



GENERAL ACTS

PASSED BY THE

General Court of Massachusetts,

IN THE YEAR

1917,

TOGETHER WITH

THE CONSTITUTION, LIST OF THE OFFICERS OF THE
CIVIL GOVERNMENT, TABLES SHOWING CHANGES
IN THE GENERAL STATUTES, ETC., ETC.

PUBLISHED BY THE
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A CONSTITUTION
OR
FORM OF GOVERNMENT
FOR
The Commonwealth of Massachusetts

PREAMBLE.

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic, how formed. Its nature.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peace-

ably, without fraud, violence, or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

ARTICLE I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein.
2 Cush. 104.
12 Allen, 129.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping GOD in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession of sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendments, Art. XI. substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of GOD, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of GOD, and for

Legislature empowered to compel provision for public worship;

the support and maintenance of public Protestant teachers of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children,

and to enjoin attendance thereon.

Exclusive right of electing religious teachers secured.

Option as to whom parochial taxes may be paid, unless, etc.

All denominations equally protected. 8 Met. 162. Subordination of one sect to another prohibited.

Right of self government secured.

Accountability of all officers, etc.

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

Objects of government; right of people to institute and change it.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and inalienable right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

Right of people to secure rotation in office.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Ch. 1, Sect. 2, Art. II.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

122 Mass. 595, 596.

Right of protection and duty of contribution correlative.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary; but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

Taxation founded on consent.

16 Mass. 326.
1 Pick. 418.
7 Pick. 344.
12 Pick. 184, 467.
16 Pick. 87.
23 Pick. 360.
7 Met. 388.
4 Gray, 474.
7 Gray, 363.
14 Gray, 154.
1 Allen, 150.
4 Allen, 474.

Private property not to be taken for public uses without, etc.

See amendments, Art. XXXIX.

6 Cush. 327.
14 Gray, 155.
16 Gray, 417, 431.

1 Allen, 150.	103 Mass. 120, 624.	113 Mass. 45.	127 Mass. 50, 52,
11 Allen, 530.	106 Mass. 356, 362.	116 Mass. 463.	358, 363, 410, 413.
12 Allen, 223, 230.	108 Mass. 202, 213.	126 Mass. 428, 441.	129 Mass. 559.
100 Mass. 544, 560.	111 Mass. 130.		

Remedies, by recourse to the law, to be free, complete and prompt.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and

justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

107 Mass. 172, 180. 118 Mass. 443, 451. 122 Mass. 332. 127 Mass. 550, 554.
108 Mass. 5, 6. 120 Mass. 118, 120. 124 Mass. 464. 129 Mass. 559.

Prosecutions regulated.
8 Pick. 211.
10 Pick. 9.
18 Pick. 434.
21 Pick. 542.
2 Met. 329.
12 Cush. 246.
1 Gray, 1.
5 Gray, 160.
8 Gray, 329.
10 Gray, 11.
11 Gray, 438.
2 Allen, 361.
11 Allen, 238-240, 264, 439, 473.
12 Allen, 170.
97 Mass. 570, 573.
100 Mass. 287, 295.
103 Mass. 418.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

Right to trial by jury in criminal cases, except, etc.
8 Gray, 329, 373.
103 Mass. 418.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

Crimes to be proved in the vicinity.
2 Pick. 550.
121 Mass. 61, 62.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

Right of search and seizure regulated.
Const. of U. S., Amend't IV.
2 Met. 329.
5 Cush. 369.
1 Gray, 1.
13 Gray, 454.
10 Allen, 403.
100 Mass. 136, 139.
126 Mass. 269, 273.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

Right to trial by jury sacred, except, etc.
Const. of U. S., Amend't VII.
2 Pick. 382.
7 Pick. 366.
5 Gray, 144.
8 Gray, 375.
11 Allen, 574, 577.
102 Mass. 45, 47.

114 Mass. 388, 390. 122 Mass. 505, 516. 125 Mass. 182, 188.
120 Mass. 320, 321. 123 Mass. 590, 593. 128 Mass. 600.

Liberty of the press.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

Right to keep and bear arms. Standing armies dangerous. Military power subordinate to civil. 5 Gray, 121.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifications for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obligations of lawgivers and magistrates.

Right of people to instruct representatives and petition legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Power to suspend the laws or their execution.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

Freedom of debate, etc., and reason thereof.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Frequent sessions, and objects thereof.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Taxation founded on consent. 8 Allen, 247.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited.
12 Allen, 421, 424, 423, 434.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

5 Gray, 482.

Excessive bail or fines, and cruel punishments, prohibited.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Judges of supreme judicial court.
3 Pick. 471.
1 Gray, 472.
4 Allen, 591.
7 Allen, 385.
105 Mass. 219, 221, 225.
Tenure of their office.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

Salaries.

Separation of executive, judicial, and legislative departments.
2 Cush. 577.
2 Allen, 361.
8 Allen, 247, 253.
100 Mass. 282, 286.
114 Mass. 247, 249.

PART THE SECOND.

The Frame of Government.

Title of body politic.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative department.

ARTICLE I. The department of legislation shall be formed by two branches, a Senate and House of Representatives; each of which shall have a negative on the other.

For change of time, etc., see amendments, Art. X.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

Governor's veto.
99 Mass. 636.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases,

Bill may be passed by two-thirds of each house, notwithstanding.

the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

3 Mass. 567.

III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to

For exception in case of adjournment of the general court within the five days, see amendments, Art. I. General court may constitute judicatories, courts of record, etc. 8 Gray, 1. 12 Gray, 147, 154.

Courts, etc., may administer oaths.

General court may enact laws, etc. 9 Gray, 426. 4 Allen, 473. 12 Allen, 223, 237. 100 Mass. 544, 557. 116 Mass. 467, 470. may enact laws, etc., not repugnant to the constitution. 6 Allen, 358.

may provide for the election or appointment of officers. 115 Mass. 602.

may prescribe their duties.

General court may impose taxes, etc. See Amendments, Art. XLI and Art. XLIV.
 12 Mass. 252.
 5 Allen, 428.
 6 Allen, 558.
 8 Allen, 247, 253.
 10 Allen, 235.
 11 Allen, 268.
 12 Allen, 77, 223,
 235, 238, 240,
 298, 300, 312,
 313, 500, 612.
 98 Mass. 19.
 100 Mass. 285.
 101 Mass. 575,
 585.
 103 Mass. 267.
 114 Mass. 388,
 391.
 116 Mass. 461.
 118 Mass. 386,
 389.
 123 Mass. 493,
 495.
 127 Mass. 413.

may impose taxes, etc., to be disposed of for defence, protection, etc.
 8 Allen, 247, 256.
 Valuation of estates once in ten years, at least, while, etc.
 8 Allen, 247.
 126 Mass. 547.

this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

For the authority of the general court to charter cities, see amendments, Art. II.
 For the state wide referendum on bills and resolves of the general court, see amendments, Art. XLII.

CHAPTER I.

SECTION II.

Senate.

Senate, number of, and by whom elected. Superseded by amendments, Art. XIII., which was also superseded by amendments, Art. XXII.

For provision as to councillors, see amendments, Art. XVI.

ARTICLE I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thir-

teen; and that no district be so large as to entitle the same to choose more than six senators.

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz. :— Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz. : there shall be a meeting on the [first Monday in April,] annually, forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word “inhabitant” in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport

Counties to be districts, until, etc.

Manner and time of choosing senators and councillors. See amendments, Arts. X. and XV. As to cities, see amendments, Art. II. Provisions as to qualifications of voters, superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. Word “inhabitant” defined. See also amendments, Art. XXIII., which was annulled by Art. XXVI. 12 Gray, 21. 122 Mass. 595, 597.

Selectmen to preside at town meetings.

Return of votes.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January. See amendments, Art. X.

of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] annually; or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.

Plantation meetings. Time of election changed by amendments, Art. XV. Assessors to notify, etc.

Governor and council to examine and count votes, and issue summonses. Time changed to first Wednesday in January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summonses to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summonses to the persons so elected, that they may take their seats as aforesaid.

Senate to be final judge of elections, etc.,

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as

pointed out in the constitution; and shall, [on the said last Wednesday in May] annually, determine and declare who are elected by each district to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz. : The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacancies in such district; and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

of its own members.
Time changed to first Wednesday of January by amendments, Art. X.
Majority changed to plurality by amendments, Art. XIV.

Vacancies, how filled.
Changed to election by people.
See amendments, Art. XXIV.

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

Qualifications of a senator.
Property qualification abolished.
See amendments, Art. XIII.
For further provision as to residence, see also amendments, Art. XXII.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

Senate not to adjourn more than two days.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

shall choose its officers and establish its rules.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place

shall try all impeachments.

Oath.
Limitation of sentence.

of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.]

Quorum. See amendments, Arts. XXII. and XXXIII.

CHAPTER I.

SECTION III.

House of Representatives.

Representation of the people.

ARTICLE I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

Representatives, by whom chosen. Superseded by amendments, Arts. XII. and XIII., which were also superseded by amendments, Art. XXI. 7 Mass. 523.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.

Proviso as to towns having less than 150 ratable polls.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

Towns liable to fine in case, etc.

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

Expenses of travelling to and from the general court, how paid. Annulled by Art. XXXV.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.]

Qualifications of a representative.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at

least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

New provision as to residence. See amendments, Art. XXI.
Property qualifications abolished by amendments, Art. XIII.

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

Qualifications of a voter. These provisions superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. See also amendments, Art. XXIII., which was annulled by Art. XXVI.
Representatives, when chosen.

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

House alone can impeach.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

House to originate all money bills.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

Not to adjourn more than two days.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

Quorum. See amendments, Arts. XXI. and XXXIII.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the

To judge of returns, etc., of its own members; to choose its officers and establish its rules, etc.

May punish for certain offenses. 14 Gray, 226.

house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

Privileges of members.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

Senate. Governor and council may punish. General limitation. 14 Gray, 226.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Trial may be by committee, or otherwise.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Governor.

ARTICLE I. There shall be a supreme executive magistrate, who shall be styled—THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be—HIS EXCELLENCY.

His title.

To be chosen annually. Qualifications. See amendments, Arts. VII. and XXXIV.

II. The governor shall be chosen annually; and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth for seven years next preceding; [and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds;] [and unless he shall declare himself to be of the Christian religion.]

By whom chosen, if he have a majority of votes.

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

III. Those persons who shall be qualified to vote for senators and representatives within the several towns of this commonwealth shall, at a meeting to be called for that purpose, on the [first Monday of April] annually, give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form

a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the [last Wednesday in May]; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said [last Wednesday in May]: or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before the said day: and the secretary shall lay the same before the senate and the house of representatives on the [last Wednesday in May], to be by them examined; and in case of an election by a [majority] of all the votes returned, the choice shall be by them declared and published; but if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January by amendments, Art. X.

Changed to plurality by amendments, Art. XIV.

How chosen, when no person has a plurality.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

Power of governor, and of governor and council.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause

May adjourn or prorogue the general court upon request, and convene the same. As to dissolution, see amendments, Art. X.

happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

As to dissolution, see amendments, Art. X.

Governor and council may adjourn the general court in cases, etc., but not exceeding ninety days.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor to be commander-in-chief.

VII. The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy; and, for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Limitation.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution

granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.

Governor and council may pardon offences, except, etc.

But not before conviction, 109 Mass. 323.

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of probate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

Judicial officers, etc., how nominated and appointed. For provisions as to election of attorney-general, see amendments, Art. XVII.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX. For provision as to appointment of notaries public, see amendments, Art. IV.

X. The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

Militia officers, how elected. Limitation of age struck out by amendments, Art. V.

How commissioned.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

Election of officers.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

Major-generals, how appointed and commissioned.

For provisions as to appointment of a commissary-general, see amendments, Art. IV.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elec-

Vacancies, how filled, in case, etc.

tions, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Adjutants, etc., how appointed.

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

Army officers, how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Organization of militia.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth: and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

All public boards, etc., to make quarterly returns.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be: together with the condition of such forts and garrisons; and the said commanding officer shall

exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salary of governor.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

Salaries of justices of supreme judicial court.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

Salaries to be enlarged if insufficient.

CHAPTER II.

SECTION II.

Lieutenant-Governor.

ARTICLE I. There shall be annually elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be—His Honor; and who shall be qualified, in point of [religion,][property,] and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner: [and if no one person shall be found to have a majority of all the votes returned, the vacancy shall be filled by the senate and house of repre-

Lieutenant-governor; his title and qualifications. See amendments, Arts. VII. and XXXIV.

How chosen.

Election by plurality provided for by amendments, Art. XIV.

representatives, in the same manner as the governor is to be elected, in case no one person shall have a majority of the votes of the people to be governor.]

President of council.
Lieutenant-governor a member of, except, etc.

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

Lieutenant-governor to be acting governor, in case, etc.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

CHAPTER II.

SECTION III.

Council, and the Manner of settling Elections by the Legislature.

Council.
Number of councillors changed to eight.
See amendments, Art. XVI.

ARTICLE I. There shall be a council for advising the governor in the executive part of the government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Number; from whom, and how chosen.
Modified by amendments, Arts. X. and XIII.
Superseded by amendments, Art. XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

If senators become councillors, their seats to be vacated.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

Rank of councillors.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.]

No district to have more than two.

Superseded by amendments, Art. XVI.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Register of council.

VI. Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by virtue of this constitution, do or execute, if they, or either of them, were personally present.

Council to exercise the power of governor in case, etc.

VII. [And whereas the elections appointed to be made, by this constitution, on the last Wednesday in May annually, by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: the vacancies in the senate, if any, shall first be filled up; the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.]

Elections may be adjourned until, etc.

Order thereof. Superseded by amendments, Arts. XVI. and XXV.

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

ARTICLE I. [The secretary, treasurer and receiver-general, and the commissary-general, notaries public, and] naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the pub-

Secretary, etc., by whom and how chosen. For provision as to election of secretary, treasurer and receiver-general, and auditor and attorney-general, see amendments, Art. XVII.

Treasurer ineligible for more than five successive years.

lie accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.

For provision as to appointment of notaries public and the commissary-general, see amendments, Art. IV.

Secretary to keep records; to attend the governor and council, etc.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office during good behavior, except, etc. But may be removed on address.

ARTICLE I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned, and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

Justices of supreme judicial court to give opinions when required. 122 Mass. 600. 126 Mass. 557, 561.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of the peace; tenure of their office. 3 Cush. 584.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

For removal of justices of the peace, see amendments, Art. XXXVII.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

Provisions for holding probate courts. 12 Gray, 147.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

Marriage, divorce, and alimony. Other provisions made by law. 105 Mass. 327. 116 Mass. 317.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room ; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions under the hand of the governor, and the great seal of the commonwealth ; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.]

Delegates to congress.

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

ARTICLE I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences which qualified them for public employments, both in church and state ; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America, — it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled

Harvard College.

Powers, privileges, etc., of the president and fellows, confirmed.

to have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

All gifts,
grants, etc.,
confirmed.

III. And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

Who shall be
overseers.

See Statutes,
1851, 224.
1852, 27.
1859, 212.
1865, 173.
1880, 65.

Power of altera-
tion reserved to
the legislature.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Art. XVIII. 12 Allen, 500-503. 103 Mass. 94, 97.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

ARTICLE I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz. :

Oaths, etc.

“I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected.”

Abolished. See amendments, Art. VII.

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the pres-

ence of the two houses of assembly ; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution ; and forever afterwards before the governor and council for the time being.]

Declaration and oaths of all officers.

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz. :

For new oath of allegiance, see amendments, Art. VI.

[“ I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and independent state ; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever ; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever ; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States : and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation ; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, GOD.”]

Oath of office.

“ I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, GOD.”

Proviso. See amendments, Art. VI.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the

people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [*“ I do swear,” “ and abjure,” “ oath or,” “ and abjuration,”* in the first oath, and in the second oath, the words] *“ swear and,”* and [in each of them] the words *“ So help me, God ;”* subjoining instead thereof, *“ This I do under the pains and penalties of perjury.”*

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly ; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution ; and forever afterwards before the governor and council for the time being ; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state ; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz. : judge of probate—sheriff—register of probate—or register of deeds : and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

No person holding the office of judge of the supreme judicial court—secretary—attorney-general—solicitor-general—treasurer or receiver-general—judge of probate—commissary-general—[president, professor, or instructor of Harvard College]—sheriff—clerk of the house of representatives—register of probate—register of deeds—clerk of the supreme judicial court—clerk of the inferior court of common pleas—or officer of the customs, including in this description naval officers—shall at the

Oaths and affirmations, how administered.

Plurality of offices prohibited to governor, etc. except, etc. See amendments, Art. VIII.

Same subject. 1 Allen, 553.

Incompatible offices. For further provisions as to incompatible offices, see amendments, Art. VIII. Officers of Harvard College excepted by amendments, Art. XXVII.

same time have a seat in the senate or house of representatives ; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives ; and the place so vacated shall be filled up.

Incompatible offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council ; or any councillor shall accept of either of those offices or places.

Bribery, etc., disqualify.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

Value of money ascertained.

III. In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce ; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.

Property qualifications may be increased. See amendments, Arts. XIII. and XXXIV.

Provisions respecting commissions.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Provisions respecting writs. 2 Pick. 592. 3 Met. 58. 13 Gray, 74.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts ; they shall be under the seal of the court from whence they issue ; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Continuation of former laws, except, etc. 1 Mass. 59. 2 Mass. 534. 8 Pick. 309, 316. 16 Pick. 107, 115. 2 Met. 118.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature ; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Benefit of *habeas corpus* secured, except, etc.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner ; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — “Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.”

The enacting style.

IX. To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy, all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority.

Officers of former government continued until, etc.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments.

Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

Provision for revising constitution.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

Provision for preserving and publishing this constitution.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT.

Bill, etc., not approved within five days, not to become a law, if legislature adjourn in the mean time.
3 Mass. 567.
See Const., Ch. I., § 1, Art. II.

ARTICLE I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

General court empowered to charter cities.
122 Mass. 354.

ART. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

Proviso.
112 Mass. 200.

ART. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, [and who shall have paid, by himself, or his parent, master, or guardian, any state

Qualifications of voters for governor, lieutenant-governor, senators and representatives.
See amendments, Arts. XXX, XXXII. and XI.
11 Pick. 538, 540.
14 Mass. 341.
5 Met. 162, 298, 591, 591.

or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such election.

See also amendments, Art. XXIII., which was annulled by amendments, Art. XXVI.

ART. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed, and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.

ART. V. In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.

ART. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:—

“I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.”

7 Gray, 299.
122 Mass. 595,
597.
124 Mass. 596.
For educational
qualification,
see amend-
ments, Art. XX.
For provision
as to those who
have served in
the army or
navy in time
of war, see
amendments,
Arts. XXVIII.
and XXXI.

Notaries public,
how appointed
and removed.

See amend-
ments, Art.
XXXVII.

Vacancies in the
offices of secre-
tary and treas-
urer, how filled.
This clause
superseded by
amendments,
Art. XVII.

Commissary-
general may be
appointed, in
case, etc.

Militia officers,
how removed.

Who may vote
for captains and
subalterns.

Oath to be taken
by all officers.
See Const.,
Ch. VI., Art. I.

Proviso.
Quakers may
affirm.

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word "swear" and inserting, instead thereof, the word "affirm," and omitting the words "So help me, God," and subjoining, instead thereof, the words, "This I do under the pains and penalties of perjury."

Tests abolished.

ART. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Incompatibility
of offices.
122 Mass. 445,
600.
123 Mass. 525.

ART. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Amendments to
constitution,
how made.

ART. IX. If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed

amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.

ART. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of

Commencement
of political
year,

and termina-
tion.

Meetings for the
choice of gov-
ernor, lieuten-
ant-governor,
etc., when to be
held.
This clause
superseded by
amendments,
Art. XV.

Article, when
to go into
operation.

January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.

Inconsistent provisions annulled.

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.

Religious freedom established. See Dec. of Rights, Art. III.

ART. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted:—

“As the public worship of God and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.”

122 Mass. 40, 41.

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII., which was also superseded by amendments, Art. XXI. Representatives, how apportioned.

ART. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred rata-

ble polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Towns having less than 300 ratable polls, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Fractions, how represented.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

Towns may unite into representative districts.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each

The governor and council to determine the number of representatives to which each town is entitled.

New apportionment to be made once in every ten years.

city, town and representative district may elect as aforesaid; and when the number of representatives to be elected by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Inconsistent provisions annulled.

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation.

Provisions as to census superseded by amendments, Arts. XXI. and XXII.

Senatorial districts declared permanent. Provisions as to senators superseded by amendments, Art. XXII.

ART. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years. 122 Mass. 595.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

House of representatives, how apportioned. Provisions as to representatives superseded by amendments, Art. XXI.

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Small towns, how represented.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Towns may unite into representative districts.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and

such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth shall have increased to seven hundred and seventy thousand, and for every additional increase of one-tenth shall be made, respectively, to the said numbers above mentioned.

Basels of representation, and ratio of increase.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

The governor and council to apportion the number of representatives of each town once in every ten years.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Qualifications of councillors.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Freehold as a qualification for a seat in general court or council not required.

ART. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Elections by the people to be by plurality of votes.

ART. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect rep-

Time of annual election of governor and legislature.

representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

Eight councillors to be chosen by the people. 122 Mass. 595, 598.

ART. XVI. Eight councillors shall be annually chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafterwards, shall divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: *provided, however,* that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor.

Legislature to district state.

Eligibility defined.

Day and manner of election, etc.

Vacancies, how filled. For new provision as to vacancies, see amendments, Art. XXV.

Organization of the government.

[Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice

shall be by them declared and published : but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

ART. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen annually, on the day in November prescribed for the choice of governor ; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of one year from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room ; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large ; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

ART. XVIII. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and

Election of secretary, treasurer, auditor, and attorney-general by the people.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification requisite.

School moneys not to be applied for sectarian schools. For original provision as to

schools, see constitution, Part First, Art. III.
 12 Allen, 500, 508.
 103 Mass. 94, 96.

Legislature to prescribe for the election of sheriffs, registers of probate, etc. See amendments, Art. XXXVI.
 8 Gray, 1.
 13 Gray, 74.

Reading constitution in English and writing, necessary qualifications of voters. Proviso. For other qualifications, see amendments, Art. III.
 See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

Census of legal voters and of inhabitants, when taken, etc. See P. S. c. 31.

House of representatives to consist of 240 members. Legislature to apportion, etc.
 10 Gray, 613.

expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.

ART. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

110 Mass. 172, 173. 117 Mass. 602, 603. 121 Mass. 65.

ART. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided, however*, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

ART. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this pur-

pose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Secretary shall certify to officers authorized to divide counties.

Meeting for division to be first Tuesday in August. Proceedings.

Qualifications of representatives. 122 Mass. 595, 598.

Districts to be numbered, described and certified.

Quorum, see amendments, Art. XXXIII.

Census, etc. See P. S. c. 31.

ART. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and

Voters to be basis of apportionment of senators.

Senate to consist of forty members.

Senatorial districts, etc.

See amendments, Art. XXIV.

Qualifications of senators.

Quorum, see amendments, Art. XXXIII.

Residence of two years required of naturalized citizens, to entitle to suffrage or make eligible to office. This article annulled by Art. XXVI.

Vacancies in the senate.

returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided, however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

ART. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

ART. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

ART. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Vacancies in the council.

ART. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof: and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Twenty-third article of amendments annulled.

ART. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Provisions of Art. II., Chap. VI., relating to officers of Harvard College, annulled.

ART. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of being a pauper; or, if a pauper, because of the non-payment of a poll tax.

Superseded by Art. XXXI.

ART. XXIX. The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Voting precincts in towns.

ART. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the commonwealth, be disqualified from voting for said officers in the city or town from which he has removed

Voters not disqualified by reason of change of residence until six months from time of removal.

his residence, until the expiration of six calendar months from the time of such removal.

Amendments,
Art. XXVIII.
amended.

ART. XXXI. Article twenty-eight of the amendments of the constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words:—receiving or having received aid from any city or town,—and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: ARTICLE XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

Person who served in army or navy, etc., not disqualified from voting for non-payment of poll tax.

Provisions of amendments, Art. III., relative to payment of a tax as a voting qualification, annulled.

ART. XXXII. So much of article three of the amendments of the constitution of the commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth: and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

Quorum, in each branch of the general court, to consist of a majority of members.

ART. XXXIII. A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Provisions of Art. II., § 1., Chap. II., Part II., relative to property qualification of governor, annulled.

ART. XXXIV. So much of article two of section one of chapter two of part the second of the constitution of the commonwealth as is contained in the following words: "and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds"; is hereby annulled.

Provisions of Art. II., § III., Chap. I., relative to expense of travelling to the general assembly by members of the house, annulled.

ART. XXXV. So much of article two of section three of chapter one of the constitution of the commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judg-

ment of the house, and does not depart without leave", is hereby annulled.

ART. XXXVI. So much of article nineteen of the articles of amendment to the constitution of the commonwealth as is contained in the following words: "commissioners of insolvency", is hereby annulled.

Amendments,
Art. XIX.,
amended.

ART. XXXVII. The governor, with the consent of the council, may remove justices of the peace and notaries public.

Removal of
certain officers.

ART. XXXVIII. Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescribed by law: *provided, however*, that the right of secret voting shall be preserved.

Voting
machines may
be used at
elections.

ART. XXXIX. Article ten of part one of the constitution is hereby amended by adding to it the following words:—The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or by a county, city or town, of more land and property than are needed for the actual construction of such highway or street: *provided, however*, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions.

Powers of the
legislature
relative to the
taking of land,
etc., for
widening or
relocating
highways, etc.

Proviso.

ART. XL. Article three of the amendments to the constitution is hereby amended by inserting after the word "guardianship", in line two, the following:—and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections.

Amendments,
Art. III.,
amended.

ART. XLI. Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands such methods of taxation as will develop and conserve the forest resources of the commonwealth.

Taxation of wild
or forest lands.

ART. XLII. Full power and authority are hereby given and granted to the general court to refer to the people for their rejection or approval at the polls any act or resolve of the general court or any part or parts thereof. Such reference shall be by a majority yea and nay vote of all members of each house present and voting. Any act, resolve, or part thereof so referred shall be voted on at the regular state election next ensuing after such refer-

Referendum.

ence, shall become law if approved by a majority of the voters voting thereon, and shall take effect at the expiration of thirty days after the election at which it was approved or at such time after the expiration of the said thirty days as may be fixed in such act, resolve or part thereof.

Powers of the legislature relative to the taking of land, etc., to relieve congestion of population and to provide homes for citizens.
Proviso.

ART. XLIII. The general court shall have power to authorize the commonwealth to take land and to hold, improve, sub-divide, build upon and sell the same, for the purpose of relieving congestion of population and providing homes for citizens: *provided, however*, that this amendment shall not be deemed to authorize the sale of such land or buildings at less than the cost thereof.

Powers of the legislature relative to imposing and levying a tax on income; exemptions, etc.

ART. XLIV. Full power and authority are hereby given and granted to the general court to impose and levy a tax on income in the manner hereinafter provided. Such tax may be at different rates upon income derived from different classes of property, but shall be levied at a uniform rate throughout the commonwealth upon incomes derived from the same class of property. The general court may tax income not derived from property at a lower rate than income derived from property, and may grant reasonable exemptions and abatements. Any class of property the income from which is taxed under the provisions of this article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the constitution. This article shall not be construed to limit the power of the general court to impose and levy reasonable duties and excises.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean time the constitution was submitted to the people, to be adopted by them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved*, "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolu-

tion." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted April 9, 1821.

The tenth Article was adopted by the legislatures of the political years 1829-30 and 1830-31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859, and was repealed by the twenty-sixth Amendment.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

CONSTITUTION OF THE

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

The twenty-ninth Article was adopted by the legislatures of the political years 1884 and 1885, and was approved and ratified by the people on the third day of November, 1885.

The thirtieth and thirty-first Articles were adopted by the legislatures of the political years 1889 and 1890, and were approved and ratified by the people on the fourth day of November, 1890.

The thirty-second and thirty-third Articles were adopted by the legislatures of the political years 1890 and 1891, and were approved and ratified by the people on the third day of November, 1891.

The thirty-fourth Article was adopted by the legislatures of the political years 1891 and 1892, and was approved and ratified by the people on the eighth day of November, 1892.

The thirty-fifth Article was adopted by the legislatures of the political years 1892 and 1893, and was approved and ratified by the people on the seventh day of November, 1893.

The thirty-sixth Article was adopted by the legislatures of the political years 1893 and 1894, and was approved and ratified by the people on the sixth day of November, 1894.

The thirty-seventh Article was adopted by the legislatures of the political years 1906 and 1907, and was approved and ratified by the people on the fifth day of November, 1907.

The thirty-eighth Article was adopted by the legislatures of the political years 1909 and 1910, and was approved and ratified by the people on the seventh day of November, 1911.

The thirty-ninth Article was adopted by the legislatures of the political years 1910 and 1911, and was approved and ratified by the people on the seventh day of November, 1911.

The forty and forty-first Articles were adopted by the legislatures of the political years 1911 and 1912, and were approved and ratified by the people on the fifth day of November, 1912.

The forty-second Article was adopted by the legislatures of the political years 1912 and 1913, and was approved and ratified by the people on the fourth day of November, 1913.

The forty-third and forty-fourth Articles were adopted by the legislatures of the political years 1914 and 1915, and were approved and ratified by the people on the second day of November, 1915.

[A proposed Article of Amendment prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the legislatures of the political years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

[Proposed Articles of Amendment, (1) Establishing biennial elections of state officers, and (2) Establishing biennial elections of members of the General Court, adopted by the legislatures of the political years 1895 and 1896, were rejected by the people at the annual election held on the third day of November, 1896.]

[A proposed Article of Amendment to make Women eligible to appointment as Notaries Public, adopted by the legislatures of the political years 1912 and 1913, was rejected by the people on the fourth day of November, 1913.]

[A proposed Article of Amendment enabling Women to vote, adopted by the legislatures of the political years 1914 and 1915, was rejected by the people on the second day of November, 1915.]

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GENERAL ACTS

OF

MASSACHUSETTS

1917

☞ The General Court of the year nineteen hundred and seventeen assembled on Wednesday, the third day of January. The oaths of office were taken and subscribed by His Excellency SAMUEL W. McCALL and His Honor CALVIN COOLIDGE, on Thursday, the fourth day of January, in the presence of the two Houses assembled in convention.

GENERAL ACTS.

AN ACT RELATIVE TO THE DATE OF PAYMENT OF INTEREST *Chap.* 1
ON CERTAIN BONDS ISSUED BY THE COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in
General Court assembled, and by the authority of the same,
as follows:*

SECTION 1. Section four of chapter two hundred and thirty of the General Acts of the year nineteen hundred and sixteen is hereby amended by striking out the words "on the first days of January and July", in the ninth line, so as to read as follows:—*Section 4.* To meet the expenses incurred under this act the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue scrip or certificates of indebtedness to an amount not exceeding two hundred thousand dollars for a term not exceeding fifteen years. Such scrip or certificates shall be issued as registered bonds, and shall bear interest at a rate not exceeding four per cent per annum, and shall be payable semi-annually. They shall be designated on their face, State Highway Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the commonwealth; and the principal and interest thereof shall be paid at the time specified therein in gold coin of the United States or its equivalent. They shall be sold at public auction, or disposed of in such manner at such times and prices, in such amounts and at such rates of interest not exceeding the rate above specified, as shall be deemed best.

1916, 230 (G),
§ 4, amended.

Time for
interest pay-
ments on
certain bonds
issued by the
commonwealth.

SECTION 2. This act shall take effect upon its passage.
Approved January 23, 1917.

AN ACT RELATIVE TO CLERICAL ASSISTANCE IN THE OFFICE *Chap.* 2
OF THE TREASURER AND RECEIVER GENERAL.

Be it enacted, etc., as follows:

SECTION 1. The treasurer and receiver general may expend annually for extra clerical assistance in his department such sum as the general court may appropriate.

Clerical
assistance in
office of treas-
urer and
receiver
general.

Repeal.

SECTION 2. Chapter seven of the acts of the year nineteen hundred and twelve is hereby repealed.

SECTION 3. This act shall take effect upon its passage.
Approved January 29, 1917.

Chap. 3 AN ACT TO AUTHORIZE THE CONSTRUCTION OF A TRUNK LINE OF THE NORTH METROPOLITAN SEWERAGE DISTRICT ACROSS A PART OF THE TOWN OF READING.

Be it enacted, etc., as follows:

1916, 159 (G),
§ 2, amended.

North metro-
politan sewer-
age district,
trunk line of
sewer may be
constructed in
Reading.

SECTION 1. Section two of chapter one hundred and fifty-nine of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting before the word "Wakefield", in the fifth and sixth lines, the word:— Reading,— so as to read as follows:—*Section 2.* The metropolitan water and sewerage board shall provide an outlet at the Reading town line in or near Brook street for the sewage of said town, and, acting on behalf of the commonwealth shall construct a main trunk sewer or sewers through such parts of the towns of Reading, Wakefield and Stoneham and the city of Woburn from the Reading town line to such point in the north metropolitan system as said board may determine to be necessary in order to connect with a main trunk sewer in the Mystic valley.

SECTION 2. This act shall take effect upon its passage.
Approved February 8, 1917.

Chap. 4 AN ACT TO AUTHORIZE THE MASSACHUSETTS HIGHWAY COMMISSION TO DESTROY CERTAIN WORTHLESS PAPERS.

Be it enacted, etc., as follows:

1911, 38, § 1,
amended.

Section one of chapter thirty-eight of the acts of the year nineteen hundred and eleven is hereby amended by inserting after the word "it", in the sixth line, the words:— and all letters reporting accidents or papers relating thereto,— and by adding at the end thereof the following:— The commission may also in its discretion from time to time destroy or cause to be destroyed all records of convictions of persons charged with violation of the laws relating to motor vehicles and the operators thereof, unless such convictions are final convictions, under the provisions of section twenty-two of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, as

amended by section one of chapter one hundred and twenty-three of the acts of the year nineteen hundred and thirteen and by chapter two hundred and ninety of the General Acts of the year nineteen hundred and sixteen, excepting those of the current year and the two years next preceding, — so as to read as follows: — *Section 1.* The Massachusetts highway commission is hereby authorized to destroy, from time to time, in its discretion, applications for licenses to operate motor vehicles and for the registration thereof and copies of the licenses to operate and certificates of registration of motor vehicles issued by it, and all letters reporting accidents or papers relating thereto, excepting those of the current year and the year next preceding. It may destroy, or cause to be disposed of, any obsolete number plates and forms which it may have in connection with its automobile department and which, in the opinion of said commission, are no longer of any value to the commonwealth. It may also, in its discretion, destroy or cause to be destroyed, examination papers or the answers given by the applicants for licenses when the same have become of no value or when the licenses applied for have been granted. The commission may also in its discretion from time to time destroy or cause to be destroyed all records of convictions of persons charged with violation of the laws relating to motor vehicles and the operators thereof, unless such convictions are final convictions, under the provisions of section twenty-two of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, as amended by section one of chapter one hundred and twenty-three of the acts of the year nineteen hundred and thirteen and by chapter two hundred and ninety of the General Acts of the year nineteen hundred and sixteen, excepting those of the current year and the two years next preceding.

Massachusetts highway commission may destroy certain worthless papers, etc.

Examination papers.

Records of convictions.

Approved February 8, 1917.

AN ACT RELATIVE TO STATE AID FOR CERTAIN DEPENDENT RELATIVES, WIDOWS AND CHILDREN OF SOLDIERS IN THE FEDERAL SERVICE ON THE MEXICAN BORDER.

Chap. 5

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter three hundred and fourteen of the General Acts of the year nineteen hundred and sixteen, is hereby amended by striking out the word

1916, 314 (G),
§ 1, amended.

“fifteenth”, in the eleventh line, and inserting in place thereof the word: — first, — and by striking out the word “seventeen”, in the same line, and inserting in place thereof the word: — eighteen, — so as to read as follows: — *Section 1.* Any city or town may raise money by taxation or otherwise, and if necessary expend the same, by the officers authorized by law to furnish state and military aid, for the aid of the wife, widow, children under sixteen years of age, parents, brothers and sisters actually dependent upon any inhabitant of such city or town having a residence and actually residing therein, who has enlisted, or hereafter shall be duly enlisted and mustered into the military service of the United States as a part of the quota of this commonwealth called for service on the Mexican Border, up to January first, nineteen hundred and eighteen, unless the said service is sooner terminated, in the same manner and under the same limitations, except as hereinafter provided, as state aid is paid to dependent relatives of soldiers or sailors of the civil war and the war with Spain.

Cities and towns may aid certain dependent relatives of soldiers in Federal service on the Mexican border.

1916, 311 (G),
§ 2, amended.

SECTION 2. Section two of said chapter three hundred and fourteen is hereby amended by adding at the end thereof the following: — The provisions of said chapter relating to state aid shall apply to the widows and children under sixteen years of age of any such person who has died from such disabilities, either while in the service or after an honorable discharge therefrom: *provided*, that only such children whose birth occurred prior to said discharge or to the first day of January, nineteen hundred and eighteen, shall be entitled to the benefit of said provisions, — so as to read as follows: — *Section 2.* Persons who incur disabilities in such service and who are honorably discharged therefrom shall be eligible to receive state and military aid under the same rules, conditions and limitations as to amounts as now govern applicants for aid under chapter five hundred and eighty-seven of the acts of the year nineteen hundred and fourteen. The provisions of said chapter relating to state aid shall apply to the widows and children under sixteen years of age of any such person who has died from such disabilities, either while in the service or after an honorable discharge therefrom: *provided*, that only such children whose birth occurred prior to said discharge or to the first day of January, nineteen hundred and eighteen, shall be entitled to the benefit of said provisions.

Certain persons made eligible to receive state and military aid.

Proviso.

Approved February 8, 1917.

AN ACT TO AUTHORIZE THE PAYMENT OF COMPENSATION FOR TRAVEL TO THE MESSENGERS OF THE GENERAL COURT. *Chap. 6*

Be it enacted, etc., as follows:

SECTION 1. The messengers of the general court shall receive two dollars for every mile of ordinary travelling distance from their places of abode to the place of the sitting of the general court computed on the same basis upon which mileage is paid to members of the general court, to be so allowed from the first day of January, nineteen hundred and seventeen.

Messengers of general court to receive compensation for travel.

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

Approved February 17, 1917.

AN ACT RELATIVE TO THE QUALIFICATIONS OF CEMETERY COMMISSIONERS. *Chap. 7*

Be it enacted, etc., as follows:

Section twenty-one of chapter seventy-eight of the Revised Laws is hereby amended by inserting after the word "town", in the seventh line, the words: — to the extent that there reside in such town lot owners who are otherwise eligible and willing to serve, — so as to read as follows: — *Section 21.* A town which accepts the provisions of this and the four following sections or has accepted the corresponding provisions of earlier laws may, at any town meeting, elect by ballot a board of cemetery commissioners consisting of three persons, a majority of whom shall, for at least one year previous to their election, have been owners of a lot in a cemetery or other public burial ground in said town, to the extent that there reside in such town lot owners who are otherwise eligible and willing to serve. If such board is first chosen at a meeting other than an annual town meeting, one member shall be elected for one year from the day following that fixed by law for the last preceding annual town meeting, one member for two years, and one member for three years, from said day; and annually thereafter one member so qualified shall, at the annual town meeting, be elected by ballot for a term of three years. Such boards shall choose a chairman, and a clerk who may be a member of the board.

R. L. 78, § 21, amended.

Cemetery commissioners in towns, how elected, terms, etc.

Approved February 17, 1917.

Chap. 8 AN ACT TO PROVIDE FOR THE TESTING AND SEALING OF CERTAIN DEVICES INDICATING THE PRICE, WEIGHT OR MEASURE OF COMMODITIES OFFERED FOR SALE.

Be it enacted, etc., as follows:

1907, 535, § 1,
amended.

SECTION 1. Section one of chapter five hundred and thirty-five of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "weight", in the sixth line, the words:— or measure,— and by inserting after the word "weights", in the eighth line, the words:— or measures,— so as to read as follows:—

Certain devices
indicating the
price, etc., of
commodities
to be tested
and sealed.

Section 1. The provisions of chapter sixty-two of the Revised Laws relating to the adjusting, testing and sealing of weights, measures and balances shall apply to all scales, balances, computing scales and other devices having a device for indicating or registering the price as well as the weight or measure of the commodity offered for sale. All such computing devices shall be tested as to the correctness of both weights or measures and values indicated by them.

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

Approved February 19, 1917.

Chap. 9 AN ACT TO INCREASE THE SURPLUS WHICH MAY BE HELD BY A MUTUAL FIRE INSURANCE COMPANY.

Be it enacted, etc., as follows:

1907, 576, § 47,
etc., amended.

SECTION 1. Section forty-seven of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended by section one of chapter four hundred and eighty-two of the acts of the year nineteen hundred and eight, by section one of chapter three hundred and ninety of the acts of the year nineteen hundred and nine, and by chapter four hundred and sixty-three of the acts of the year nineteen hundred and ten, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:— Any such company may accumulate and hold profits, but only until such profits equal four per cent of its insurance in force, and such accumulation shall be subject to the provisions of law relative to the investment of the capital stock of insurance companies on the stock plan, and may be used from time to time in the payment of losses, dividends and expenses,— so as to read as

follows: — *Section 47.* From time to time the directors of a mutual fire insurance company may, by vote, fix and determine the percentages of dividend or expiration return of premium to be paid on expiring policies, which percentages may in their discretion be different for policies insuring farm, manufacturing or storage risks from those insuring other classes of risks of the same term. But policies insuring risks in this commonwealth in the same classification shall have an equal rate of dividend or return of premium and in case of an assessment the rate thereof may be different for policies insuring farm, manufacturing or storage risks from that on policies insuring other classes of risks for the same term, but policies insuring risks in the same class shall have the same rate of assessment. Every policy placed in the said class of farm, manufacturing or storage risks shall, when issued, bear an endorsement to the effect that it is so classified.

