

# HOUSE . . . . No. 647

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By Mr. Luitwieler of Newton (by request), petition of Robert Watson for legislation to prohibit the use of obscene or sacrilegious language or profane swearing at theatrical exhibitions or entertainments. Legal Affairs.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Six.

An Act prohibiting the Use of Obscene or Sacrilegious Language and Swearing at Theatrical Exhibitions or Entertainments.

*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 one hundred and eighty-one  
2 of chapter one hundred and forty of the General  
3 Laws, as appearing in the Tercentenary Edition, is  
4 hereby amended by inserting after the word "not"  
5 in the eleventh line the following:—grant a license  
6 for any such theatrical exhibition in which is used  
7 any obscene or sacrilegious language or any cursing  
8 or swearing nor shall they,—so as to read as fol-  
9 lows:—*Section 181.* The mayor or selectmen may,  
10 except as provided in section one hundred and five  
11 of chapter one hundred and forty-nine, grant, upon  
12 such terms and conditions as they deem reasonable,  
13 a license for theatrical exhibitions, public shows,

14 public amusements and exhibitions of every descrip-  
15 tion, to be held upon week days only, to which ad-  
16 mission is obtained upon payment of money or upon  
17 the delivery of any valuable thing, or by a ticket  
18 or voucher obtained for money or any valuable thing,  
19 or in which, after free admission, amusement is fur-  
20 nished upon a deposit of money in a coin controlled  
21 apparatus; and the mayor or selectmen may revoke  
22 or suspend such license at their pleasure, but they  
23 shall not grant a license for any such theatrical ex-  
24 hibition in which is used any obscene or sacrilegious  
25 language or any cursing or swearing nor shall they  
26 grant a license for any such theatrical exhibitions,  
27 public shows or public amusements or exhibitions  
28 of any description whatever to be held upon Sunday,  
29 except as provided in chapter one hundred and thirty-  
30 six.

1 SECTION 2. Section four of chapter one hundred  
2 and thirty-six of the General Laws, as so appearing,  
3 is hereby amended by inserting after the word “ob-  
4 servance” in the thirteenth line the following:—  
5 ; and provided, further, that no theatrical exhibi-  
6 tion or entertainment shall be so approved in which  
7 is used any obscene or sacrilegious language or any  
8 cursing or swearing,—so as to read as follows:—  
9 *Section 4.* Except as provided in section one hun-  
10 dred and five of chapter one hundred and forty-nine,  
11 the mayor of a city or the selectmen of a town may,  
12 upon written application describing the proposed  
13 entertainment, grant, upon such terms or conditions  
14 as they may prescribe, a license to hold on the Lord’s  
15 day a public entertainment, in keeping with the  
16 character of the day and not inconsistent with its

17 due observance, to which admission is to be obtained  
18 upon payment of money or other valuable consider-  
19 ation; provided, that no such license shall be granted  
20 to have effect before one o'clock in the afternoon,  
21 nor shall it have effect unless the proposed entertain-  
22 ment shall, upon application accompanied by a fee  
23 of two dollars, have been approved in writing by the  
24 commissioner of public safety as being in keeping  
25 with the character of the day and not inconsistent  
26 with its due observance; and provided, further,  
27 that no theatrical exhibition or entertainment shall  
28 be so approved in which is used any obscene or sacri-  
29 legious language or any cursing or swearing. Any  
30 such license may, after notice and a hearing given  
31 by the mayor or selectmen issuing the same, or by  
32 said commissioner, be suspended, revoked or annulled  
33 by the officer or board giving the hearing.

