

July 24, 1963



Honorable Michael Kinney
211 North Seventh Street
St. Louis, Missouri

Dear Senator Kinney:

I have your letter of June 25, 1963, in which you inquire as to whether the sale of souvenirs, antiques, novelties, post cards, and greeting cards will be prohibited on Sunday when Senate Bill No. 49 becomes effective on October 13, 1963.

Section 1 (1) of the Bill reads in part as follows:

"Whoever engages on Sunday in the business of selling or sells or offers for sale on such day at retail motor vehicles; clothing and wearing apparel; clothing accessories; furniture; housewares; home, business or office furnishings; household, business or office appliances; hardware; tools; paints; building and lumber supply materials; jewelry; silverware; watches; clocks; luggage; musical instruments and recordings or toys; excluding novelties and souvenirs, is guilty of a misdemeanor..."

Souvenirs and novelties are specifically exempted.

Post cards and greeting cards are not mentioned at all, so I see nothing to prohibit their sale.

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Antiques as a class are not mentioned. To the extent that same are either souvenirs or novelties, or to the extent that they are antique varieties of things not specifically prohibited, then antiques can be sold on Sunday. Contrariwise, to the extent they fall without the souvenir or novelty class and fall within the categories of things prohibited for sale, then they seemingly could not be sold on Sunday.

Yours very truly,

THOMAS F. EAGLETON
Attorney General