Surplus which may be held by a mutual fire insurance company increased.

Any such company may accumulate and hold profits, but only until such profits equal four per cent of its insurance in force, and such accumulation shall be subject to the provisions of law relative to the investment of the capital stock of insurance companies on the stock plan, and may be used from time to time in the payment of losses, dividends and expenses.

Profits, how applied.

Every policy holder of a domestic company, and every Massachusetts policy holder of a foreign company, shall be notified at his last known address within six months after the expiration of his policy of the amount of any dividend declared and payable thereon, unless in the meantime such dividend has been paid in cash or applied in payment of the premium on the renewal of the policy.

Policy holders to be notified of dividend declared, etc.

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

Approved February 19, 1917.

AN ACT TO INCREASE THE RESERVE OF LIABILITY COMPANIES FOR OUTSTANDING LOSSES.

Chap. 10

Be it enacted, etc., as follows:

SECTION 1. The reserve required of liability insurance companies for outstanding losses under insurance against loss or damage from accident to, or injuries suffered by, an employee or other person, for which the insured is liable, shall be computed as follows: —

Reserve of liability companies for outstanding losses, how computed.

1. For all liability suits being defended under policies written more than

For liability suits.

(a) Ten years prior to the date as of which the financial statement required by law to be filed with the insurance commissioner is made, one thousand five hundred dollars for each suit.

(b) Five and less than ten years prior to the date as of which the said statement is made, one thousand dollars for each suit.

(c) Three and less than five years prior to the date as of which the said statement is made, eight hundred and fifty dollars for each suit.

For liability policies.

2. For all liability policies written during the three years immediately preceding the date as of which the said statement is made, such reserve shall be sixty per cent of the earned liability premiums of each of the said three years, less all loss and loss expense payments made under liability policies written in the corresponding years; but in any event, the reserve shall, for the first of the said three years, be not less than seven hundred and fifty dollars for each outstanding liability suit on said year's policies.

For compensation claims under certain policies.

3. For all compensation claims under policies written more than three years prior to the date as of which the said statement is made, the present values at four per cent interest of the determined and the estimated future payments.

For compensation claims on policies written within three years, etc.

4. For all compensation claims under policies written in the three years immediately preceding the date as of which the said statement is made, the said reserve shall be sixty-five per cent of the earned compensation premiums of each of the said three years, less all loss and loss expense payments made in connection with such claims under policies written in the corresponding years; but in any event in the case of the first year of any such three-year period the reserve shall be not less than the present value at four per cent interest of the determined and the estimated unpaid compensation claims under policies written during that year: *provided, however,* that in computing the reserve for the statement for December thirty-first, nineteen hundred and seventeen, and December thirty-first, nineteen hundred and eighteen, the ratios sixty per cent and sixty-two and one half per cent, respectively, shall be used instead of sixty-five per cent as hereinbefore provided.

Proviso.

"Earned premiums," term defined.

SECTION 2. The term "earned premiums" as used herein shall include gross premiums charged on all policies written, including all determined excess and additional

premiums, less return premiums, other than premiums returned to policy holders as dividends, and less reinsurance premiums and premiums on policies cancelled, and less unearned premiums on policies in force. But any participating company which has charged in its premiums a loading solely for dividends shall not be required to include such loading in its earned premiums: *provided*, that a statement of the amount of such loading has been filed with and approved by the insurance commissioner. Proviso.

The term "compensation" as used in this act shall relate to all insurances effected by virtue of statutes providing compensation to employees for personal injuries irrespective of fault on the part of the employer. The term "liability" shall relate to all insurance except compensation insurance against loss or damage from accident to or injuries suffered by an employee or other person, for which the insured is liable. "Compensation," term defined.
"Liability," term defined.

The terms "loss payments" and "loss expense payments" as used herein shall include all payments to claimants, including payments for medical and surgical attendance, legal expenses, salaries and expenses of investigators, adjusters and field men, rents, stationery, telegraph and telephone charges, postage, salaries and expenses of office employees, home office expenses, and all other payments made on account of claims, whether such payments shall be allocated to specific claims or unallocated. "Loss payments" and "loss expense payments," terms defined.

SECTION 3. All unallocated liability loss expense payments made in a given calendar year subsequent to the first four years in which an insurer has been issuing liability policies shall be distributed as follows: Thirty-five per cent shall be charged to the policies written in that year, forty per cent to the policies written in the preceding year, ten per cent to the policies written in the second year preceding, ten per cent to the policies written in the third year preceding, and five per cent to the policies written in the fourth year preceding, and such payments made in each of the first four calendar years in which an insurer issues liability policies shall be distributed as follows: In the first calendar year one hundred per cent shall be charged to the policies written in that year, in the second calendar year fifty per cent shall be charged to the policies written in that year and fifty per cent to the policies written in the preceding year; in the third calendar year forty per cent shall be charged to the policies written in that year, forty per cent Certain unallocated liability loss expense payments, how distributed.

to the policies written in the preceding year, and twenty per cent to the policies written in the second year preceding, and in the fourth calendar year thirty-five per cent shall be charged to the policies written in that year, forty per cent to the policies written in the preceding year, fifteen per cent to the policies written in the second year preceding, and ten per cent to the policies written in the third year preceding, and a schedule showing such distribution shall be included in the annual statement.

Other unallocated compensation loss expense payments, how distributed.

All unallocated compensation loss expense payments made in a given calendar year subsequent to the first three years in which an insurer has been issuing compensation policies shall be distributed as follows: Forty per cent shall be charged to the policies written in that year, forty-five per cent to the policies written in the preceding year, ten per cent to the policies written in the second year preceding, and five per cent to the policies written in the third year preceding, and such payments made in each of the first three calendar years in which an insurer issues compensation policies shall be distributed as follows: In the first calendar year one hundred per cent shall be charged to the policies written in that year, in the second calendar year fifty per cent shall be charged to the policies written in that year and fifty per cent to the policies written in the preceding year; in the third calendar year forty-five per cent shall be charged to the policies written in that year, forty-five per cent to the policies written in the preceding year, and ten per cent to the policies written in the second year preceding, and a schedule showing such distribution shall be included in the annual statement.

Additional reserves.

Whenever, in the judgment of the insurance commissioner, the liability or compensation loss reserves of any insurer under his supervision, calculated in accordance with the foregoing provisions, are inadequate, he may, in his discretion, require such insurer to maintain additional reserves based upon estimated individual claims or otherwise.

Schedule of experience.

SECTION 4. Every insurance company which writes liability or compensation policies shall include in the annual statement required by law a schedule of its experience thereunder in such form as the insurance commissioner may prescribe.

Repeal.

SECTION 5. Chapter three hundred and fifteen of the acts of the year nineteen hundred and eleven is hereby repealed.

Approved February 19, 1917.

AN ACT RELATIVE TO ESTABLISHMENTS FOR THE MANUFACTURE OF SAUSAGES OR CHOPPED MEAT OR FOR THE BREAKING OR CANNING OF EGGS. Chap. 11

Be it enacted, etc., as follows:

Section two of chapter three hundred and twenty-five of the acts of the year nineteen hundred and fourteen, as affected by chapter twenty-two of the General Acts of the year nineteen hundred and fifteen, is hereby amended by striking out, in the fourth and fifth lines, the words "fine or imprisonment at the discretion of the court", and inserting in place thereof the following:— a fine of not less than ten nor more than one hundred dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment, — so as to read as follows:— *Section 2.* Whoever carries on an establishment for the manufacture of sausages or chopped meat of any kind, or for the breaking or canning of eggs without a license as provided herein shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment.

1914, 325, § 2, etc., amended.

Penalty for carrying on establishments for manufacture of sausages, etc., without license.

Approved February 19, 1917.

AN ACT TO INCREASE THE NUMBER OF PUBLIC ADMINISTRATORS IN THE COUNTY OF MIDDLESEX. Chap. 12

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and thirty-eight of the Revised Laws, as amended by section one of chapter five hundred and ten of the acts of the year nineteen hundred and eight, and by section one of chapter two hundred and forty-six of the acts of the year nineteen hundred and thirteen, is hereby further amended by inserting after the word "county", in the second line, the words:— except in the county of Middlesex where they shall not exceed six, — so as to read as follows:— *Section 1.* There shall be in each county one or more public administrators, not exceeding five in any county, except in the county of Middlesex where they shall not exceed six, appointed by the governor with the advice and consent of the council, who shall hold office for the term of five years from the time of their appointment, but they shall complete, as soon as they lawfully may, the administration of estates in their hands

R. L. 138, § 1, etc., amended.

Number of public administrators in Middlesex county increased to six.

of which the administration is not complete at the date of the expiration of their terms.

SECTION 2. This act shall take effect upon its passage.
Approved February 20, 1917.

Chap. 13 AN ACT RELATIVE TO THE PACKING, GRADING AND SALE OF
APPLES.

Be it enacted, etc., as follows:

1915, 261 (G),
§ 5, amended.

SECTION 1. Section five of chapter two hundred and sixty-one of the General Acts of the year nineteen hundred and fifteen is hereby amended by striking out the words "of the packer or", in the sixth line, by striking out the words "name and address of the repacker, or the", in the eighteenth line, and by striking out the words "original packer", in the last line, and inserting in place thereof the words:—person by whose authority they were originally packed,—so as to read as follows:—*Section 5.* Every closed package of apples packed or repacked in the commonwealth and intended for sale, either within or without the commonwealth, shall have marked in a conspicuous place on the outside of the package in plain letters a statement of the quantity of the contents, the name and address of the person by whose authority the apples were packed, the true name of the variety and the grade and the minimum size of the apples contained therein, in accordance with the provisions of sections two, three and four of this act, and the name of the state in which they were grown. If the true name of the variety is not known to the packer or other person by whose authority the apples are packed, the statement shall include the words "variety unknown", and if the name of the state in which the apples were grown is not known, this fact shall also be set forth in the statement. If apples are repacked, the package shall be marked "repacked", and shall bear the name and address of the person by whose authority it is repacked, in place of that of the person by whose authority they were originally packed.

SECTION 2. This act shall take effect upon its passage.
Approved February 20, 1917.

Closed
packages of
apples to be
marked.

"Repacked"
apples to bear
name, etc., of
packer.

AN ACT TO ESTABLISH A PENALTY IN THE SALE OF COM- *Chap. 14*
MODITIES BY WEIGHT.

Be it enacted, etc., as follows:

Section thirty-nine of chapter sixty-two of the Revised Laws, as amended by chapters one hundred and sixty-four and eight hundred and one of the acts of the year nineteen hundred and thirteen, is hereby further amended by adding at the end thereof the following:— Any violation of this act shall be punished by a fine not exceeding one hundred dollars for each offence,— so as to read as follows:— *Section 39.* If commodities are sold by weight, it shall be understood to mean the net weight of all commodities so sold; and all contracts concerning goods sold by weight shall be understood and construed accordingly: *provided, however,* that in respect to commodities not intended for food or fuel reasonable tolerances or variations shall be permitted in accordance with established trade customs. Any violation of this act shall be punished by a fine not exceeding one hundred dollars for each offence.

R. L. 62, § 39,
etc., amended.

Penalty for
illegal sale of
commodities
by weight.

Proviso.

Approved February 20, 1917.

AN ACT RELATIVE TO THE TESTING AND SEALING OF *Chap. 15*
APOTHECARIES' WEIGHTS AND MEASURES.

Be it enacted, etc., as follows:

Section twenty-seven of chapter sixty-two of the Revised Laws is hereby amended by inserting after the word "inspected", in the fourth line, the words:— and if any weight or weighing or measuring device is so small as to render it impracticable to seal the same in the usual manner, he shall furnish a certificate in such form as may be approved by the commissioner of weights and measures, specifying every such weight or weighing or measuring device tested by him,— so as to read as follows:— *Section 27.* If a sealer of weights and measures cannot seal any weights, measures and balances in the manner before provided, he may mark them with a stencil or by other suitable means, so as to show that they have been inspected; and if any weight or weighing or measuring device is so small as to render it impracticable to seal the same in the usual manner, he shall furnish a certificate in such form as may be approved by the commissioner of weights and measures, specifying every

R. L. 62, § 27,
amended.

Testing and
sealing of
apothecaries'
weights and
measures.

such weight or weighing or measuring device tested by him; but he shall in no case seal or mark as correct any weights, measures or balances which do not conform to the standards. If such weights, measures or balances can be readily adjusted by such means as he has at hand, he may adjust and seal them; but if they cannot be readily adjusted, he shall affix to such weights, measures or balances a notice forbidding their use until he is satisfied that they have been so adjusted as to conform to the standards; and whoever removes said notice without the consent of the officer affixing the same shall for each offence forfeit not more than fifty dollars, to be equally divided between the city or town and the complainant.

Penalty.

Approved February 20, 1917.

Chap. 16 AN ACT RELATIVE TO VACATIONS FOR LABORERS IN CITIES.

Be it enacted, etc., as follows:

Certain cities to vote upon acceptance of act relative to vacations for laborers.

SECTION 1. The question of accepting the provisions of chapter two hundred and seventeen of the acts of the year nineteen hundred and fourteen, relative to vacations for laborers, shall, in cities that have not accepted said provisions, be placed upon the ballot to be used at the next state election, and the said provisions shall take effect in any city in which the said question is answered in the affirmative by a majority of the voters voting thereon.

Certain provisions of law to apply.

SECTION 2. The provisions of chapter sixty of the General Acts of the year nineteen hundred and fifteen relating to vacations for laborers shall apply to any city which, under the provisions of section one hereof, votes to accept the provisions of said chapter two hundred and seventeen.

Approved February 20, 1917.

Chap. 17 AN ACT RELATIVE TO THE EXPENSES OF CITY OFFICIALS.

Be it enacted, etc., as follows:

R. L. 19, § 33, amended.

SECTION 1. Section thirty-three of chapter nineteen of the Revised Laws is hereby amended by striking out all after the word "cigars", in the second line, so as to read as follows:— *Section 33.* No city shall pay a bill incurred by any official thereof for wines, liquors or cigars.

Cities prohibited from paying certain expenses of officials.

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

Approved February 21, 1917.

AN ACT RELATIVE TO FIXING THE AMOUNT OF BONDS GIVEN BY CERTAIN OFFICIALS FOR THE FAITHFUL PERFORMANCE OF THEIR DUTIES. Chap. 18

Be it enacted, etc., as follows:

SECTION 1. Bonds now required by law to be given by superintendents of institutions and principals of normal schools conditioned on the faithful performance of their duties shall hereafter be for such amounts as the treasurer and receiver general and the auditor of the commonwealth may prescribe.

Amount of bonds given by certain school officials fixed.

SECTION 2. This act shall take effect upon its passage.
Approved February 21, 1917.

AN ACT RELATIVE TO THE MANNER IN WHICH RECORDS OF CITIES AND TOWNS SHALL BE KEPT. Chap. 19

Be it enacted, etc., as follows:

SECTION 1. The words "in books" wherever they occur in the Revised Laws relating to the records of cities and towns shall not be held to prohibit the making of such records on separate or loose leaves: *provided*, that such leaves shall be bound in a permanent book upon the completion of the record of a sufficient number of them to make an ordinary volume.

Manner in which records of cities and towns shall be kept.
Proviso.

SECTION 2. This act shall take effect upon its passage.
Approved February 21, 1917.

AN ACT RELATIVE TO STARLINGS.

Chap. 20

Be it enacted, etc., as follows:

Section seven of chapter ninety-two of the Revised Laws, as amended by chapter two hundred and eighty-seven of the acts of the year nineteen hundred and three, and by section one of chapter two hundred and fifty of the acts of the year nineteen hundred and seven, is hereby further amended by inserting after the word "jays", in the fourth line, the word: — starlings, — so as to read as follows: — *Section 7.* Whoever takes or kills a wild or undomesticated bird not named in sections two, three, four and five, except English sparrows, crow blackbirds, crows, jays, starlings, the following named birds of prey, — sharp-shinned hawk, cooper's

R. L. 92, § 7, etc., amended.

Penalty for killing certain wild birds.

hawk, goshawk, red-tailed hawk, red-shouldered hawk, duck hawk, pigeon hawk, barred owl, great horned owl and snowy owl, — wild geese and fresh water and sea fowl not named in said sections, or wilfully destroys, disturbs or takes a nest or eggs of any wild or undomesticated birds, except such as are not protected by the provisions of this section, shall be punished by a fine of ten dollars for each bird taken or killed or each nest or egg destroyed, disturbed or taken contrary to the provisions of this section; but a person over twenty-one years of age, who has a certificate from the commissioners on fisheries and game or from the president of the Boston Society of Natural History that he is engaged in the scientific study of ornithology or is collecting in the interest of a scientific institution, may at any season take or kill or take the nests and eggs of an undomesticated bird, except woodcock, ruffed grouse and quail; but the provisions of this section shall not authorize a person to enter upon private grounds without the consent of the owner thereof for the purpose of taking nests or eggs or killing birds. Said commissioners or the president of said society may at any time revoke such certificate.

Approved February 21, 1917.

Chap. 21 AN ACT RELATIVE TO THE TESTING AND SEALING OF GRADUATED GLASS MEASURES.

Be it enacted, etc., as follows:

R. L. 62, § 25,
etc., amended.

Chapter sixty-two of the Revised Laws, as amended in section twenty-five by section two of chapter six hundred and thirty-three of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out said section twenty-five and inserting in place thereof the following: — *Section 25.* Apothecaries and all other persons dealing in or dispensing drugs, medicines or merchandise sold, dispensed or given away by apothecaries' weights or by apothecaries' liquid measure, shall, at least annually, cause the weights and measures so used to be tested and sealed by the sealers of weights and measures in the respective cities and towns in which they carry on business: *provided, however,* that if a graduated glass measure has once been sealed by a sealer of weights and measures, or by the manufacturer, it shall not in any case be necessary to have it sealed again at any time while it remains in the same condition in which it was when first sealed. The commis-

Graduated
glass measures
to be tested
and sealed.

Proviso.

sioner of weights and measures shall establish specifications for graduated glass measures. When a representative sample of any graduated glass measure has been submitted to the commissioner and approved by him, as conforming to the specifications, he shall assign a designating mark or number which shall thereafter be permanently affixed to all such measures of that particular kind which has been by him approved. Such graduated glass measures as are sealed by the manufacturer shall be marked with the name, initials or trade-mark of the manufacturer, and by any other marks which the commissioner may require. The commissioner shall have power to revoke the authority given by him to any manufacturer under the provisions of this section upon proof that the authorized seal or designating mark has been affixed to any measure which does not conform to the sample by him approved.

Commissioner to assign a designating mark or number.

Revocation of authority to use mark, etc.

Approved February 21, 1917.

AN ACT RELATIVE TO THE DECREES OF PROBATE COURTS. *Chap. 22*
Be it enacted, etc., as follows:

Section three of chapter one hundred and thirty-six of the Revised Laws is hereby amended by inserting after the word "will", in the first line, the words: — or compromise of a will, — so as to read as follows: — *Section 3.* A decree allowing a will, or compromise of a will, or adjudicating the intestacy of the estate of a deceased person in any court in this commonwealth having jurisdiction thereof shall, after two years from the rendition of such decree, or, if proceedings for a reversal thereof are had, after two years from the establishment of such decree, be final and conclusive in favor of purchasers for value, in good faith, without notice of any adverse claim, of any property, real or personal, from devisees, legatees, heirs, executors, administrators or guardians; and in favor of executors, administrators, trustees and guardians, who have settled their accounts in due form and have in good faith disposed of the assets of the estate in accordance with law; and also in favor of persons who have in good faith made payments to executors, administrators, trustees or guardians. If a subsequent decree reverses or qualifies the decree so originally rendered, heirs, devisees, legatees and distributees shall be liable to a subsequent executor, administrator or other person found entitled thereto, for any proceeds or assets of the estate received by them under the former decree, and in such case

R. L. 136, § 3, amended.

Probate of will conclusive, when.

proceeds of real property shall be treated as real property. The provisions of this section shall not make an adjudication of the fact of death conclusive.

Approved February 21, 1917.

Chap. 23 AN ACT TO PROVIDE FOR THE LICENSING OF COFFEE HOUSES, SO-CALLED.

Be it enacted, etc., as follows:

Coffee houses, so-called, etc., to be licensed.

SECTION 1. No coffee house, so-called, or tea house, or place of resort for refreshment, where the principal business is, or purports to be, the sale of coffee or tea as a beverage, shall be maintained in any city or town until a license therefor has been granted by the authority empowered to grant victuallers' licenses therein. The fee for the license shall be five dollars or such other sum as shall be fixed from time to time by the city council of the city or by the selectmen of the town. Licenses issued hereunder shall expire on the first day of May following the date of issue, and may be revoked at any time by the licensing authority.

Expiration.

Penalty.

SECTION 2. Any violation of this act shall be punished by a fine not exceeding one hundred dollars.

Act to be submitted to city council in cities and to voters in towns.

SECTION 3. This act shall take effect in any city upon its acceptance by the city council with the approval of the mayor, and it shall take effect in any town upon its acceptance by vote of the town at any annual town meeting or at any special meeting duly called for the purpose.

Approved February 21, 1917.

Chap. 24 AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUREAU OF STATISTICS TO FURNISH CERTAIN ACCOUNTING SUPPLIES TO CITIES AND TOWNS.

Be it enacted, etc., as follows:

Director of bureau of statistics to furnish certain accounting supplies to cities and towns.

SECTION 1. The director of the bureau of statistics is authorized to supply, approximately at cost, cities and towns in which accounting systems have been installed, pursuant to the provisions of chapter five hundred and ninety-eight of the acts of the year nineteen hundred and ten, as amended by chapter seven hundred and six of the acts of the year nineteen hundred and thirteen, and by chapter thirteen of the General Acts of the year nineteen hundred and sixteen, with such books, forms, or other articles as they may re-

quire from time to time, after the original installation of the said systems.

SECTION 2. This act shall take effect upon its passage.
Approved February 23, 1917.

AN ACT TO PROVIDE FOR THE EXPENSES OF THE STATE LIBRARY. *Chap. 25*

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and twelve of the General Acts of the year nineteen hundred and sixteen is hereby amended by striking out the first clause and inserting in place thereof the following: — The trustees of the state library may expend annually a sum not exceeding twelve thousand four hundred and ninety dollars for permanent assistants and clerks. 1916, 112 (G), § 1, amended.
Expenses of state library.

SECTION 2. This act shall take effect upon its passage.
Approved February 23, 1917.

AN ACT RELATIVE TO THE ISSUANCE OF HUNTERS' CERTIFICATES OF REGISTRATION. *Chap. 26*

Be it enacted, etc., as follows:

Section two of chapter six hundred and fourteen of the acts of the year nineteen hundred and eleven is hereby amended by striking out the words "Said certificate shall be valid only to January first next following the date of issue and no longer, shall not be transferable, and shall be produced for examination upon demand of any person", in the fourteenth, fifteenth, sixteenth and seventeenth lines, and inserting in place thereof the following: — The clerk of any city or town may issue a certificate as to any of the classes hereinafter described on or after December twenty-sixth in the year preceding that during which the certificate may be used. Said certificate shall bear the date of January first and shall be valid for use to and including the following December thirty-first, and no longer, shall not be transferable and shall be produced for examination upon the demand of any person, — so as to read as follows: — *Section 2.* The clerk of any city or town shall, upon the application of any person entitled to receive a certificate of registration under any of the classes hereinafter described, and upon payment of the registration fee hereinafter specified, and the furnishing of an affidavit by any non-resident who de- 1911, 614, § 2, amended.
City and town clerks to issue certificates of registration to hunters.

Certificate to
have force for
calendar year.

sires to be classified under clauses one, two and three of section four of this act, register and issue to such person a certificate in the form prescribed and upon a blank furnished by the commissioners on fisheries and game, which certificate shall bear the name, age, occupation, place of residence, and signature and identifying description of the person thus registered, and shall authorize the person so registered to hunt birds and quadrupeds, subject to such conditions as are provided by law. The clerk of any city or town may issue a certificate as to any of the classes hereinafter described on or after December twenty-sixth in the year preceding that during which the certificate may be used. Said certificate shall bear the date of January first and shall be valid for use to and including the following December thirty-first, and no longer, shall not be transferable and shall be produced for examination upon the demand of any person. Failure or refusal to produce said certificate upon such demand shall be prima facie evidence of the violation of this act.

Approved February 27, 1917.

Chap. 27 AN ACT RELATIVE TO THE TAKING OF WHITE PERCH.

Be it enacted, etc., as follows:

1915, 54 (G),
§ 1, amended.

Taking of
white perch,
regulation, etc.

Provisos.

SECTION 1. Section one of chapter fifty-four of the General Acts of the year nineteen hundred and fifteen is hereby amended by striking out the word "ponds", in the second line, and inserting in place thereof the word:— waters, — so as to read as follows:— *Section 1.* It shall be lawful for any person to take white perch from waters that have been stocked by the fish and game commissioners with white perch and to have the same in possession: *provided*, that no perch less than seven inches long is taken and that the taking is by angling only; and *provided, also*, that a total of not more than ten pounds of white perch is taken in any one day, except that if the last fish caught increases the total weight of the fish caught to more than ten pounds the last fish so taken may lawfully be kept, and *provided, also*, that when two or more persons are angling from the same boat or raft they shall not take more in the aggregate than fifteen pounds, except that if the last fish caught increases the total weight of the fish caught by such persons to more than fifteen pounds, the last fish so taken may lawfully be retained.

SECTION 2. This act shall not apply to waters already held under lease or which may hereafter be leased by the commonwealth or by the board of commissioners on fisheries and game. Not to apply to certain waters.
Approved February 27, 1917.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION TO COMPILE INFORMATION AND DATA FOR THE USE OF THE CONSTITUTIONAL CONVENTION. *Chap. 28*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of facilitating the work of the convention to revise, alter or amend the constitution of the commonwealth, as provided by chapter ninety-eight of the General Acts of the year nineteen hundred and sixteen, a commission of three learned and discreet persons shall be appointed by the governor, one of whom shall be designated as chairman, who shall forthwith proceed to compile and render accessible, in convenient form and arrangement, such information, data and material as may aid the convention in the discharge of its duties. The members of the commission may receive such compensation and may incur such expense for clerical assistance, incidentals and printing as the governor and council may approve, not to exceed in all the sum of ten thousand dollars. The governor is also empowered to fill any vacancy that may occur in said commission. The provisions of the laws relating to civil service shall not apply to clerks appointed by the commission. Governor to appoint commission to compile information, etc., for use of the constitutional convention.
Compensation, etc.

SECTION 2. The commission shall place at the disposal of the members of said convention as soon as may be after their election the aforesaid information and data, from time to time, as the same is prepared and compiled and may, with the approval of the governor, distribute to such members before or after the organization of the convention as much thereof as the governor may authorize to be printed. The governor and council, upon such terms and conditions as they may deem expedient, may order that any material ordered printed for the use of said members shall be printed in sufficient quantity and distributed by the secretary of the commonwealth to the people at large. Distribution of information to members of convention.
Public distribution of material.

SECTION 3. The commission shall be provided with suitable accommodations in the state house and shall, together with the members of the convention and the officers and employees thereof, have the same right of access to the state library as the members of the general court. There To be provided with quarters, etc.

shall also be provided in the state house, subject to the approval of the governor and council, a room or rooms conveniently near the place of meeting of the convention where the aforesaid information and data may be suitably arranged, indexed and catalogued.

Termination of service.

SECTION 4. The service of said commission shall terminate upon the final adjournment of the convention, or whenever at any time prior to such adjournment, the governor may determine that the purposes and objects of said commission have been accomplished.

SECTION 5. This act shall take effect upon its passage.
Approved February 28, 1917.

Chap. 29 AN ACT RELATIVE TO THE LISTING OF VOTERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1913, § 35, § 15, etc., amended.

SECTION 1. Chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, as amended in section fifteen by section one of chapter ninety-one of the General Acts of the year nineteen hundred and fifteen, is hereby further amended by striking out the said section fifteen and inserting in place thereof the following:—

Assessors to make lists of male persons liable to a poll tax.

Section 15. The assessors, assistant assessors, or one or more of them, shall annually, in April or May, visit every building in their respective cities and towns and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, age, occupation and residence, on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person twenty years of age or upwards, residing in their respective cities and towns, liable to be assessed for a poll tax; and, except in Boston, shall inquire at the residences of the women voters whose names are contained in the list transmitted to them by the registrars under the provisions of section forty-four whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them.

To make lists of women voters, except in Boston.

Inmates of Soldiers' Home may be assessed and vote in Chelsea.

Any inmate of the Soldiers' Home in the city of Chelsea shall have the same right as any other resident of that city to be assessed and to vote therein.

Assessors to correct errors and supply omissions.

The assessors shall, upon the personal application of an assessed person for the correction of any error in their original lists, and whenever informed of any such error, make

due investigation, and, upon proof thereof, correct the same on their books. When informed of the omission of the name of a person who is averred to have lived in the city or town on the first day of April in the current year, and to have been assessed there in the preceding year, they shall make due investigation, and, upon proof thereof, supply the omission on their books, and, except in Boston, give immediate notice thereof to the registrars of voters. They shall cause all applications, certificates and affidavits received by them under this section to be preserved for two years.

Applications, etc., to be preserved for two years.

SECTION 2. Section sixteen of said chapter eight hundred and thirty-five, as amended by section two of said chapter ninety-one, is hereby further amended by inserting after the word "assessors" in the second line, the words: — except in Boston, — by striking out in the fourth line the words "and in Boston to the election commissioners", — by striking out the words "to the election commissioners", in the sixth and seventh lines, — and by striking out the words "and the election commissioners", in the eleventh line, — so as to read as follows: — *Section 16.* The assessors, except in Boston, shall from time to time, and before the fifteenth day of June in each year, transmit to the registrars of voters, the lists made as provided in the preceding section, or certified copies thereof, and shall promptly transmit to the registrars and to the collector of taxes notice of every addition to and correction in the lists made by them. Every assessor, assistant assessor and collector of taxes shall furnish all information in his possession necessary to aid the registrars in the performance of their duties.

1913, 835, § 16, etc., amended.

Assessors, except in Boston, to transmit to registrars and collectors lists, etc.

SECTION 3. Section seventeen of said chapter eight hundred and thirty-five, as amended by section three of said chapter ninety-one, is hereby further amended by inserting after the word "cities" in the first line, the words: — except in Boston, — and by striking out the words "and in Boston to the election commissioners", in the tenth and eleventh lines, — so as to read as follows: — *Section 17.* The assessors of cities, except in Boston, shall, on or before the fifteenth day of June in each year, and the assessors of towns having over five thousand inhabitants according to the latest census, state or national, shall, on or before the first day of July in each year, prepare street lists containing the names of all persons assessed by them for poll taxes for the current year. Such lists for cities and for towns divided

1913, 835, § 17, etc., amended.

Assessors of cities, except Boston and certain towns, to prepare street lists, etc.

into voting precincts shall be arranged by voting precincts. They shall print such lists in pamphlet form, shall deliver to the registrars as many copies thereof as they may require, and shall hold the remaining copies for public distribution. In all other towns they shall, on or before the first day of July in each year, cause lists of all persons assessed therein for poll taxes to be prepared and conspicuously posted in two or more public places in every such town. In towns not divided into voting precincts such lists may be arranged alphabetically, according to the names of the persons on the list, or by streets.

Lists of assessed polls to be posted in certain towns.

1913, § 18, etc., amended.

Form and contents of street lists.

SECTION 4. Section eighteen of said chapter eight hundred and thirty-five, as amended by section four of said chapter ninety-one, is hereby further amended by inserting at the beginning, the words:— Except in Boston, — so as to read as follows:— *Section 18.* Except in Boston, the assessors shall name or designate in such street lists all buildings used as residences, in their order on the street where they are located, by giving the number or other definite description of each building so that it can be readily identified, and shall place opposite to or under each number or other description of a building the name, age and occupation of every person residing therein on the first day of April of the current year and assessed for a poll tax, and his residence on the first day of April of the preceding year.

1913, § 19, etc., amended.

SECTION 5. The first paragraph of section nineteen of said chapter eight hundred and thirty-five, as amended by section five of said chapter ninety-one, is hereby further amended by inserting after the word "town", in the second line, the words:— except Boston, — by striking out the words "and in Boston not later than the twentieth day of December", in the fifth and sixth lines — and by striking out all after the word "true", in the thirteenth line — so that said paragraph will read as follows:— *Section 19.* If a male person resident in a city or town, except Boston, on the first day of April was not assessed for a poll tax, he shall, in order to establish his right to assessment, present to the assessors before the close of registration a statement under oath that he was on said day a resident of such city or town and liable to pay a poll tax therein, and a list under oath of his polls and estate and shall also produce before the assessors two witnesses, who shall testify, under oath, that they are voters of the ward or town in which such person desires to be registered and that the statement of the applicant is true.

Assessment of persons not previously assessed.

SECTION 6. Section forty-six of said chapter eight hundred and thirty-five, as amended by section six of said chapter ninety-one, and by section one of chapter eighty-seven of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out all after the word "residence" in the tenth line, — so as to read as follows: — *Section 46.* Every male applicant for registration, except in Boston, whose name has not been transmitted to the registrars as provided in section sixteen shall present a tax bill or notice from the collector of taxes, or a certificate from the assessors showing that he was assessed as a resident of the city or town on the preceding first day of April, or a certificate that he became a resident therein at least six months preceding the election at which he claims the right to vote, and the same shall be prima facie evidence of his residence.

1913, § 35, § 46, etc., amended.

Male applicant to present tax bill or certificate, etc.

SECTION 7. In Boston there shall be a listing board composed of the police commissioner of the city and one member of the board of election commissioners, who shall annually be appointed by the mayor, without confirmation by the city council, for the term of one year and who shall belong to that one of the two leading political parties of which the police commissioner is not a member. In case of disagreement between the two members of said board, the chief justice of the municipal court of the city of Boston, or, in case of his disability, the senior justice of said court who is not disabled, shall, for the purpose of settling such disagreement, be a member of said board and shall preside and cast the deciding vote in case of a tie.

Listing board in Boston, how constituted.

1917, § 27, § 1

SECTION 8. The listing board shall, within the first seven week days of April in each year, by itself or by police officers subject to the jurisdiction of the police commissioner, visit every building in said city, and after diligent inquiry make true lists, arranged by streets, wards and voting precincts, and containing, as nearly as the board can ascertain, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person, twenty years of age or upwards, who is not a pauper in a public institution, residing in said city. Said board shall designate in the said lists all buildings used as residences by such male persons, in their order on the street where they are situated, by giving the number or other definite description of every such building so that it can readily be identified,

To make lists of male voters.

Buildings used as residences to be designated, etc.

and shall place opposite the number or other description of every such building the name, age and occupation of every such male person residing therein on the first day of April in the current year, and his residence on the first day of April in the preceding year. The board shall also inquire at the residences of the women voters whose names are contained in the list transmitted to them by the election commissioners, under section seventy-six of said chapter eight hundred and thirty-five, whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them. If in any year the police commissioner shall believe it to be impracticable, because of any public exigency requiring unusual service from the police force of the city, to complete within the first seven week days of April the said visitation, and to transmit to the election commissioners on or before the eighteenth day of April the lists described in this section, he shall have authority, after having given notice in writing to the listing board and to the board of election commissioners of the city, to take such further time for the said visitation and transmission, not exceeding ten week days, as he shall deem necessary.

To make lists of women voters.

Police commissioner may take further time when necessary, etc.

Names of informants to be given, etc.

The board shall place in the lists made by it, opposite the name of every such male person or woman voter, the name of the inmate, owner or occupant of the building, or the name and residence of any other person who gives the information relating to such male person or woman voter. Where such information is given by one person relating to more than one such male person or woman voter residing in one building, ditto marks may be used in the lists under the name of the person giving the information, after his name has once been placed opposite the name of such male person or woman voter first written down as residing in such building.

To correct errors in lists, etc.

The board shall, upon the personal application of a person listed for the correction of any error in their lists or whenever informed of any such error, make due investigation, and upon proof thereof correct the same on their lists, and shall immediately notify the election commissioners of such correction, who shall correct their copies of said lists accordingly and proceed to revise and correct the registers under the provisions of section fifty-one of said chapter eight hundred and thirty-five. The board shall cause all applications and affidavits received by it under this section to be preserved for two years.

Applications, etc., to be preserved for two years.

SECTION 9. The board shall, on or before the eighteenth day of April in each year, transmit to the election commissioners certified copies of those parts of the lists prepared as provided in the preceding section, containing the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person, twenty years of age or upwards, residing in said city, and shall promptly transmit to the election commissioners notice of every addition to and correction in the lists made by it. The board shall furnish all information in its possession necessary to aid the election commissioners in the performance of their duties.

To transmit copies of lists to election commissioners, etc.

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SECTION 10. The board shall, on or before the first day of June in each year, prepare printed copies of the lists prepared for the use of the election commissioners. The board shall print such lists in pamphlet form by precincts, deliver to the election commissioners as many copies thereof as they may require, and hold the remaining copies for public distribution.

To prepare printed copies of lists, etc.

SECTION 11. If a male person, twenty years of age or upward, resident in Boston on the first day of April, was not listed by the board, he shall, in order to establish his right to be listed, in person present a statement in writing under oath to the election commissioners or assistant registrars at their principal office, who are hereby authorized to administer oaths for this purpose, that he was on the first day of April a resident of said city, giving his name, age, occupation and residence on the first day of April in the current year, and his residence on the first day of April in the preceding year. A male person, twenty years of age or upward, who becomes a resident of said city after the first day of April shall in person present a statement in writing under oath to the election commissioners or assistant registrars at their principal office, who are hereby authorized to administer oaths for this purpose, that he became a resident of said city at least six months immediately preceding the election at which he claims the right to vote, giving his name, age, occupation and residence, and the date when he so became a resident, and his residence on the first day of April in the current year. The board of election commissioners shall forthwith transmit a copy of such statement to the police commissioner who shall detail an officer to verify the statement of the applicant as to residence, and shall report to the election commissioners within five days the result of the

Listing of persons not previously listed.

Certain persons desiring to be listed to present a statement in writing, etc.

Election commissioners may place names on voting list.

investigation of the officer. If the statement of the applicant as to residence is found to be true, the election commissioners shall place the name of the applicant on the voting list; otherwise the election commissioners shall forthwith notify the applicant to appear before them, and, if not satisfied that his statement is true, shall not place his name upon the voting list: *provided, however*, that no application for registration under the provisions of this section shall be received by the election commissioners or assistant registrars later than the thirtieth day preceding a state or municipal election.

Proviso.

1913, c. 835, § 76, etc., amended.

SECTION 12. Section seventy-six of said chapter eight hundred and thirty-five, as amended by section seven of said chapter ninety-one, is hereby further amended by striking out the word "assessors" in the twelfth and thirty-fifth lines and inserting in place thereof in each instance the words:— listing board, — and by striking out the word "assessed" in the thirteenth line, and inserting in place thereof the word:— listed, — so as to read as follows:— *Section 76.* The election commissioners shall, after the first day of April in each year, prepare an annual register containing the names of all qualified voters in Boston for the current year, beginning with such first day of April. Such names shall be arranged by wards and precincts and, opposite the name of each voter, shall be entered his residence on the preceding first day of April or any subsequent day when he became a resident of said city. The election commissioners shall enter in the annual register every name contained in the lists, for the current year, of persons transmitted to them by the listing board, giving, as the residence of each person on the first day of April, the place at which he was listed by said board; and likewise the name and residence, as aforesaid, of every woman voter whose name is contained in the list of women voters transmitted to them under this act: *provided*, that in every case they are able to identify the name so transmitted as that of a man or woman whose name was borne on the voting list of said city at the last preceding election. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any commissioner, until such person has been duly notified and given an opportunity to be heard by them, and shall have appeared and satisfied them of his right to have his name so entered. They shall forthwith enter in the annual register the name of every person whose

Election commissioners to prepare annual register of voters.

Proviso.

To make necessary inquiries and investigations, etc.

qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each male voter of the preceding year whose name has not been entered in the annual register of the current year that his name has not been so entered. They shall, before the first day of April in each year, transmit to the listing board a list of the women voters whose names are contained upon the register of the preceding year, with their residences, as they appear on said register.

To send notice to voters of preceding year whose names have not been entered in annual register.
To transmit list of women voters to listing board.

SECTION 13. Section four hundred and thirty-six of said chapter eight hundred and thirty-five, as amended by section eight of said chapter ninety-one, is hereby further amended by striking out the said section and inserting in place thereof the following:— *Section 436*. A member of the listing board or a police officer in Boston who knowingly enters on any list of male persons or women voters, or causes, or allows to be entered thereon, or reports the name of any person as a resident of a building, who is not a resident thereof, shall for each offence be punished by imprisonment for not more than one year.

1913, 835, § 436, etc., amended.

Penalty on member of listing board or police officer in Boston.

SECTION 14. Section four hundred and fifty-eight of said chapter eight hundred and thirty-five, as amended by section nine of said chapter ninety-one, is hereby further amended by inserting after the word "by", in the fourth and tenth lines, in each instance, the words:— a member of the listing board or, — so as to read as follows:— *Section 458*. Whoever in Boston, being an inmate of a building and a male resident twenty years of age or upward, refuses or neglects to give his true name, when asked by a member of the listing board or a police officer acting under this act, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his knowledge relating to all persons residing in such building, when asked by a member of the listing board or a police officer acting under this act, shall be punished by imprisonment for not more than three months.

1913, 835, § 458, etc., amended.

Penalty for refusing to give true name or information in Boston.

SECTION 15. Section four hundred and fifty-nine of said chapter eight hundred and thirty-five, as amended by section ten of said chapter ninety-one, is hereby further amended by inserting after the word "to" in the third line the words:

1913, 835, § 459, etc., amended.

