

HOUSE . . . . . No. 1095.

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Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, March 24, 1897.

The committee on the Liquor Law, to whom was referred the Bill (introduced on leave) to amend an act relating to the recovery of damages for sales of intoxicating liquors to minors (House, No. 512), report that the same ought to pass in a new draft herewith submitted.

For the Committee,

JOHN J. FENENO.

## Commonwealth of Massachusetts.

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

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### AN ACT

Relative to the Recovery of Damages for Sales of Intoxicating  
Liquors to Minors.

*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 of chapter three hundred and  
2 ninety of the acts of the year eighteen hundred and eighty-  
3 nine is hereby amended by striking out section one and insert-  
4 ing in place thereof the following: —  
5 “Section 1. Section twenty-four of chapter one hundred of  
6 the Public Statutes is hereby amended by inserting in line  
7 three, after the word “made,” the words, “he having reason-  
8 able cause to believe that such person is a minor.” Also by  
9 adding at the end thereof the following: “Provided, however,  
10 that after the finding of a court or the verdict of a jury in  
11 favor of any complainant and before judgment, the presiding  
12 judge may, if in his opinion the defendant had reasonable  
13 cause to believe and did believe the minor was of full age, re-  
14 mit a part of said sum of one hundred dollars, and may order  
15 judgment to be entered for the complainant for a sum of not  
16 less than ten dollars without costs. Actions and suits for pen-  
17 alties and forfeitures under this section shall be commenced

18 within two years after the offence is committed," so as to read  
19 as follows:—

20 "Section 24. Whoever, by himself, or his agent or servant,  
21 sells or gives intoxicating liquor to a minor, or allows a minor  
22 to loiter upon the premises where such sales are made, he hav-  
23 ing reasonable cause to believe that such person is a minor,  
24 shall forfeit one hundred dollars for each offence, to be recov-  
25 ered by the parent or guardian of such minor in an action of  
26 tort: *Provided, however,* that after the finding of a court or  
27 the verdict of a jury in favor of any complainant and before  
28 judgment, the presiding judge may, if in his opinion the de-  
29 fendant had reasonable cause to believe and did believe the  
30 minor was of full age, remit a part of said sum of one hundred  
31 dollars, and may order judgment to be entered for the com-  
32 plainant for a sum of not less than ten dollars without costs.  
33 Actions and suits for penalties and forfeitures under this sec-  
34 tion shall be commenced within two years after the offence is  
35 committed."

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

