

# HOUSE . . . . . No. 337.

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[House No. 278 as passed to be engrossed by the House.]

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## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Eighty.

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### AN ACT

To amend "An Act regulating 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. No license of the first, second, or  
2 third class, to sell intoxicating liquors under the  
3 provisions of chapter ninety-nine of the acts of  
4 the year eighteen hundred and seventy-five, shall  
5 be granted, except to innholders, to be exercised  
6 upon premises which have any interior connection  
7 or communication with any apartment or apart-  
8 ments occupied by any person as a residence, or for

9 lodging purposes. No connection or communica-  
10 tion, as aforesaid, shall be constructed upon any  
11 such premises during the time for which such license  
12 is granted; and any such construction shall of itself  
13 make void the license.

1     SECT. 2. Each license of the first, second, or third  
2 class, to sell intoxicating liquors under the provisions  
3 of chapter ninety-nine of the acts of the year eigh-  
4 teen hundred and seventy-five, shall specify the room  
5 or rooms in which such liquors shall be sold. No  
6 person licensed, as aforesaid, shall keep, sell or  
7 deliver, any such liquors in any room or part of a  
8 building not specified in his license as aforesaid.

1     SECT. 3. The board granting a license to sell in-  
2 toxicating liquors, under the provisions of said chap-  
3 ter ninety-nine, may require the licensee to perma-  
4 nently close all entrances to the licensed premises  
5 other than those from the public street or streets  
6 upon which such premises are located, and may so  
7 specify in the license; and in such case the construc-  
8 tion or opening of any such entrance shall of itself  
9 make void the license. And said board may at any  
10 time require the licensee to remove any screen,  
11 blind, shutter, curtain, partition, or painted, ground,  
12 or stained glass window, or any other obstruction  
13 which shall interfere with a view of the interior of  
14 the licensed premises.

1     SECT. 4. Chapter ninety-nine of the acts of the  
2 year eighteen hundred and seventy-five is hereby

3 amended by adding to the fourth condition in  
4 the sixth section the following words: "And that  
5 no sale or delivery of intoxicating liquor shall  
6 be made to a minor for his parent's use or for the  
7 use of any other person, or to a person who has  
8 been intoxicated within the six months next preced-  
9 ing."

1   SECT. 5. Whenever a judgment, recovered in  
2 favor of any person for injuries resulting from the  
3 sale or gift of intoxicating liquors under the pro-  
4 visions of chapter two hundred and ninety-seven of  
5 the acts of the year eighteen hundred and seventy-  
6 nine, against any person licensed to sell intoxicating  
7 liquors, shall remain unsatisfied for the period of  
8 thirty days after the entry thereof, the board grant-  
9 ing such license shall revoke the same, and no license  
10 shall be granted to the person against whom such  
11 judgment has been recovered until the same is satis-  
12 fied, nor shall any license be granted to any person  
13 to sell intoxicating liquors in the building or upon  
14 the premises in or upon which it appears the sale or  
15 gift of intoxicating liquors from which such injuries  
16 resulted took place until such judgment has been  
17 satisfied in full.

1   SECT. 6. Section eighteen of chapter ninety-nine  
2 of the acts of the year eighteen hundred and seven-  
3 ty-five, is hereby amended by adding at the end  
4 thereof the following words: "Any beverage con-  
5 taining more than three per cent of alcohol by vol-  
6 ume at sixty degrees Fahrenheit, shall be deemed to

7 be an intoxicating liquor within the meaning of this  
8 act.”

1   SECT. 7.   Whoever violates any of the provisions  
2 of this act shall be punished in the manner provided  
3 by law for the punishment of persons illegally selling  
4 spirituous or intoxicating liquors.

1   SECT. 8.   Municipal, district, and police courts  
2 and trial justices, shall have jurisdiction concurrent  
3 with the superior court over violations of this act.

1   SECT. 9.   This act shall take effect upon the first  
2 day of May of the current year.

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HOUSE OF REPRESENTATIVES, April 6, 1880.

Passed to be engrossed.

Sent up for concurrence.

GEO. A. MARDEN, *Clerk.*