— a member of the listing board or — and by inserting after the word “making” in the fourth line, the words: — a list of male residents twenty years of age or upward or women voters or, — so as to read as follows: — *Section 459.* Whoever knowingly gives to an assessor or assistant assessor, for the purpose of the assessment of a poll tax, or in Boston to a member of the listing board or a police officer, for the purpose of making a list of male residents twenty years of age or upward or women voters or a report under this act, the name of any person as a resident of a building, who is not a resident therein, shall be punished by imprisonment for not more than one year.

Penalty for giving name of non-resident.

1913, 835, § 460, etc., amended.

SECTION 16. Section four hundred and sixty of said chapter eight hundred and thirty-five, as amended by section eleven of said chapter ninety-one, is hereby further amended by inserting after the word “registration”, in the fourth line, the words: — or in Boston for being listed, — so as to read as follows: — *Section 460.* Whoever knowingly or wilfully makes a false affidavit, takes a false oath or signs a false certificate relative to the qualifications of any person for assessment or registration, or in Boston for being listed, shall be punished by imprisonment for not more than one year.

Penalty for false affidavit, oath or certificate.

SECTION 17. This act shall take effect upon its passage.
Approved February 28, 1917.

Chap. 30 AN ACT RELATIVE TO CERTAIN UNCLAIMED AWARDS FOR DAMAGE DONE BY DOGS IN BERKSHIRE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of the county of Berkshire is hereby authorized to use the unclaimed money held by him against certain old awards for damage done by dogs, namely, the sum of eight hundred fifty-eight dollars and seventy-six cents, in the payment of the miscellaneous and contingent expenses of said county, in the same manner and to the same extent as if said money had been raised by taxation for the purposes for which he is hereby authorized to expend the same.

Unclaimed awards for damage done by dogs in Berkshire county may be used for certain purposes.

SECTION 2. This act shall take effect upon its passage.
Approved February 28, 1917.

AN ACT TO AUTHORIZE THE COUNTY OF BARNSTABLE TO EXPEND A FURTHER SUM FOR THE CONSTRUCTION AND MAINTENANCE OF AN INFIRMARY FOR THE CARE AND TREATMENT OF TUBERCULOUS AND OTHER PATIENTS. *Chap. 31*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable are hereby authorized to expend, in addition to the amount authorized by chapter one hundred and fifty-three of the General Acts of the year nineteen hundred and fifteen, and for the purposes therein specified, an amount not exceeding twenty-five thousand dollars, and to issue bonds or notes therefor, and each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall be payable by such annual payments, beginning not more than one year after the date thereof as will extinguish each loan within ten years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The said bonds or notes shall bear on their face the words County of Barnstable Infirmary Loan, Acts of 1915-1917, and shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes specified in said chapter one hundred and fifty-three.

Barnstable county may expend a further sum for constructing, etc., an infirmary for tuberculous patients, etc.

SECTION 2. The county commissioners at the time of authorizing said loan shall provide for the payment of the principal and interest thereof in the same manner as the loan authorized by said chapter one hundred and fifty-three is required to be paid by the provisions thereof. ^{Payment of loan.}

SECTION 3. This act shall take effect upon its passage.

Approved February 28, 1917.

Chap. 32 AN ACT RELATIVE TO THE FORM OF CERTAIN BONDS OF TRUSTEES AND RECEIVERS.

Be it enacted, etc., as follows:

Form of certain bonds of trustees and receivers established.

SECTION 1. Any bond required by the court to be given by a receiver appointed by the supreme judicial court or by the superior court, and any bond given by a trustee appointed by either of said courts under the provisions of section five of chapter one hundred and forty-seven of the Revised Laws, shall be payable to the commonwealth, and shall otherwise be in such form as the court shall require. Such bonds may be enforced in the name of the commonwealth by the attorney-general, or by any person interested therein and duly authorized to take such action by the court in which the bond is filed after notice to the attorney-general. Any sums so recovered shall be paid over or administered as the court shall direct.

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

Approved February 28, 1917.

Chap. 33 AN ACT RELATIVE TO LOST PASS BOOKS AND CERTIFICATES OF SHARES OF CREDIT UNIONS AND OF CERTAIN SAVINGS AND LOAN ASSOCIATIONS.

Be it enacted, etc., as follows:

Certain provisions to apply to lost pass books and certificates of shares of credit unions and certain savings and loan associations.

The provisions of section forty of chapter five hundred and ninety of the acts of the year nineteen hundred and eight, as amended by section six of chapter four hundred and ninety-one of the acts of the year nineteen hundred and nine, and by chapter one hundred and seventy-one of the acts of the year nineteen hundred and twelve, shall hereafter apply to the pass books and certificates of shares of credit unions and of the Attleborough Savings and Loan Association, the Plainville Savings and Loan Association and the Norton Savings and Loan Association.

Approved February 28, 1917.

Chap. 34 AN ACT RELATIVE TO THE APPOINTMENT OF SUPERINTENDENTS OF STREETS BY TWO OR MORE TOWNS JOINTLY.

Be it enacted, etc., as follows:

R. L. 25, § 85, amended.

Section eighty-five of chapter twenty-five of the Revised Laws is hereby amended by adding at the end thereof the

following:—Or the selectmen of two or more towns may unitedly, subject to the approval of the Massachusetts highway commission, appoint, and fix the compensation of, a superintendent of streets who shall exercise the same powers and duties and be otherwise subject to the same provisions of law as if solely appointed in any of such towns. His compensation shall be paid by said towns in such proportions as the selectmen may unitedly determine, — so as to read as follows:— *Section 85.* In a town which has not authorized the election of road commissioners or surveyor of highways, the selectmen shall, as soon after the annual town meeting as may be, in writing appoint a superintendent of streets, who shall receive such compensation as they or the town determine and shall be removable by them when the public interest requires. He shall be sworn to the faithful performance of his duties, and shall hold office until the next annual town meeting or until his successor is appointed and qualified. Or the selectmen of two or more towns may unitedly, subject to the approval of the Massachusetts highway commission, appoint, and fix the compensation of, a superintendent of streets who shall exercise the same powers and duties and be otherwise subject to the same provisions of law as if solely appointed in any of such towns. His compensation shall be paid by said towns in such proportions as the selectmen may unitedly determine.

Two or more towns jointly may appoint a superintendent of streets.

Approved February 28, 1917.

AN ACT RELATIVE TO THE SUSPENSION OF CLUB LICENSES. *Chap. 35*
Be it enacted, etc., as follows:

Section eighty-eight of chapter one hundred of the Revised Laws is hereby amended by inserting after the word "be", in the twenty-first line, the words:—suspended or, — so as to read as follows:— *Section 88.* All buildings or places used by clubs for the purpose of selling, distributing or dispensing intoxicating liquors to their members or others shall be deemed common nuisances; and whoever keeps or maintains, or assists in keeping or maintaining, such a common nuisance, shall be punished by a fine of not less than fifty nor more than one hundred dollars and by imprisonment for not less than three nor more than twelve months; but in any city or town in which the inhabitants vote that licenses shall be granted, the licensing board may, upon application therefor, and the payment to the treasurer

R. L. 100, § 88, amended.

Club houses to be common nuisances, when.

of such city or town of such a fee as said board may determine, of not less than fifty nor more than five hundred dollars, grant to any club which they may consider a proper organization and not injurious to the welfare, good order and morality of the community, and which has not organized for the apparent purpose of engaging in or giving employment to any of its members by engaging in the business of selling, distributing or dispensing intoxicating liquors to its members or others, a club license authorizing the distributing and dispensing of intoxicating liquors by said club, on the premises occupied by it and to be specified and described in said license, to its members; which license may be suspended or revoked at any time. The provisions of sections fifteen, thirty-four and forty-two shall not apply to such licenses.

Approved February 28, 1917.

Suspension,
etc., of club
license.

Chap. 36 AN ACT RELATIVE TO THE VIOLATION OF LAWS REGULATING THE USE OF ENTRANCES AND SCREENS ON LICENSED PREMISES.

Be it enacted, etc., as follows:

R. L. 100, § 31,
etc., amended.

Section thirty-four of chapter one hundred of the Revised Laws as amended by section one of chapter three hundred and seventy-four of the acts of the year nineteen hundred and six is hereby further amended by striking out the words "In such case, the construction or opening of any such entrance shall of itself make the license void", in the sixth and seventh lines, by striking out the words "and the placing or maintaining of any of said obstructions shall of itself make the license void", in the seventeenth, eighteenth and nineteenth lines, and by adding at the end thereof the words: — Licensing authorities of cities and towns may suspend or revoke licenses for any violation of this section, — so as to read as follows: — *Section 34.* The board which grants the license may require a licensee to close permanently all entrances to the licensed premises except those from the public street or streets upon which said premises are situated, and may so specify in the license. A licensee holding a license of the first three classes shall not place or maintain or permit to be placed or maintained, in any public room used by him for the sale of spirituous or intoxicating liquors under the provisions of his license, any screen, blind, shutter, curtain, partition, or painted, ground or stained glass window,

Entrances and
screens on
licensed
premises
regulated.

or any other obstruction, nor expose in any window of said room any bottle, cask or other vessel containing, or purporting to contain, intoxicating liquor, in such a way as to interfere with a view of the business conducted on the premises, except that the board at its discretion may, upon application of a licensed innholder who also holds a license to sell intoxicating liquors, permit screens, curtains, or such other obstructions as it may designate to be placed at the windows of the dining rooms of the hotel maintained by said innholder, and said board shall have the power to revoke such privilege. Licensing authorities of cities and towns may suspend or revoke licenses for any violation of this section.

Penalty.

Approved February 28, 1917.

AN ACT RELATIVE TO INFANTS AS PARTIES TO LIFE INSURANCE CONTRACTS. Chap. 37

Be it enacted, etc., as follows:

No party to any contract of life insurance hereafter effected upon the life of such party, for the benefit of the assured, or for the benefit of the wife, husband, children, father, mother, brother or sister of the assured, shall, because of infancy, be entitled to avoid or repudiate the contract, or to avoid or repudiate any discharge or receipt given by him for any benefit accrued or accruing, or for any money paid or payable under the contract: *provided*, that such party had attained the age of fifteen years when the contract was effected.

Infants as parties to life insurance contracts.

Proviso.

Approved February 28, 1917.

AN ACT FIXING THE TIMES AND PLACE FOR HOLDING PROBATE COURT IN THE COUNTY OF BARNSTABLE. Chap. 38

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section sixty of chapter one hundred and sixty-two of the Revised Laws is hereby amended by striking out the same and inserting in place thereof the following: — For the county of Barnstable, at Barnstable, on the second and fourth Tuesday of January, February, March, April, May, June, September, October, November and December, and on the second Tuesday of July and August.

R. L. 162, § 60, amended.

Times and place for holding probate court in Barnstable county.

SECTION 2. This act shall take effect on the first day of June in the current year. *Approved February 28, 1917.*

Time of taking effect.

Chap. 39 AN ACT RELATIVE TO THE MARKING, SALE AND INSTALLATION OF RANGE BOILERS.

Be it enacted, etc., as follows:

1916, 154 (G), § 2, amended.

SECTION 1. Section two of chapter one hundred and fifty-four of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting after the word "hydraulic", in the sixth line, the words:— or hydrostatic, — and by inserting after the word "inch", in the seventh line, the words:— together with the maximum working pressure at which it may be installed, — so as to read as follows:— Section 2. No copper, iron or steel pressure range boiler, whether plain or galvanized, or other vessel or tank in which water is to be heated under pressure, shall be sold or offered for sale in this commonwealth without having stamped thereon the maker's guarantee that it has been tested to not less than two hundred pounds hydraulic or hydrostatic pressure to the square inch, together with the maximum working pressure at which it may be installed. And no such boiler, or other vessel or tank in which water is to be heated under pressure, shall be installed if the working pressure is greater than forty-two and one half per cent of the guaranteed test pressure marked thereon by the maker.

Range boilers must be stamped with maker's guarantee of test.

1916, 154 (G), § 3, amended.

SECTION 2. Section three of said chapter one hundred and fifty-four is hereby amended by adding at the end thereof the words:— The inspectors of plumbing within their respective cities and towns shall cause the provisions of this act to be enforced, — so as to read as follows:—

Penalty.

Section 3. Any person who sells or offers or exposes for sale any range boiler which is not marked or stamped as provided in the preceding sections, or which is falsely marked as having a capacity which is greater by seven and one half per cent than its true capacity, or who marks or causes the same to be marked with such false capacity, shall be punished by a fine not exceeding fifty dollars for each offence.

Enforcement.

The inspectors of plumbing within their respective cities and towns shall cause the provisions of this act to be enforced.

Time of taking effect.

SECTION 3. This act shall take effect on the first day of July, nineteen hundred and seventeen.

Approved March 1, 1917.

AN ACT TO PROVIDE FOR THE PROTECTION OF BIRDS ON THE *Chap. 40*
ISLAND OF MUSKEGET.

Be it enacted, etc., as follows:

SECTION 1. It shall be unlawful for any person to bring or cause to be brought to the island of Muskeget, a live cat, or to have a live cat in possession or at large on said island. Live cats prohibited on island of Muskeget.

SECTION 2. Any violation of this act shall be punished by a fine not exceeding fifty dollars for the first offence, or one hundred dollars for each subsequent offence. Penalty.

Approved March 1, 1917.

AN ACT RELATIVE TO EMERGENCY TOOLS AND APPLIANCES *Chap. 41*
ON RAILROAD TRAINS AND CARS.

Be it enacted, etc., as follows:

Section one hundred and sixty-eight of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six is hereby amended by striking out the words "board of railroad commissioners", in the thirteenth line, and inserting in place thereof the words:—public service commission,—and by inserting after the word "car", in the fifteenth line, the words:—*provided, however,* that said commission may require trains or cars to be equipped with other tools in substitution for, or in addition to, those above prescribed,—so as to read as follows:—*Section 168.* Every railroad corporation shall equip each of its trains, for use in case of accident, with two car replacers, two jack screws, two crow bars, one pinch bar, one claw bar, one spike hammer, two sharp axes, and ropes or chains suitable for hauling cars; and shall also equip each car of every passenger train which is owned or regularly used by it, including mail and baggage cars, with two sets of tools, consisting of an axe, a sledge hammer, a crow bar, handsaw and pail, which shall be maintained in good condition, and one set of which shall be kept upon the inside and the other upon the outside of every such car, in a convenient place and in a manner approved by the public service commission; but one set shall be sufficient if so placed as to be accessible both from the inside and outside of such car: *provided, however,* that said commission may require trains or cars to 1906, 463 (II), § 168, amended.

Railroad trains and cars to be equipped with emergency tools and appliances.

Proviso.

Penalty. be equipped with other tools in substitution for, or in addition to, those above prescribed. A corporation which violates the provisions of this section shall forfeit five hundred dollars.

Approved March 1, 1917.

Chap. 42 AN ACT RELATIVE TO THE EXPIRATION OF THE COMMISSIONS OF NOTARIES PUBLIC, JUSTICES OF THE PEACE AND SPECIAL COMMISSIONERS.

Be it enacted, etc., as follows:

Expiration of commissions of certain officers.

SECTION 1. A notary public, justice of the peace or special commissioner when taking acknowledgment of any instrument provided by law to be recorded shall affix thereto the date of the expiration of his or her commission in the following language "My commission expires . . ."

Not to affect validity of any deed, etc.

SECTION 2. The provisions of this act shall not affect the validity of any deed or instrument or the record thereof.

R. L. 5, § 8, amended.

SECTION 3. Section eight of chapter five of the Revised Laws is hereby amended by inserting after the word "by", in the first line, the word: — registered, — so as to read as follows: — *Section 8.* He shall send by registered mail to every justice of the peace, special commissioner or notary public a notice of the time of the expiration of his or her commission, not more than thirty nor less than fourteen days before such expiration.

Secretary of commonwealth to send registered mail notices of expirations.

Time of taking effect.

SECTION 4. This act shall take effect on the first day of January in the year nineteen hundred and eighteen.

Approved March 1, 1917.

Chap. 43 AN ACT TO AUTHORIZE THE GOVERNOR TO INCREASE TEMPORARILY THE FORCE OF THE DISTRICT POLICE.

Be it enacted, etc., as follows:

Governor may increase temporarily force of the district police.

SECTION 1. In order to provide more effectively for the protection of persons and property and for the maintenance of law and order within the commonwealth, the governor is hereby authorized to appoint special police officers in the department of the district police of the commonwealth from time to time to a number not exceeding three hundred, whose appointment shall be temporary and shall not be subject to the provisions of the civil service laws. The said officers shall be appointed for a period of two months, and may be reappointed for successive periods of two months,

but not extending beyond the period of a year from the date of the passage of this act.

SECTION 2. The compensation of officers appointed hereunder shall be three dollars and fifty cents per day, and they shall be allowed their necessary travelling expenses incurred in the performance of their duties as approved by the chief of the district police. Compensation.

SECTION 3. Officers appointed hereunder shall have all the powers of the district police as prescribed in the statutes of the commonwealth. No officer appointed hereunder shall be required to give bond for the faithful performance of his duties. The chief of the district police may make such rules and regulations for the discipline, organization, government and equipment of the officers appointed hereunder as he may deem necessary or proper, including the authority to bear arms. Powers.

SECTION 4. The sum of sixty-five thousand dollars is hereby appropriated to be paid out of the treasury of the commonwealth from the ordinary revenue for expenses authorized to be incurred under this act. Appropriation.

SECTION 5. This act shall take effect upon its passage.

Approved March 2, 1917.

AN ACT RELATIVE TO THE APPOINTMENT OF ASSISTANT CLERKS OF COURTS FOR THE COUNTY OF HAMPDEN, AND TO AUTHORIZE THE APPOINTMENT OF AN ADDITIONAL CLERK. Chap. 44

Be it enacted, etc., as follows:

SECTION 1. The justices of the supreme judicial court, or a majority of them, may appoint a second assistant clerk of courts for the county of Hampden for a term of three years from the date of his appointment, and may remove him. He shall be subject to the provisions of law applicable to assistant clerks of courts, and shall receive an annual salary of eighteen hundred dollars, to be paid by said county. Appointment of second assistant clerk of courts for Hampden county.

SECTION 2. Nothing in this act shall be construed to affect the right of the clerk of courts for said county to appoint an assistant clerk under the provisions of section seven of chapter one hundred and sixty-five of the Revised Laws and chapter two hundred and thirty-four of the acts of the year nineteen hundred and seven. Not to apply to assistant clerk.

SECTION 3. Section four of chapter one hundred and sixty-five of the Revised Laws is hereby amended by striking R. L. 165, § 4, amended.

Woman ineligible as assistant.

out at the end thereof the words "The assistant clerk for the county of Hampden may be a woman".

SECTION 4. This act shall take effect upon its passage.

(*The foregoing was laid before the governor on the twenty-eighth day of February, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.*)

Chap. 45 AN ACT RELATIVE TO THE LIMITATION OF PROPERTY OWNED BY CHARITABLE AND OTHER CORPORATIONS.

Be it enacted, etc., as follows:

R. L. 125, § 8, amended.

SECTION 1. Section eight of chapter one hundred and twenty-five of the Revised Laws is hereby amended by striking out the words "one million five hundred thousand", in the fourth and fifth lines, and inserting in place thereof the words:—two million,—so as to read as follows:—

Charitable and certain other corporations may hold real and personal estate, etc.

Section 8. Any corporation organized under general or special laws for any of the purposes mentioned in section two and under sections thirteen to sixteen, inclusive, may hold real and personal estate to an amount not exceeding two million dollars, which shall be devoted to the purposes set forth in its charter or agreement of association, and it may receive and hold, in trust or otherwise, funds received by gift or bequest to be devoted by it to such purposes.

1915, 209 (G), § 1, amended.

SECTION 2. Section one of chapter two hundred and nine of the General Acts of the year nineteen hundred and fifteen is hereby amended by striking out the words "one million five hundred thousand", in the eighth line, and inserting in place thereof the words:—two million,—so as to read as follows:—

Limitation of property owned by certain corporations.

Section 1. Every corporation heretofore organized by special act of the legislature for a purpose or purposes for which corporations may be organized under the provisions of chapter one hundred and twenty-five of the Revised Laws, and acts in amendment thereof or in addition thereto, may, despite any provisions contained in its charter, acquire and hold real and personal estate to an amount not exceeding two million dollars, in accordance with section eight of said chapter one hundred and twenty-five.

Not to apply to corporations holding property under special act

SECTION 3. Nothing herein contained shall be construed to limit the amount of property that may be held by any corporation under the authority of a special act of incor-

poration or of any special law, whereby it is permitted to hold an amount exceeding two million dollars.

SECTION 4. This act shall take effect upon its passage.

Approved March 8, 1917.

AN ACT RELATIVE TO THE COMMITMENT OF PERSONS UNDER INDICTMENT TO STATE INSANE HOSPITALS AND TO THE REMOVAL OF INSANE PRISONERS. *Chap. 46*

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and three of chapter five hundred and four of the acts of the year nineteen hundred and nine is hereby amended by striking out the last sentence and inserting in place thereof the following:— If a prisoner so removed is, in the opinion of the trustees and superintendent, restored to sanity, they shall so certify upon the commitment, and notice, accompanied by a written statement regarding the mental condition of the prisoner, shall be given to the keeper of the jail or the person having custody of him at the time of the removal, who shall thereupon cause the prisoner to be reconveyed to the jail or custody from which he was removed, where he shall be held in accordance with the terms or process by which he was originally committed or confined, — so as to read as follows:— *Section 103.* If a person under complaint or indictment for any crime, is, at the time appointed for trial or sentence, or at any time prior thereto, found by the court to be insane or in such mental condition that his commitment to a hospital for the insane is necessary for the proper care or observation of such person pending the determination of his insanity, the court may commit him to a state hospital for the insane under such limitations as it may order. The court may in its discretion employ one or more experts in insanity, or other physicians qualified as provided in section thirty-two, to examine the defendant, and all reasonable expenses incurred shall be audited and paid as in the case of other court expenses. A copy of the complaint or indictment and of the medical certificates attested by the clerk shall be delivered with such person in accordance with the provisions of the said section. If a prisoner so removed is, in the opinion of the trustees and superintendent, restored to sanity, they shall so certify upon the commitment, and notice, accompanied by a written statement regarding the

1909, 504, § 103,
amended.

Commitment
of persons
under indict-
ment to state
insane
hospitals.

mental condition of the prisoner, shall be given to the keeper of the jail or the person having custody of him at the time of the removal, who shall thereupon cause the prisoner to be reconveyed to the jail or custody from which he was removed, where he shall be held in accordance with the terms or process by which he was originally committed or confined.

1909, 594, § 106, etc., amended.

SECTION 2. Section one hundred and six of said chapter five hundred and four, as amended by section one of chapter one hundred and twenty-two of the acts of the year nineteen hundred and ten, is hereby further amended by striking out the last sentence and inserting in place thereof the following: — If a prisoner so removed is, in the opinion of the trustees and superintendent of the hospital, restored to sanity, they shall so certify upon the commitment, and notice, accompanied by a written statement regarding the mental condition of the prisoner, shall be given to the jailor, master or superintendent of the jail, house of correction or prison, who shall thereupon cause the prisoner to be reconveyed to the jail, house of correction or prison, there to remain pursuant to the original sentence, computing the time of his detention or confinement in the hospital as a part of the time of his imprisonment, — so as to read as follows: — *Section 106.* If a prisoner under sentence in a jail, house of correction, or prison other than those named in the preceding section, appears to be insane, the physician in attendance shall make a report thereof to the jailor or master who shall transmit the same to one of the judges mentioned in section twenty-nine. If the judge finds in accordance with the provisions of sections eleven, twenty-nine and thirty that the prisoner is insane and that his removal is expedient, he shall order the removal of such prisoner, if a male to the Bridgewater state hospital, if a female to one of the other state hospitals for the insane, pursuant to the provisions of said sections: *provided*, that if a male prisoner has not been criminal and vicious in his life the judge may order him removed to one of the other state hospitals for the insane. A physician, other than the physician in attendance at the place of detention, making the certificate, shall be entitled to the compensation provided by section forty-eight. If a prisoner so removed is, in the opinion of the trustees and superintendent of the hospital, restored to sanity, they shall so certify upon the commitment, and notice, accompanied by a written state-

Removal of insane prisoners from jails, houses of correction, etc.

Proviso.

ment regarding the mental condition of the prisoner, shall be given to the jailor, master or superintendent of the jail, house of correction or prison, who shall thereupon cause the prisoner to be reconveyed to the jail, house of correction or prison, there to remain pursuant to the original sentence, computing the time of his detention or confinement in the hospital as a part of the time of his imprisonment.

SECTION 3. This act shall take effect upon its passage.

Approved March 8, 1917.

AN ACT RELATIVE TO THE SALE AND ANALYSIS OF FOOD Chap. 47
STUFFS FOR LIVE STOCK AND POULTRY.

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter five hundred and twenty-seven of the acts of the year nineteen hundred and twelve is hereby amended by striking out the word "September", in the fourth and eighth lines, and inserting in place thereof, in each instance, the word: — January, — so as to read as follows: — *Section 5.* A certified copy of the tag or label required by this act shall be filed with the director of the Massachusetts agricultural experiment station, or his authorized deputy, for registration prior to the first day of January in each year for every brand of commercial feeding stuff to be sold or offered, exposed or kept for sale or to be distributed in this commonwealth during the year beginning with said first day of January. The said director or his authorized deputy may thereafter permit a manufacturer, importer or other person to file a copy of the tag or label of a brand of feeding stuff, and may register the same for said year in accordance with the rules and regulations which may be prescribed by the said director.

1912, 527, § 5.
amended.

Certified copy
of tag or label
for feeding
stuff to be
filed, etc.

SECTION 2. Section six of said chapter five hundred and twenty-seven is hereby amended by striking out the word "August", in the eleventh line, and inserting in place thereof the word: — December, — so as to read as follows: — *Section 6.* When the certified copy of the tag or label of any brand of commercial feeding stuff has been filed as provided by this act, the director of the Massachusetts agricultural experiment station, or his authorized deputy, shall register such tag or label if he finds the same to be in accordance with the requirements of this act, and shall issue, or cause to be issued, a certificate of such registration, and the said

1912, 527, § 6.
amended.

Tag or label
to be registered.

certificate shall be deemed to authorize the sale in this commonwealth, in compliance with this act, of the brand of feeding stuff for which the certificate is issued, up to and including the thirty-first day of December of the year for which it is issued.

SECTION 3. This act shall take effect upon its passage.
Approved March 8, 1917.

Chap. 48 AN ACT RELATIVE TO TEMPORARY ABSENCE BY PERMISSION FROM INSTITUTIONS UNDER THE SUPERVISION OF THE COMMISSION ON MENTAL DISEASES.

Be it enacted, etc., as follows:

1909, 504, § 75,
etc., amended.

Temporary
absence by
permission
from institu-
tions under
supervision of
commission on
mental diseases.

SECTION 1. Section seventy-five of chapter five hundred and four of the acts of the year nineteen hundred and nine, as extended by chapter two hundred and thirty-nine of the General Acts of the year nineteen hundred and sixteen, is hereby amended by striking out the word "six", where it occurs in the fifth and nineteenth lines, and inserting in place thereof the word: — twelve, — so as to read as follows: — *Section 75.* The superintendent or manager of any hospital or receptacle described in section seven may permit any inmate thereof temporarily to leave such institution in charge of his guardian, relatives, friends, or by himself, for a period not exceeding twelve months, and may receive him when returned by any such guardian, relative, friend, or upon his own application, within such period, without any further order of commitment. The superintendent may require as a condition of such leave of absence, that the person in whose charge the patient is permitted to leave the institution shall make reports to him of the patient's condition. Any such superintendent, guardian, relative or friend may terminate such leave of absence at any time and authorize the arrest and return of the patient. The officers mentioned in section eighty-six shall cause such a patient to be arrested and returned upon the request of any such superintendent, guardian, relative or friend. Any patient who has not returned to the institution at the expiration of twelve months shall be deemed to be discharged therefrom.

SECTION 2. This act shall take effect upon its passage.
Approved March 8, 1917.

AN ACT TO PROVIDE FOR THE ANNUAL ELECTION OF MODERATORS IN FIRE, WATER, LIGHT, WATCH OR IMPROVEMENT DISTRICTS. Chap. 49

Be it enacted, etc., as follows:

SECTION 1. Any fire, water, light, watch or improvement district which has so voted or hereafter so votes, may at any annual election of district officers elect from the inhabitants thereof by ballot, a moderator to preside at all district meetings. His term of office shall begin as soon as he is qualified and shall continue until the next annual district meeting, and until his successor is elected and qualified. Fire, water, light, watch or improvement districts may annually elect moderator.

Any district which has elected a moderator for the term of one year shall thereafter elect a moderator at every annual election of district officers, unless at a meeting duly called for the purpose the district votes to discontinue the electing of moderators for said term. May be elected for the term of one year, unless, etc.

If a vacancy in the said office occurs during any term, it may be filled by the voters of the district at a meeting called for that purpose. If a moderator so elected is absent, a moderator pro tempore may be elected. Vacancy.

In districts where official ballots are used, the vote to elect a moderator for the term of one year shall be taken at a meeting held at least thirty days before the annual district meeting at which the vote is to become operative, and at the first annual meeting after the district has so voted, a moderator shall be chosen in such manner as the meeting may determine, to serve at that meeting, and the moderator elected on the official ballot at that meeting shall act at subsequent district meetings until his successor is elected and qualified. Election of moderator for one year in certain districts, proceedings.

At every district meeting until a moderator or moderator pro tempore is elected, unless a duly qualified annual moderator is present, the clerk of the district shall preside, but in the absence of such clerk, the chairman of the prudential committee or body exercising similar powers, or the senior member present in point of continuous service, shall preside, but if no member of said committee or body is present, then the justice of the peace calling such meeting if the meeting is so called, shall preside. Such presiding officer shall have the powers and perform the duties of a moderator. Who shall preside until a moderator is elected.

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

Approved March 8, 1917.

Chap. 50 AN ACT TO PROVIDE FOR THE INSTRUCTION OF NURSES, ATTENDANTS AND PATIENTS IN CERTAIN STATE INSTITUTIONS.

Be it enacted, etc., as follows:

1911, 649, § 1,
amended.

Instruction of
nurses, at-
tendants, etc.,
in certain
institutions.

SECTION 1. Section one of chapter six hundred and forty-nine of the acts of the year nineteen hundred and eleven is hereby amended by striking out the said section, and inserting in place thereof the following:— *Section 1.* The trustees of the state institutions under supervision of the commission on mental diseases shall cause to be given to the nurses, attendants and patients of said institutions instruction in such arts, crafts, manual training, kindergarten and other branches and lines of occupation as may be appropriate for the patients of the said institutions to undertake, especially such patients as are physically unfit to perform the usual work in or about the institutions.

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

Approved March 8, 1917.

Chap. 51 AN ACT RELATIVE TO THE USE OF SPARK ARRESTERS ON PORTABLE STEAM SAWMILLS, STEAM ROLLERS, STEAM SHOVELS AND STEAM TRACTORS.

Be it enacted, etc., as follows:

Portable steam
sawmills, steam
rollers, etc., to
be provided
with spark
arresters.

SECTION 1. It shall be unlawful for any person, firm or corporation, except when the ground is covered with snow, to operate in or adjacent to forest or grass lands, any portable steam sawmill, steam roller, steam shovel, or steam tractor, which burns wood, coke, coal, or other spark-producing material as fuel, unless the same is provided with a suitable spark arrester, approved by the state forester.

State forester
to make
inspection.

SECTION 2. Authority is hereby given to the state forester or his duly authorized assistants to inspect all appliances described in section one, to determine whether they are provided with suitable spark arresters in accordance with the provisions hereof.

Penalty.

SECTION 3. Any violation of the provisions of this act shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Not to apply
within the
metropolitan
district.

SECTION 4. This act shall not apply within the metropolitan district as defined in section one of chapter seven hundred and ninety-five of the acts of the year nineteen hundred and fourteen.

Approved March 8, 1917.

AN ACT RELATIVE TO INTEREST PAYMENTS ON LOANS BY
CO-OPERATIVE BANKS. *Chap. 52*

Be it enacted, etc., as follows:

Chapter six hundred and twenty-three of the acts of the year nineteen hundred and twelve is hereby amended by striking out section twenty-two and inserting in place thereof the following: — *Section 22.* A borrowing shareholder shall, in addition to the dues on his shares, pay interest, and the premium, if there be any, monthly on his loan, at the determined rate, until his shares reach their matured value, or until the loan has been repaid. Interest may be computed from the date on which the money is advanced; and when the said matured value is reached, the shares shall be cancelled, the loan discharged, and the balance, if any, due upon the shares shall be paid to the member.

1912, 623, § 22,
amended.

Interest pay-
ments on loans
by co-operative
banks.

Approved March 8, 1917.

AN ACT RELATIVE TO TAKING FISH WHICH FREQUENT FRESH
WATER. *Chap. 53*

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and thirty-two of chapter ninety-one of the Revised Laws, as amended by chapter four hundred and ninety-two of the acts of the year nineteen hundred and eight, is hereby further amended by inserting after the word "alewives", in the sixth line, the words: — or pots for the taking of eels, — by striking out the word "that", in the eighth line, and inserting in place thereof the word: — those, — by inserting after the word "as", in the same line, the words: — eels and, — and by adding at the end thereof the words: — The possession by any person in or upon fresh waters or upon the banks of the same, except as allowed by this section, of any net, trap, trawl, or other device adapted for taking fish shall be prima facie evidence of a violation of this act, — so as to read as follows: — *Section 132.* Whoever takes any fish which at any season frequent fresh water, except as otherwise allowed in this chapter, in any other manner than by artificially or naturally baited hook and hand line, shall forfeit not less than five nor more than fifty dollars; but towns may permit the use of nets and seines for taking herring and alewives or pots for the taking of eels; and nothing in this act shall be

R. L. 91, § 132,
etc., amended.

Taking fish
which frequent
fresh water
regulated.

Evidence of violation.

construed to prohibit the spearing of those species of fish commonly known as eels and "suckers". The possession by any person in or upon fresh waters or upon the banks of the same, except as allowed by this section, of any net, trap, trawl, or other device adapted for taking fish shall be prima facie evidence of a violation of this act.

Not to apply to certain ponds, etc.

SECTION 2. This act shall not apply to ponds or waters already held under lease or which may hereafter be leased by the commonwealth or by the board of commissioners on fisheries and game.

Approved March 8, 1917.

Chap. 54 AN ACT RELATIVE TO THE REGULATION OF FISH WEIRS.

Be it enacted, etc., as follows:

R. L. 91, § 116, etc., amended.

SECTION 1. Section one hundred and sixteen of chapter ninety-one of the Revised Laws, as amended by section one of chapter five hundred and twenty-three of the acts of the year nineteen hundred and thirteen, is hereby further amended by striking out the said section, and inserting in place thereof the following: — *Section 116.* The mayor and aldermen of a city and the selectmen of a town lying upon tide water, may, in writing, authorize any person to construct weirs, pound nets or fish traps in tide water within the limits of such city or town for a term not exceeding five years, but no authority or license so given shall be valid unless approved in writing by the commission on waterways and public lands.

Regulation of fish weirs.

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

Approved March 10, 1917.

Chap. 55 AN ACT RELATIVE TO THE REGISTRATION OF PHYSICIANS AND SURGEONS.

Be it enacted, etc., as follows:

R. L. 76, § 3, etc., amended.

SECTION 1. Section three of chapter seventy-six of the Revised Laws, as amended by chapter three hundred and forty-six of the acts of the year nineteen hundred and thirteen, and by section one of chapter two hundred and ninety-three of the General Acts of the year nineteen hundred and fifteen, is hereby further amended by inserting after the word "medicine", in the ninth line, the words: — which gives a full four years' course of instruction of not less than thirty-six weeks in each year, — by inserting after the word "profession", in the twenty-fourth line, the words: —; or after

hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician, for a period not exceeding one year, who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession, or of the use of narcotic drugs in any way other than for therapeutic purposes; or to have published, or caused to be published, or to have distributed or caused to be distributed, any literature contrary to the provisions of chapter three hundred and eighty-six of the acts of the year nineteen hundred and eight; or to have acted as principal or assistant in carrying on the practice of medicine by an unregistered person, or by any person who has been convicted of the illegal practice of medicine, or by any registered physician whose license has been revoked either permanently or temporarily, or to have aided or abetted in any attempt to secure registration, either for himself or for another by fraud, or in connection with his practice, to have defrauded or attempted to defraud any person, — by striking out the word “unanimous”, in the twenty-sixth line, and inserting in place thereof the word: — majority, — and by adding after the word “commonwealth”, in the thirty-first line, the words: — No person, who at the time of the passage of this act, is a matriculant in a legally chartered medical school having the power to confer degrees in medicine, shall be required to take a full four years’ course of instruction in a medical school which gives a course of not less than thirty-six weeks in each year, — so as to read as follows: —

Section 3. Applications for registration shall be made upon blanks to be furnished by the board, and shall be signed and sworn to by the applicants. Applicants for registration under this act, who shall furnish the board with satisfactory proof that they are twenty-one years of age or over, and of good moral character, and that they have received the degree of doctor of medicine, or its equivalent, from a legally chartered medical school having the power to confer degrees in medicine, which gives a full four years’ course of instruction of not less than thirty-six weeks in each year, shall, upon the payment of a fee of twenty dollars, be examined, and if found qualified by four or more members, shall be registered as qualified physicians, and shall be entitled to certificates in testimony thereof signed by the chairman and secretary. An applicant who fails to pass an examination satisfactory to the board, and is therefore refused registration, shall be

Examination
and registration
of physicians
and surgeons.

Fee.

Revocation of
certificate, etc.,
reasons for.

entitled within one year after such refusal to a re-examination at a meeting of the board called for the examination of applicants, without the payment of an additional fee; but two such re-examinations shall exhaust his privilege under his original application. Said board, after hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician who has been convicted of a felony or of any crime in the practice of his profession; or after hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician, for a period not exceeding one year, who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession, or of the use of narcotic drugs in any way other than for therapeutic purposes; or to have published, or caused to be published, or to have distributed or caused to be distributed, any literature contrary to the provisions of chapter three hundred and eighty-six of the acts of the year nineteen hundred and eight; or to have acted as principal or assistant in carrying on the practice of medicine by an unregistered person, or by any person who has been convicted of the illegal practice of medicine, or by any registered physician whose license has been revoked either permanently or temporarily, or to have aided or abetted in any attempt to secure registration, either for himself or for another by fraud, or in connection with his practice, to have defrauded or attempted to defraud any person. The board may subsequently, but not earlier than one year thereafter, by a majority vote, reissue any certificate formerly issued by it or issue a new certificate, and register anew any physician whose certificate was revoked and whose registration was cancelled by the board. All fees received by the board shall, once in each month, be paid by its secretary into the treasury of the commonwealth. No person, who at the time of the passage of this act, is a matriculant in a legally chartered medical school having the power to confer degrees in medicine, shall be required to take a full four years' course of instruction in a medical school which gives a course of not less than thirty-six weeks in each year.

Reissue of
certificate of
registration.

R. L. 76, § 8,
amended.

SECTION 2. Section eight of chapter seventy-six of the Revised Laws is hereby amended by inserting after the word "name", in the seventh line, the words:—or whoever practises or attempts to practise any fraud in connection with the filing of an application, or whoever files an applica-

tion under a false or assumed name, or under a name other than his own, or whoever personates or attempts to personate another applicant for registration, during an examination, — so as to read as follows:— *Section 8.* Whoever, not being lawfully authorized to practice medicine within this commonwealth and registered as aforesaid, holds himself out as a practitioner of medicine, or practices or attempts to practice medicine in any of its branches, or whoever practises medicine or surgery under a false or assumed name, or under a name other than that by which he is registered, or whoever personates another practitioner of a like or different name, or whoever practises or attempts to practise any fraud in connection with the filing of an application, or whoever files an application under a false or assumed name, or under a name other than his own, or whoever personates or attempts to personate another applicant for registration, during an examination, shall, for each offence, be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment for three months, or by both such fine and imprisonment. In a case in which a provision of this or the preceding section has been violated, the person who committed the violation shall not recover compensation for services rendered.

Penalties.

SECTION 3. Chapter seventy-six of the Revised Laws is hereby amended by inserting after section nine the following new section, to be numbered nine A:— *Section 9 A.* No person shall enter upon, or continue in, the practice of medicine within this commonwealth until he shall have presented his certificate of registration as a physician in this commonwealth, to the city or town clerk of the city or town where he has, or intends to have, an office or his usual place of business, and shall at the time of such presentation of said certificate, pay to the said city or town clerk a fee of twenty-five cents; and in a like manner, any physician residing in another state and legally qualified to practice therein, whose general practice extends into the border cities or towns of this commonwealth, and who is exempt from registration in this commonwealth under the provisions of section nine of chapter seventy-six of the Revised Laws, shall present his certificate of registration from the state in which he is registered to the city or town clerk of the border cities or towns in this commonwealth to which his practice extends. Upon receipt of a fee of twenty-five cents from the owner of a certificate, as herein provided, it shall be the

R. L. 76, § 9, amended.

Registration with city or town clerk.

Registration of non-resident physicians.

Record to be made by city or town clerk.

duty of said city or town clerk to record the name of the owner of said certificate, together with the date of record, upon blanks approved by the board of registration in medicine, said blanks to be so arranged that a duplicate carbon copy shall be made at the time of the original record.

Public record.

