distributed or dispensed to minors. Upon proof*
30 *that these conditions have been violated the licensing authori-*
31 *ties above referred to shall at once revoke its license, — so that*
32 *said section eighty-eight shall read as follows:— Section*
33 *88. All buildings or places used by clubs for the purpose*
34 *of selling, distributing or dispensing intoxicating liquor to*
35 *their members or others shall be deemed common nuisances;*
36 *and whoever keeps or maintains, or assists in keeping or*
37 *maintaining, such a common nuisance, shall be punished*
38 *by a fine of not less than fifty nor more than one hundred*
39 *dollars and be imprisoned for not less than three nor more*
40 *than twelve months; but in any city or town having a*
41 *licensing board such licensing board, and in cities having no*
42 *licensing board the mayor and aldermen, and in towns*
43 *having no licensing board the selectmen, may, upon appli-*
44 *cation therefor and the payment to the treasurer of such*

45 city or town of such a fee as said board may determine,
46 of not less than fifty nor more than five hundred dollars
47 *per annum* grant to any club *duly incorporated under the*
48 *laws of this commonwealth*, which they may consider a
49 proper organization and not injurious to the welfare, good
50 order and morality of the community, and which has not
51 organized for the apparent purpose of engaging in or giv-
52 ing employment to any of its members by engaging in the
53 business of selling, distributing or dispensing of intoxicat-
54 ing liquors to its members or others, a club license authoriz-
55 ing the distributing and dispensing of intoxicating liquors
56 by said club, on the premises occupied by it and to be
57 specified and described in said license, to its members *who*
58 *pay the full membership fee or enjoy full membership privi-*
59 *leges*; which license may be revoked at any time: *provided,*
60 *however, that, to be entitled to the privileges of this section, a*
61 *club in a town or city having no licensing board must have*
62 *been in existence and actual operation for a continuous period*
63 *of at least three years just prior to the granting of said license,*
64 *must present annually with its application for a license a*
65 *complete printed list of its members and of its rules and by-laws,*
66 *which shall at all times be open to the inspection of the local*
67 *and state authorities, must own or lease for its club purposes*
68 *a building or buildings, separate and apart from any building*
69 *or structure partly devoted to other uses, and must not allow or*
70 *permit intoxicating liquors to be sold, given, distributed or dis-*
71 *persed to minors. Upon proof that these conditions have been*
72 *violated the licensing authorities above referred to shall at once*
73 *revoke its license.*

74 The provisions of sections fifteen, thirty-four and forty-
75 two shall not apply to such license.

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