The said city or town clerk shall keep the original record, which shall be open to inspection by the public, as a part of the records of his office, and shall, within twenty-four hours after making the same, forward the duplicate record to the

Penalties.

office of the board of registration in medicine. Whoever practises or attempts to practise medicine in this commonwealth before submitting his certificate of registration to a city or town clerk as herein provided, or whoever submits to a city or town clerk a false or fraudulent certificate shall, for each offence, be punished by a fine of not less than five nor more than one hundred dollars; and any clerk of a city or town who refuses or neglects to comply with the provisions of this section shall, for each offence, be punished by a fine of not less than five nor more than ten dollars.

Approved March 10, 1917.

Chap. 56 AN ACT RELATIVE TO BUILDING LINES IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

R. L. 48, § 103,
etc., amended.

SECTION 1. Section one hundred and three of chapter forty-eight of the Revised Laws, as amended by section one of chapter five hundred and seventy-two of the acts of the year nineteen hundred and thirteen, is hereby further amended by adding at the end thereof the following:— A building line established under the provisions of this section may be discontinued in the manner provided for the discontinuance of a highway or town way. Whoever sustains damages by the discontinuance of a building line shall have the same remedies therefor as for damages sustained by the discontinuance of a town way, — so as to read as follows:— *Section 103.* If the city council of a city or if a town accepts the provisions of this section or has accepted the corresponding provisions of earlier laws, a building line not more than forty feet distant from the exterior line of a highway or town way may be established in the manner provided for laying out ways, and thereafter no structures shall be erected or maintained between such building line and such way, except steps, windows, porticos and other

Building lines
in cities
and towns.

usual projections appurtenant to the front wall of a building, to the extent prescribed in the vote establishing such building line, and except that buildings or parts of buildings existing at the time of the establishment of the building line may be permitted to remain and to be maintained to such extent and under such conditions as may be prescribed in the vote establishing such building line. Whoever sustains damage thereby shall have the same remedies therefor as for damages sustained by the laying out of a town way. A building line established under the provisions of this section may be discontinued in the manner provided for the discontinuance of a highway or town way. Whoever sustains damages by the discontinuance of a building line shall have the same remedies therefor as for damages sustained by the discontinuance of a town way.

Remedies for damages.

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

Approved March 12, 1917.

AN ACT TO PROVIDE FOR THE RECONSTRUCTION OF *Chap. 57*
 FLOATING BRIDGE OVER GLENMERE POND IN THE CITY
 OF LYNN.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex, subject to all general laws applicable thereto, are hereby authorized and directed to reconstruct the Floating bridge, so-called, over Glenmere pond, on the Salem and Boston turnpike in the city of Lynn. Upon the completion of the said reconstruction the said commissioners shall file in the office of the clerk of courts for the said county a detailed statement certified under their hands, of the actual costs of the said reconstruction including any land damages accruing therefrom, and the clerk shall forthwith transmit an attested copy thereof to the municipal council of the city of Lynn; and within thirty days after the filing of the said statement the said city shall pay into the treasury of the said county forty per cent of the sum so certified; and if the said city neglects or refuses to pay its proportion, the said commissioners shall, after due notice to the city, issue a warrant for its proportion with interest and costs, and the same shall be collected and paid into the treasury of the county in the same manner in which payments from delinquent cities and towns in the matter of highways are

Reconstruction of Floating bridge over Glenmere pond in Lynn.

collected and applied in payment of the costs and expenses aforesaid.

County of
Essex Floating
Bridge Loan,
Act of 1917.

SECTION 2. The expense incurred under this act shall be paid in the first instance from the treasury of the county of Essex and for this purpose and for the purpose of paying the county's ultimate share of the expense, the county commissioners are hereby authorized to issue from time to time bonds or notes of the county to an amount not exceeding eighty-five thousand dollars. The bonds or notes shall bear on their face the words, County of Essex Floating Bridge Loan, Act of 1917; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date; and the amount of the annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value, and the proceeds of the sale shall be used only for the purposes specified herein.

Payment
of loan.

SECTION 3. Said county commissioners at the time of authorizing said loan shall provide for the payment thereof in accordance with the provisions of section two of this act; and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the county, and to make such payments on the principal as may be required of the county under the provisions of this act, shall be levied annually thereafter as a part of the county tax of the county of Essex in the same manner as other county taxes, until the debt incurred by said loan or loans is extinguished.

Taking of
lands, etc.,
record of.

SECTION 4. The said county commissioners are hereby authorized to take or purchase such lands, rights or easements as may be required to carry out the purposes of this act; but in order to acquire land or rights in land, otherwise than by purchase, they shall first record in the registry of deeds for the southern district of the county of Essex a statement containing a description of the lands or rights taken or affected sufficiently specific for identification, and shall file a plan of the same in said registry. They shall

estimate the damages to property, if any, sustained by any person by such taking of land, rights or easements, or by the reconstruction of said bridge as aforesaid, and any person aggrieved thereby may proceed, within one year after the filing of said statement, to recover his damages in the same manner as in the case of land taken for the laying out of highways, but in no event shall interest be recovered against the county for more than four per cent per annum.

Recovery of damages, etc.

SECTION 5. The city of Lynn, for the purpose of paying its share of the cost of said reconstruction, as hereinbefore provided, may incur indebtedness in excess of the statutory limit and issue bonds or notes therefor, not to exceed the total sum of thirty-five thousand dollars. The bonds or notes shall bear on their face the words, City of Lynn, Floating Bridge Loan, Act of 1917, shall be payable by such annual payments, beginning not more than one year after the date thereof as will extinguish each loan within ten years from its date; and the amount of the annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and they shall be signed by the treasurer of the city and countersigned by the mayor. The city may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but not for less than their par value, and the proceeds of the sale shall be used only for the purposes specified herein.

City of Lynn, Floating Bridge Loan, Act of 1917.

SECTION 6. The said city, at the time of authorizing said loan, shall provide for the payment thereof in accordance with the provisions of section five of this act; and a sum sufficient to pay the interest as it accrues, and to make such payments on the principal as may be required of the city under the provisions of this act, shall annually thereafter, without further vote, be assessed by the assessors of said city in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Payment of loan.

SECTION 7. This act shall take effect upon its passage.

Approved March 12, 1917.

Chap. 58 AN ACT RELATIVE TO THE ELIGIBILITY OF WIDOWS TO RECEIVE SOLDIERS' RELIEF.

Be it enacted, etc., as follows:

Certain widows to receive soldiers' relief.

SECTION 1. The provisions of section eighteen of chapter seventy-nine of the Revised Laws, as amended by chapter one hundred and sixteen of the General Acts of the year nineteen hundred and sixteen, shall apply also to the widows of those persons who served in the army or navy or marine corps of the United States during the war with Spain or during the Philippine insurrection between April twenty-first in the year eighteen hundred and ninety-eight and July fourth in the year nineteen hundred and two.

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

Approved March 12, 1917.

Chap. 59 AN ACT RELATIVE TO MEMBERSHIP IN THE CONSTITUTIONAL CONVENTION OF THE YEAR NINETEEN HUNDRED AND SEVENTEEN.

Be it enacted, etc., as follows:

Membership in the constitutional convention.

SECTION 1. The provision of section eleven of chapter eighteen of the Revised Laws which prohibits any person from receiving at the same time more than one salary from the commonwealth shall not apply to persons elected as members of the constitutional convention of the year nineteen hundred and seventeen.

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

Approved March 12, 1917.

Chap. 60 AN ACT TO PROVIDE FOR PRINTING THE ANNUAL REPORT OF THE COMMISSION ON WATERWAYS AND PUBLIC LANDS.

Be it enacted, etc., as follows:

Annual report of commission on waterways and public lands.

SECTION 1. There may be printed annually copies of the report of the commission on waterways and public lands to a number not exceeding two thousand.

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

Approved March 12, 1917.

AN ACT RELATIVE TO THE REIMBURSEMENT OF CITIES AND TOWNS MAINTAINING AGRICULTURAL SCHOOLS OR FURNISHING AGRICULTURAL INSTRUCTION. *Chap. 61*

Be it enacted, etc., as follows:

SECTION 1. Clause two of section nine of chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven is hereby amended by striking out all after the word "departments", in the sixth line, so that the paragraph will read as follows:— 2. Cities and towns maintaining approved local or district independent agricultural schools consisting only of agricultural departments in high schools shall be reimbursed by the commonwealth, as provided in this act, only to the extent of two thirds of the salary paid to the instructors in such agricultural departments.

1911, 471, § 9, amended.

Cities and towns to be reimbursed for maintaining agricultural schools, etc.

SECTION 2. The treasurer of the commonwealth is hereby authorized to pay to certain cities and towns maintaining such agricultural schools in the year nineteen hundred and sixteen the amounts by way of reimbursement certified as due to them by the board of education, in excess of the ten thousand dollars heretofore authorized by law, aggregating four hundred seven dollars and seventy cents.

Amounts to be paid.

Approved March 12, 1917.

AN ACT TO REQUIRE THE ADDRESSES OF GRANTEES IN DEEDS AND A STATEMENT AS TO THEIR BEING MARRIED OR UNMARRIED. *Chap. 62*

Be it enacted, etc., as follows:

SECTION 1. Every deed which is presented for record shall contain or have indorsed upon it the full name, residence and post office address of the grantee, and shall also state whether the grantee is married or unmarried. If the statements required are not contained in the body of the deed but are indorsed upon it they shall be entered in the margin of the record. The provisions of this act shall not affect the validity of any deed, and registers of deeds may record any deed not in conformity with the requirements of this act.

Grantees in deeds to make statement as to being married, etc.

SECTION 2. This act shall take effect on the first day of January in the year nineteen hundred and eighteen.

Time of taking effect.

Approved March 12, 1917.

Chap. 63 AN ACT RELATIVE TO THE EXPENSES OF THE DEPARTMENT OF THE STATE FORESTER.

Be it enacted, etc., as follows:

1904, 409, § 1,
etc., amended.

Section one of chapter four hundred and nine of the acts of the year nineteen hundred and four, as amended by section one of chapter four hundred and seventy-three of the acts of the year nineteen hundred and seven and by section one of chapter two hundred and sixty-three of the acts of the year nineteen hundred and nine, is hereby further amended by adding at the end thereof the following: — The state forester shall be furnished with an office in the state house and may expend for the services of clerks, stenographers and other office assistants, for travelling expenses necessarily incurred in the discharge of his duties, for office supplies, and for incidental expenses, including the printing and binding of his annual report, such sums as the general court shall annually appropriate, — so as to read as follows: —

State forester,
appointment,
expenses, etc.

Section 1. The governor, with the consent of the council, shall appoint an officer to be known as the state forester, and shall determine his salary. He shall be a trained forester who has had a technical education. He shall be ex officio a member of the state board of agriculture. He shall act for the commonwealth in suppressing the gypsy and brown tail moths as public nuisances. The governor may, with the consent of the council, remove the state forester at any time for such cause as he shall deem sufficient. In case of the death, removal or resignation of the state forester the governor shall forthwith appoint a successor. The state forester shall be furnished with an office in the state house and may expend for the services of clerks, stenographers and other office assistants, for travelling expenses necessarily incurred in the discharge of his duties, for office supplies, and for incidental expenses, including the printing and binding of his annual report, such sums as the general court shall annually appropriate. *Approved March 12, 1917.*

Chap. 64 AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF FRANKLIN TO ACQUIRE LAND FOR THE ERECTION OF A COURT HOUSE.

Be it enacted, etc., as follows:

County of
Franklin may
acquire land

SECTION 1. The county commissioners of the county of Franklin are hereby authorized to take or acquire by purchase

or otherwise, land in Greenfield for the erection of a new court house. Within sixty days after taking any land hereunder they shall file and cause to be recorded in the registry of deeds for said county a description of the land sufficiently accurate for identification, with a statement of the purpose for which the same was taken, signed by them. Upon such filing title to the land so taken shall vest in said county in fee. The county shall pay all damages sustained by any person by reason of the taking of land as aforesaid; and the damages shall be determined in the manner provided by law for determining damages in the case of land taken for the laying out of highways.

for the erection
of a court
house.

Damages.

SECTION 2. In order to meet the expense incurred under the provisions of this act, the county commissioners may borrow from time to time upon the credit of the county a sum not exceeding twenty-five thousand dollars, and may issue bonds or notes of the county therefor which shall be payable in such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within twenty years from its date, and the amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. The said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes herein specified.

May issue
bonds.

SECTION 3. The county commissioners, at the time of authorizing said loan, shall provide for the payment thereof in accordance with section two of this act, and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall be levied as a part of the county tax of the county of Franklin annually thereafter in the same manner as other county taxes, until the debt incurred by said loan or loans is extinguished.

Payment of
loan.

SECTION 4. This act shall take effect upon its passage.

Approved March 13, 1917.

Chap. 65 AN ACT DIRECTING THE METROPOLITAN PARK COMMISSION TO COMPILE THE LAWS RELATING TO THE COMMISSION.

Be it enacted, etc., as follows:

Metropolitan park commission to compile laws relating to commission.

SECTION 1. The metropolitan park commission is hereby directed to compile and print, for public distribution, the acts and resolves relating to the commission, and for the purpose of printing and binding the same may expend a sum not exceeding five hundred dollars, to be paid out of the Metropolitan Parks Maintenance Fund.

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

Approved March 13, 1917.

Chap. 66 AN ACT RELATIVE TO THE USE OF FACSIMILE SIGNATURES BY CLERKS AND ASSISTANT CLERKS OF POLICE, DISTRICT AND MUNICIPAL COURTS.

Be it enacted, etc., as follows:

Clerks, etc., of police, district and municipal courts may use facsimile signatures.

SECTION 1. Clerks and assistant clerks of police, district, and municipal courts may sign criminal process issued by the said courts, and court records, documents or other legal papers or copies thereof relating to criminal cases made or issued by such clerks or assistant clerks in conformity with law, except search warrants and process authorizing arrests or commitments, by imprinting thereon a facsimile of the signature of the clerk or assistant clerk; and such facsimile signatures shall have the same validity as their written signatures.

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

Approved March 13, 1917.

Chap. 67 AN ACT TO ACCEPT THE PROVISIONS OF AN ACT OF CONGRESS PROVIDING THAT THE UNITED STATES SHALL AID THE STATES IN THE CONSTRUCTION OF RURAL POST ROADS.

Be it enacted, etc., as follows:

Assent to provisions of act of congress providing that United States shall aid the states in construction of rural post roads.

SECTION 1. The legislative assent required by section one of the act of congress approved on the eleventh day of July, nineteen hundred and sixteen, entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", as a condition of the participation by this commonwealth in the benefits thereof, is hereby given.

SECTION 2. The Massachusetts highway commission is hereby authorized to make all contracts and agreements, and to do all other things necessary to co-operate with the United States government in the construction and maintenance of rural highways, under the provisions of the act of congress aforesaid, and to submit such plans, estimates, and programs for the improvement of highways as will meet the requirements of the secretary of agriculture under the provisions of the said act, and for this purpose it is hereby authorized to use any moneys which it may have available for the construction and maintenance of state highways, whether appropriated from the treasury of the commonwealth, or placed at the disposal of the commission by the provisions of section thirty of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, and the amendments thereof.

Highway commission may make contracts, etc.

Approved March 13, 1917.

AN ACT TO AUTHORIZE THE COUNTY OF PLYMOUTH TO RE-BUILD UNION BRIDGE OVER NORTH RIVER BETWEEN THE TOWNS OF MARSHFIELD AND NORWELL.

Chap. 68

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth, subject to the provisions of chapter ninety-six of the Revised Laws and amendments thereof and additions thereto, and of all other laws which may be applicable, are hereby authorized and directed within one year after the passage of this act, to reconstruct Union bridge, so-called, over North river, between the towns of Marshfield and Norwell. The bridge as reconstructed shall have suitable permanent approaches, and the span at either side of the draw shall be of permanent construction. The draw shall be thirty-five feet wide in the clear, and the lift shall be of such type and construction that it may be operated by hand power in an expeditious manner. The whole work shall be done subject to the approval of the commission on waterways and public lands, and in accordance with the plans on file in the office of said commission.

County of Plymouth may rebuild Union bridge between Marshfield and Norwell.

SECTION 2. The expense incurred under this act shall not exceed the sum of thirty thousand dollars, and said county commissioners are hereby authorized to borrow on the credit of the county, and to issue notes of the county

May issue notes.

therefor, such sums, not exceeding said amount as may from time to time be required for the cost and expense aforesaid. Such notes shall be payable by such annual payments beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. All amounts so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out of the same such sums as are authorized by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest.

Payment of notes, etc.

Statement of cost, etc., to be filed.

SECTION 3. The county commissioners shall, upon the completion of the work, determine the total cost, including interest, file a detailed statement of the same in the office of the clerk of courts for the said county, and apportion the amount equally among the county of Plymouth, the town of Marshfield and the town of Norwell, and assess upon said towns in five equal annual instalments the amounts to them so apportioned, including interest; and said towns shall pay the same, respectively, into the treasury of the county within sixty days thereafter; and if either of said towns refuses or neglects to pay its proportion as aforesaid, the commissioners shall, after notice to the delinquent town, issue a warrant against such delinquent town for its proportion with interest and costs of the notice and warrant, and the same shall be collected and paid into the treasury of the county, and shall be applied in payment of the expenses aforesaid.

Assessment of cost.

SECTION 4. The cost of maintenance and operation of the bridge shall be borne equally by the towns of Norwell and Marshfield, and the date of the first assessment made upon said towns shall be the date upon which the custody of said bridge shall vest in the selectmen of said towns.

SECTION 5. This act shall take effect upon its passage.

(The foregoing was laid before the governor on the seventh day of March, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

AN ACT RELATIVE TO THE COMMITMENT OF DIPSOMANIACS *Chap. 69*
AND OTHERS.

Be it enacted, etc., as follows:

SECTION 1. Section fifty of chapter five hundred and four of the acts of the year nineteen hundred and nine, as amended by chapter five hundred and fifty-eight of the acts of the year nineteen hundred and fourteen, and by chapter seventy-three of the General Acts of the year nineteen hundred and fifteen, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 50.* Any of the judges named in section twenty-nine, and the justices of the municipal court of the city of Boston, may commit to the Norfolk state hospital, the McLean hospital, or to a private licensed hospital or house, any male, or to any hospital or licensed receptacle for the insane, public or private, except the Norfolk state hospital, any female, who is subject to dipsomania or inebriety either in public or private, or who is so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control; but no such commitment shall be made until satisfactory evidence is presented to the judge by whom the proceedings are heard that such person is not of bad repute or of bad character apart from such habits of intemperance. The magistrate who receives the application for such commitment shall examine on oath the applicant and all other witnesses, shall reduce the application to writing and cause it to be subscribed and sworn to by the applicant. He shall cause a summons and copy of the application to be served upon such person in the manner provided by section twenty-five of chapter two hundred and seventeen of the Revised Laws. Such person shall be entitled to a hearing, unless after receiving said summons he shall in writing waive a hearing; and in that case the magistrate may issue an order for his immediate commitment as aforesaid, without a hearing, if he is of opinion that such person is a proper subject for treatment and custody in the hospital or other place to which he is committed. The commitment may be made forthwith, if the examining physician certifies the case to be one of emergency. A person committed as aforesaid may be detained for two years from the date of his commitment, and no longer.

1909, 504, § 50,
etc., amended.

Commitment
of dipso-
maniacs, etc.

Examination
on oath, etc.

Hearing to be
held, unless
waived.

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

Approved March 14, 1917.

Chap. 70 AN ACT RELATIVE TO THE ACQUISITION OF SETTLEMENT
BY PERSONS RECEIVING PUBLIC AID BECAUSE AFFLICTED
WITH SMALLPOX AND OTHER DANGEROUS DISEASES.

Be it enacted, etc., as follows:

1902, 213, § 2,
etc., amended.

Acquisition of
settlement by
persons
receiving public
aid because
afflicted with
smallpox, etc.

SECTION 1. Section two of chapter two hundred and thirteen of the acts of the year nineteen hundred and two, as amended by section two of chapter three hundred and eighty-six of the acts of the year nineteen hundred and seven, is hereby further amended by adding at the end thereof the following:— No person shall acquire a settlement or be in process of acquiring a settlement while receiving aid hereunder, nor shall any person be held to have acquired, or to have been in the process of acquiring, a settlement while receiving such aid, — so as to read as follows:— *Section 2.* No person for whose care and maintenance a city or town or the commonwealth has incurred expense in consequence of smallpox, scarlet fever, diphtheria, tuberculosis, dog bite requiring anti-rabic treatment, or other disease dangerous to the public health shall be deemed to be a pauper by reason of such expenditure. No person shall acquire a settlement or be in process of acquiring a settlement while receiving aid hereunder, nor shall any person be held to have acquired, or to have been in the process of acquiring, a settlement while receiving such aid.

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

Approved March 14, 1917.

Chap. 71 AN ACT RELATIVE TO THE PAYMENT OF PREMIUMS ON THE
BONDS OF COURT OFFICERS IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

1916, 39 (G), § 1,
amended.

Payment of
premiums on
bonds of Suf-
folk county
court officers.

SECTION 1. Section one of chapter thirty-nine of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting after the word "the", in the third line, the words:— supreme judicial court or the, — so as to read as follows:— *Section 1.* The county of Suffolk shall hereafter pay all premiums on the bonds of court officers or deputy sheriffs in attendance on the supreme judicial court or the superior court in said county.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston.

Approved March 14, 1917.

To be submit-
ted to city
council, etc.

AN ACT RELATIVE TO THE FURNISHING OF LOCKERS FOR CERTAIN EMPLOYEES OF HOTELS. Chap. 72

Be it enacted, etc., as follows:

Section one of chapter one hundred and fifteen of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting after the word "establishment", in the first and second lines, the words:— or hotel,— so as to read as follows:— *Section 1.* In any mercantile or manufacturing establishment or hotel in which the nature of the work renders it necessary for any or all employees, before beginning work, to make a substantially complete change of clothing, exclusive of underclothing, separate lockers, closets or other receptacles, each with a lock and key, shall be provided for the use of such employees.

1916, 115 (G), § 1, amended.
Furnishing of lockers for certain employees of hotels.

Approved March 14, 1917.

AN ACT RELATIVE TO THE PROTECTION OF DUCKS, GEESE, BRANT AND SWANS IN THE COUNTIES OF BARNSTABLE, BRISTOL, DUKES AND NANTUCKET. Chap. 73

Be it enacted, etc., as follows:

SECTION 1. In the counties of Barnstable, Bristol, Dukes and Nantucket it shall be unlawful to kill a swan at any time, or to pursue, hunt, take or kill any other of the anatidæ, commonly known as wild geese, brant, ducks and teal, between the sixteenth day of January and the thirtieth day of September, both dates inclusive, or to buy, sell, offer for sale, or have in possession any swan or any other of the anatidæ, or any part of any one of said birds during the time when the taking or killing of them is prohibited by law, whenever or wherever said birds may have been taken or killed: *provided, however,* that any person, firm or corporation holding a written permit from the commissioners on fisheries and game may buy, sell, or have in possession any species of the anatidæ for purposes of propagation only; and *provided, further,* that nothing in this act shall prevent the taking or possession of any of said birds by incorporated natural history associations and museums, or holders of certificates legally authorizing the collection of specimens for scientific purposes, or continued possession of such birds or parts thereof for scientific purposes by such museums, associations or holders of such certificates.

Protection of ducks, geese, brant and swans in Barnstable, Bristol, Dukes and Nantucket counties.
Provisos.

Certain provisions not to apply.

SECTION 2. So much of any act as is inconsistent herewith shall not apply to the provisions of this act, nor shall this act be construed to render lawful anything which would be unlawful under federal law or regulation.

Approved March 14, 1917.

Chap. 74

AN ACT TO ESTABLISH ARBOR AND BIRD DAY.

Be it enacted, etc., as follows:

R. L. 53, § 16, amended.

SECTION 1. Chapter fifty-three of the Revised Laws is hereby amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* The governor shall annually issue a proclamation setting apart the last Saturday in April as Arbor and Bird Day, recommending its observance by the public in the planting of trees, shrubs and vines, particularly those attractive to birds, in the promoting of forest grounds, places and ways, and in such other efforts and undertakings as will harmonize with the general character of the day. He shall further recommend that the Friday preceding be observed in the rural and suburban schools of the commonwealth by exercises appropriate to Arbor and Bird Day.

Arbor and Bird Day established.

Publication of leaflet.

SECTION 2. The state board of agriculture may publish annually a leaflet relative to trees and birds which shall be approved by the commissioner of education, and may distribute the same to the superintendents and teachers of the rural and suburban public schools of the commonwealth prior to Arbor and Bird Day. The expenses of such publication and distribution shall be paid out of the annual appropriation for disseminating useful information in agriculture.

SECTION 3. This act shall take effect upon its passage.

Approved March 15, 1917.

Chap. 75 AN ACT RELATIVE TO THE POWERS OF THE STATE ORNITHOLOGIST.

Be it enacted, etc., as follows:

1908, 245, § 3, etc., amended.

SECTION 1. Section three of chapter two hundred and forty-five of the acts of the year nineteen hundred and eight, as amended by section one of chapter five hundred of the acts of the year nineteen hundred and twelve, and by section one of chapter four hundred and twenty-four of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the word "twenty-five", in the

ninth line, and inserting in place thereof the word: — thirty-five, — and by adding at the end of said section the words: — For the purpose of aiding in the study of the distribution and habits of the birds of the commonwealth the state ornithologist may appoint from time to time special observers who shall serve without compensation, — so as to read as follows:— *Section 3.* The state ornithologist shall receive two thousand dollars annually for his services, and such allowance for necessary expenses, travelling or otherwise, as may be approved by the said board. He may purchase such supplies and apparatus and may employ such assistance as may be reasonably necessary in carrying out his duties, subject to the approval of the said board; but the total amount to be expended under authority of this act shall not exceed thirty-five hundred dollars annually, including the salary of the ornithologist. For the purpose of aiding in the study of the distribution and habits of the birds of the commonwealth the state ornithologist may appoint from time to time special observers who shall serve without compensation.

State
ornithologist,
expenses, etc.

May appoint
special
observers.

SECTION 2. This act shall take effect upon its passage.
Approved March 15, 1917.

AN ACT RELATIVE TO DENTAL-HYGIENISTS.

Chap. 76

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter three hundred and one of the General Acts of the year nineteen hundred and fifteen is hereby amended by striking out the word "a", in the thirteenth line, and inserting in place thereof the word: — any, — and by striking out the words "in public or private schools or institutions approved by the local board of health", in the thirteenth, fourteenth and fifteenth lines, and inserting in place thereof the words: — subject to such rules and regulations as may be adopted by said board, — so as to read as follows:— *Section 11.* Any person of good moral character and twenty years of age or over, who is a graduate of a training school for dental-hygienists requiring a course of not less than one academic year and approved by said board, or who is a graduate of a training school for nurses and has received three months' clinical training in dental-hygiene in any such training school for dental-hygienists, may, upon the payment of ten dollars, which shall not be returned to him, be examined by said

1915, 301 (G),
§ 11, amended.

Dental-
hygienists,
qualifications,
etc.

board in the subjects considered essential by it for a dental-hygienist, and, if his examination is satisfactory, shall be registered as a dental-hygienist and given a certificate allowing him to clean teeth under the direction of any registered dentist of this commonwealth, subject to such rules and regulations as may be adopted by said board. An applicant who fails to pass a satisfactory examination shall be entitled to one re-examination at any future meeting of the board, free of charge, but for each subsequent examination he shall pay ten dollars.

1915, 301 (G),
§ 13, amended.

Penalty for
illegal practice.

SECTION 2. Section thirteen of said chapter three hundred and one is hereby amended by inserting after the word "dentistry", in the sixth line, the words: — or dental-hygiene as defined in section eleven hereof, — so as to read as follows: — *Section 13.* Whoever falsely asserts that he has a certificate granted by said board, or who, having such certificate, fails to exhibit the same as required by this act, or who falsely and with intent to deceive claims to be a graduate of any college granting degrees in dentistry, or who practises or attempts to practise dentistry or dental-hygiene as defined in section eleven hereof without being registered as herein provided, or any registered dentist or any owners or managers of an incorporated dental company who shall employ an unregistered person as an operator, may be punished for each offence by a fine of not more than two hundred dollars or by imprisonment for three months, or by both such fine and imprisonment.

SECTION 3. This act shall take effect upon its passage.

Approved March 15, 1917.

Chap. 77 AN ACT RELATIVE TO NOTICES TO BE GIVEN BY REGISTRARS TO WOMEN VOTERS.

Be it enacted, etc., as follows:

1913, 835, § 44,
amended.

Annual register
of voters,
entries,
arrangement,
etc.

Section forty-four of Part I of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by inserting after the word "male", in the thirtieth line, the words: — and female, — and also by inserting after the word "his", in the thirty-second line, the words: — or her, — so as to read as follows: — *Section 44.* The registrars shall, after the first day of April, prepare an annual register containing the names of all qualified voters in such city or town for the current year, beginning with such first day of April. Such names shall

be arranged in alphabetical order, and, opposite to the name of each voter, his residence on the preceding first day of April or on any subsequent day when he became an inhabitant of the city or town. The registrars shall enter in the annual register every name contained in the lists of persons assessed for a poll tax for the current year, as transmitted to them by the assessors, giving, as the residence of each person on the first day of April, the place at which he was assessed a poll tax; and likewise the name and residence, as aforesaid, of every woman voter whose name is contained in the list of women voters transmitted to them, as provided in section sixteen: *provided*, that in every case they are able to identify the name so transmitted to them as that of a man or woman whose name was borne on the voting list of such city or town at the last preceding election or town meeting. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any registrar until such person has been duly notified and given an opportunity to be heard by them. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each male and female voter of the preceding year whose name has not been entered in the annual register of the current year that his or her name has not been so entered. They shall annually, before the first day of April, transmit to the assessors a list of the women whose names are contained upon the register of voters, with their residences, as they appear on the register of the preceding year.

Proviso.

To send notice to male and female voters whose names have not been entered.

Approved March 15, 1917.

AN ACT RELATIVE TO THE SALE OF SAUSAGE MEAT.

Chap. 78

Be it enacted, etc., as follows:

Section two of chapter six hundred and thirty-four of the acts of the year nineteen hundred and fourteen is hereby amended by striking out all after the word "casing", in the first line of the fourth clause, and inserting in place thereof the following:— the organs of the thoracic and abdominal cavities or any part thereof, except hearts, tripe and liver,

1914, 634, § 2, amended.

Sale of
sausage meat
regulated.

— so that said clause will read as follows: — Fourth. If it contains, except as casing, the organs of the thoracic and abdominal cavities or any part thereof, except hearts, tripe and liver.
Approved March 15, 1917.

Chap. 79 AN ACT RELATIVE TO MEETINGS OF REGISTRARS OF VOTERS AND ELECTION COMMISSIONERS FOR THE CERTIFICATION OF NAMES ON PRIMARY NOMINATION PAPERS.

Be it enacted, etc., as follows:

1913, § 35, § 118,
etc., amended.

SECTION 1. Section one hundred and eighteen of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, as amended by section eleven of chapter seven hundred and ninety of the acts of the year nineteen hundred and fourteen, and by section ten of chapter one hundred and seventy-nine of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out the word "Saturday", in the third line, and inserting in place thereof the word: — Friday, — and by striking out the word "Saturdays", in the twenty-third and twenty-sixth lines, and inserting in place thereof in each instance the word: — Fridays, — so as to read as follows: — *Section 118.* Every nomination paper shall be submitted on or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed, to the registrars of the city or town in which the signers appear to be voters, and in Boston, to the election commissioners, who shall forthwith certify thereon the number of signatures which are names of voters both in the city or town and in the district for which the nomination is made, and who are not enrolled in any other party than that whose nomination the candidate seeks.

Primary
nomination
papers to be
submitted to
registrars, in
Boston to the
election
commissioners.

Number of
names to be
certified, etc.

They need not certify a greater number of names than are required to make a nomination, with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The secretary of the commonwealth shall not be required in any case to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto. For the purpose of certifying to the names on primary nomination papers it shall be the duty of the board of registrars of voters, in Boston the election commissioners, to hold meetings on the

Registrars,
etc., to hold
meetings to
certify names.

four Fridays next preceding the date on which such papers are required to be filed with the secretary of the commonwealth, except that such meetings shall be held on the two Fridays next preceding the date on which the papers are required to be so filed for primaries before special elections.

No person shall be a candidate for nomination for more than one office for which such nominations are made; but this shall not apply to candidates for membership in political committees or delegations to the state convention.

No person to be a candidate for more than one office, except, etc.

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

Approved March 17, 1917.

AN ACT RELATIVE TO PRIMARY OFFICERS.

Chap. 80

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and two of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the said section and inserting in place thereof the following: — *Section 102.* No person shall be ineligible to act as a primary officer because he is a candidate for delegate to a convention, and, except in Boston, no person shall be ineligible to serve as a primary officer because he is a candidate for or member of a ward or town committee.

1913, 835, § 102, amended.

Certain persons not ineligible to serve as primary officers.

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

Approved March 17, 1917.

AN ACT RELATIVE TO RETURNS OF VOTES CAST AT STATE PRIMARIES.

Chap. 81

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and twenty-four of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by inserting after the word "and", in the third line, the words: — within four days after the day of holding the state primary, — so as to read as follows: — *Section 124.* Upon the receipt of the records of votes cast at state primaries the city or town clerk or election commissioners shall forthwith canvass the same and within four days after the day of holding the state primary make return of the votes for candidates for nomination for state offices, and for election as members of the state committee, to the secretary of the commonwealth, who shall forthwith canvass such returns, determine the

1913, 835, § 124, amended.

Canvass and returns of votes cast at state primaries.

Certificates to successful candidates, etc.

results thereof, notify the successful candidates, and certify to the state committees the names of the persons nominated for state offices and elected as members of the state committees. Said clerks or commissioners shall determine the results of the vote for delegates to the state conventions and members of ward and town committees, issue proper certificates thereof to the successful candidates, and notify the chairmen of the city and town committees of the respective parties.

SECTION 2. This act shall take effect upon its passage.
Approved March 17, 1917.

Chap. 82 AN ACT RELATIVE TO THE TIME WITHIN WHICH NOMINATION PAPERS SHALL BE SUBMITTED FOR THE CERTIFICATION OF NAMES, AND TO STATEMENTS ON NOMINATION PAPERS.

Be it enacted, etc., as follows:

1913, 835, § 199, amended.

SECTION 1. Section one hundred and ninety-nine of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the words "before being filed, be seasonably submitted", in the fifteenth and sixteenth lines, and inserting in place thereof the words: — be submitted on or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed, — and by striking out the last sentence of said section, so as to read as follows: —

Section 199. Every voter who signs a nomination paper shall sign it in person, with his full surname, his Christian name and the initial of every other name which he may have, and shall add his residence on the previous first day of April and the place where he is then living, with the street and number thereof, if any, to his signature; but any voter who is prevented by a physical disability from writing or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto, and no more. Women who are qualified to vote may sign nomination papers for candidates for the school committee. Every nomination paper shall be submitted on or before five o'clock in the afternoon of the Friday preceding the day on which it must be filed to the registrars of the city or town in which the signers appear to be voters, and

Voters to sign nomination papers in person, adding residence, etc.

Women may sign certain papers.

To be submitted to registrars, etc.

in Boston to the election commissioners, who shall forthwith certify thereon the number of signatures which are names of voters both in the city or town and in the district or division for which the nomination is made. They need not certify a greater number of names than are required to make a nomination, with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The secretary of the commonwealth shall not be required in any case to file nomination papers for a candidate after filing such papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto.

Number of names to be certified, etc.

SECTION 2. Section two hundred of said chapter eight hundred and thirty-five is hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved March 17, 1917.

AN ACT RELATIVE TO THE RETURNS OF ELECTION EXPENSES
OF CANDIDATES FOR PUBLIC OFFICE.

Chap. 83

Be it enacted, etc., as follows:

SECTION 1. Section three hundred and sixty-two of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, as amended by section six of chapter seven hundred and eighty-three of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the word "seven", in the fourth line, and inserting in place thereof the word: — fourteen, — so as to read as follows: — *Section 362.* Every candidate for nomination to a public office shall, within seven days after the last day for filing nominations for that office, and every candidate for election to a public office shall within fourteen days after the election held to fill the office, file a statement in writing setting forth each sum of money and thing of value expended, contributed, or promised by him, for the purpose of securing or in any way affecting his nomination or election to the office, and the name of the person or political committee to whom the payment, contribution or promise was made and the date thereof, or, if nothing has been contributed, expended or promised by him, a statement in writing to that effect.

1913, 835, § 362, etc., amended.

Candidates for public office to file statements of expenses, etc.

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

Approved March 17, 1917.

Chap. 84 AN ACT TO PROHIBIT INQUIRIES AS TO THE RELIGIOUS OR POLITICAL BELIEF OF APPLICANTS FOR POSITIONS IN THE PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Inquiries as to religious or political belief of applicants for positions in public schools prohibited.

SECTION 1. It shall be unlawful for any public school committee or official to inquire concerning, or to require or solicit from an applicant for a position in the public schools any information as to, the religious belief, creed or practice, or as to the political opinions or affiliations of the applicant; and no appointment to such a position shall be made, withheld or in any manner affected by the said considerations.

Penalty.

SECTION 2. Violation of the provisions of this act shall be punished by a fine of not more than fifty dollars for each offence.

Approved March 17, 1917.

Chap. 85 AN ACT RELATIVE TO THE PAYMENT OF BOUNTY TO POULTRY ASSOCIATIONS.

Be it enacted, etc., as follows:

Payment of bounty to poultry associations.

SECTION 1. Every poultry association which shall have been incorporated under the laws of the commonwealth for the purposes, principally, of holding exhibitions of poultry within the commonwealth shall be entitled to receive annually in May from the treasury of the commonwealth not exceeding two hundred dollars: *provided, however*, that not more than twenty such associations shall be entitled to receive bounty in any one year; and *provided, further*, that no association shall receive a larger amount in one year than it has awarded and paid in state first premiums in that year on the kinds, breeds and varieties of poultry specified by the state board of agriculture as provided in section four.

Provisos.

Associations to file certificates of amount of "state first premiums."

SECTION 2. Every incorporated poultry association which desires to receive the bounty aforesaid shall annually, on or before the first day of November in each year, file in the office of the secretary of the board of agriculture, a certificate signed by its secretary, stating the amount which it has offered or proposes to offer in "state first premiums" at its next show.

Certificates that exhibition has been held, etc.

SECTION 3. No association shall be entitled to any part of the said bounty unless it shall certify to the state board of

agriculture, under oath of the president and treasurer of the association, that it has held an exhibition of poultry during the year, and shall also certify the amount paid in premiums by the association at such exhibition, and that the association is in need of aid to enable it to continue its exhibitions of poultry, together with such other facts as the board may request.

SECTION 4. The state board of agriculture shall determine annually the associations entitled to receive bounty, the kinds, breeds and varieties of poultry to which state premiums as aforesaid may be awarded, and the date on or before which associations shall file their certificates, and may make such other rules and regulations as it may deem suitable for carrying out the provisions of this act.

Rules, etc.

SECTION 5. For the purposes of this act the term "state first premiums" shall mean all first premiums described in the premium lists of said associations as being offered by the state board of agriculture through the association.

"State first premiums," term defined.

SECTION 6. Chapter four hundred and twenty-eight of the acts of the year nineteen hundred and nine, as amended by chapter five hundred and ninety of the acts of the year nineteen hundred and thirteen and by chapter two hundred and ninety-eight of the acts of the year nineteen hundred and fourteen, is hereby repealed.

Repeal.

SECTION 7. This act shall take effect on the first day of September in the year nineteen hundred and seventeen.

Time of taking effect.

Approved March 17, 1917.

AN ACT RELATIVE TO THE TRANSFER OF LABORERS IN THE PUBLIC SERVICE.

Chap. 86

Be it enacted, etc., as follows:

Laborers in the employ of the Boston transit commission may be transferred to the employ of any city or town in the metropolitan district without examination, and notwithstanding any restriction in the civil service laws or regulations applicable to such transfers: *provided*, that a request to such effect be made by the head of a department in any such city, with the approval of the mayor, or by the chairman of the board of selectmen in any such town.

Transfer of laborers employed by Boston transit commission.

Proviso.

Approved March 17, 1917.

Chap. 87 AN ACT RELATIVE TO TAKING FISH IN THE WATERS OF THE CITY OF BEVERLY.

Be it enacted, etc., as follows:

Taking of fish
in waters of
Beverly regu-
lated.
Proviso.

SECTION 1. It shall be unlawful for any person to take fish in the waters of the city of Beverly by beam trawl, otter trawl or seine: *provided, however*, that the board of aldermen of the city may grant permits for the taking of fish in the said waters by the use of seines.

Penalty.

SECTION 2. Any violation of this act shall be punished by a fine of not more than fifty dollars.

Approved March 19, 1917.

Chap. 88 AN ACT RELATIVE TO THE SITTINGS OF THE SUPERIOR COURT FOR THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

R. L. 157, § 24,
etc., amended.

SECTION 1. The sixth paragraph of section twenty-four of chapter one hundred and fifty-seven of the Revised Laws, as amended by section one of chapter four hundred and thirty of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the said paragraph, and inserting in place thereof the following:— For the county of Essex, for civil business, at Salem, on the first Mondays of June and December; at Lawrence, on the first Monday of March; and at Newburyport, on the first Monday of October; for criminal business, at Salem, on the second Monday of January; at Newburyport, on the second Monday of May; and at Lawrence, on the second Monday of September.

Sittings of the
superior court
for Essex
county.

Time of taking
effect.

SECTION 2. This act shall take effect on the first Monday of July, nineteen hundred and seventeen.

Approved March 19, 1917.

Chap. 89 AN ACT TO EXTEND THE TIME FOR FILING RETURNS OF PROPERTY OF FOREIGN CORPORATIONS.

Be it enacted, etc., as follows:

1909, 490 (III),
§ 54, etc.,
amended.

SECTION 1. Section fifty-four of Part III of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, as amended by chapter one hundred and sixty-seven of the General Acts of the year nineteen hundred and fifteen, and by section one of chapter eighty-three of the

General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out the word "seventeen", in the twenty-third line, and inserting in place thereof the word: — eighteen, — so as to read as follows: — *Section 54.* Every foreign corporation shall annually, within thirty days after the date fixed for its annual meeting, or within thirty days after the final adjournment of said meeting, but not more than three months after the date so fixed for said meeting, prepare and file in the office of the secretary of the commonwealth, upon payment of the fee provided in section ninety-one of chapter four hundred and thirty-seven of the acts of the year nineteen hundred and three, a certificate signed and sworn to by its president, treasurer, and by a majority of its board of directors, showing the amount of its authorized capital stock, and its assets and liabilities as of a date not more than ninety days prior to said annual meeting, in such form as is required of domestic business corporations under the provisions of section forty-five of said chapter, and the change or changes, if any, in the other particulars included in the certificate required by section sixty of said chapter, made since the filing of said certificate or of the last annual report. Every foreign corporation which has property within the commonwealth subject to taxation under the laws thereof, shall annually, between the first and tenth days of April, beginning in the year nineteen hundred and eighteen, prepare and file in the office of the tax commissioner a return, in such form and with such detail as the tax commissioner may prescribe, signed and sworn to by its treasurer, showing all its property, real and personal subject to local taxation within the commonwealth on the first day of April and the location and value thereof.

Time for filing annual certificate of condition of foreign corporations.

Filing of annual tax return.

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

Approved March 20, 1917.

AN ACT RELATIVE TO THE ACCOUNTS AND COMPENSATION OF PUBLIC ADMINISTRATORS IN CERTAIN CASES.

Chap. 90

Be it enacted, etc., as follows:

SECTION 1. Section twelve of chapter one hundred and thirty-eight of the Revised Laws is hereby amended by adding at the end thereof the following: — At any time within six years after a public administrator has made such deposit, the probate court may, upon the application of

R. L. 138, § 12, amended.

the administrator and if it appears that there are reasonable grounds to believe that certain persons have lawful claims upon the said balance, enter a decree directing that the same be repaid to the public administrator. The treasurer and receiver general shall thereupon pay over all money deposited in the treasury to the credit of the estate to the public administrator to be administered by him according to law as a part of the estate of the deceased, — so as to read as follows:— *Section 12.* When an estate has been fully administered by a public administrator, he shall deposit the balance of such estate remaining in his hands with the treasurer and receiver general, who shall receive and hold it for the benefit of those who may have lawful claims thereon. At any time within six years after a public administrator has made such deposit, the probate court may, upon the application of the administrator and if it appears that there are reasonable grounds to believe that certain persons have lawful claims upon the said balance, enter a decree directing that the same be repaid to the public administrator. The treasurer and receiver general shall thereupon pay over all money deposited in the treasury to the credit of the estate to the public administrator to be administered by him according to law as a part of the estate of the deceased.

Public administrators to deposit balances of estates with the treasurer and receiver general.

Probate court may decree repayment.

R. L. 138, § 14, amended.

SECTION 2. Section fourteen of said chapter one hundred and thirty-eight is hereby amended by adding at the end thereof the following:— In all such cases, whether public administration is granted or not, the public administrator shall receive a reasonable allowance for his services and expenses which shall be determined by the probate court and which shall be paid by the treasurer and receiver general out of the money deposited in the treasury to the credit of such estate but not otherwise, — so as to read as follows:— *Section 14.* If, at any time within six years after a public administrator has made deposit with the treasurer and receiver general of the balance of an estate remaining in his hands, any person applies to the probate court which granted letters of administration on such estate, and makes it appear that he is legally entitled by the will of the deceased or otherwise to the administration thereof, the court shall grant administration thereof, or, upon probate of such will, shall grant letters testamentary to such applicant or at his request to some other suitable person; but before granting such administration, the court shall order personal notice of the application to be served, at least fourteen days

Heirs, etc., may take administration after deposit in state treasury.

before the hearing, upon a public administrator of the county, who shall appear in behalf of the commonwealth. In all such cases, whether public administration is granted or not, the public administrator shall receive a reasonable allowance for his services and expenses which shall be determined by the probate court and which shall be paid by the treasurer and receiver general out of the money deposited in the treasury to the credit of such estate but not otherwise.

Allowance for services and expenses.

SECTION 3. Section fifteen of said chapter one hundred and thirty-eight is hereby amended by inserting after the word "general", in the fourth line, the words: — after paying such sums, if any, for services and expenses as may be allowed to the public administrator under the provisions of the preceding section, — so as to read as follows: — *Section 15.* After the expiration of thirty days from the appointment of an executor or administrator as provided in the preceding section, if no appeal is claimed by any person interested, the treasurer and receiver general, after paying such sums, if any, for services and expenses as may be allowed to the public administrator under the provisions of the preceding section, shall pay over to such executor or administrator all money deposited in the treasury to the credit of such estate, to be administered in like manner as the estates of other deceased persons.

R. L. 138, § 15, amended.

Treasurer and receiver general to pay over to executor, etc., if appointed.

SECTION 4. This act shall take effect upon its passage, and section two shall apply to pending petitions and services rendered in connection therewith.

§ 2 to apply to pending petitions, etc.

Approved March 20, 1917.

AN ACT RELATIVE TO THE DELIVERY OF INTOXICATING LIQUOR FROM VEHICLES.

Chap. 91

Be it enacted, etc., as follows:

SECTION 1. The delivery of liquor from a vehicle of any description by any person licensed to sell intoxicating liquor, or by the driver, helper or other employee of such person, which liquor is not marked with the name and address of the purchaser, or which is falsely marked in these particulars, or the sale of such liquor to any person other than the consignee or purchaser thereof, or to any person other than the person whose name appears thereon and in the order book of the liquor dealer as the consignee or purchaser thereof, or the delivery of liquor in the absence of a prior entry in the order book on the premises of such dealer, show-

Delivery of intoxicating liquor from vehicles of certain persons prohibited.

ing the name and address of the purchaser, and the amount and kind ordered, shall be prima facie evidence of a sale off the licensed premises by such licensee: *provided, however,* that this act shall not apply to deliveries of intoxicating liquor from one licensee to another.

Penalties.

SECTION 2. Violation of this act shall be punished by a fine of not less than fifty, nor more than two hundred dollars, for each offence; and licensing boards shall have authority to suspend or revoke the license of the licensee concerned in the violation, as provided in section forty-seven of chapter one hundred of the Revised Laws, as amended by chapter one hundred and eight of the acts of the year nineteen hundred and eight. *Approved March 20, 1917.*

Chap. 92 AN ACT RELATIVE TO THE ADJUTANT GENERAL'S DEPARTMENT.

Be it enacted, etc., as follows:

1908, 604, § 14,
etc., amended.

SECTION 1. Chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended in section fourteen by section one of chapter three hundred and forty-eight of the acts of the year nineteen hundred and ten, by chapter five hundred and ninety-three of the acts of the year nineteen hundred and twelve, and by chapter seven hundred and ten of the acts of the year nineteen hundred and thirteen, is hereby further amended by striking out said section fourteen and inserting in place thereof the following: — *Section 14.* The adjutant general shall receive a salary of thirty-six hundred dollars a year. An adjutant general (rank of lieutenant colonel), adjutant general's department, shall receive a salary of eighteen hundred dollars a year. The adjutant general may employ such clerks and other assistants as may be necessary in his department, the expense not exceeding the amount annually appropriated therefor.

Adjutant gen-
eral, clerks,
etc., salaries.

SECTION 2. This act shall take effect upon its passage. *Approved March 21, 1917.*

Chap. 93 AN ACT RELATIVE TO MAINTENANCE OF HORSES FOR THE NATIONAL GUARD.

Be it enacted, etc., as follows:

Maintenance
of horses for
national guard.

SECTION 1. There may be allowed and paid out of the treasury of the commonwealth, a sum not exceeding ten

thousand dollars annually, for the maintenance of draft or riding animals used for military purposes, and from this sum there may be allowed and paid to each troop of cavalry and battery of field artillery, and other military organizations authorized to be mounted, an amount not exceeding fifteen dollars each month for every such animal owned by the organization or by individual members thereof, and used for military purposes. The said allowance, to an organization maintaining horses under the provisions of this section, shall be for forage, care and maintenance, and shall be in lieu of any allowance for instruction in riding provided for by section one hundred and seventy-four of chapter six hundred and four of the acts of the year nineteen hundred and eight, and acts in amendment thereof. The commander-in-chief shall, by order, prescribe the conditions and regulations relative to the use and maintenance of such horses, which shall be complied with before the allowance is paid.

Allowance to certain organizations to be for forage, etc.

Conditions, etc., for use of horses.

The commander-in-chief shall, by order, prescribe the conditions and regulations for the use and maintenance of draft or riding animals owned by the commonwealth and used for military purposes, and may authorize the use and letting of such animals. All income received from such use shall be paid into the treasury of the commonwealth.

Regulations for use of draft animals, etc.

SECTION 2. Chapter seven hundred and fifty-eight of the acts of the year nineteen hundred and fourteen is hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1917.

AN ACT RELATIVE TO REPORTS OF EVIDENCE AT INQUESTS
IN CASES OF DEATH BY ACCIDENTS ON RAILROADS AND
RAILWAYS.

Chap. 94

Be it enacted, etc., as follows:

SECTION 1. Section fourteen of chapter twenty-four of the Revised Laws, as amended by chapter four hundred and ninety-six of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "board of railroad commissioners", in the eleventh line, and inserting in place thereof the words:— public service commission,— by inserting after the word "inquest", in the twelfth line, the words:— When the magistrate has made his report therein he shall cause a copy thereof to be for-

R. L. 24, § 14, etc., amended.

warded to said commission, — and also by striking out the word “board”, in the thirteenth line, and inserting in place thereof the word: — commission, — so as to read as follows: — *Section 14.* If a magistrate has reason to believe that an inquest to be held by him relates to the death by accident of a passenger or employee upon a railroad or electric railroad or a traveler upon a public or private way at a railroad crossing, or to a death by accident connected with the operation of a street railway or of a railroad for private use, he shall cause a verbatim report of the evidence to be made and sworn to by the person making it, and the report and the bill for services, after examination and approval in writing by the magistrate, shall be forwarded to the public service commission within thirty days after the date of the inquest. When the magistrate has made his report therein he shall cause a copy thereof to be forwarded to said commission. The bill when approved by said commission shall be forwarded to the auditor and be paid by the commonwealth, assessed on the several railroad, electric railroad or street railway corporations or other corporations, persons, firms or associations owning or operating the railroad, electric railroad or street railway or railroad for private use on which the accident occurred, and shall be collected in the manner provided in section three of Part I of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six. The magistrate may, in his discretion, refuse fees to witnesses in the employ of the company upon whose railroad or railway the accident occurred.

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

Approved March 21, 1917.

Reports of evidence at inquests in railroad accidents.

Bill when approved, how paid, etc.

May refuse fees to certain witnesses.

Chap. 95 AN ACT RELATING TO CLERICAL ASSISTANCE IN THE OFFICE OF THE REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

Register of probate and insolvency for Middlesex county may employ additional clerical assistance.

SECTION 1. The register of probate and insolvency for the county of Middlesex shall be allowed, in addition to the amount now allowed by law, a sum not exceeding two thousand dollars a year from and after the first day of February in the year nineteen hundred and seventeen, for clerical assistance actually performed; to be paid from the treasury of the county of Middlesex upon the certificate of

the register countersigned by one of the judges of probate and insolvency for said county.

SECTION 2. This act shall take effect upon its passage.
Approved March 21, 1917.

AN ACT RELATIVE TO THE SALE OF THE ACTS AND LAWS OF *Chap. 96*
THE PROVINCE OF THE MASSACHUSETTS BAY.

Be it enacted, etc., as follows:

SECTION 1. The secretary of the commonwealth is hereby authorized to sell the acts and laws of the province of the Massachusetts Bay in single volumes, notwithstanding the provisions of chapter twenty of the resolves of the year eighteen hundred and seventy. Sale of "Province Laws."

SECTION 2. This act shall take effect upon its passage.
Approved March 21, 1917.

AN ACT RELATIVE TO THE TAXATION OF MUTUAL LIABILITY *Chap. 97*
INSURANCE COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section thirty-three of Part III of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, as amended by chapter two hundred and twenty-seven of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out the word "fire", in the sixteenth line, and by adding at the end thereof the words: — and *provided, further*, that no such deduction shall be allowed in the determination of the tax assessed under the provisions of sections twenty-nine, thirty and thirty-two of this part upon any foreign mutual insurance company unless such a deduction is allowed during the year by the laws of the state under which such company is organized in the assessment of a premium tax upon like mutual insurance companies chartered by this commonwealth, or upon their agents, when doing business therein, — so as to read as follows: — *Section 33.* In determining the amount of the tax payable under the five preceding sections, all unused balances on notes taken for premiums on open policies, all sums paid for return premiums on cancelled policies, and all sums actually paid either to other domestic insurance companies or to the agents of foreign companies for re-insurance on risks, the premiums on which, 1909, 490 (III), § 33, etc., amended.
Taxation of mutual liability insurance companies, deductions.

but for such re-insurance, would be liable to taxation, shall, in each case, be deducted from the full amount of premiums and assessments; but no deduction shall be allowed of sums paid for re-insurance effected otherwise than by licensed resident agents nor shall dividends in scrip or otherwise in stock, mutual or mixed companies be considered as return premiums. In addition to the foregoing deductions there shall also be deducted in the case of all mutual insurance companies taxable under the provisions of said sections the amount of all unabsorbed premium deposits actually returned or credited to policy holders during the year for which the tax is determined: *provided, however*, that no such deduction shall be made unless such unabsorbed premium deposits have been included as premiums received in a return made under section thirty-four of this part and a tax assessed thereon; and *provided, further*, that no such deduction shall be allowed in the determination of the tax assessed under the provisions of sections twenty-nine, thirty and thirty-two of this part upon any foreign mutual insurance company unless such a deduction is allowed during the year by the laws of the state under which such company is organized in the assessment of a premium tax upon like mutual insurance companies chartered by this commonwealth, or upon their agents, when doing business therein.

Provisos.

SECTION 2. This act shall take effect upon its passage.
Approved March 21, 1917.

Chap. 98 AN ACT RELATIVE TO THE TESTING AND SEALING OF TAXI-
METERS.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter five hundred and forty-one of the acts of the year nineteen hundred and nine is hereby amended by striking out all after the word "transportation", in the fifth and sixth lines, down to and including the word "towns", in the ninth line, and by adding at the end thereof the words: — Any owner or operator of a taxicab or other vehicle who refuses or neglects to comply with any rule or regulation so made by the commissioner shall be punished by a fine of ten dollars for each offence, — so as to read as follows: — *Section 1.* The provisions of chapter sixty-two of the Revised Laws relative to the testing and sealing of weights, measures and balances shall apply to all taximeters and other forms of measuring devices which

1909, 541, § 1,
amended.

Testing and
sealing of
taximeters.

are used upon vehicles for determining the cost of transportation. All such devices shall be tested as to the correctness of measures and values indicated by them, and the commissioner of weights and measures is empowered to make such rules and regulations as he may deem necessary to insure accuracy in the use of the said devices. Any owner or operator of a taxicab or other vehicle who refuses or neglects to comply with any rule or regulation so made by the commissioner shall be punished by a fine of ten dollars for each offence.

Penalty.

SECTION 2. Section two of said chapter five hundred and forty-one is hereby amended by striking out the words "The commissioner", in the first line, and inserting in place thereof the word: — Sealers, — so as to read as follows: — *Section 2.* Sealers of weights and measures shall seal the said devices when tested and found to be correct, and shall mark, condemn or seize the same if incorrect, in accordance with the provisions of said chapter sixty-two applicable to weights, measures and balances, and all penalties imposed by said chapter for violation of the provisions thereof relative to weights, measures and balances shall also be applicable to the said devices.

1909, 541, § 2, amended.

Devices to be sealed, etc.

SECTION 3. Section three of said chapter five hundred and forty-one is hereby amended by striking out the words "The commissioner", in the first line, and inserting in place thereof the word: — Sealers, — by striking out the word "him", in the fourth line, and inserting in place thereof the word: — them, — and by striking out the words "the commonwealth", in the fourth and fifth lines, and inserting in place thereof the words: — their respective cities and towns, — so as to read as follows: — *Section 3.* Sealers of weights and measures shall collect a fee of one dollar for each device sealed under the provisions of this act, and such fees shall be paid by them monthly into the treasury of their respective cities and towns.

1909, 541, § 3, amended.

Fees for sealing.

Approved March 21, 1917.

AN ACT TO PROVIDE FOR ADDITIONAL CLERICAL ASSISTANCE FOR THE TREASURER OF THE COUNTY OF PLYMOUTH.

Chap. 99

Be it enacted, etc., as follows:

Section three of chapter twenty-one of the Revised Laws, as amended by chapter two hundred and ninety-eight of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the word "five", in the

R. L. 21, § 3, etc., amended.

second line, and inserting in place thereof the word:— eight,— so as to read as follows:— For the county of Plymouth, not more than eight hundred dollars.

Approved March 21, 1917.

Additional clerical assistance for treasurer of Plymouth county.

Chap.100 AN ACT TO AUTHORIZE THE APPOINTMENT OF AN ASSISTANT CLERK OF THE COURTS FOR THE COUNTY OF BARNSTABLE.

Be it enacted, etc., as follows:

The justices of the supreme judicial court, or a majority of them, may appoint for a term of three years from the date of appointment, and may remove, an assistant clerk of the courts for the county of Barnstable, who shall receive an annual salary of eight hundred dollars, to be paid by said county. Said clerk shall be subject to the provisions of law applicable to assistant clerks of courts and may be a woman.

Approved March 21, 1917.

Appointment of an assistant clerk of courts for Barnstable county.

Chap.101 AN ACT RELATIVE TO APPEARANCES IN THE SUPREME JUDICIAL COURT AND THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Section fifty-four of chapter one hundred and seventy-three of the Revised Laws is hereby amended by striking out the word "ten", in the fourth line, and inserting in place thereof the word:— twenty-one, — and by inserting after the word "return", in the same line, the words:— or entry, — so as to read as follows:— *Section 54.* If the defendant in an action commenced in the supreme judicial court or the superior court, having been duly served with process, fails to enter an appearance in writing within twenty-one days after the return or entry day of the writ, his default shall be recorded, and after the expiration of four days from such default, the plaintiff may have judgment entered by order of the court or by the clerk as of course without any further order. Upon a default at any stage of the proceedings in an action pending in said courts, the damages shall, upon motion of either party, be assessed by a jury. If the defendant in an action commenced in a police, district or municipal court or before a trial justice, having been duly served with process, fails to appear or answer thereto, his default shall be recorded and judgment shall be rendered for the plaintiff with costs. Courts may, for good cause

R. L. 173, § 54, amended.

Appearances in the supreme judicial and superior courts.

Defaults.

shown, extend the time for entering an appearance, and may, in their discretion and upon terms, take off a default at any time before judgment. *Approved March 21, 1917.*

AN ACT TO ESTABLISH THE OFFICE OF CLERK OF THE FIRST DISTRICT COURT OF BARNSTABLE. Chap.102

Be it enacted, etc., as follows:

There shall be a clerk of the first district court of Barnstable, who, in accordance with the provisions of section one of chapter four hundred and fifty-three of the acts of the year nineteen hundred and four, shall receive an annual salary of seven hundred and twenty dollars to be so allowed from the first day of April in the year nineteen hundred and seventeen. *Approved March 21, 1917.*

Office of clerk of the first district court of Barnstable established.

AN ACT RELATIVE TO THE CAPACITY OF THE TUBERCULOSIS HOSPITAL TO BE ERECTED IN THE COUNTY OF BERKSHIRE. Chap.103

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter two hundred and eighty-six of the General Acts of the year nineteen hundred and sixteen is hereby amended by adding at the end thereof the following:—*provided*, that in the county of Berkshire a hospital may be constructed having a capacity of as many less than fifty beds as the state department of health shall approve,—so as to read as follows:—*Section 5.* County commissioners are authorized and directed, subject to the approval of the state department of health, to erect one or more hospitals within their respective counties to carry out the provisions of this act, or they may in the case of counties having a total population of less than fifty thousand inhabitants, as determined by the latest United States census, arrange to obtain tuberculosis hospital care for those consumptives coming within their jurisdiction by entering into a contract with a tuberculosis institution in a neighboring county in accordance with the provisions of section two. No new tuberculosis hospital shall be erected under the provisions of this act having a total capacity of less than fifty beds: *provided*, that in the county of Berkshire a hospital may be constructed having a capacity of as many less than fifty beds as the state department of health shall approve.

1916, 286 (G), § 5, amended.

County commissioners to erect one or more tuberculosis hospitals.

Capacity.

Proviso.

SECTION 2. This act shall take effect upon its passage. *Approved March 22, 1917.*

Chap. 104 AN ACT RELATIVE TO THE FILING OF RETURNS OF INSURANCE COMPANIES, ASSOCIATIONS OR PARTNERSHIPS WITH THE TAX COMMISSIONER.

Be it enacted, etc., as follows:

1909, 490 (III),
§ 34, amended.

Filing of
returns of
insurance com-
panies, asso-
ciations or
partnerships
with the tax
commissioner.

Time for
filing may
be extended.

Proviso.

SECTION 1. Part III of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out section thirty-four and inserting in place thereof the following:—*Section 34.* Every company liable to taxation under the provisions of sections twenty-eight and thirty-two shall annually, during the month of January, make a return to the tax commissioner, signed and sworn to by its secretary or other officer having knowledge of the facts, stating the amount insured by said company, the premiums received, and the assessments collected by it during the year ending on the preceding thirty-first day of December. Every foreign company, association or partnership, including associations formed upon the plan known as Lloyd's, authorized to do business in the commonwealth, shall annually, during the month of January, make a return to the tax commissioner, in such form as he shall prescribe, signed and sworn to by its secretary, manager or other officer having knowledge of the facts, of the amount insured by it upon property or interests in this commonwealth, and the premiums and assessments upon such insurance charged on contracts made by it or its agents in this commonwealth during the year ending on the preceding thirty-first day of December. For cause, the tax commissioner may extend the time within which any such statement may be filed, but not to a date later than the first day of March. Such returns shall state the whole amount of premiums charged by or in behalf of said company, association or partnership, either in cash or in notes absolutely payable, the amount claimed as a deduction therefrom under any of the provisions of this part, and also the classes of deductions and the amount of each class: *provided, however,* that the first return to be made after the passage of this act shall be made not later than the thirtieth day of September, in the year nineteen hundred and seventeen, and shall include the statements required by this section for the three months beginning with the first day of October, in the year nineteen hundred and sixteen, and ending on the thirty-first day of December, in the year nineteen hun-

dred and sixteen; and thereafter returns shall be made in the month of January for the year ending on the preceding thirty-first day of December.

SECTION 2. Section ninety-three of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended in the first paragraph thereof by chapter one hundred and seventy of the acts of the year nineteen hundred and eight, and by chapter four hundred and twenty-nine of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the second paragraph beginning with the words "Every agent" in the twenty-second line and ending with the words "premiums received" in the fortieth line.

1907, 576, § 93,
etc., amended.

SECTION 3. This act shall take effect upon its passage.
Approved March 22, 1917.

AN ACT RELATIVE TO PAY OF OFFICERS AND ENLISTED MEN
OF THE VOLUNTEER MILITIA AND TO MILITIA ALLOW-
ANCES. Chap. 105

Be it enacted, etc., as follows:

SECTION 1. Chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended in section one hundred and seventy-three by chapter five hundred and thirty-two of the acts of the year nineteen hundred and thirteen, and by section one of chapter three hundred and fifty of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out said section one hundred and seventy-three and inserting in place thereof the following:—*Section 173.* (a) There shall be allowed and paid per diem to officers of the volunteer militia, on rolls and accounts in such form as the commander-in-chief may prescribe, for the duty prescribed in sections one hundred and forty-one, one hundred and forty-two, one hundred and fifty-one, one hundred and fifty-two and one hundred and sixty, the same per diem pay and allowances as are received by officers of like grade in the regular army, navy or marine corps.

1908, 604, § 173,
etc., amended.

Pay to officers
of the volun-
teer militia.

(b) There shall be allowed and paid per diem to soldiers of the volunteer militia on rolls and accounts in such form as the commander-in-chief may prescribe for the duty prescribed by sections one hundred and forty-one, one hundred and forty-two and one hundred and sixty as follows:— non-

Pay to soldiers,
etc., of the
volunteer
militia.

Same subject.

commissioned staff officers, and petty officers of corresponding rank or rating in the naval militia, three dollars and five cents; bandsmen, four dollars and fifty-five cents; cooks, and in the naval militia cooks, first class, bakers, first class, cabin steward, cabin cook, ward room steward, ward room cooks, steerage steward, and steerage cooks, three dollars and fifty-five cents, if, in such form as the commander-in-chief prescribes, it is certified and made to appear that in each case the duty of superintending and assisting in the preparation of the food of the company was actually performed by the cook, baker, or steward in person during the tour of duty or day of duty for which he is returned for pay; otherwise, the pay of other enlisted men of like grade; and every other enlisted man, one dollar and fifty-five cents.

Pay to soldiers, etc., for certain duty.

(e) There shall be allowed and paid per diem to soldiers of the volunteer militia, except bandsmen and cooks, on rolls and accounts in such form as the commander-in-chief may prescribe, for the duty prescribed by sections one hundred and fifty-one and one hundred and fifty-two, the same per diem pay and allowances as are received by soldiers of like grade in the regular army, navy or marine corps. Bandsmen and cooks shall receive the same per diem pay for this duty as is provided for bandsmen and cooks under the preceding paragraph of this section: *provided*, that the pay to soldiers for services under sections one hundred and fifty-one and one hundred and fifty-two, as hereinbefore allowed, shall not be construed as being in addition to pay of equal amount which may be allowed from federal funds.

Proviso.

Pay as witness, etc., under summons.

(d) For all other duty under orders of the commander-in-chief, unless otherwise specially provided, or as a witness or defendant under summons, as provided in section one hundred and eighty-five, there shall be allowed and paid per diem to all officers above the rank, or equivalent naval rank, of captain, four dollars; to every other commissioned officer, two dollars and fifty cents; to every member of a band, three dollars and fifty-five cents, and, if with troops, one dollar additional; and to every enlisted man, one dollar and fifty-five cents.

Allowance for horses and draft animals.

(e) There shall be allowed for each horse actually used and furnished by officers and soldiers authorized to be mounted, and for each draft animal used, a sum not exceeding four dollars a day, which shall be in full for keeping and forage, except that when forage is furnished in kind, as

provided in section one hundred and seventy, the cost of the same shall be deducted from this allowance.

(f) In addition to the pay herein specified, each member of a band and each enlisted man shall receive forty-five cents per diem, in lieu of subsistence, except as is provided in section one hundred and seventy-six. Allowance, in lieu of subsistence.

(g) All sums specified as pay for officers and enlisted men under this section shall be paid from the appropriation for pay and allowances for the militia. Sums, how paid.

SECTION 2. Chapter six hundred and four of the acts of the year nineteen hundred and eight as amended in section one hundred and seventy-seven, by chapter four hundred and eighty-one of the acts of the year nineteen hundred and fourteen and by chapter eighty-six of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out said section one hundred and seventy-seven and inserting in place thereof the following: 1908, 604, § 177, etc., amended.

— *Section 177.* There shall annually be allowed and paid for postage, printing, stationery, care of property, equipment, military expense including clerical assistance, to each brigade and naval brigade headquarters, one hundred and fifty dollars; to each regimental headquarters, twelve hundred dollars, and fifty dollars for every company in the command; to each administrative naval battalion, twelve hundred dollars, and fifty dollars for every company in the command; to headquarters of a squadron of cavalry, six hundred dollars; to the first corps of cadets, six hundred dollars; and to each company or division, five hundred dollars, and five dollars for each enlisted man attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law. There shall annually be allowed and paid to each headquarters, department, corps and company, the sum of two dollars for each enlisted man, excepting bandsmen not mustered, attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law, the amount so paid to be expended in the repair and alteration of uniforms, or in defraying the incidental military expenses of the several organizations. Allowances for sundry military expenses.

There shall annually be allowed and paid to each regimental, separate battalion, squadron, corps and each naval battalion headquarters, and each company for the services of a company armorer or armorer for regimental, separate battalion, squadron, corps and naval battalion headquarters, who shall devote all necessary attention to the care of the Allowances for arms, equipments, etc.

arms, equipments, uniforms and quarters of the headquarters or company, the sum of one hundred and twenty-five dollars.

Repeal.

SECTION 3. So much of section one hundred and sixty-two of chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended by section one of chapter five hundred and ninety-four of the acts of the year nineteen hundred and eleven, as provides for state pay for rendezvous drill, and so much of section one hundred and seventy-four of chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended by section two of chapter six hundred and forty-two of the acts of the year nineteen hundred and eleven, by section one of chapter three hundred and ninety-nine of the acts of the year nineteen hundred and twelve, and by section one of chapter six hundred and sixty-four of the acts of the year nineteen hundred and thirteen, as provides for an annual allowance for the care of and responsibility for military property of the commonwealth are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved March 22, 1917.

*Chap.*106 AN ACT RELATIVE TO THE LISTING OF VOTERS IN THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

1913, 835, § 15,
etc., amended.

SECTION 1. Section fifteen of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, as amended by section one of chapter ninety-one of the General Acts of the year nineteen hundred and fifteen, and by section one of chapter twenty-nine of the General Acts of the year nineteen hundred and seventeen, is hereby further amended by inserting after the word "Boston", wherever it occurs, the words: — and Chelsea, — so as to read as follows: — *Section 15.* The assessors, assistant assessors, or one or more of them, shall annually, in April or May, visit every building in their respective cities and towns and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, age, occupation and residence, on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person twenty years of age or upwards, residing in their respective cities and towns, liable to be assessed for a poll tax; and, except in Boston and Chelsea, shall inquire at the residences of the women voters whose

Assessors to
make lists of
male persons
liable to a poll
tax except in
Boston and
Chelsea.

To make lists
of women
voters.

names are contained in the list transmitted to them by the registrars under the provisions of section forty-four whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them.

Any inmate of the Soldiers' Home in the city of Chelsea shall have the same right as any other resident of that city to be assessed and to vote therein.

Inmates of Soldiers' Home may be assessed and vote in Chelsea.

Assessors to correct errors and supply omissions.

The assessors shall, upon the personal application of an assessed person for the correction of any error in their original lists, and whenever informed of any such error, make due investigation, and, upon proof thereof, correct the same on their books. When informed of the omission of the name of a person who is averred to have lived in the city or town on the first day of April in the current year, and to have been assessed there in the preceding year, they shall make due investigation, and, upon proof thereof, supply the omission on their books, and, except in Boston and Chelsea, give immediate notice thereof to the registrars of voters. They shall cause all applications, certificates and affidavits received by them under this section to be preserved for two years.

Applications, etc., to be preserved for two years.

SECTION 2. Section sixteen of said chapter eight hundred and thirty-five, as amended by section two of said chapter ninety-one, and by section two of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston", the words:— and Chelsea, — so as to read as follows:— *Section 16.* The assessors, except in Boston and Chelsea, shall from time to time, and before the fifteenth day of June in each year, transmit to the registrars of voters, the lists made as provided in the preceding section, or certified copies thereof, and shall promptly transmit to the registrars and to the collector of taxes notice of every addition to and correction in the lists made by them. Every assessor, assistant assessor and collector of taxes shall furnish all information in his possession necessary to aid the registrars in the performance of their duties.

1913, 835, § 16, etc., amended.

Except in Boston and Chelsea, assessors to transmit to registrars and collectors lists, etc.

SECTION 3. Section seventeen of said chapter eight hundred and thirty-five, as amended by section three of said chapter ninety-one, and by section three of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston", the words:— and Chelsea, — so as to read as follows:— *Section 17.* The assessors of cities, except in Boston and Chelsea, shall, on or before the fifteenth day of June in each year, and the assessors of towns having over

1913, 835, § 17, etc., amended.

Assessors of cities, except Boston and Chelsea and certain towns

to prepare
street lists, etc.

five thousand inhabitants according to the latest census, state or national, shall, on or before the first day of July in each year, prepare street lists containing the names of all persons assessed by them for poll taxes for the current year. Such lists for cities and for towns divided into voting precincts shall be arranged by voting precincts. They shall print such lists in pamphlet form, shall deliver to the registrars as many copies thereof as they may require, and shall hold the remaining copies for public distribution. In all other towns they shall, on or before the first day of July in each year, cause lists of all persons assessed therein for poll taxes to be prepared and conspicuously posted in two or more public places in every such town. In towns not divided into voting precincts such lists may be arranged alphabetically, according to the names of the persons on the list, or by streets.

Lists of assessed
polls to be
posted in cer-
tain towns.

May be
arranged
alphabetically
in certain
towns.

1913, 835, § 18,
etc., amended.

SECTION 4. Section eighteen of said chapter eight hundred and thirty-five, as amended by section four of said chapter ninety-one, and by section four of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston", the words: — and Chelsea, — so as to read as follows: — *Section 18.* Except in Boston and Chelsea, the assessors shall name or designate in such street lists all buildings used as residences, in their order on the street where they are located, by giving the number or other definite description of each building so that it can be readily identified, and shall place opposite to or under each number or other description of a building the name, age and occupation of every person residing therein on the first day of April of the current year and assessed for a poll tax, and his residence on the first day of April of the preceding year.

Form and con-
tents of street
lists.

1913, 835, § 19,
etc., amended.

SECTION 5. Said chapter eight hundred and thirty-five, as amended in section nineteen by section five of said chapter ninety-one, and by section five of said chapter twenty-nine, is hereby further amended by striking out said section nineteen, and inserting in place thereof the following: — *Section 19.* If a male person resident in a city or town, except Boston and Chelsea, on the first day of April was not assessed for a poll tax, he shall, in order to establish his right to assessment, present to the assessors before the close of registration a statement under oath that he was on said day a resident of such city or town and liable to pay a poll tax therein, and a list under oath of his polls and estate and shall also produce before the assessors two witnesses who

Assessment of
persons not
previously
assessed.

shall testify, under oath, that they are voters of the ward or town in which such person desires to be registered and that the statement of the applicant is true.

A male person who becomes a resident of a city or town, except Boston and Chelsea, after the first day of April and desires to be registered as a voter shall present to the assessors a statement under oath that he has been a resident of such city or town for six months immediately preceding the election at which he claims the right to vote, and shall produce before the assessors two witnesses, who shall testify under oath that they are voters of the ward or town in which such person desires to be registered and that the statement of the applicant is true. If the assessors are satisfied that such statement is true, they shall, in the first case, assess the applicant for his polls and estate and give him a certificate of assessment, and in the second, give him a certificate that he has been a resident in such city or town for the six months preceding the election, and shall forthwith notify the registrars of voters of the city or town, if in this commonwealth, where such person resided on the first of April, that they have given such certificate.

SECTION 6. Section twenty of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, is hereby amended by inserting after the word "Boston", in the first line, the words: — and Chelsea, — so as to read as follows: — *Section 20.* The assessors, except in Boston and Chelsea, shall enter the name and residence of each person thus assessed or certified in a book provided for that purpose, and opposite to each name, the names, occupations and residences of the persons who have testified as above provided.

In every place where voters are registered, the registrars, in Boston the election commissioners, and in every place where oaths are administered as required by this act the assessors, shall post in a conspicuous place a copy of sections four hundred and sixty and four hundred and sixty-two printed on white paper with black ink, in type not less than one quarter of an inch wide.

SECTION 7. Section forty-six of said chapter eight hundred and thirty-five, as amended by section six of said chapter ninety-one, by section one of chapter eighty-seven of the General Acts of the year nineteen hundred and sixteen, and by section six of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston",

Certain persons desiring to be registered to present a statement to assessors, etc.

1913, 835, § 20, amended.

Record of persons assessed to be kept.

Copies of sections prescribing penalties to be posted.

1913, 835, § 46, etc., amended.

the words:— and Chelsea, — so as to read as follows:—
Section 46. Every male applicant for registration, except in Boston and Chelsea, whose name has not been transmitted to the registrars as provided in section sixteen shall present a tax bill or notice from the collector of taxes, or a certificate from the assessors showing that he was assessed as a resident of the city or town on the preceding first day of April, or a certificate that he became a resident therein at least six months preceding the election at which he claims the right to vote, and the same shall be prima facie evidence of his residence.

Male applicant to present tax bill or certificate, etc.

Listing board in Chelsea, how constituted.

SECTION 8. There is hereby established in the city of Chelsea a listing board composed of the chief of police of said city and the board of assessors ex officio. In case of a tie vote or other disagreement in said board, the presiding justice of the police court of Chelsea, or in case of his disability, the senior associate justice of said court who is not disabled, shall, for the purpose of settling the disagreement, or breaking the tie vote, be a member of said board and shall preside and cast the deciding vote.

To make lists of male persons, etc.

SECTION 9. The listing board shall, within the first seven week days of April in each year, by itself or by police officers, visit every building in said city, and, after diligent inquiry, make true lists, arranged by streets, wards and voting precincts, and containing as nearly as the board can ascertain, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person, twenty years of age or upward, who is not a pauper in a public institution, residing in the city. The said board shall designate in such lists all buildings used as residences by such male persons, in their order on the street where they are situated, by giving the number or other definite description of every such building so that it can readily be identified, and shall place opposite the number or other description of every such building the name, age and occupation of every such male person residing therein on the first day of April in the current year, and his residence on the first day of April in the preceding year. The board shall also inquire at the residences of the women voters whose names are contained in the list prepared by the registrars of voters, under the provisions of section forty-four of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, and which shall be transmitted by said registrars

Buildings used as residences to be designated, etc.

To make lists of women voters.

to the listing board before the first day of April in each year, whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them. If in any year the chief of police shall believe it to be impracticable, because of any public exigency requiring unusual service from the police force of the city, to complete within the first seven week days of April the said visitation, and to transmit to the registrars of voters on or before the eighteenth day of April the lists described in this section, he shall have authority, after giving notice in writing to the listing board, to take such further time for such visitation and transmission, not exceeding ten week days, as he shall deem necessary.

Chief of police may take further time when necessary, etc.

The board shall place in the lists made by it, opposite the name of every such male person or woman voter, the name of the inmate, owner or occupant of the building, or the name and residence of any other person, who gives the information relating to such male person or woman voter. Where such information is given by one person relating to more than one such male person or woman voter residing in one building, ditto marks may be used in the said lists under the name of the person giving the information, after his name has once been placed opposite the name of such male person or woman voter first written down as residing in the building.

Names of informants to be given, etc.

The board shall, upon the personal application of a person listed for the correction of any error in their lists, or whenever informed of any such error, make due investigation, and upon proof thereof correct the same on their lists, and shall immediately notify the registrars of voters of such correction, who shall correct their copies of said lists accordingly and proceed to revise and correct the registers under the provisions of section fifty-one of said chapter eight hundred and thirty-five. The board shall cause all applications and affidavits received by it under this section to be preserved for two years.

To correct errors in lists, etc.

SECTION 10. The board shall, on or before the eighteenth day of April in each year, transmit to the registrars of voters certified copies of those parts of the lists prepared as provided in the preceding section, containing the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person, twenty years of age or upward residing in said city, and shall promptly

Applications, etc., to be preserved for two years.

To transmit copies of lists to registrars of voters, etc.

transmit to the registrars of voters notice of every addition to and correction in the lists made by it. The board shall furnish all information in its possession necessary to aid the registrars in the performance of their duties.

To prepare printed copies of lists, etc.

SECTION 11. The board shall, on or before the first day of June in each year, prepare printed copies of the lists prepared for the use of the registrars of voters. The board shall print such lists in pamphlet form by precincts, deliver to the registrars of voters as many copies thereof as they may require, and hold the remaining copies for public distribution.

Listing of persons not previously listed.

SECTION 12. If a male person, twenty years of age or upward, resident in Chelsea on the first day of April, was not listed by the board, he shall, in order to establish his right to be listed, appear before the board of assessors at such time as it may designate, the members of which are hereby authorized to administer oaths for this purpose, and present under oath a statement in writing that he was on said day a resident of said city, giving his name, age, occupation and residence on the first day of April in the current year, and his residence on the first day of April in the preceding year.

Certain persons desiring to be listed to present a statement in writing, etc.

A male person, twenty years of age or upward, who becomes a resident of said city after the first day of April, and desires to be listed, shall appear before any member of the board of assessors, who is hereby authorized to administer oaths for this purpose, and present under oath a statement in writing that he became a resident of said city at least six months immediately preceding the election at which he claims the right to vote, giving his name, age, occupation and residence on the above date, and his residence on the first day of April in the preceding year.

Board of assessors to give certificate in certain cases.

If the board of assessors, after investigation, is satisfied that such statements are true, it shall give the applicant a certificate that he was a resident of said city on said first day of April, or a certificate that he became a resident at least six months immediately preceding the election, as the case may be, which certificate shall state his name, age, occupation and residence on the first day of April in the current year or on the above date, as the case may be, and his residence on the first day of April in the preceding year; but no such application shall be received later than the thirtieth day preceding a state or a municipal election, and no such person shall be listed or be given such certificate

later than the twenty-first day preceding the state or municipal election. The board shall also forthwith transmit to the registrars of voters the names of all persons receiving such certificates, together with their residence on the first day of April in the current and in the preceding year. The board shall not, after the last day for making the said application before a state election, receive an application until after the election.

In every place where oaths are administered for the purpose of listing, the board of assessors shall post in a conspicuous place a copy of section four hundred and sixty of said chapter eight hundred and thirty-five, printed on white paper with black ink, in type not less than one quarter of an inch wide.

SECTION 13. The board of assessors shall enter the date of application, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every such applicant, as above provided, together with the result of its investigation of his application in a book provided for that purpose, which shall be open for public inspection. The board shall cause to be printed in some newspaper published in Chelsea, the name and residence of every such applicant. The names and residences of the applicants shall be printed by wards and precincts within two days after the number of names of applicants, not printed, reaches fifty; and on the day when that number is reached, the names to be printed within the said two days shall include the names of all such applicants up to the close of business for this purpose in the office of the board on the said day.

SECTION 14. The board of assessors shall keep its office open during such hours as shall be necessary to carry out the provisions of the preceding two sections.

SECTION 15. The registrars of voters shall, after the first day of April in each year, prepare an annual register containing the names of all qualified voters in Chelsea for the current year, beginning with the first day of April. The names shall be arranged by wards and precincts and, opposite the name of each voter, shall be entered his residence on the preceding first day of April or any subsequent day when he became a resident of said city. The registrars of voters shall enter in the annual register every name contained in the lists, for the current year, of persons transmitted to them by the listing board, giving, as the residence of each person on the first day of April, the place at which

Copy of laws prescribing penalties to be posted.

Record of applications to be kept, etc.

1932-1933

Sessions of assessors.

Annual register, entries, arrangement, etc.

he was listed by said board; and likewise the name and residence, as aforesaid, of every woman voter whose name is contained in the list of women voters transmitted to them under this act: *provided*, that in every case they are able to identify the name so transmitted as that of a man or woman whose name was borne on the voting list of said city at the last preceding election. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any of the registrars of voters, until such person has been duly notified and given an opportunity to be heard by them, and shall have appeared and satisfied them of his right to have his name so entered. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each male and female voter of the preceding year whose name has not been entered in the annual register of the current year that his name has not so been entered. They shall, before the first day of April in each year, transmit to the listing board a list of the women voters whose names are contained upon the register of the preceding year, with their residences, as they appear on said register.

Proviso.

Registrars to make inquiries, investigations, etc.

To send notice to male and female voters whose names have not been entered in annual register.

Registration, personal application, necessary in certain cases.

1913, 835, § 436, etc., amended.

Penalty on listing board or police officer in Boston or Chelsea.

1913, 835, § 458, etc., amended.

SECTION 16. Every person, male or female, whose name has not been entered in the annual register in accordance with the preceding section, shall, in order to be registered as a voter, apply in person for registration and prove that he is qualified to register.

SECTION 17. Section four hundred and thirty-six of said chapter eight hundred and thirty-five, as amended by section eight of said chapter ninety-one, and by section thirteen of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston", the words: — or Chelsea, — so as to read as follows: — *Section 436*. A member of the listing board or a police officer in Boston or Chelsea who knowingly enters on any list of male persons or women voters, or causes, or allows to be entered thereon, or reports the name of any person as a resident of a building, who is not a resident thereof, shall for each offence be punished by imprisonment for not more than one year.

SECTION 18. Section four hundred and fifty-eight of said chapter eight hundred and thirty-five, as amended by

section nine of said chapter ninety-one, and by section fourteen of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston", the words: — or Chelsea, — so as to read as follows: — *Section 458.* Whoever in Boston or Chelsea, being an inmate of a building and a male resident twenty years of age or upward, refuses or neglects to give his true name, when asked by a member of the listing board or a police officer acting under this act, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his knowledge relating to all persons residing in such building, when asked by a member of the listing board or a police officer acting under this act, shall be punished by imprisonment for not more than three months.

Penalty for refusing to give true name or information in Boston or Chelsea.

SECTION 19. Section four hundred and fifty-nine of said chapter eight hundred and thirty-five, as amended by section ten of said chapter ninety-one, and by section fifteen of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston", the words: — or Chelsea, — so as to read as follows: — *Section 459.* Whoever knowingly gives to an assessor or assistant assessor, for the purpose of the assessment of a poll tax, or in Boston or Chelsea to a member of the listing board or a police officer, for the purpose of making a list of male residents twenty years of age or upward or women voters or a report under this act, the name of any person as a resident of a building, who is not a resident therein, shall be punished by imprisonment for not more than one year.

1913, 835, § 459, etc., amended.

Penalty for giving name of non-resident.

SECTION 20. Section four hundred and sixty of said chapter eight hundred and thirty-five, as amended by section eleven of said chapter ninety-one, and by section sixteen of said chapter twenty-nine, is hereby further amended by inserting after the word "Boston", the words: — or Chelsea, — so as to read as follows: — *Section 460.* Whoever knowingly or wilfully makes a false affidavit, takes a false oath or signs a false certificate relative to the qualifications of any person for assessment or registration, or in Boston or Chelsea for being listed, shall be punished by imprisonment for not more than one year.

1913, 835, § 460, etc., amended.

Penalty for false affidavit, oath or certificate.

SECTION 21. Section fifty-seven of Part II of chapter six hundred and eighty of the acts of the year nineteen hundred and eleven, as amended by section one of chapter five hundred and eighty-three of the acts of the year nine-

1911, 680, § 57, etc., amended.

Administrative
officers, elec-
tion, removal,
etc.

teen hundred and thirteen, and by section four of chapter five hundred and ninety-two of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the words "five assistant assessors, one from each ward who shall perform such duties as the board of assessors may prescribe", in the fifteenth and sixteenth lines, — so as to read as follows: — *Section 57.* The board of aldermen shall elect, may remove and shall fix the salary, if any, of all administrative officers of the city, except as is otherwise provided in this act. There shall be the following administrative officers, who shall perform the duties by law prescribed for them, respectively, and such further duties, not inconsistent with the nature of their respective offices and with general laws, as the board of aldermen may prescribe: a city clerk; a city treasurer, who may be collector of taxes; a city auditor; a city solicitor; a city messenger; a city physician; a city engineer, who shall be superintendent of streets and sewers, and who shall have the powers of surveyors of highways and all the powers of road commissioners not herein otherwise conferred; a board of assessors, consisting of three persons; a water commissioner; a board of park commissioners, consisting of five persons; a board of registrars of voters, consisting of three persons; a board of trustees of the public library, consisting of six persons; a board of trustees of the soldiers' burial lot, consisting of three persons; a board of commissioners of sinking funds, consisting of three persons; a board of overseers of the poor, consisting of three persons; a board of health, consisting of three persons, one of whom shall be a physician; a superintendent of public buildings, who shall be inspector of buildings; a superintendent of fire alarms, who shall be inspector of wires; a clerk of committees; a chief of police; a chief engineer of the fire department.

SECTION 22. This act shall take effect upon its passage.

Approved March 22, 1917.

Chap. 107 AN ACT TO AUTHORIZE THE PAYMENT OF BURIAL BENEFITS TO MEMBERS OF FRATERNAL BENEFICIARY CORPORATIONS.

Be it enacted, etc., as follows:

Fraternal
beneficiary
corporations
may pay
burial benefits
to members.

SECTION 1. Any fraternal beneficiary corporation authorized to transact business in this commonwealth may provide in its by-laws that a part of the amount payable as a

death benefit may be used to pay the funeral expenses of the insured: *provided*, that the amount so paid shall not exceed one hundred dollars and shall be deducted from the amount payable as a death benefit; and *provided, further*, that this act shall not affect the rights of those corporations subject to section twenty-nine b of chapter six hundred and twenty-eight of the acts of the year nineteen hundred and eleven, and amendments thereof.

Proviso.

SECTION 2. This act shall take effect upon its passage.
Approved March 22, 1917.

AN ACT TO AUTHORIZE FRATERNAL BENEFIT SOCIETIES TO GRANT WITHDRAWAL EQUITIES. Chap.108

Be it enacted, etc., as follows:

Subsection two of section five of chapter six hundred and twenty-eight of the acts of the year nineteen hundred and eleven is hereby amended by inserting after the word "protection", in the sixth line, the words: — or such withdrawal equities, — so as to read as follows: — *Subsection 2.* Any society which shall show by the annual valuation hereinafter provided for that it is accumulating and maintaining the full reserve required by a table of mortality not lower than the American Experience Table and four per cent interest, may grant to its members such extended or paid-up protection or such withdrawal equities as its constitution and laws may provide: *provided*, that such grants shall be equitable, and shall in no case exceed in value the portion of the reserve derived from the payments of the individual members to whom they are made.

1911, 628, § 5 (2), amended.

Fraternal benefit societies may grant withdrawal equities.

Proviso.

Approved March 22, 1917.

AN ACT RELATIVE TO THE TABULATION OF THE RETURNS OF VOTES ON CERTAIN QUESTIONS SUBMITTED TO THE VOTERS. Chap.109

Be it enacted, etc., as follows:

SECTION 1. Section three hundred and nine of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by inserting after the word "officers", in the tenth line, the words: — together with the records of votes cast on any question submitted by statute to the voters in any senatorial or repre-

1913, 835, § 309, amended.

Returns of votes to be transmitted to the secretary of the commonwealth.

Returns of votes to county commissioners and clerks of courts, etc.

For register of deeds in Chelsea, Revere and Winthrop.

For county commissioners, etc., in Revere and Winthrop, etc.

1913, 835, § 312, amended.

Examination of returns of votes.

representative district or in two or more cities or towns, said record shall be, — and by inserting after the word “for”, in the twenty-sixth line, the words: — and questions on, — so as to read as follows: — *Section 309.* The clerk of each city and town, within ten days, and in Boston the election commissioners, within fifteen days, after the day of any election therein for a senator in congress, representative in congress, governor, lieutenant governor, councillor, secretary, treasurer and receiver general, auditor of the commonwealth, attorney-general, clerk of courts, register of probate and insolvency, sheriff, district attorney, or senator, or for presidential electors, shall transmit to the secretary of the commonwealth copies of the records of votes for such officers, together with the records of votes cast on any question submitted by statute to the voters in any senatorial or representative district or in two or more cities or towns, said record shall be certified by the aldermen or the selectmen, or by the election commissioners, and attested and sealed by the clerk or by said commissioners. The city or town clerk shall, within ten days after an election for county treasurer or register of deeds, transmit to the county commissioners, and within ten days after an election therein for county commissioners or associate commissioners, transmit to the clerk of the courts the records of votes for such officers, certified, attested and sealed as aforesaid; except that in Chelsea, Revere and Winthrop the records of votes for register of deeds shall be transmitted to the election commissioners of Boston, and that in Revere and Winthrop the records of votes for county commissioner and associate commissioners shall be transmitted to the clerk of the courts for the county of Middlesex. Such copies shall be transmitted in envelopes, upon which shall be stated the offices for, and questions on which and the districts in which the votes were cast.

SECTION 2. Section three hundred and twelve of said chapter eight hundred and thirty-five is hereby amended by inserting after the word “offices”, in the sixth line, the words: — and the result of the votes on any question or questions, — so as to read as follows: — *Section 312.* The secretary of the commonwealth shall lay before the governor and council the copies of the records of votes cast with their seals unbroken. The governor with at least five councillors shall, as soon as may be, open and examine all such copies and determine who are elected to the several offices, and the

result of the votes on any question or questions. Upon such determination, the secretary, upon application, shall furnish to newspapers an abstract of the records of the votes examined.

Abstract for newspapers.

SECTION 3. Section three hundred and twenty-nine of said chapter eight hundred and thirty-five is hereby amended by adding at the end thereof the following: — and a duplicate copy thereof, sealed, to be by him transmitted to the governor and council; and the committee of the council tabulating the returns of votes shall include in their report thereon the number of ballots cast in a district wherein a question is submitted to the voters and a return thereon is made to the secretary of the commonwealth, — so as to read as follows: — *Section 329.* The city or town clerk, in Boston the election commissioners, shall, within fifteen days after an election of state, city or town officers, certify to the secretary of the commonwealth the total number of names of male and of female voters checked on the voting list at such election in each voting precinct or town, and a duplicate copy thereof, sealed, to be by him transmitted to the governor and council; and the committee of the council tabulating the returns of votes shall include in their report thereon the number of ballots cast in a district wherein a question is submitted to the voters and a return thereon is made to the secretary of the commonwealth.

1913, 835, § 329, amended.

Number of names checked and ballots cast on questions to be certified to the secretary of the commonwealth.

Approved March 22, 1917.

AN ACT PROVIDING FOR A MEAL INTERVAL OF AT LEAST FORTY-FIVE MINUTES FOR ALL WOMEN AND PERSONS UNDER EIGHTEEN YEARS OF AGE EMPLOYED IN FACTORIES.

Chap. 110

Be it enacted, etc., as follows:

Chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by striking out section sixty-eight and inserting in place thereof the following: — *Section 68.* No woman or person under eighteen years of age shall be employed for more than six hours at one time in a factory or workshop in which five or more such persons are employed without an interval of at least forty-five minutes for a meal; but such person may be so employed for not more than six and one half hours at one time if such employment ends not later than one o'clock in the afternoon and if he or she is then dismissed from the factory or workshop for the remainder of the day; or for

1909, 514, § 68, amended.

1935-131-1

Meal intervals for women and minors in factories.

not more than seven and one half hours at one time if he or she is allowed sufficient opportunity for eating a lunch during the continuance of such employment and if such employment ends not later than two o'clock in the afternoon, and he or she is then dismissed from the factory or workshop for the remainder of the day. *Approved March 22, 1917.*

*Chap.*111 AN ACT TO REQUIRE HOSPITALS TO FURNISH CERTAIN INFORMATION.

Be it enacted, etc., as follows:

Hospitals
required to
furnish certain
information.

SECTION 1. Any hospital in this commonwealth rendering, or which has rendered, medical or surgical service to any person at the expense of a city or town, shall, upon request, furnish such city or town with any or all information which it may have or be able to secure from the patient, or from any person with whom it has dealt with respect to such person, as to the legal settlement of such patient.

Penalty.

SECTION 2. Any hospital failing to comply with the provisions of this act shall be subject to a fine of ten dollars for each offence. *Approved March 22, 1917.*

*Chap.*112 AN ACT TO PROHIBIT THE CHARGING OF FEES FOR DAIRY, MILK AND LIVE STOCK INSPECTION.

Be it enacted, etc., as follows:

Charging of
fees for dairy,
milk and live
stock inspection
prohibited.

SECTION 1. No fee for making, under authority of law, any inspection or test of live stock, or any inspection of any dairy, barn or stable, for the purpose of protecting the milk supply of any city or town, shall be requested or accepted by any official or other person making or assisting to make such test or inspection.

Penalty.

SECTION 2. Violation of this act shall be punished by a fine not exceeding fifty dollars for each offence.

Approved March 22, 1917.

*Chap.*113 AN ACT RELATIVE TO THE GRANTING OF CERTIFICATES TO NEW INSURANCE COMPANIES TO ISSUE POLICIES.

Be it enacted, etc., as follows:

1907, 576, § 25,
amended.

Section twenty-five of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven is hereby amended by striking out the said section, and inserting in place thereof the following:— *Section 25.* No domestic insurance company shall issue policies until, upon

Domestic
insurance
companies to

examination by the commissioner, his deputy or examiner, it is found to have complied with the laws of the commonwealth, adopted a proper system of accounting, employed a competent accountant and a competent and experienced underwriter, and to be without liabilities except, if a stock company, to stockholders for the amount paid in for shares of stock, nor until it has obtained from the commissioner a certificate stating that it has complied with the foregoing conditions and all other laws, and authorizing it to issue policies.

obtain certificate before issuing policies.

Approved March 22, 1917.

AN ACT TO AUTHORIZE THE COUNTY OF NORFOLK TO ACQUIRE ADDITIONAL LAND FOR THE REGISTRY OF DEEDS IN DEDHAM.

Chap. 114

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Norfolk are hereby authorized to purchase, or take by right of eminent domain, such land in the immediate vicinity of the registry of deeds in Dedham as may be required for the convenient use and preservation of the said building, and may expend for this purpose a sum not exceeding ten thousand dollars.

County of Norfolk may acquire land in Dedham for registry of deeds.

SECTION 2. The cost of acquiring the said land shall be paid from the income of the county derived from taxation or, if the county commissioners deem it best, they may issue notes or bonds for the said amount to be paid within a period of not more than five years from the dates of issue. Such notes or bonds shall be issued under the serial plan in the manner prescribed by chapter seven hundred and nineteen of the acts of the year nineteen hundred and thirteen for the incurring of municipal indebtedness by cities and towns.

May issue bonds.

SECTION 3. In case land is taken by eminent domain for the aforesaid purpose, the said commissioners shall, within sixty days after such taking, file in said registry of deeds a description thereof sufficiently specific for identification, and in case of their inability to agree with any person sustaining damages by reason of said taking as to the amount thereof, said damages shall be determined and paid in the manner provided by law for the assessment and payment of damages sustained by the laying out of highways.

Description of lands, etc., to be recorded.

Approved March 22, 1917.

Chap. 115 AN ACT TO PROVIDE FOR THE DEVELOPMENT AND STATEWIDE
EXTENSION OF THE PSYCHOPATHIC HOSPITAL SERVICE.

Be it enacted, etc., as follows:

Development
and exten-
sion of the
psychopathic
hospital service.

SECTION 1. The commission on mental diseases is hereby authorized to develop, extend and complete a statewide system of psychopathic hospital service by establishing new hospital and out patient units in suitable districts in connection with existing or future state hospitals under the supervision of said commission. The administration of the separate new district units and the appropriations granted therefor shall be in accordance with laws governing the state hospitals to which the land, buildings and furnishing of said units shall appertain. The direction of the scientific work in the proposed new units, together with that of the psychopathic department of the Boston state hospital already established under the provisions of chapter four hundred and seventy of the acts of the year nineteen hundred and nine, shall be vested in the commission on mental diseases by means of its duly appointed agents, and said commission shall provide, out of the appropriation for the department, for the salaries and wages of directing and investigative officers and employees and for the expenses of investigation of the nature, causes, treatment and results of mental disease and defect.

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

Approved March 29, 1917.

Chap. 116 AN ACT RELATIVE TO THE EXPENSE OF REGISTERING CERTAIN
BONDS AND OTHER SECURITIES.

Be it enacted, etc., as follows:

Expense of
registering
certain bonds,
etc., to be
borne by the
common-
wealth.

SECTION 1. The expense involved in making the exchange provided for by section one of chapter one hundred and thirty-six of the acts of the year nineteen hundred and nine shall be borne by the commonwealth, and the blank form described in section one of chapter three hundred and seventy-seven of the acts of the year nineteen hundred and twelve shall be furnished, if requested, by the county, city or town desiring the exchange of the securities as therein provided.

SECTION 2. Chapter one hundred and fifty-two of the General Acts of the year nineteen hundred and sixteen is hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage.
Approved March 29, 1917.

AN ACT TO EXTEND THE CORPORATE POWERS OF LIFE INSURANCE COMPANIES. Chap.117

Be it enacted, etc., as follows:

SECTION 1. Life insurance companies incorporated in this commonwealth are hereby authorized to make contracts of pure endowment, and to grant, purchase and dispose of annuities.

Corporate powers of life insurance companies extended.

SECTION 2. This act shall take effect upon its passage.
Approved March 29, 1917.

AN ACT RELATIVE TO TEMPORARY CLERICAL ASSISTANCE IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH. Chap.118

Be it enacted, etc., as follows:

SECTION 1. The secretary of the commonwealth is hereby authorized to employ such temporary clerical assistance as he may deem necessary to carry out the provisions of chapter ninety-eight of the General Acts of the year nineteen hundred and sixteen, entitled "An Act to ascertain and carry out the will of the people relative to the calling and holding of a constitutional convention", and the provisions of chapter nineteen of the Revised Laws and of the civil service rules made thereunder shall not apply to such employment.

Employment of temporary clerical assistance in the office of the secretary of the commonwealth.

SECTION 2. This act shall take effect upon its passage.
Approved March 29, 1917.

AN ACT AUTHORIZING THE METROPOLITAN PARK COMMISSION TO EXPEND A FURTHER SUM FOR PROTECTING AND SURFACING THE NORTHEASTERN SHORE OF LYNN HARBOR. Chap.119

Be it enacted, etc., as follows:

SECTION 1. The metropolitan park commission may expend a sum not exceeding five thousand dollars for the purpose of completing the work of filling the flats under the control of said commission in the Lynn harbor, and of protecting said filling and surfacing, as originally authorized by chapter one hundred and thirty of the resolves of the year

Metropolitan park commission may expend further sum for protecting, etc., shore of Lynn harbor.

Expenditures,
how assessed.

nineteen hundred and thirteen and by chapter one hundred and sixteen of the resolves of the year nineteen hundred and sixteen. The expenditures hereby authorized shall be assessed upon the cities and towns comprising the metropolitan parks district for the maintenance of reservations.

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

Approved March 29, 1917.

*Chap.*120

AN ACT INCREASING THE SUM THAT MAY BE EXPENDED IN RECONSTRUCTING THE ESSEX BRIDGE OVER DANVERS RIVER BETWEEN THE CITIES OF SALEM AND BEVERLY.

Be it enacted, etc., as follows:

1916, 132 (G),
§ 3, amended.

SECTION 1. Section three of chapter one hundred and thirty-two of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting after the word "hundred", in the second line, the words:— and forty,— so as to read as follows:— *Section 3.* The expense incurred under this act shall not exceed the sum of two hundred and forty thousand dollars, and the said commissioners are hereby authorized to borrow on the credit of the county such sums, not exceeding the said amount, as may from time to time be required for the cost and expense aforesaid. All amounts so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest.

Loan increased
for reconstruct-
ing Essex
bridge over
Danvers
river, etc.

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

Approved March 29, 1917.

*Chap.*121

AN ACT TO PROVIDE FOR THE EXTERMINATION OF THE FOOT AND MOUTH DISEASE AMONG DOMESTIC ANIMALS.

Be it enacted, etc., as follows:

Extermination
of foot and
mouth disease
among
domestic
animals.

SECTION 1. All neat cattle and other domestic animals, which are affected with, or have been exposed to, foot and mouth disease, shall be destroyed when, in the opinion of the commissioner of animal industry, the public good so requires, and their carcasses shall be buried or otherwise disposed of. An order for killing and for the disposal of carcasses shall be issued in writing by said commissioner, and may be directed to an agent, an inspector of animals,

or other person. The said commissioner shall also issue such directions for the cleansing and disinfection of buildings, premises and places in which foot and mouth disease exists or has existed, and of property which may be on or contained therein, as in his opinion may be necessary or expedient. Any property on such premises which may be, in the opinion of the commissioner of animal industry or of his agents, a source of contagion may be destroyed by order of the commissioner. The necessary expenses incurred in carrying out the provisions of this section may be paid from the annual appropriation for the extermination of contagious diseases among domestic animals.

Cleansing of buildings, etc.

Destruction of property.

SECTION 2. The commissioner of animal industry may appoint persons to make appraisals on live stock and other property the destruction of which is ordered under the provisions of section one hereof, and fifty per cent of the full value of such live stock and other property, as determined by the appraisal, may be paid from the annual appropriation for the extermination of contagious diseases among domestic animals, subject, both as regards live stock and other property, to the rights of arbitration and petition provided for by section twenty-six of chapter ninety of the Revised Laws relative to the destruction of animals affected with tuberculosis, so far as the same may be applicable. In case the United States government makes an appropriation for payment of a certain portion of the value of any animals and property destroyed in accordance with this act, the payment by the commonwealth for such animals or property shall be limited to the difference between such portion and the full value thereof determined as herein provided.

Appraisals of live stock destroyed.

Payment for animals or property limited.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1917.

AN ACT RELATIVE TO RETURNS TO THE PUBLIC SERVICE COMMISSION. *Chap. 122*

Be it enacted, etc., as follows:

SECTION 1. The annual returns now required by law to be made to the public service commission shall be returns for the year ending on the thirty-first day of December, and shall be transmitted thereto, upon blank forms to be furnished by the commission, on or before the thirty-first day of the following March, or such subsequent date as in any case, for good cause shown, the commission may fix.

Returns to public service commission, date, etc.

Street railway companies, returns of, certain period of time to be reckoned in.

SECTION 2. In respect to returns filed by street railway companies, under order of the public service commission, for the twelve months ended on the thirty-first day of December in the year nineteen hundred and sixteen, the period of six months from the thirtieth day of June to the thirty-first day of December in said year shall be deemed, under the provisions of section sixty-eight of chapter five hundred and ninety of the acts of the year nineteen hundred and eight, subdivision Fifth, and amendments thereof, relative to the investment of deposits, and the income derived therefrom, of savings banks in the bonds of street railway companies, as one of the five years therein mentioned, but the requirement that dividends equal to at least five per cent upon all the outstanding capital stock of a street railway company shall have been earned and paid in cash in each of said five years, shall not apply to said period of six months; and any street railway company which shall have earned and paid in dividends in cash an amount equal to five per cent upon all its outstanding capital stock in each of the five preceding years, with the exception of said six months period, shall be included in the list to be certified and transmitted by the commission. The list required by the provisions of said section sixty-eight to be certified and transmitted to the bank commissioner shall, after the passage hereof, be so certified and transmitted on or before the fifteenth day of June in each year.

Street railway companies, list to be certified to bank commissioner.

1906, 463 (11), § 248, amended.

SECTION 3. Section two hundred and forty-eight of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six is hereby amended by striking out the words "board of railroad commissioners", wherever they appear in said section, and inserting in place thereof the words: — public service commission, — by striking out the word "board", wherever it occurs in said section, and inserting in place thereof the word: — commission, — by striking out the words "first Wednesday of September", in the seventh line, and inserting in place thereof the words: — thirty-first day of March, — and by striking out the words "thirtieth day of June", in the ninth and twenty-sixth lines, and inserting in place thereof the words: — thirty-first day of December, — and by striking out the words "by them and", in the tenth and eleventh lines, so as to read as follows: — *Section 248.* A railroad corporation shall keep its books and accounts in the manner prescribed by the public service commission, and shall at all times submit its

Railroad corporations to keep books and accounts.

books to the inspection of said commission or of any committee of the general court which may be authorized to inspect them; and the directors shall annually, on or before the thirty-first day of March, transmit to the said commission a report of their doings for the year ending on the thirty-first day of December preceding, which shall be called the annual return and which shall be sworn to by the treasurer and the chief accounting officer of the corporation. Such return shall state whether any fatal accident or serious injury has occurred to a passenger or other person upon the railroad during the year, and, if so, the cause of such accident or injury and the circumstances under which it occurred; shall set forth copies of all contracts or leases made with other railroad corporations during the year, and specify the receipts and expenditures under the same; and shall include a detailed statement of all particulars relative to the railroad, its business, receipts and expenditures during the year, in such form as shall be prescribed by said commission under the provisions of section twenty of Part I. The books of each corporation shall be so kept that returns may be made in exact conformity with the form so prescribed; and the accounts shall be closed on the thirty-first day of December in each year, so that a balance sheet of that date can be taken therefrom and included in the return. Every railroad corporation, which neglects to make said annual return within the time prescribed in this section, or to amend said return within fifteen days, when required by the public service commission as provided in said section twenty, shall forfeit, for every such neglect, fifty dollars for each day during which such neglect continues; and if such corporation unreasonably refuses or neglects to make said return, it shall forfeit for every such refusal or neglect not more than five thousand dollars.

Annual returns.

Penalty for neglect to make annual return.

SECTION 4. Section one hundred and fifty-one of Part III of said chapter four hundred and sixty-three is hereby amended by striking out the words "board of railroad commissioners", in the third line, and inserting in place thereof the words:— public service commission, — by striking out the word "board", wherever it occurs in said section, and inserting in place thereof the word:— commission, — by striking out the words "first Wednesday of November", in the fifth line, and inserting in place thereof the words:— thirty-first day of March, — by striking out the words "thirtieth day of September", in the seventh line, and in-

1906, 463 (III), § 151, amended.

Street railway companies to keep books and accounts and make annual returns.

serting in place thereof the words:—thirty-first day of December,—by striking out the words “by themselves and”, in the eighth line, by striking out the word “superintendent”, in the ninth line, and inserting in place thereof the words:—chief accounting officer,—and by striking out the words “companies and individuals”, in the eleventh line, and inserting in place thereof the words:—street railway companies,—so as to read as follows:—*Section 151.* Every street railway company shall keep its books and accounts in a uniform manner, upon the system prescribed by the public service commission; and the directors of every company shall annually, on or before the thirty-first day of March, transmit to said commission a return of the doings of the company for the year ending on the thirty-first day of December preceding, which shall be sworn to by the treasurer and the chief accounting officer of the company. Such return shall set forth copies of all leases and contracts made during the year with other street railway companies, and shall contain full and complete information upon the several items contained in the form prescribed by said commission. A company which owns a leased railway shall be responsible for the completeness and correctness of its annual return to the same extent as if the railway were in its own possession. If a return is defective or appears to be erroneous, the said commission shall notify the company to amend it within fifteen days. A company which neglects to make a return, or to amend it when notified so to do, shall forfeit twenty-five dollars for each day during which such neglect continues.

Penalty for failure to make return.

Repeal.

SECTION 5. Chapter five hundred and two of the acts of the year nineteen hundred and nine, as amended by chapter five hundred and fifty-eight of the acts of the year nineteen hundred and ten, is hereby repealed.

SECTION 6. This act shall take effect upon its passage.

Approved March 29, 1917.

Chap. 123 AN ACT RELATIVE TO CLERICAL ASSISTANCE FOR THE REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF HAMPDEN.

Be it enacted, etc., as follows:

Clerical assistance for the register of probate and insolvency for

The register of probate and insolvency for the county of Hampden shall be allowed, in addition to the amount now allowed by law, a sum not exceeding eight hundred dollars

annually for clerical assistance actually performed, to be paid out of the treasury of the commonwealth upon the certificate of the register, approved by the judge of probate and insolvency for said county.

Hampden county.

Approved March 29, 1917.

AN ACT TO ESTABLISH THE OFFICE OF CLERK OF THE SECOND DISTRICT COURT OF BARNSTABLE.

Chap. 124

Be it enacted, etc., as follows:

There shall be a clerk of the second district court of Barnstable, who, in accordance with the provisions of section one of chapter four hundred and fifty-three of the acts of the year nineteen hundred and four, shall receive an annual salary of seven hundred and twenty dollars, to be so allowed from the first day of April in the year nineteen hundred and seventeen.

Office of clerk of the second district court of Barnstable established.

Approved March 29, 1917.

AN ACT RELATIVE TO THE TESTING AND SEALING OF STANDARD WEIGHTS, MEASURES AND BALANCES OF CITIES AND TOWNS.

Chap. 125

Be it enacted, etc., as follows:

SECTION 1. At least once in ten years, or oftener if he deems it necessary, the standard weights, measures and balances of every city and town shall be tested, adjusted and sealed under the direction of the commissioner of weights and measures; he shall also see that such standards are kept in good order and condition, and for that purpose may at any time, and shall upon request of a city or town treasurer, cause an inspection of the standards to be made. The commissioner and his inspectors may also inspect the weights, measures and balances of any person, firm or corporation which are used for buying, selling or exchanging any goods, wares, merchandise or other commodity, or for public weighing in any city or town, and, if they find them inaccurate, shall forthwith inform the mayor or selectmen who shall cause the provisions of law relating thereto to be enforced. If the commissioner or an inspector discovers a violation of the laws, he may enter a complaint and prosecute the same, and for this purpose, shall have the same powers relative to the enforcement of all laws pertaining to weights and measures as are conferred upon local sealers of weights and measures by statute. Whoever hinders, obstructs or

Testing and sealing of standard weights, measures and balances of cities and towns.

Complaint, etc.

Penalty.

in any way interferes with him in the performance of his duty shall be punished by a fine of not more than three hundred dollars, or by imprisonment for not more than sixty days.

Repeal.

SECTION 2. Section nine of chapter sixty-two of the Revised Laws is hereby repealed.

Approved March 29, 1917.

Chap.126 AN ACT TO ENABLE THE PROBATE COURT TO DETERMINE QUESTIONS ARISING FROM OMISSION OF PROVISION FOR CHILDREN IN WILLS.

Be it enacted, etc., as follows:

R. L. 162, § 5,
etc., amended.

Section five of chapter one hundred and sixty-two of the Revised Laws, as amended by chapter one hundred of the acts of the year nineteen hundred and ten, is hereby further amended by inserting after the word "wills", in the fifth line, the words: — including questions arising under sections nineteen and twenty of chapter one hundred and thirty-five of the Revised Laws, — so as to read as follows: — *Section 5.* The probate court shall have jurisdiction in equity, concurrent with the supreme judicial court and with the superior court, of all cases and matters relative to the administration of the estates of deceased persons, to wills, including questions arising under sections nineteen and twenty of chapter one hundred and thirty-five of the Revised Laws, or to trusts which are created by will or other written instrument, of all matters relative to guardianship and conservatorship, and of all matters relative to the partition of land so far as said probate court has jurisdiction in partition, including sales of land and distribution of the proceeds in partition proceedings. Such jurisdiction may be exercised upon petition according to the usual course of proceedings in the probate court.

Probate court
may determine
questions
arising from
omission of
provision for
children in
wills.

Approved March 29, 1917.

Chap.127 AN ACT TO AUTHORIZE THE COUNTY OF NORFOLK TO PURCHASE A FARM IN CONNECTION WITH THE HOUSE OF CORRECTION AT DEDHAM.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Norfolk are hereby authorized to purchase, or take in fee by right of eminent domain, land in said county to be used

County of
Norfolk may
purchase a
farm at
Dedham.

as a county farm in connection with the Norfolk county house of correction at Dedham, and may expend for this purpose a sum not exceeding twenty-five thousand dollars.

SECTION 2. For the purposes aforesaid the county commissioners of the county of Norfolk are hereby authorized to borrow from time to time upon the credit of the county a sum not exceeding twenty-five thousand dollars, and to issue the bonds or notes of the county therefor. Said bonds or notes shall be payable in such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within fifteen years from its date, and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. The said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, on such terms and conditions as the county commissioners may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes herein specified.

May issue
bonds.

SECTION 3. The county commissioners, at the time of authorizing the said loan, shall provide for the payment thereof in accordance with section two of this act; and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the county, and to make such payments on the principal as may be required under the provisions of this act, shall be levied as a part of the county tax of the county of Norfolk annually thereafter, in the same manner in which other taxes are levied, until the debt incurred by said loan or loans is extinguished.

Payment of
loan.

SECTION 4. In case land is taken by eminent domain for the aforesaid purpose, the said commissioners shall, within sixty days after such taking, file in the registry of deeds for said county a description thereof sufficiently specific for identification, and in case of their inability to agree with any person sustaining damages by reason of said taking as to the amount thereof, said damages shall be determined and paid in the manner provided by law for the assessment and payment of damages sustained by the laying out of highways.

Description of
lands, etc., to
be recorded.

Approved March 29, 1917.

*Chap.*128 AN ACT TO AUTHORIZE FRATERNAL BENEFIT SOCIETIES TO PAY DEATH OR ANNUITY BENEFITS UPON THE LIVES OF CERTAIN CHILDREN.

Be it enacted, etc., as follows:

Fraternal benefit societies may pay death or annuity benefits upon lives of certain children.

SECTION 1. Any fraternal benefit society authorized to do business in this commonwealth and operating on the lodge system, may provide in its constitution and by-laws, in addition to other benefits provided for therein, for the payments of death or annuity benefits upon the lives of children between the ages of two and eighteen years at the next birthday, for whose support and maintenance a member of the society is responsible. Any such society may at its option organize and operate branches for such children, and membership in local lodges and initiation therein shall not be required of such children, nor shall they have any voice in the management of the society. The total death benefits payable as above provided shall in no case exceed the following amounts at ages at the next birthday at the time of death, respectively, as follows: two, thirty-four dollars; three, forty dollars; four, forty-eight dollars; five, fifty-eight dollars; six, one hundred and forty dollars; seven, one hundred and sixty-eight dollars; eight, two hundred dollars; nine, two hundred and forty dollars; ten, three hundred dollars; eleven, three hundred and eighty dollars; twelve, four hundred and sixty dollars; thirteen to fifteen, five hundred and twenty dollars; and sixteen to eighteen years, where not otherwise authorized by law, six hundred dollars.

Restrictions on issue of death benefit certificates.

SECTION 2. No death benefit certificate as to any child shall take effect until after medical examination or inspection by a licensed medical practitioner, in accordance with the laws of the society, nor shall any such benefit certificate be issued unless the society shall simultaneously put in force at least five hundred such certificates, on each of which at least one assessment has been paid, nor where the number of lives represented by such certificate falls below five hundred. The death benefit contributions to be made upon such certificate shall be based upon the "Standard Industrial Mortality Table" or the "English Life Table Number Six" and a rate of interest not greater than four per cent per annum, or upon a higher standard: *provided*, that contributions may be waived or returns may be made from any

Proviso.

surplus held in excess of reserve and other liabilities, as provided in the by-laws; and, *provided, further*, that extra contributions shall be made if the reserves hereafter provided for become impaired. Proviso.

SECTION 3. Any society entering into such insurance agreements shall maintain on all such contracts the reserve required by the standard of mortality and interest adopted by the society for computing contributions as provided in section two, and the funds representing the benefit contributions, and all accretions thereto shall be kept as separate and distinct funds, independent of the other funds of the society, and shall not be liable for, nor used for, payment of the debts and obligations of the society other than the benefits herein authorized: *provided*, that a society may provide that when a child reaches the minimum age for initiation into membership in such society, any benefit certificate issued hereunder may be surrendered for cancellation and exchanged for any other form of certificate issued by the society; *provided, also*, that such surrender will not reduce the number of lives insured in the branch below five hundred, and upon the issuance of such new certificate any reserve upon the original certificate herein provided for shall be transferred to the credit of the new certificate. Neither the person who originally made application for benefits on account of such child, nor the beneficiary named in such original certificate, nor the person who paid the contribution, shall have any vested right in such new certificate, the free nomination of a beneficiary under the new certificate being left to the child so admitted to benefit membership. Reserve to be maintained.

SECTION 4. An entirely separate financial statement of the business transactions, and of assets and liabilities arising therefrom, shall be made in its annual report to the insurance commissioner by any society availing itself of the provisions hereof. The separation of assets, funds and liabilities required hereby shall not be terminated, rescinded or modified, nor shall the funds be diverted for any use other than as specified in section three, as long as any certificates issued hereunder remain in force, and this requirement shall be recognized and enforced in any liquidation, reinsurance, merger or other change in the condition of the status of the society. Provisos.

SECTION 5. Any society shall have the right to provide in its laws and in the certificate issued hereunder for specified payments on account of the expense or general fund, which Nomination of beneficiary under new certificate.

Separate financial statement in annual report to insurance commissioner.

Specified payments.

payments shall or shall not be mingled with the general fund of the society as its constitution and by-laws may provide.

Certificate to be continued for benefit of child's estate.

Proviso.

SECTION 6. In case of the termination of membership in the society by the person responsible for the support of any child on whose account a certificate may have been issued, as provided herein, the certificate may be continued for the benefit of the estate of the child: *provided*, that the contributions are continued, or, for the benefit of any other person responsible for the support and maintenance of such child who shall assume the payment of the required contributions.

(The foregoing was laid before the governor on the twenty-third day of March, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 129 AN ACT RELATIVE TO THE EMPLOYMENT OF PRISONERS IN RECLAIMING AND CULTIVATING LAND.

Be it enacted, etc., as follows:

1913, 633, etc., amended.

Employment of prisoners in reclaiming and cultivating land.

Payment for labor of prisoners.

SECTION 1. Chapter six hundred and thirty-three of the acts of the year nineteen hundred and thirteen, as amended by chapter one hundred and eighty of the acts of the year nineteen hundred and fourteen, and by chapter one hundred and seventy-seven of the General Acts of the year nineteen hundred and fifteen, is hereby further amended by adding after section two the following new section to be numbered three: — *Section 3.* The director of prisons may purchase or lease land, with funds specifically appropriated therefor by the general court, for the purpose of improving and cultivating it by the labor of prisoners from the prison camp and hospital; and the director of prisons may also make arrangements with officials of the commonwealth and officials of cities and towns to employ the said prisoners on any unimproved land, and in the construction, repair and care of public institutions and highways adjacent thereto. When prisoners are so employed they shall be in the custody of the superintendent of the prison camp and hospital. There shall be paid into the treasury of the commonwealth monthly for the labor of any prisoners employed as above provided, such sums as may be agreed upon between the director of prisons, the superintendent of the prison camp and hospital and the other parties in interest. The director

of prisons shall annually file an estimate, at the same time and in the same manner as estimates for the maintenance of the institutions under his control are required to be filed, calling for an appropriation to carry out the provisions of this act, including the necessary services of supervision. Expenditures from the appropriation shall be made upon schedules, with vouchers, approved by the superintendent and the director of prisons; but the expenditures in any year shall not exceed the amount of the receipts during that year from the employment of prisoners as aforesaid; and if in any year the said receipts exceed the expenditures, the excess shall be transferred and applied toward the maintenance of the prison camp and hospital.

Estimates to be filed.

Expenditures, how made.

Excess receipts to be transferred, etc.

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

Approved April 3, 1917.

AN ACT RELATIVE TO THE PURCHASE AND SALE OF ARTICLES BY JUNK DEALERS. *Chap. 130*

Be it enacted, etc., as follows:

SECTION 1. Section twenty-nine of chapter one hundred and two of the Revised Laws, as amended by section one of chapter one hundred and eighty-seven of the acts of the year nineteen hundred and two, and by section one of chapter five hundred and fifty-four of the acts of the year nineteen hundred and ten, is hereby further amended by striking out the words "board of police", in the third line, and inserting in place thereof the words: — police commissioner, — and also by striking out the last sentence, so as to read as follows: — *Section 29.* The mayor and aldermen of any city except Boston, and in Boston, the police commissioner, and the selectmen of any town, if ordinances or by-laws therefor have been adopted in such city or town, may license suitable persons to be dealers in and keepers of shops for the purchase, sale or barter of junk, old metals or second hand articles, in such city or town. They may also license suitable persons as junk collectors, to collect, by purchase or otherwise, junk, old metals and second hand articles from place to place in such city or town; and they may provide that such collectors shall display badges upon their persons or upon their vehicles, or upon both, when engaged in collecting, transporting or dealing in junk, old metals or second hand articles; and may prescribe the design thereof. They may also provide that such shops and all articles of merchandise

R. L. 102, § 29, etc., amended.

Purchase and sale of articles by junk dealers regulated.

therein, and any place, vehicle or receptacle used for the collection or keeping of the articles aforesaid, may be examined at all times by the mayor and aldermen or selectmen, or by any person by them respectively authorized thereto. The aforesaid licenses may be revoked at pleasure, and shall be subject to the provisions of sections one hundred and eighty-six to one hundred and eighty-nine, inclusive, of this chapter.

SECTION 2. This act shall take effect upon its passage.
Approved April 3, 1917.

Chap. 131 AN ACT TO AUTHORIZE THE COMMISSION ON MENTAL DISEASES TO PROVIDE FOR THE INTERSTATE TRANSFER OF INDIGENT INSANE PERSONS.

Be it enacted, etc., as follows:

1909, 504, § 69,
etc., amended.

Interstate
transfer of
indigent insane
persons.

Provisos.

Agreement
with boards of
other states,
etc.

SECTION 1. Chapter five hundred and four of the acts of the year nineteen hundred and nine, as amended in section sixty-nine, by section one of chapter three hundred and thirty-four of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the said section sixty-nine, and inserting in place thereof the following:—*Section 69.* The commission on mental diseases may, subject to the provisions of section seventy, transfer to and from any institution or receptacle under its supervision, any inmate thereof who, in the opinion of the commission, is a proper subject for admission to the institution or receptacle to which he is to be transferred: *provided*, that no such inmate shall be transferred to be detained as an insane person unless he shall have been duly committed as insane by a judge or court; and *provided, further*, that no person shall so be transferred to the Bridgewater state hospital unless he has been a criminal and vicious in his life. A record of such transfer shall be entered in the registers of the institutions to and from which he is transferred. The commitment papers, together with an abstract of his hospital case-record, shall be transmitted with him to the institution to which he is transferred. The commission may also remove any pauper inmates of institutions under its supervision, who are not subject to the orders of a court, to any country, state or place where they belong. The commission may also enter into an agreement with the corresponding board or commission of any other state for the transfer of indigent insane from one state to the other where

they, after a full investigation of all the facts in each case, may be deemed equitably to belong. In making such transfers and removals the commission shall, so far as is practicable, employ nurses or attendants instead of officers of the law, and shall employ female nurses or attendants to accompany female patients.

Employment of nurses, etc.

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

Approved April 3, 1917.

AN ACT RELATIVE TO REINSURANCE IN UNAUTHORIZED COMPANIES. Chap.132

Be it enacted, etc., as follows:

SECTION 1. Insurance in companies not authorized to transact business in this commonwealth, but having the necessary charter rights, may be written to cover steam boiler and fly-wheel risks in this commonwealth under the terms and conditions now or hereafter imposed by law upon the writing of fire insurance on property in this commonwealth in such companies.

Reinsurance in unauthorized companies to cover steam boiler and fly-wheel risks.

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

Approved April 3, 1917.

AN ACT RELATIVE TO THE SUPPORT OF INMATES IN INSTITUTIONS UNDER THE SUPERVISION OF THE COMMISSION ON MENTAL DISEASES. Chap.133

Be it enacted, etc., as follows:

SECTION 1. Section eighty-two of chapter five hundred and four of the acts of the year nineteen hundred and nine, as amended by section one of chapter two hundred and eight of the General Acts of the year nineteen hundred and fifteen, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 82.* The trustees of the institutions mentioned in section fourteen, and of the Massachusetts School for the Feeble-Minded, may, directly or through an authorized agent or agents, make contracts fixing the price for the support of inmates, at a sum not less than six dollars per week, and binding the persons making such contracts to payment thereunder. The price for the support of inmates for whose support such a contract is not made, or of inmates payments for whose support under such contracts are in default and for insane inmates of the state infirmary and

1909, 504, § 82, etc., amended.

Support of inmates in institutions under the supervision of the commission on mental diseases.

insane inmates of the Bridgewater state hospital, not under orders of a court, shall be determined by the commission on mental diseases at a sum not exceeding six dollars per week for each person, and may be recovered of such persons or of the husband, wife, father, mother, grandfather, grandmother, child or grandchild if of sufficient ability. A married woman shall be subject to the said liability as though sole. Such action shall be brought by the attorney-general in the name of the treasurer and receiver general.

Liability of married woman.

Recovery of payments.

Any person making payment for such support may by suit in equity in the superior court, to which any or all of the classes of persons hereinbefore named may be made parties, regardless of the existence of the marriage relation, recover the same from any person primarily liable for such support, or have the amount so paid apportioned among those who are not primarily liable, in proportion to their ability, respectively, to pay, and may recover such apportionment.

Removal of guardians or conservators.

Any guardian or conservator of such an inmate who, having property of his ward in his possession or control exceeding two hundred dollars in value, fails to pay, within three months after receipt of any bill therefor, for his support at the rate determined by the commission on mental diseases, shall, upon application of the attorney-general, forthwith be removed.

Sworn statement to be prima facie evidence.

In all proceedings under this section the sworn statement of a person that he is the superintendent of one of said institutions, or keeps or has custody of the records thereof or of the records of the commission on mental diseases, and that a certain person has been an inmate of said institution during a certain period of time, or that the price of the support of a certain inmate has been determined at a certain sum by the commission on mental diseases, shall be prima facie evidence of the said facts.

SECTION 2. This act shall take effect upon its passage.
Approved April 3, 1917.

Chap. 134 AN ACT TO AUTHORIZE THE APPOINTMENT OF A THIRD AND FOURTH ASSISTANT CLERK OF COURTS FOR THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

Appointment of third and fourth assist-

SECTION 1. The justices of the supreme judicial court, or a majority of them, may appoint a third and a fourth assistant

clerk of the courts for the county of Essex, who shall be subject to the provisions of law applicable to assistant clerks of courts, and each of whom shall receive an annual salary of two thousand dollars, to be paid by said county.

assistant clerk of courts for Essex county.

SECTION 2. Chapter two hundred and fifty-three of the acts of the year nineteen hundred and seven is hereby repealed.

Repealed.

SECTION 3. This act shall take effect upon its passage.
Approved April 3, 1917.

AN ACT RELATIVE TO THE POWERS OF PROBATION OFFICERS. *Chap. 135*

Be it enacted, etc., as follows:

Section thirty-seven of chapter two hundred and twelve of the Revised Laws, as amended by section one of chapter three hundred and eighty-four of the acts of the year nineteen hundred and five, is hereby further amended by striking out the word "twice", in the twelfth and fifty-second lines, and inserting in place thereof in each instance the words: — four times, — so as to read as follows: — *Section 37.* Whoever arrests a person for drunkenness shall make a complaint against him therefor at the next session of the court or of the trial justice having jurisdiction of the case; and such court or trial justice may proceed to hear and to dispose of the same according to due course of law; and may, if the accused has been released under the provisions of this section, order the issuance of a warrant for the arrest, or a summons for the appearance, of the accused for trial, or if the court is satisfied by the report of its probation officer, or otherwise, or if the trial justice is satisfied upon inquiry that the accused has not four times before been arrested for drunkenness within a year, and that his statement in writing hereinafter mentioned is true, the court or trial justice may thereupon direct that the accused, if still in custody, be released without arraignment; and if not in custody, that further proceedings in the case be suspended or that the complaint be dismissed.

R. L. 212, § 37, etc., amended.

Persons arrested for drunkenness may be released in certain cases.

A person so arrested may, after he has recovered from his intoxication, make a statement in writing, addressed to the court or trial justice having jurisdiction of his offence, giving his name and address, setting forth what persons, if any, are dependent upon him for support, his place of employment, if any, and whether he has been arrested for drunkenness within the twelve months next preceding, and

Persons so arrested may make a statement in writing with request for release, etc.

requesting to be released from custody; and may deliver said statement to the officer in charge of the place in which he is confined, who shall indorse thereon the name of the arresting officer, and if the arrest is made within the jurisdiction of a trial justice, his opinion of the probable truth of said statement for the use of such trial justice, and shall transmit the same to such trial justice; and if the arrest is made within the jurisdiction of a court having a probation officer, the officer in charge of the place in which he is confined shall transmit such statement to said probation officer. Said probation officer, or his assistants, shall forthwith inquire into the truth thereof and shall investigate the record of said person as to previous similar offences, and, for the use of the court having jurisdiction of the case, shall indorse on such statement, with his signature, the result of his investigation. The officer for the time being in charge of the place of custody in a town where no probation officer resides forthwith may release, and elsewhere the probation officer or assistant probation officer of the court having jurisdiction of the offence may direct the officer in charge of the place of custody forthwith to release, and such officer so in charge shall thereupon release, such arrested person pursuant to his request: *provided*, that the officer so releasing or directing the release believes that the person arrested has given his true name and address, that he will appear upon a summons, and that he has not four times before been arrested for drunkenness within the preceding twelve months.

Approved April 3, 1917.

Duties of
probation
officers, etc.

Proviso.

Chap. 136 AN ACT TO INCREASE THE EXEMPTION FROM TAXATION OF CERTAIN PROPERTY OF WIDOWS AND OTHER PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The ninth clause of section five of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, as amended by section one of chapter one hundred and forty-four of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out the said clause and inserting in place thereof the following: — Ninth, The property, to the amount of one thousand dollars, of a widow, of an unmarried woman above the age of twenty-one years, of a person above the age of seventy-five years, or of any minor whose father is deceased, who are legal residents of the commonwealth, whether such property be owned by such persons separately,

1909, 490 (1),
§ 5, etc.,
amended.

Certain prop-
erty of widows,
etc., exempt
from taxation.

or jointly, or as tenants in common: *provided*, that the whole estate, real and personal, of such person does not exceed in value the sum of one thousand dollars, exclusive of property otherwise exempted under the provisions of this section and exclusive of the value of the mortgage interest held by persons other than the person to be exempted in such mortgaged real estate as may be included in such whole estate; but if the whole estate, including the value of such mortgage interest, exceeds the sum of one thousand dollars, the amount so exempted shall not be less than one thousand dollars. If the property of a person entitled to such exemption is taxable in more than one city or town, or partly without the commonwealth, only such proportion of the one thousand dollars exemption shall be made in any city or town as the value of the property taxable in such city or town bears to the whole of the taxable property of such person. No property shall be so exempt which the assessors shall adjudge has been conveyed to such persons to evade taxation. A person aggrieved by any such judgment may appeal to the county commissioners within the time and in the manner allowed by the provisions of section seventy-six.

Proviso.

Exemption, when taxable in more than one city or town.

Appeal.

Time of taking effect.

SECTION 2. This act shall take effect as of the first day of April in the current year. *Approved April 3, 1917.*

AN ACT TO EXTEND THE TIME DURING WHICH RIDERS MAY BE USED ON FIRE INSURANCE POLICIES. *Chap.137*

Be it enacted, etc., as follows:

Section two of chapter one hundred and fifty of the General Acts of the year nineteen hundred and sixteen is hereby amended by striking out the word "seventeen", in the first and second lines; and inserting in place thereof the word: — eighteen, — so as to read as follows: — *Section 2.* Until July first, nineteen hundred and eighteen, section one of this act may be made effective by attaching the provision as above amended as a rider to the policy instead of printing it in the body thereof. *Approved April 3, 1917.*

1916, 150 (G), § 2, amended.

Time during which riders may be used on fire insurance policies extended.

AN ACT RELATIVE TO THE AUTHORITY OF THE SUPERVISOR OF ADMINISTRATION TO INVESTIGATE PURCHASES FOR THE COMMONWEALTH. *Chap.138*

Be it enacted, etc., as follows:

Section three of chapter two hundred and ninety-six of the General Acts of the year nineteen hundred and sixteen

1916, 296 (G), § 3, amended.

Finance committee of executive council to act as board of advisers, etc.

Rules and regulations.

Penalty.

is hereby amended by striking out the word "and", in the eighth and seventeenth lines, and by inserting after the word "materials", in the same lines, the words:—and equipment,—so as to read as follows:—*Section 3.* The committee on finance of the council shall act as a board of advisers of the supervisor and shall hear appeals from the decisions of said officer as provided in this act. The supervisor may, with the approval of the said committee, designate a deputy to act as investigator of purchases who shall, under the direction of the supervisor investigate the method of purchasing all stores, supplies, materials and equipment used by the commonwealth or by any officer, board, bureau, commission, institution or department maintained or employed by the commonwealth. Such deputy shall report the results of his investigation with his recommendations to the supervisor who may, after a hearing before the governor and council given to the officials concerned, and with the approval of the governor and council, order changes made in the methods used in, and make rules and regulations, not inconsistent with law, governing the purchase of stores, supplies, materials and equipment in any or all of the offices, boards, bureaus, commissions, institutions and departments of the commonwealth. Copies of orders or rules and regulations so made shall be transmitted to the officials concerned. Any appointed official who fails to comply with an order, rule or regulation duly made under authority hereof may be removed by the governor with the advice and consent of the council. *Approved April 3, 1917.*

Chap. 139 AN ACT RELATIVE TO THE OPEN SEASON FOR THE KILLING OF DEER.

Be it enacted, etc., as follows:

1913, 529, § 2, amended.

Open season for the killing of deer established.

Section two of chapter five hundred and twenty-nine of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the word "third", in the third line, and inserting in place thereof the word:—first,— and by striking out the word "November", in the third and fourth lines, and inserting in place thereof the word:—December,—so as to read as follows:—*Section 2.* Any person who is duly authorized or licensed to hunt in this commonwealth according to the provisions of law, may, between sunrise of the first Monday of December and sunset of the following Saturday, hunt, pursue, take or kill by the

use of a shotgun, a wild deer, subject to the following restrictions and provisions:— No person shall kill more than one deer under the provisions of this section or have in possession more than one deer killed under the provisions of this section. No deer shall be hunted, taken or killed on land posted in accordance with the provisions of section fourteen of chapter ninety-two of the Revised Laws, or on land under the control of the metropolitan park commission or of the metropolitan water and sewerage board, or in violation of any city ordinance or town by-law, or in any state reservation, or by any method prohibited by law. It shall be unlawful to make, set or use any trap, salt lick or other device for the purpose of ensnaring, enticing, taking, injuring or killing a deer. Whoever wounds or kills a deer under the provisions of this section shall make a report in writing, signed by him, and mailed or otherwise transmitted within twenty-four hours of such wounding or killing, to the commissioners on fisheries and game, stating the facts relative to the wounding or killing.

Restrictions governing licensee.

Report on wounding or killing deer.

Approved April 3, 1917.

AN ACT RELATIVE TO THE TENURE OF OFFICE OF CHIEFS OF FIRE DEPARTMENTS IN THE METROPOLITAN FIRE PREVENTION DISTRICT.

Chap. 140

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ninety-one of the General Acts of the year nineteen hundred and sixteen is hereby amended by striking out sections one, two and three, and inserting in place thereof the following:— *Section 1.* The chief of the fire department of any city or town now or hereafter included within the metropolitan fire prevention district shall hold his office continuously during good behavior unless incapacitated by physical or mental disability to perform the duties of his position: *provided, however,* that in such cities, the official or officials having the power of appointment, with the consent of the confirming board, if any, and in such towns, the selectmen, may, for just cause and for reasons specifically assigned by said official, officials, or selectmen, remove said chief. *Section 2.* Before his removal in the manner above provided shall take effect, such chief shall be furnished with a copy of the reasons required in section one, and shall be allowed a reasonable time to answer them in writing. A copy of the reasons,

1916, 291 (G), §§ 1, 2, 3, amended.

Tenure of office of chiefs of fire departments in certain cities and towns.

Proviso.

Copy of reasons to be furnished chief before his removal.

notice and answer, and of the order of removal, shall be filed with the city or town clerk.

To be submitted to voters, etc.

SECTION 2. This act shall take effect upon its passage in such cities and towns as have accepted the provisions of said chapter two hundred and ninety-one in accordance with section three thereof, or in which the provisions of the civil service laws are already applicable to said chief. But in all other cities and towns included in the fire prevention district, the question of accepting said chapter two hundred and ninety-one, as amended by this act, shall be submitted to the voters of said cities and towns at their next respective municipal elections or town meetings, and said chapter as so amended shall take effect in any such city or town upon its acceptance by a majority of the voters voting thereon. But in so far as it provides for such submission, this act shall take effect upon its passage.

Approved April 3, 1917.

Chap. 141 AN ACT RELATIVE TO THE CONSTRUCTION OF LINES FOR THE TRANSMISSION OF ELECTRICITY.

Be it enacted, etc., as follows:

1914, 742, § 128, amended.

Construction of lines for the transmission of electricity.

Chapter seven hundred and forty-two of the acts of the year nineteen hundred and fourteen is hereby amended by striking out section one hundred and twenty-eight and inserting in place thereof the following: — *Section 128.* An electric company may, from time to time, apply by petition to the board for authority to construct and use or to continue to use as constructed or with altered construction a line for the transmission of electricity for distribution in some definite area or for the purpose of supplying it to another electric company or to a municipal lighting plant for distribution and sale, or to a railroad, street railway or electric railroad, as respectively defined by law, for the purpose of operating it, and shall represent that such line will or does serve the public convenience and is consistent with the public interest. The company shall file with such petition a general description of such transmission line and a map or plan showing the cities and towns through which the line will or does pass and its general location. The company shall also furnish an estimate showing in reasonable detail the cost of the line and such additional maps and information as the board may require. The board, after notice and a public hearing in one or more of the cities or towns

Description of line, estimate of cost, etc., to be filed.

affected, may determine that said line is necessary for the purpose alleged, and will serve the public convenience and is consistent with the public interest. If the company has acquired or thereafter shall acquire rights in the public ways or lanes of the cities or towns through which said line will or does pass, or over private lands therein, for the construction of not less than one half of the total length of said line and shall file with the board a map or plan of the transmission line showing the rights acquired and the cities and towns through which it will or does pass, the public ways, railroads, railways, navigable streams and tide waters in the city or town named in said petition which it will cross, and the extent to which it will be located upon private land or upon, under or along public ways and places, the board, after notice by publication or otherwise as it may direct, shall give a public hearing or hearings in one or more of the cities or towns through which the line passes or is intended to pass and may by order authorize the company to take such lands, not exceeding one hundred and fifty feet in width, or such rights of way or other easements therein as may be necessary for the construction and use or continued use as constructed or with altered construction of the remainder of such line along the route prescribed in the order of the board: *provided, however,* that notwithstanding the company has not acquired easements for such purpose in one half of the total length of said line, yet the board may by such order authorize the taking of any easements in private lands which may be necessary to effect only the alteration of construction of an existing line. The board shall transmit a certified copy of its order to the company and the clerk of each such city or town. The company may at any time before such hearing change or modify the whole or a part of the route of said line, either of its own motion or at the instance of the board or otherwise, and, in such case, shall file with the board maps, plans and estimates as aforesaid showing such changes. If the board shall dismiss the petition at any stage in the proceedings hereinbefore set forth, no further action shall be taken thereon, but the company may file a new petition after the expiration of a year from such dismissal. A description of the lands, rights or easements taken, sufficiently accurate for identification, containing the name or names of the owners thereof, so far as known, and a statement of the purpose for which the taking is made, signed by the president

May take
lands, etc.

Proviso.

Modification
of route.

Description of
lands, etc.,
to be recorded.

of the company and accompanied by a copy of the order of the board, shall be recorded in the registry of deeds for each county or district in which any of such cities or towns are situated, and such recording shall operate as a taking of the lands, rights or easements therein described. No taking shall be valid unless it complies with the foregoing requirements. When such taking is effected, the company may forthwith proceed to erect, maintain and operate thereon said line. The board may, by its order, require the company to deposit with the treasurer and receiver general such sum of money as may be necessary to secure the payment for any land, rights or easements taken by it, or in lieu of such deposit to give bond to the commonwealth to an amount and with sureties satisfactory to the board, conditioned for the payment of such compensation as may be awarded for such taking. If the company shall not enter upon and construct such line upon the land so taken within one year thereafter, its right under such taking shall cease and determine. The company shall pay all damages sustained by any person or corporation by the taking of any lands, rights or other easements therein under the authority of this act. A person or corporation sustaining damages as aforesaid and failing to agree with said company as to the amount thereof may at any time within two years after such taking have the same assessed and determined on application by petition to the superior court for a jury, as provided by section one hundred and nine of chapter forty-eight of the Revised Laws and acts in amendment thereof and in addition thereto.

Approved April 3, 1917.

Deposit of money or bond with treasurer and receiver general.

Payment of damages, etc.

Chap. 142 AN ACT TO AUTHORIZE THE COUNTY OF NORFOLK TO ACQUIRE ADDITIONAL LAND IN THE TOWN OF WALPOLE FOR THE NORFOLK, BRISTOL AND PLYMOUTH UNION TRAINING SCHOOL.

Be it enacted, etc., as follows:

County of Norfolk to acquire additional land in Walpole for certain schools.

SECTION 1. The county commissioners of the county of Norfolk are hereby authorized to purchase, or take by right of eminent domain, such additional land in the vicinity of the Norfolk, Bristol and Plymouth Union Training School at Walpole as may be necessary or convenient for the purposes of the said institution, and may expend for this purpose a sum not exceeding five thousand dollars.

SECTION 2. In case land is taken by eminent domain for the aforesaid purpose, the said commissioners shall, within sixty days after such taking, file in the registry of deeds for said county a description thereof sufficiently specific for identification, and in case of their inability to agree with any person sustaining damages by reason of said taking as to the amount thereof, said damages shall be determined and paid in the manner provided by law for the assessment and payment of damages sustained by the laying out of highways.

Description of lands, etc., to be recorded.

Approved April 3, 1917.

AN ACT RELATIVE TO SPECIAL SESSIONS OF THE SUPERIOR COURT FOR NATURALIZATION PURPOSES.

Chap. 143

Be it enacted, etc., as follows:

Special sessions of the superior court for the purposes of naturalization may be held in such cities or towns and at such times as the chief justice may determine.

Special sessions of the superior court for naturalization purposes.

Approved April 3, 1917.

AN ACT RELATIVE TO THE AMOUNT OF PUBLIC TRUST FUNDS, HELD BY A CITY OR TOWN THAT MAY BE RECEIVED ON DEPOSIT BY SAVINGS BANKS.

Chap. 144

Be it enacted, etc., as follows:

SECTION 1. Section forty-six of chapter five hundred and ninety of the acts of the year nineteen hundred and eight, as amended by section seven of chapter four hundred and ninety-one of the acts of the year nineteen hundred and nine, is hereby further amended by adding at the end thereof the following: — or of any trust fund held by a city or town for public uses, — so as to read as follows: — *Section 46.* Such corporation may receive on deposit from any person not more than one thousand dollars; and may allow interest, upon such deposits, and upon the interest accumulated thereon, until the principal, with the accrued interest, amounts to two thousand dollars; and thereafter upon no greater amount than two thousand dollars; but the provisions of this section shall not apply to deposits by a religious or charitable corporation or labor union, or credit union, or in the name of a judge of probate, or by order of any court, or on account of a sinking fund of a city or town

1908, 590, § 46, etc., amended.

Amount of public trust funds, held by a city or town, that may be deposited in savings banks.

in this commonwealth or of any trust fund held by a city or town for public uses.

SECTION 2. This act shall take effect upon its passage.
Approved April 4, 1917.

Chap.145 AN ACT TO PROVIDE FOR REPAIRING THE BRIDGE OVER
TAUNTON GREAT RIVER BETWEEN THE TOWNS OF DIGHTON
AND BERKLEY.

Be it enacted, etc., as follows:

County of
Bristol may
repair certain
bridge over
Taunton Great
river.

SECTION 1. The county commissioners of the county of Bristol are hereby authorized and directed to reconstruct, so far as it may be necessary, the bridge over Taunton Great river, between the towns of Dighton and Berkley; and after the bridge has been repaired, the cost of maintaining the same, including the tending of the draw, shall be paid by such cities and towns in the said county and in such proportions as the county commissioners shall determine. All work done under this act shall be subject to the provisions of chapter ninety-six of the Revised Laws, and amendments thereof and additions thereto, so far as applicable.

May issue
bonds.

SECTION 2. The county of Bristol, for the purpose of meeting the cost of reconstructing the said bridge, may incur indebtedness to an amount not exceeding forty thousand dollars, and may issue bonds or notes therefor payable in not more than twenty years from date of issue; and shall, at the time of authorizing such indebtedness, provide for its payment by such annual payments as will extinguish the same at maturity, and in such manner that the first of such annual payments shall be made not later than one year after the date of the bonds or notes issued therefor; and the amount of the annual payment upon the principal in any year shall not be less than the amount of the principal payable in any subsequent year.

SECTION 3. This act shall take effect upon its passage.
Approved April 4, 1917.

Chap.146 AN ACT TO EXTEND THE POWERS OF TITLE INSURANCE
COMPANIES.

Be it enacted, etc., as follows:

1907, 576, § 32,
etc., amended.

SECTION 1. The tenth clause of section thirty-two of chapter five hundred and seventy-six of the acts of the year

nineteen hundred and seven, as amended by section one of chapter five hundred and nine of the acts of the year nineteen hundred and eight, is hereby further amended by striking out the word "or", in the fourth line, and by adding at the end thereof the words:— or the insufficiency of any mortgage, held or sold by the insurer, as security for the amount secured by such mortgage, or against any other loss in connection with any such mortgage or any interest therein, and to buy and sell mortgages of real property and interests therein, — so as to read as follows:— Tenth, To examine titles of real and personal property, furnish information relative thereto and insure owners and others interested therein against loss by reason of encumbrances, defective title, or the insufficiency of any mortgage, held or sold by the insurer, as security for the amount secured by such mortgage, or against any other loss in connection with any such mortgage or any interest therein, and to buy and sell mortgages of real property and interests therein.

Powers of title insurance companies extended.

SECTION 2. The last paragraph of section thirty-two of said chapter five hundred and seventy-six is hereby amended by adding at the end thereof the words:— and, if insurance against the insufficiency of mortgages as security, or against any other loss in connection with mortgages, except insurance of titles, is carried on, the paid-up capital shall not be less than two hundred thousand dollars, — so as to read as follows:— If organized under the tenth clause the capital shall not exceed one million dollars, and, if insurance against the insufficiency of mortgages as security, or against any other loss in connection with mortgages, except insurance of titles, is carried on, the paid-up capital shall not be less than two hundred thousand dollars.

1907, 576, § 32, amended.

Capital.

SECTION 3. Section sixty-four of said chapter five hundred and seventy-six is hereby amended by striking out said section and inserting in place thereof the following:— *Section 64.* Every such corporation shall set apart an amount not less than two fifths of its capital, and not less than one hundred thousand dollars in any case, as a title guaranty fund, and shall invest it subject to the same limitations as are imposed upon the investment of the capital of domestic insurance companies, and shall issue no title policy and make no contract of title guaranty or title insurance until such amount is so set apart and invested.

1907, 576, § 64, amended.

Title guaranty fund and its investment.

The principal of such title guaranty fund shall be a trust for the protection of title policy holders, and shall be applied

Principal of title guaranty fund to be a

trust for
protection
of policy
holders.

only to the payment of losses and expenses incurred by reason of the title guaranty or title insurance contracts of the corporation. Whenever the corporation shall increase its capital, two fifths or a sufficient part of the increase shall be set apart and duly invested and added to the title guaranty fund so that such fund shall always be not less in amount than two fifths of the entire capital.

Impairment
of fund.

If, by reason of losses or other cause, the title guaranty fund is less than two fifths of the capital, the company shall make no further contract of title guaranty or title insurance until the fund is made good.

1907, 576, § 65,
amended.

SECTION 4. Section sixty-five of said chapter five hundred and seventy-six is hereby amended by striking out the word "and", in the fourteenth line, and by adding at the end thereof the words:— or the insufficiency of any mortgage, held or sold by the insurer, as security for the amount secured by such mortgage, or against any other loss in connection with any such mortgage or interest therein, and may buy and sell mortgages of real property and interests therein, — so as to read as follows:—*Section 65.* A company organized under the authority of chapter one hundred and eighty of the acts of the year eighteen hundred and eighty-four, section sixty-two of chapter two hundred and fourteen of the acts of the year eighteen hundred and eighty-seven, section sixty-two of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four or the eleventh clause of section thirty-two of this act shall be subject to the provisions of the two preceding sections.

Certain
provisions of
law to apply.

Such companies may examine titles and furnish information relative to both personal property and real estate, and may insure owners of both real estate and personal property, and others interested therein, against loss by reason of encumbrances, defective titles or the insufficiency of any mortgage, held or sold by the insurer, as security for the amount secured by such mortgage, or against any other loss in connection with any such mortgage or interest therein, and may buy and sell mortgages of real property and interests therein.

Examination
of titles, etc.

SECTION 5. This act shall take effect upon its passage.

Approved April 4, 1917.

AN ACT TO AUTHORIZE THE COMMONWEALTH TO EXCHANGE AND CONVEY CERTAIN REAL ESTATE IN SPRINGFIELD. *Chap. 147*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of obtaining a more desirable situation for the use of the seventh deck division of the Massachusetts naval militia, at Springfield, the board of armory commissioners, with the consent of the governor and council, is hereby authorized, in the name and behalf of the commonwealth, to exchange and convey a certain piece of real estate situated in the city of Springfield, described as follows: Beginning at a passageway running from Mechanics row to the Connecticut river, and running thence, southerly, along the westerly side of Mechanics row, thirty feet, more or less, to land of the United Electric Light Company; thence westerly along the last named land to a stone embankment wall; thence southerly on land of said United Electric Light Company to land of the United Button Company; thence westerly along said last named land to the Connecticut river; thence northerly along the Connecticut river to said passageway; thence easterly on said passageway to the place of beginning. Also the right to a passageway four feet wide across premises formerly known as numbers three, four, five and six on Mechanics row, commencing at a point in the passageway on the north end of and four feet west from the former situation of the wall of the house.

Commonwealth may exchange and convey certain real estate in Springfield.

Description of real estate.

The aforesaid descriptions are intended to cover all the land and rights taken by the board of armory commissioners on the ninth day of December, nineteen hundred and seven, as appears in the record thereof in Hampden county registry of deeds, in book seven hundred and thirty-three, page four hundred and thirty-nine. In exchange for the said conveyance, and as a consideration therefor, the commonwealth shall receive a conveyance of certain real estate in Springfield, now or formerly bounded northerly by a passageway called Mechanics street; easterly by land of the Dickinson Manufacturing Company; southerly by land of the New York, New Haven and Hartford Railroad Company, and westerly by the Connecticut river; together with any rights in said passageway appurtenant to said land.

To cover certain land and rights.

SECTION 2. The board of armory commissioners is authorized to execute and deliver in the name of the common-

Execution of conveyance.

wealth the conveyance necessary to pass the title to the said premises now owned by the commonwealth, on the receipt of a deed conveying to the commonwealth a title to the premises to be taken in exchange as aforesaid.

Approved April 4, 1917.

Chap. 148 AN ACT TO PROVIDE FOR THE ORGANIZATION OF A HOME GUARD IN TIME OF WAR.

Be it enacted, etc., as follows:

Organization
of home guard
in time of
war.

SECTION 1. The commander-in-chief may, in time of war, raise by voluntary enlistment and organize a home guard from citizens of the United States, being inhabitants of this commonwealth, who are over thirty-five years of age, or married men under thirty-five years of age with dependents, or those physically disqualified from service in the national guard.

Term of
service, etc.

SECTION 2. The home guard may be of such numerical strength, and shall be so organized, maintained, officered, armed and equipped, and enlisted for, or disbanded from, such service within the commonwealth at any time and on such terms as the commander-in-chief may from time to time by executive order determine. When called for service the home guard shall perform such duties as shall be prescribed by order of the commander-in-chief, and all members of the home guard shall have and exercise throughout the commonwealth all the powers of constables, police officers and watchmen, except the service of civil process. The compensation of officers and men of the home guard, when called by executive order for service and while on such service, shall be fixed by the commander-in-chief, and shall in no event exceed the compensation of officers and men of the national guard of like grade.

Compensation.

Appointment
of provisional
officers.

SECTION 3. The commander-in-chief may appoint provisional officers for such units and organizations of the home guard as he may establish, and such officers shall, subject to removal by the commander-in-chief and until their successors are elected or appointed, as provided by the constitution and statutes of the commonwealth, exercise the same military authority over their several commands as specified by the statutes of Massachusetts for duly chosen officers of organized militia of the commonwealth. The same powers shall vest in any and all officers elected as above provided.

SECTION 4. The provisions of section one hundred and seventy of chapter six hundred and four of the acts of the year nineteen hundred and eight, and the amendments thereof, shall not apply to the home guard. Certain provisions of law not to apply.

SECTION 5. All provisions of law relative to the compensation of members of the militia injured in the discharge of their duty shall apply to members of the home guard. Certain provisions of law to apply in case of injury.

SECTION 6. For the purpose of carrying out the provisions of this act the governor is authorized to expend the sum of two hundred thousand dollars, to be taken from the sum of one million dollars appropriated by chapter two hundred and two of the Special Acts of the year nineteen hundred and seventeen. Governor may expend two hundred thousand dollars.

SECTION 7. This act shall take effect upon its passage.
Approved April 5, 1917.

AN ACT RELATIVE TO THE COLD STORAGE OF FOOD PRODUCTS AND TO THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH WITH REFERENCE THERETO. Chap. 149

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter six hundred and fifty-two of the acts of the year nineteen hundred and twelve is hereby amended by striking out the word "forty", in the third and tenth lines, and inserting in place thereof, in each instance, the word:— forty-five, — by inserting after the word "Fahrenheit", in the third line, the words:— for a period of thirty days or more, — and by striking out the words "in cold-storage or refrigerating warehouses", in the fourth line, so as to read as follows:— *Section 1.* The term "cold storage", as used in this act, shall be construed to mean the storage of articles of food at or below a temperature of forty-five degrees Fahrenheit for a period of thirty days or more. 1912, 652, § 1, amended.

The term "cold-storage or refrigerating warehouse", as used in this act, shall be construed to mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration, or a place otherwise artificially cooled, in which articles of food are stored for thirty days or more at a temperature of forty-five degrees Fahrenheit or below. Cold storage of food products.

The term "article of food", as used in this act, shall be interpreted to include fresh meat, fresh meat products, except in process of manufacture, fresh food fish, poultry, eggs and butter. Certain terms defined.

1912, 652, § 2,
amended.

Licenses to be
issued by state
department of
health.

Proviso.

Suspension
of license.

Report.

1912, 652, § 5,
amended.

Limit of time,
etc., for cold
storage of food.

SECTION 2. Said chapter six hundred and fifty-two is hereby amended by striking out section two and inserting in place thereof the following:—*Section 2.* No person, firm or corporation shall maintain a cold storage or refrigerating warehouse without a license issued by the state department of health. Any person, firm or corporation desiring such a license may make written application to the department, stating the situation of its plant or plants. On receipt of the application the department shall cause an examination to be made of the sanitary condition of the plant, and if it is found to be in a sanitary condition and otherwise properly equipped for the business of cold storage, the department shall cause a license to be issued authorizing the applicant to maintain therein a cold-storage or refrigerating warehouse for the period of one year: *provided*, that a license fee of ten dollars shall be paid. The license fees so received shall be paid into the treasury of the commonwealth. In case any warehouse licensed under the provisions of this section, or any part thereof, shall be deemed by the state department of health to be conducted in an unsanitary manner, it shall be the duty of the department to close such warehouse or part thereof, until it shall be put in sanitary condition, and the department shall have power also to suspend the license in case the required changes are not made within a reasonable time. Every such licensee shall furthermore submit on or before the fifteenth day of each month, a report to the state department of health on a printed form to be provided by the department, stating the quantities of articles of food placed in cold storage during the month preceding, and also the quantities of butter and eggs held on the first day of the month in which the report is filed.

SECTION 3. Said chapter six hundred and fifty-two is hereby amended by striking out section five and inserting in place thereof the following:—*Section 5.* No person, firm or corporation shall hold any article of food in cold storage within this commonwealth which has been in cold storage for a period longer than twelve calendar months, except with the consent of the state department of health. The said department may, upon application, grant permission to extend the period of storage beyond twelve months for a particular consignment of goods, if the goods in question are found, upon examination, to be in proper condition for further storage at the end of twelve months. The length

of time for which further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage is permitted, including information relating to the reason for the action of the department, the kind and the amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the department.

Report on extension of storage.

SECTION 4. Section six of said chapter six hundred and fifty-two is hereby amended by inserting after the word "display", in the fourth and fifth lines, the words:— in a conspicuous place,— so as to read as follows:— *Section 6.* It shall be unlawful to sell, or to offer or expose for sale articles of food which have been held in cold storage without notifying persons purchasing, or intending to purchase, the same that they have been kept so by the display in a conspicuous place of a sign marked, "Cold Storage Goods Sold Here", and it shall be unlawful to represent or advertise as fresh goods articles of food which have been held in cold storage.

1912, 652, § 6, amended.

Notice of sale of cold storage goods.

SECTION 5. Section seven of said chapter six hundred and fifty-two is hereby amended by striking out the words "to consumers", in the fourth line, so as to read as follows:— *Section 7.* It shall be unlawful to return to cold storage any article of food that has once been released from such storage for the purpose of placing it on the market for sale, but nothing in this section shall be construed to prevent the transfer of goods from one cold-storage or refrigerating warehouse to another, provided that such transfer is not made for the purpose of evading any provision of this act.

1912, 652, § 7, amended.

Articles released from cold storage not to be returned, etc.

Proviso.

SECTION 6. Said chapter six hundred and fifty-two is hereby amended by striking out section eight and inserting in place thereof the following:— *Section 8.* Broken eggs packed in cans, if not intended for use as food, when deposited in cold storage shall be denatured, and shall be marked by the owners, in accordance with forms prescribed by the state department of health, under the authority hereinafter conferred, in such a way as plainly to indicate the fact that they are not to be sold for food.

1912, 652, § 8, amended.

Marking of broken eggs packed in cans.

Approved April 5, 1917.

Chap.150 AN ACT RELATIVE TO THE REFILLING OF BOTTLES BY PERSONS LICENSED TO SELL INTOXICATING LIQUORS.

Be it enacted, etc., as follows:

Refilling of bottles containing intoxicating liquors regulated.

SECTION 1. All persons holding licenses to sell intoxicating liquors shall, themselves or by their agents or employees, immediately upon the emptying, within the limits of the licensed premises, of the original contents of a bottle containing liquors other than malt liquors, and before refilling the same, destroy all labels or printed marks thereon. There shall not thereafter be placed on such bottles any label or printed mark so similar to the original as to promote fraud or deceit, or as to be likely to be mistaken for the original label or mark.

Not to apply to persons using original labels.

SECTION 2. This act shall not be construed to prohibit the lawful refilling of such bottles with liquors true to label by the persons, or their agents, entitled to use the original label or mark.

Penalty.

SECTION 3. Any violation of this act shall be punished by a fine of not less than fifty, nor more than two hundred dollars, for each offence. *Approved April 5, 1917.*

Chap.151 AN ACT RELATIVE TO THE ANNUAL REPORTS OF THE DISTRICT HEALTH OFFICERS.

Be it enacted, etc., as follows:

Annual reports of district health officers, date, etc.

The district health officers, provided for by section five of chapter seven hundred and ninety-two of the acts of the year nineteen hundred and fourteen, in succession to the state inspectors of health, established by the provisions of chapter five hundred and thirty-seven of the acts of the year nineteen hundred and seven, shall hereafter report to the state department of health on or before the first day of December, instead of the thirty-first day of October, in each year. *Approved April 5, 1917.*

Chap.152 AN ACT TO ESTABLISH A STATE CLINICAL STANDARD THERMOMETER.

Be it enacted, etc., as follows:

State clinical standard thermometer established.

SECTION 1. A clinical standard thermometer supplied by the commonwealth and certified by the national bureau

of standards for use by the commonwealth, shall be the state clinical standard thermometer.

SECTION 2. In addition to the state clinical standard thermometer, there shall be supplied by the commonwealth such additional clinical standard thermometers as may be necessary to carry out the provisions of this act, to be known as office clinical standards. Such thermometers shall be verified by the commissioner of weights and measures upon their initial receipt and at least once in each six months thereafter, by direct comparison with the state clinical standard thermometer. The office clinical standard thermometers may be used in making all comparisons of clinical thermometers under test.

Office clinical
standard
thermometers.

SECTION 3. The commissioner of weights and measures shall have the power, and it shall be his duty, to promulgate tolerances and specifications for clinical thermometers. A correct clinical thermometer shall be deemed to be one which conforms to the standard hereby established and to the specifications promulgated hereunder, within the tolerances established as aforesaid. All other clinical thermometers shall be deemed to be incorrect.

Tolerances and
specifications.

SECTION 4. Whenever the commissioner of weights and measures inspects and tests a clinical thermometer which is offered for sale and finds it to be correct he shall seal or mark it or otherwise certify it as correct. Whenever he inspects and tests such a clinical thermometer and finds it to be incorrect he may condemn, seize and destroy it; or he may return it to the owner upon a satisfactory guarantee that it will not be sold or used within the commonwealth.

Sealing and
marking.

SECTION 5. When a representative sample of a clinical thermometer has been submitted by the manufacturer thereof to the commissioner of weights and measures and approved by him, he shall assign a designating mark or number which shall thereafter be permanently affixed by the manufacturer to all clinical thermometers of that particular kind made by him. Such clinical thermometers as are sealed by the manufacturer shall be marked with the name, initials or trademark of the manufacturer, and by such other marks as the commissioner may require. The commissioner shall have power to revoke the authority given by him to any manufacturer under the provisions of this section upon proof that the authorized seal or designating mark has been affixed to a thermometer which does not conform to the sample approved by the commissioner.

Designating
mark to be
given manu-
facturer, etc.

Revocation by
commissioner.

Penalty.

SECTION 6. Any person who, by himself or by his servant or agent, or as the servant or agent of another person, shall keep for the purpose of sale, offer or expose for sale, or sell any clinical thermometer which has not been sealed, marked or certified as correct by the commissioner of weights and measures or by the manufacturer as aforesaid, shall be guilty of a misdemeanor and shall be punished by a fine of not more than fifty dollars.

Not to authorize adoption of particular scale.

Time of taking effect.

SECTION 7. Nothing in this act shall be construed as adopting or authorizing the adoption of any particular scale as the thermometer standard for Massachusetts.

SECTION 8. This act shall take effect on the first day of January in the year nineteen hundred and eighteen.

Approved April 5, 1917.

Chap. 153 AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF INFLAMMABLE COMPOUNDS FOR USE AS STOVE POLISH FOR DOMESTIC USE.

Be it enacted, etc., as follows:

Manufacture and sale of inflammable compounds for use as stove polish prohibited.

SECTION 1. It shall be unlawful to manufacture, store, keep for sale, sell or transport any compound for use as a stove polish that contains gasoline, naphtha or any liquid, or compound whatsoever which will emit a gas that will flash at a temperature of less than one hundred degrees Fahrenheit, except that foundry paste which contains inflammable compound, if packed in metal containers, sealed by fusion and weighing in gross not less than five pounds, and if such container is labeled: — Dangerous — Inflammable compound — Keep away from fire, heat and lights — may be manufactured, stored, kept for sale, sold or transported for use only by stove foundries, stove manufacturers and stove dealers on their own premises under such regulations as may be prescribed by the metropolitan fire prevention commissioner within the metropolitan fire prevention district, and by the district police outside the metropolitan fire prevention district. The flash point of said compound shall be ascertained by use of either Abel-Pensky's or Pensky-Martens' closed cup instrument, or by some other method approved by the metropolitan fire prevention commissioner or by the district police within their respective jurisdictions.

Penalty.

SECTION 2. Any violation of this act shall be punished by a fine of not more than one hundred dollars, or by im-

prisonment for not more than thirty days, or by both such fine and imprisonment.

SECTION 3. This act shall take effect ninety days after its passage. *Approved April 5, 1917.* Time of taking effect.

AN ACT TO PROVIDE FOR A SECOND ASSISTANT CLERK OF THE EAST BOSTON DISTRICT COURT. Chap.154

Be it enacted, etc., as follows:

SECTION 1. There shall be a second assistant clerk of the East Boston district court, whose salary shall be one thousand dollars a year, to be paid by the county of Suffolk. Office of second assistant clerk of East Boston district court established.

SECTION 2. This act shall take effect upon its acceptance by the city council of Boston, with the approval of the mayor. *Approved April 5, 1917.* To be submitted to city council, etc.

Accepted, April 10, 1917.

AN ACT TO FACILITATE THE SALE, INVESTMENT AND RE-INVESTMENT OF PERSONAL PROPERTY HELD IN TRUST. Chap.155

Be it enacted, etc., as follows:

SECTION 1. If the sale and conveyance, transfer or exchange of any personal property held in trust appears to be necessary or expedient, the probate court may, upon petition of the trustee, authorize or license such sale and conveyance, transfer or exchange, and the investment, reinvestment or other application of the proceeds thereof in accordance with the purposes of the trust. Such authorization or license shall be granted only upon hearing and after such notice as the court may deem proper, or, in its discretion, without notice, and without the appointment of a guardian ad litem or next friend and shall remain in force until revoked. Sale, investment, etc., of personal property held in trust facilitated.

SECTION 2. This act shall take effect upon its passage. *Approved April 6, 1917.*

AN ACT RELATIVE TO THE INSPECTION OF BUILDINGS. Chap.156

Be it enacted, etc., as follows:

SECTION 1. Chapter six hundred and fifty-five of the acts of the year nineteen hundred and thirteen is hereby amended by striking out section twenty and inserting in place thereof the following: — *Section 20.* A building which is used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, special hall, public hall, miscellaneous hall, place of assemblage or 1913, 655, § 20, amended.
Certain buildings to be provided with fire escapes.

place of public resort, and a building in which ten or more persons are employed in a factory, workshop, mercantile or other establishment, and an office building, dormitory, hotel, family hotel, apartment house, boarding house, lodging house or tenement house which has eight or more rooms, or in which ten or more persons are accommodated, lodge or reside above the second story, the owner, lessee or mortgagee in possession whereof is notified in writing by an inspector that the provisions of this act apply thereto, shall be provided with proper egresses or other means of escape from fire, sufficient for the use of all persons accommodated, assembled, employed, lodged or resident therein; but no owner, lessee or mortgagee in possession of such building shall be deemed to have violated this provision unless he has been notified in writing by an inspector as to what additional egresses or means of escape from fire are necessary and for thirty days has neglected or refused to provide the same. The egresses and means of escape shall be kept unobstructed, in good repair and ready for use, and, if the inspector so directs in writing, every such egress shall be properly lighted and provided with a sign having on it the word "Exit" in letters not less than five inches in height, and so made and placed as plainly to indicate to persons within the building the situation of such egresses; stairways shall have suitable hand-rails; egress doors and windows shall open outwardly, and women or children shall not be employed in a factory, workshop, mercantile or other establishment, in a room above the second story from which there is only one egress. The certificate of the inspector shall be conclusive evidence of a compliance with the said requirements. Portable seats shall not be allowed in the aisles or passageways of such buildings during any service or entertainment held therein. Stairways on the outside of the building shall have suitable railed landings at each story above the first, accessible at each story from doors or windows, and such landings, doors and windows shall be kept clear of ice, snow and other obstructions.

Notice in writing.

Exits to be lighted, etc.

Certificate of inspector, evidence of compliance.

1913, 655, § 55, amended.

Persons aggrieved may appeal to judge of superior court.

SECTION 2. Section fifty-five of said chapter six hundred and fifty-five is hereby amended by striking out the word "ten" in the fourth line, and inserting in place thereof the word:— thirty, — so as to read as follows:— *Section 55.* Whoever is aggrieved by the order, requirement, or direction of a building inspector of the building inspection department of the district police, may, within thirty days after the

service thereof, appeal to a judge of the superior court for the county in which the building to which such order, requirement or direction relates is situated, for an order forbidding its enforcement; and after such notice as said court shall order to all parties interested, a hearing may be had before the court at such early and convenient time and place as shall be fixed by said order; or the court may appoint three disinterested persons, skilled in the subject-matter of the controversy, to examine the matter and hear the parties; and the decision of said court, or the decision, in writing and under oath, of a majority of said experts, filed in the office of the clerk of courts in said county within ten days after such hearing, may alter, annul or affirm such order, requirement or direction. Such decision or a certified copy thereof shall have the same authority, force and effect as the original order, requirement or direction of the inspector. If such decision annuls or alters the order, requirement or direction of the inspector, the court shall also order the inspector not to enforce his order, requirement or direction, and in every case the certificate required by law shall thereupon be issued by said court or by said experts.

Appointment of experts.

Force of decision, etc.

Approved April 6, 1917.

AN ACT TO ESTABLISH A CLOSE SEASON ON QUAIL IN THE COUNTIES OF HAMPDEN AND MIDDLESEX.

Chap. 157

Be it enacted, etc., as follows:

SECTION 1. For a period of five years beginning with the first day of July, nineteen hundred and seventeen, it shall be unlawful, in the counties of Hampden and Middlesex, to trap, hunt, pursue or kill quail, or except as provided by chapter five hundred and sixty-seven of the acts of the year nineteen hundred and twelve, to have dead or living quail in possession taken in said counties.

Close season on quail in Hampden and Middlesex counties established.

SECTION 2. Any violation of this act shall be punished by a fine of ten dollars for each offence.

Penalty.

Approved April 6, 1917.

AN ACT TO AUTHORIZE THE EXCHANGE OF CERTAIN PROPERTY OF THE TAUNTON STATE HOSPITAL.

Chap. 158

Be it enacted, etc., as follows:

SECTION 1. The commission on mental diseases, with the approval of the governor and council, is hereby authorized

Exchange of certain property of the

Taunton state
hospital.

to exchange a parcel of land, the property of the commonwealth, situated in Taunton and used for the purposes of, or in connection with, the Taunton state hospital, consisting of approximately one hundred thousand square feet, bounded on two sides by Danforth street, on one side by Barton street, and on one side by property of Reed and Barton Company, for a parcel of land consisting of approximately one hundred and forty-two thousand square feet, adjacent to Mill river, and directly opposite the Taunton state hospital, known as the Hopewell mill property.

Conveyance.

SECTION 2. A deed executed by a majority of said commission, with a certificate of the executive secretary of the said approval thereof in council, shall operate as a conveyance of all right, title and interest of the commonwealth in and to the aforesaid property therein described.

SECTION 3. This act shall take effect upon its passage.

Approved April 10, 1917.

*Chap.*159 AN ACT RELATIVE TO THE AUDITING BY THE BUREAU OF STATISTICS OF THE ACCOUNTS OF FIRE, WATER, LIGHT, WATCH AND IMPROVEMENT DISTRICTS.

Be it enacted, etc., as follows:

Auditing by
bureau of
statistics of
accounts of
fire, water,
watch and im-
provement
districts.

SECTION 1. Any fire, water, light, watch, or improvement district, at a meeting legally called for the purpose, may petition the director of the bureau of statistics for an audit of its accounts or for the installation of an accounting system; and, as soon as possible after the receipt of such a petition, the director shall cause the audit to be made or cause a system of accounts, approved by him, to be installed in the district; and after an accounting system has been installed in accordance with the provisions of this section, the district, at a meeting legally called for the purpose, may petition for subsequent audits from time to time, or may provide in its by-laws for periodical audits under the supervision of the said director who shall cause such audits to be made.

Assistance of
bureau of
statistics, etc.

SECTION 2. Whenever, after a system of accounting has been installed under the provisions of this act, a district accounting officer requests the advice or assistance of the bureau of statistics in the keeping of its accounts, the director of said bureau shall render such assistance as in his judgment may be necessary. The accounting systems installed in accordance with this act shall be such as will, in the judg-

ment of the said director, be most effective in securing uniformity of classification throughout the commonwealth in the accounts of the said districts. The said director, for the purpose of carrying out the provisions of this act, may employ the same assistants as are employed by him on city and town audit and system work.

SECTION 3. The said director, upon the completion of an audit made under the provisions of this act, shall render a report to the prudential committee or commissioners, as the case may be, embodying the results of his findings, with such suggestions as he may deem advisable for the proper administration of the district finances. Director to make report.

SECTION 4. The expense incurred under this act shall be paid in the first instance by the commonwealth; and the treasurer and receiver general shall send a warrant for the assessment thereof by mail to the assessors of the town or towns in which the district is situated. The assessors shall assess taxes for which they receive warrants as aforesaid. Expenses, how paid.

SECTION 5. The treasurer of the district shall pay, on or before November fifteenth of the year in which the assessment is made, the total amount of the assessments, and failure to make such payment shall render the district subject to all the penalties imposed on cities and towns for failure to pay the state tax as required by law. Payment of assessments, etc.

SECTION 6. This act shall take effect upon its passage.

Approved April 10, 1917.

AN ACT RELATIVE TO THE AMOUNT TO BE ALLOWED FOR THE BURIAL OF INDIGENT SOLDIERS AND SAILORS. Chap. 160

Be it enacted, etc., as follows:

Section eighteen of chapter five hundred and eighty-seven of the acts of the year nineteen hundred and fourteen is hereby amended by inserting after the word "hundred", in the fifth line, the words: — and ten, — so as to read as follows: — *Section 18.* The expense of such burial shall not exceed fifty dollars, two dollars of which shall be paid as compensation to the burial agent who caused the interment to be made; but if the total expense of the burial, by whomsoever incurred, shall exceed the sum of one hundred and ten dollars, no payment therefor shall be made by the commonwealth. The burial shall not be made in any cemetery or burial ground which is used exclusively for the burial of the pauper dead, or in any part so used of any cemetery or 1914, 587, § 18, amended.

Amount to be allowed for the burial of indigent soldiers and sailors.

Who may
conduct
funeral, etc.

Duties of
commissioner
of state aid.

Reimburse-
ment.

burial ground. Relatives of the deceased who are unable to bear the expense of burial may be allowed to conduct the funeral. The full amount so expended, the name of the deceased soldier, sailor or marine, the regiment, company or vessel in which he served, the date of death, place of interment, and in case of a wife or widow the name of the husband and date of marriage, and such other details as the commissioner of state aid may require, shall be certified under oath to him, in such manner as he may approve, by the burial agent and the treasurer of the city or town expending the amount, within ninety days after the burial; and said commissioner shall endorse upon the certificate his allowance of such amounts as in his judgment have been paid and reported according to the provisions of this act, and shall transmit such certificate to the auditor. The amounts legally paid and so allowed, with no expense for disbursement, shall be reimbursed by the commonwealth to the several cities and towns on or before the tenth day of November in the year after the expenditures have been made.

Approved April 10, 1917.

Chap. 161 AN ACT RELATIVE TO THE FURNISHING OF AID TO CHILDREN AND WIDOWED MOTHERS OF SOLDIERS AND SAILORS WHO SERVED IN THE WAR WITH SPAIN.

Be it enacted, etc., as follows:

1914, 587, § 3,
amended.

Payment of
state aid to
children and
widowed
mothers of
certain soldiers
and sailors.

The paragraph relating to the second class of recipients of state aid in section three of chapter five hundred and eighty-seven of the acts of the year nineteen hundred and fourteen is hereby amended by striking out the words "of wounds or disease incurred in such service", in the fourteenth and fifteenth lines, — so that said paragraph will read as follows:—Second Class, Dependent relatives of soldiers or sailors who served in the manner and under the limitations described for the service of said invalid pensioners, and who, if they did not continue in the service of the United States awaiting discharge upon the official proclamation ending the war with Spain, or did not die in the service above defined for invalid pensioners, were honorably discharged therefrom, as follows:—The wives and widowed mothers of such invalid pensioners who served in the civil war, and the widows and widowed mothers of soldiers or sailors dying in such service or after their honorable discharge therefrom, and the widows, children and widowed

mothers of soldiers or sailors who served in the war with Spain, dying in such service or dying after their honorable discharge therefrom, or dying while in receipt of a pension of the United States and the state aid of this commonwealth, and the wives, children and widowed mothers of such invalid pensioners who served in the war with Spain. Such children shall not be more than fourteen years of age, and shall have been born prior to their father's discharge from said service and prior to the date of said proclamation. There shall also be included in this class the crippled or otherwise helpless children, whether minors or adults, of soldiers or sailors who served in either of the said wars: *provided*, that such children are in receipt of a pension from the United States.

Certain children eligible.

Proviso.

Approved April 10, 1917.

AN ACT TO AUTHORIZE CERTAIN CITIES TO PUBLISH MUNICIPAL BULLETINS. Chap. 162

Be it enacted, etc., as follows:

Section twenty-three of Part I of chapter two hundred and sixty-seven of the General Acts of the year nineteen hundred and fifteen is hereby amended by adding at the end thereof the following: — *provided, however*, that if any ordinance or proposed ordinance, or codification of ordinances or proposed ordinances, shall exceed in length eight octavo pages of ordinary book print, then, in lieu of the advertising required by this section, the same may be published by the city council in a municipal bulletin or printed pamphlet, and if so published in full at least ten days before its final passage, and thereafter, as amended and completed, again published in such bulletin or pamphlet, said publications shall be deemed sufficient without the newspaper publication as herein required, — so as to read as follows: — *Section 23.* Every proposed ordinance or loan order, except emergency measures as hereinbefore defined, shall be published once in full in at least one newspaper of the city, and in any additional manner that may be provided by ordinance, at least ten days before its final passage. After such final passage, it shall, in the same manner as before, again be published once, as amended and completed, except in the case of an emergency ordinance which may be passed as hereinbefore provided and which shall take effect on its passage, and shall be so published at the earliest practicable moment: *provided, however*, that if any ordinance or pro-

1915, 267 (G),
1, § 23,
amended.

Ordinances,
etc., to be
published in
cities.

Proviso.

Same subject.

posed ordinance, or codification of ordinances or proposed ordinances, shall exceed in length eight octavo pages of ordinary book print, then, in lieu of the advertising required by this section, the same may be published by the city council in a municipal bulletin or printed pamphlet, and if so published in full at least ten days before its final passage, and thereafter, as amended and completed, again published in such bulletin or pamphlet, said publications shall be deemed sufficient without the newspaper publication as herein required.

Approved April 10, 1917.

Chap.163 AN ACT RELATIVE TO ACTIONS FOR THE SUPPORT OF MINOR CHILDREN.

Be it enacted, etc., as follows:

Actions for the support of minor children.

In any criminal prosecution or proceeding against a father for failure to support his minor children brought in any court whatsoever, it shall not be a defence that a divorce has been decreed between the defendant and his wife and that the custody of the children has been granted to her.

Approved April 10, 1917.

Chap.164 AN ACT TO AUTHORIZE THE INSURANCE COMMISSIONER TO LICENSE ADJUSTERS OF LOSSES UNDER FIRE INSURANCE POLICIES.

Be it enacted, etc., as follows:

Insurance commissioner may license adjusters of losses under fire insurance policies.

SECTION 1. The insurance commissioner may, upon the payment of a fee of two dollars, issue to any suitable person a license to act as an adjuster of fire losses in this commonwealth upon the following conditions: The applicant for the license shall file with the insurance commissioner an application in writing, upon a form to be provided by the commissioner, which shall be sworn to by the applicant, and kept on file by the commissioner. The application shall state the name, age, residence and occupation of the applicant at the time of making the same, and his occupation for the five years next preceding the date of filing the application, and shall give such other information as the commissioner may require. The application shall be accompanied by a statement, upon a blank furnished by the commissioner, as to the trustworthiness and competency of the applicant, signed by at least three reputable citizens of this commonwealth. If the insurance commissioner is

satisfied that the applicant is trustworthy and competent, the license shall issue. The commissioner may at any time after the granting of an adjuster's license, for cause shown, and after hearing, determine that the licensee has not complied with the insurance laws, or is not trustworthy or competent, or is not a suitable person to act as adjuster, and he shall thereupon revoke the license, and notify the licensee of the revocation. Licenses hereunder shall expire in one year from their date, but may be renewed for any succeeding year upon the payment of a like fee, without requiring the applicant for renewal, in the discretion of the commissioner, to set forth anew the details required in the original application. The term "adjuster" as used in this act shall mean a person other than an attorney at law acting in the usual course of his profession, or other than a trustee or agent of the property affected, who, for compensation directly or indirectly solicits from the assured or the assured's representative the settlement of a loss under a fire insurance policy.

Insurance commissioner may revoke license.

Licenses, expiration and renewal.

"Adjuster," term defined.

SECTION 2. Whoever acts in this commonwealth as an adjuster without a license as above provided shall be punished by a fine not exceeding two hundred dollars, or by imprisonment for not more than six months.

Penalty.

SECTION 3. This act shall take effect sixty days after its passage.

Time of taking effect.

Approved April 10, 1917.

AN ACT RELATIVE TO THE AUTHORITY OF THE SUPERVISOR OF ADMINISTRATION AND HIS DEPUTIES.

Chap. 165

Be it enacted, etc., as follows:

SECTION 1. The supervisor of administration, with the approval of the committee on finance of the council, may designate a deputy to act as supervisor during his absence or disability.

Supervisor of administration may designate deputy to act in his absence.

SECTION 2. Chapter seven hundred and nineteen of the acts of the year nineteen hundred and twelve is hereby amended by striking out section nine and inserting in place thereof the following: — *Section 9.* Whenever requested to make a special examination under section six, or after first obtaining the approval of the governor, or of the committee on finance of the council, in making a special examination under section seven, the supervisor or any deputy designated by him may require the attendance and testimony of witnesses, and the production of all books, papers, contracts

1912, 719, § 9, amended.

Special examinations to be made, etc.

and documents relating to any matter authorized by this act. Witnesses shall be summoned in the same manner and shall be paid the same fees as witnesses before the superior court. The supervisor may prescribe rules and regulations for the conduct of hearings, and he or his deputies may administer oaths to witnesses or take their affirmation. If any person summoned and paid as a witness shall refuse to attend, or to be sworn or to affirm, or to answer any question, or to produce any book, contract, document or paper pertinent to the matter before the supervisor or deputy, a justice of the supreme judicial court, or of the superior court, upon application by the supervisor or his deputy, may issue an order requiring such person to appear before the supervisor or deputy, and to produce his books, contracts, documents and papers and to give evidence touching the matter in question. Failure to obey such an order of the court may be punished by the court as a contempt thereof. Any person summoned and paid who shall refuse to attend, or to be sworn or to affirm, or to answer any proper question, or to produce any book, contract, document or paper, pertinent to the matter before the supervisor or deputy, and any person who wilfully interrupts or disturbs any hearing, or who is disorderly thereat, shall be punished by a fine not exceeding fifty dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment. Any person who swears or affirms falsely before the supervisor or deputy upon any point material to the matter of inquiry shall be guilty of perjury, and shall be punished as provided in sections one to five, both inclusive, of chapter two hundred and ten of the Revised Laws and amendments thereof. Upon application by the supervisor or his deputy, commissions to take depositions of persons without the commonwealth may be issued by a justice of the supreme judicial court, or of the superior court, to be used in hearings before the supervisor or deputy, and all statutes and rules relating to such commissions in civil actions shall apply to commissions issued under the provisions of this act. Nothing in this act shall be construed to compel any person to give any testimony or to produce any evidence, documentary or otherwise, which may tend to incriminate him.

SECTION 3. Chapter two hundred and ninety-six of the General Acts of the year nineteen hundred and sixteen is hereby amended by striking out section eight and inserting

Powers of supervisor and deputies.

Penalty for refusal of witness to attend, etc.

Depositions of persons outside the commonwealth, etc.

1916, 296 (G), § 8, amended.

in place thereof the following: — *Section 8.* In making any examination the supervisor or any deputy designated by him may require the production of books, papers, contracts and documents relating to any matter within the scope of the investigation.

Production of papers, etc.

Approved April 10, 1917.

AN ACT RELATIVE TO WATER COMPANIES.

Chap. 166

Be it enacted, etc., as follows:

SECTION 1. The provisions of sections thirty-five, one hundred and sixty-five, one hundred and sixty-seven, one hundred and sixty-eight and one hundred and seventy of chapter seven hundred and forty-two of the acts of the year nineteen hundred and fourteen are hereby extended so as to include and apply to all corporations mentioned in section one of chapter seven hundred and eighty-seven of the acts of the year nineteen hundred and fourteen, whether organized under special or general laws.

Provisions of 1914, 742, §§ 35, 165, 167, 168, 170, extended, to apply to certain water companies.

SECTION 2. In all proceedings for the acquisition by a city or town of the water works and other property of a water company created by special law in this commonwealth which provides for the appointment of commissioners for the determination of the price to be paid for such water works and property, the matters to be referred to, heard and determined by, such commissioners, shall hereafter be referred to, heard and determined by, the board of gas and electric light commissioners, and the determination and award of said board in such cases shall have the same force and effect as if the determination and award had been made by the commissioners provided for in the charters of such companies.

Board of gas and electric light commissioners to decide all questions, etc.

SECTION 3. This act shall take effect upon its passage.

Approved April 11, 1917.

AN ACT RELATIVE TO COMMITMENTS TO THE INDUSTRIAL SCHOOL FOR BOYS.

Chap. 167

Be it enacted, etc., as follows:

SECTION 1. The limitation of time, established by section two of chapter four hundred and seventy-two of the acts of the year nineteen hundred and nine, as amended by chapter six hundred and five of the acts of the year nineteen hundred and eleven and by chapter two hundred and seven of

Commitments to the industrial school for boys.

the acts of the year nineteen hundred and fourteen, is hereby extended to December thirty-first, nineteen hundred and nineteen.

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

Approved April 11, 1917.

Chap. 168 AN ACT TO PROHIBIT THE PRACTICE OF LAW BY INCORPORATED COLLECTION AGENCIES OR ADJUSTMENT BUREAUS.

Be it enacted, etc., as follows:

1916, 292 (G),
§ 4, amended.

Section four of chapter two hundred and ninety-two of the General Acts of the year nineteen hundred and sixteen is hereby amended by striking out the words "lawfully engaged in the business of conducting a mercantile or collection agency or adjustment bureau, or", in the second, third and fourth lines, and by adding at the end thereof the following: — Nothing in this act shall be construed to prohibit a corporation lawfully engaged in the business of conducting a mercantile or collection agency or adjustment bureau from employing an attorney-at-law to give legal advice concerning, or to prosecute actions in court which relate to, the adjustment or collection of debts and accounts only, — so as to read as follows: — *Section 4.* This act shall not apply to any public service corporation nor to any corporation lawfully engaged in the examination and insuring of titles to real property, or lawfully engaged in the business of insurance against liability for damages or compensation on account of injury to persons or property, or lawfully engaged in assisting attorneys-at-law to organize corporations, or organized for and lawfully engaged in benevolent or charitable purposes, or organized under the authority of the commonwealth for the purpose of assisting persons without means in the pursuit of any civil remedy, nor shall it prohibit a newspaper from answering inquiries through its columns or any corporation from providing legal advice or assistance to its employees. Nothing in this act shall be construed to prohibit a corporation lawfully engaged in the business of conducting a mercantile or collection agency or adjustment bureau from employing an attorney-at-law to give legal advice concerning, or to prosecute actions in court which relate to, the adjustment or collection of debts and accounts only.

Approved April 11, 1917.

Act prohibiting practice of law not to apply to certain corporations.

AN ACT TO PROVIDE FOR TRAINING IN THE DUTIES OF *Chap. 169*
CITIZENSHIP IN THE PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Chapter forty-two of the Revised Laws, as amended in section one by chapter one hundred and eighty-one of the acts of the year nineteen hundred and eight, and by chapter five hundred and twenty-four of the acts of the year nineteen hundred and ten, is hereby further amended by striking out said section one and inserting in place thereof the following:—*Section 1.* Every city and town shall maintain, for at least thirty-two weeks in each year, a sufficient number of schools for the instruction of all the children who may legally attend a public school therein, except that in towns whose assessed valuation is less than two hundred thousand dollars, the required period may, with the consent of the board of education, be reduced to twenty-eight weeks. Such schools shall be taught by teachers of competent ability and good morals, and shall give instruction in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, the history of the United States, training in the duties of citizenship, physiology and hygiene, and good behavior. In each of the subjects of physiology and hygiene, special instruction as to the effects of alcoholic drinks and of stimulants and narcotics on the human system, and as to tuberculosis and its prevention, shall be taught as a regular branch of study to all pupils in all schools which are supported wholly or partly by public money, except schools which are maintained solely for instruction in particular branches. Bookkeeping, algebra, geometry, one or more foreign languages, the elements of the natural sciences, kindergarten training, manual training, agriculture, sewing, cooking, vocal music, physical training, civil government, ethics, thrift and such other subjects as the school committee consider expedient may be taught in the public schools.

R. L. 42, § 1,
etc., amended.

Public schools,
branches to be
taught.

Special
instruction
in certain
subjects.

SECTION 2. This act shall take effect on the first day of August, nineteen hundred and seventeen. Time of taking effect.

Approved April 11, 1917.

*Chap.*170 AN ACT RELATIVE TO AN OPEN SEASON FOR THE HUNTING OF RUFFED GROUSE, WOODCOCK, QUAIL, GRAY SQUIRRELS, HARES AND RABBITS.

Be it enacted, etc., as follows:

1911, 236, § 1,
etc., amended.

SECTION 1. Section one of chapter two hundred and thirty-six of the acts of the year nineteen hundred and eleven, as amended by chapter two hundred and three of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "twelfth day of October", in the second line, and inserting in place thereof the words:— first day of November, — by striking out the word "twelfth", in the third line, and inserting in place thereof the word:— thirtieth, — and by inserting after the word "killed", in the seventh line, the words:— except that in the counties of Berkshire, Franklin, Hampden and Hampshire, the open season on woodcock shall be from the twentieth day of October to the thirtieth day of November, both days inclusive, — so as to read as follows:—

Open season
for ruffed
grouse, etc.

Section 1. It shall be unlawful, excepting only between the first day of November and the thirtieth day of November of each year, both dates inclusive, to hunt, pursue, take or kill a ruffed grouse, commonly called partridge, or a woodcock, or to have the same, or any part thereof, in possession, whenever or wherever the same may have been taken or killed; except that in the counties of Berkshire, Franklin, Hampden and Hampshire, the open season on woodcock shall be from the twentieth day of October to the thirtieth day of November, both days inclusive, and it shall be unlawful at any time to buy, sell, offer for sale, or otherwise dispose of a ruffed grouse or woodcock or any part thereof, whenever or wherever the same may have been taken or killed; and it shall be unlawful at any time to take or send or cause to be taken or transported beyond the limits of the commonwealth the above named birds, or to have in possession any such bird with intent to take or cause the same to be taken out of the commonwealth.

1911, 356, § 1,
etc., amended.

SECTION 2. Section one of chapter three hundred and fifty-six of the acts of the year nineteen hundred and eleven, as amended by chapter two hundred and seventy of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "twelfth day of October", in the second line, and inserting in place thereof the

words:—first day of November,—and by striking out the word “twelfth”, in the third line, and inserting in place thereof the word:—thirtieth,—so as to read as follows:—

Section 1. It shall be unlawful excepting only between the first day of November and the thirtieth day of November of each year, both dates inclusive, to hunt, pursue, take or kill a quail or to have the same, or any part thereof, in possession except as provided in sections two and three hereof; and it shall be unlawful at any time to take or send or cause to be taken or transported beyond the limits of the commonwealth a quail which was taken or killed within the commonwealth, or to have in possession quail with intent to take or cause the same to be taken out of the commonwealth, except quail artificially propagated as provided in section two hereof.

Open season
for quail, etc.

SECTION 3. Section one of chapter one hundred and seventy-two of the acts of the year nineteen hundred and eleven, as amended by chapter two hundred and seventy of the acts of the year nineteen hundred and thirteen, is hereby further amended by striking out the words “twelfth day of October”, in the second line, and inserting in place thereof the words:—first day of November,—and by striking out the word “twelfth”, where it occurs the second time in the second line, and inserting in place thereof the word:—thirtieth,—so as to read as follows:—*Section 1.* It shall be unlawful except only between the first day of November and the thirtieth day of November of each year, both days inclusive, to hunt, take or kill a gray squirrel, or to sell, or offer for sale, or to have in possession for the purpose of sale, a gray squirrel, wherever taken or killed, or to take or kill at any time a gray squirrel by means of a trap, net or snare, or for the purpose of killing a gray squirrel to construct or set a trap, snare or net.

1911, 172, § 1,
etc., amended.

Open season
for gray squir-
rels, etc.

SECTION 4. Section one of chapter one hundred and eighteen of the acts of the year nineteen hundred and eleven, as amended by chapter one hundred and twenty of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the word “eleventh”, in the third line, and inserting in place thereof the words:—thirty-first,—so as to read as follows:—*Section 1.* It shall be unlawful to hunt, take or kill a hare or rabbit between the first day of March and the thirty-first day of October, both inclusive, or to buy or sell or offer for sale a hare or rabbit taken or killed during the said period in this commonwealth, or

1911, 118, § 1,
etc., amended.

Open season
for hares and
rabbits.

Proviso.

taken or killed at any time contrary to the laws of any other state or country. But any person may buy or sell hares or rabbits at any time: *provided*, that they were not taken or killed contrary to the laws of this commonwealth or of any other state or country.

Approved April 12, 1917.

Chap. 171 AN ACT TO EMPOWER THE TAX COMMISSIONER TO GATHER INFORMATION RELATIVE TO THE VALUE OF REAL ESTATE.

Be it enacted, etc., as follows:

Tax commissioner may gather information relative to the value of real estate.

SECTION 1. The tax commissioner is hereby authorized to collect and tabulate information as to the sale price and actual value of parcels of real estate in the several cities and towns of the commonwealth. For this purpose he may examine the records of registries of deeds and of probate, he may require assessors to furnish him with any information in their knowledge or possession, and he may consult any persons having knowledge, or believed by him to have knowledge, as to the sale price and actual value of separate parcels of real estate.

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

Approved April 13, 1917.

Chap. 172 AN ACT RELATIVE TO THE INVESTMENTS OF TRUST COMPANIES.

Be it enacted, etc., as follows:

R. L. 116, § 13, amended.

SECTION 1. Section thirteen of chapter one hundred and sixteen of the Revised Laws is hereby amended by striking out the word "corporations", in the first line, and inserting in place thereof the word:— corporation, — and by adding at the end thereof the following:— or of governments, both foreign and domestic, — so as to read as follows:— *Section 13.* Such corporation may, subject to the limitations of the following section, advance money or credits, whether capital or general deposits, on real property situated within this commonwealth and on personal security, on terms that may be agreed upon, and also invest its money or credits, whether capital or general deposits, in the stocks, bonds or other evidences of indebtedness of corporations or of governments, both foreign and domestic.

Investments of trust companies extended.

SECTION 2. Section thirty-four of said chapter one hundred and sixteen as amended by section two of chapter one hundred and twenty-nine of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by adding at the end thereof the following:—The total liabilities to any one such corporation of any government, either foreign or domestic, other than the government of the United States of America or of this commonwealth, shall not exceed one tenth part of the surplus account and of such amount of the capital stock of such corporation as is actually paid up, and no trust company shall invest, or advance an aggregate amount exceeding at any one time twenty per cent of its surplus account and paid up capital stock in such securities and evidences of indebtedness, — so as to read as follows: *Section 34.* The total liabilities of a person, other than cities or towns, including in the liabilities of a firm the liabilities of its several members, for money borrowed from and drafts drawn on any such corporation having a capital stock of five hundred thousand dollars or more shall at no time exceed one fifth part of the surplus account and of such amount of the capital stock of such corporation as is actually paid up. Such total liabilities to any such corporation having a capital stock of less than five hundred thousand dollars shall at no time exceed one fifth of such amount of the capital stock of the corporation as is actually paid up; but the discount of bills of exchange drawn in good faith against actually existing values, and the discount of commercial or business paper actually owned by the person negotiating it, shall not be considered as money borrowed. The total liabilities to any one such corporation of any government, either foreign or domestic, other than the government of the United States of America or of this commonwealth, shall not exceed one tenth part of the surplus account and of such amount of the capital stock of such corporation as is actually paid up, and no trust company shall invest, or advance an aggregate amount exceeding at any one time twenty per cent of its surplus account and paid up capital stock in such securities and evidences of indebtedness.

R. L. 116, § 34,
etc., amended.

Liability of
any one
person, etc.

Liability to
any one
corporation,
etc.

SECTION 3. This act shall take effect upon its passage.

Approved April 13, 1917.

Chap.173 AN ACT TO PROVIDE ADDITIONAL CLERICAL ASSISTANCE FOR THE TREASURER OF THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

Additional clerical assistance for the treasurer of Middlesex county.

The treasurer of the county of Middlesex shall be allowed a sum not exceeding three thousand dollars annually for such clerical assistance as may be approved by the county commissioners of the county, in substitution for the allowance granted said treasurer by chapter two hundred and seventy of the acts of the year nineteen hundred and eleven.

Approved April 13, 1917.

Chap.174 AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A SIDEWALK ON TYNGSBOROUGH BRIDGE.

Be it enacted, etc., as follows:

Sidewalk to be constructed on Tyngsborough bridge.

SECTION 1. For the purpose of rendering the Tyngsborough bridge, which crosses the Merrimack river at the town of Tyngsborough, safe for foot travel, the county commissioners of the county of Middlesex are hereby directed to construct, at a cost not exceeding three thousand dollars, to be paid out of the treasury of said county, a sidewalk or suitable foot path on, or attached to, said bridge, in substantial conformity with a report made to said commissioners in the year nineteen hundred and sixteen.

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

Approved April 16, 1917.

Chap.175 AN ACT RELATIVE TO THE MATURITY OF CERTAIN NOTES AUTHORIZED TO BE ISSUED BY THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

1917, 68 (G), § 2, amended.

Maturity of certain notes authorized to be issued by the county of Plymouth.

SECTION 1. Section two of chapter sixty-eight of the General Acts of the year nineteen hundred and seventeen is hereby amended by striking out the word "thirty", in the second sentence, and inserting in place thereof the word: — five, — and by striking out the words "bonds or", in the fourth sentence, so as to read as follows: — *Section 2.* The expense incurred under this act shall not exceed the sum of thirty thousand dollars, and said county commis-

sioners are hereby authorized to borrow on the credit of the county, and to issue notes of the county therefor, such sums, not exceeding said amount as may from time to time be required for the cost and expense aforesaid. Such notes shall be payable by such annual payments beginning not more than one year after the date thereof, as will extinguish each loan within five years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of notes shall constitute a separate loan. All amounts so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out of the same such sums as are authorized by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended under the provisions of this act, including interest.

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

Approved April 16, 1917.

AN ACT RELATIVE TO THE INDEPENDENT AGRICULTURAL *Chap. 176*
SCHOOL IN THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

SECTION 1. The name of the independent agricultural school of the county of Essex is hereby changed to Essex County Agricultural School. Essex County Agricultural School.

SECTION 2. The said school may provide short-unit courses of instruction both at the school and elsewhere in the county. Members of the school staff shall investigate farm and market affairs for the purpose of advising individuals and organizations with reference to better business methods available to farmers and more satisfactory methods of marketing farm products, shall give instruction in the formation of co-operative enterprises, and shall perform any other work calculated to promote the agricultural or rural development of the county. It shall be the duty of members of the staff to keep in touch with, and to bring to the assistance of such individuals and organizations, all agencies in the commonwealth or elsewhere that will enable them to utilize the latest and best knowledge in the furtherance of their work. Courses of instruction.

SECTION 3. This act shall take effect upon its passage.

Approved April 16, 1917.

Chap.177 AN ACT TO PROVIDE COMPENSATION TO THE CITY OF REVERE FOR THE USE OF ITS SEWERAGE SYSTEM BY THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

City of Revere compensated for use of its sewerage system, etc.

SECTION 1. The commonwealth, acting through the metropolitan park commission, shall have the right to maintain and use the existing outlet connection of the sewerage system in Revere beach reservation with the sewerage system of the city of Revere, and to connect the sewerage system of Revere beach bath house with the sewerage system of said city in Ocean avenue, for the disposal of the sewage of said bath house and of the land upon which the same is situated, and shall also have the right to make such other connections with the sewerage system of said city as may hereafter be necessary for the use and development of all lands now under the control of said commission in said city, including the right to discharge sewage from buildings now or hereafter erected on said lands into the sewerage system of said city. There shall be allowed and paid to the city of Revere out of the Metropolitan Parks Maintenance Fund the sum of ten thousand dollars in full compensation for the right to use the sewerage system of said city, as herein provided, and for all use heretofore made of the same by the commonwealth.

SECTION 2. This act shall take effect upon its passage.
Approved April 16, 1917.

Chap.178 AN ACT TO AUTHORIZE THE COMMISSION ON WATERWAYS AND PUBLIC LANDS TO LICENSE CERTAIN STRUCTURES IN THE CONNECTICUT RIVER.

Be it enacted, etc., as follows:

Commission on waterways and public lands may license certain structures in the Connecticut river.

SECTION 1. The commission on waterways and public lands may license, upon such terms as it deems expedient, the construction or extension of a dam, road, bridge, or other structure, or the filling of land or the driving of piles, in, over, or upon the waters of the Connecticut river below high water mark, or the making of excavations in the said river; and to every proceeding for a license under this act the provisions of chapter ninety-six of the Revised Laws and amendments thereof shall apply.

SECTION 2. Every erection made, and all work done on or within the banks of said river below high water mark, which is not authorized by the general court or by said commission, or is made or done in a manner not sanctioned by said commission, without a license as hereinbefore provided, shall be considered a public nuisance. The attorney-general and the district attorneys within their respective districts shall, at the request of said commission, institute proceedings to enjoin or abate any such nuisance.

Certain unauthorized work to be deemed a public nuisance.

SECTION 3. Nothing in any license granted as aforesaid shall be so construed as to impair the legal rights of any person.

Legal rights not to be impaired.

SECTION 4. This act shall take effect upon its passage.

Approved April 16, 1917.

AN ACT TO PROVIDE AID FOR CERTAIN DEPENDENT RELATIVES OF SOLDIERS AND SAILORS OF THE COMMONWEALTH IN THE FEDERAL SERVICE.

Chap. 179

Be it enacted, etc., as follows:

SECTION 1. Any city or town may raise money by taxation or otherwise, and, if necessary, expend the same by the officers authorized by law to furnish state and military aid, for the benefit of the wife, widow, children under sixteen years of age, or any child dependent by reason of physical or mental incapacity, or the actually dependent parents, brothers and sisters, of any inhabitant of such city or town, having a residence and actually residing therein, who has enlisted, and responded to the call of the president or war department, or hereafter shall duly be enlisted, and who has been or shall be mustered into the military or naval service of the United States as a part of the quota of this commonwealth which may be called for service in the United States or in any foreign country, up to January fifteenth, nineteen hundred and nineteen, unless the said service is sooner terminated, in the same manner and under the same limitations, except as hereinafter provided, as state aid is paid to dependent relatives of soldiers or sailors of the civil war and of the war with Spain.

Cities and towns may provide aid for dependent relatives of soldiers and sailors in the Federal service.

SECTION 2. Persons who incur disabilities in the said service and who are honorably discharged therefrom shall be eligible to receive state and military aid under the same rules, conditions and limitations as to amount which now

State and military aid.

govern applicants for aid under chapter five hundred and eighty-seven of the acts of the year nineteen hundred and fourteen.

Applications,
form, etc.

SECTION 3. Applicants for aid as aforesaid shall, as a basis for the first payment thereof, state in writing, under oath, the name, age and residence of the person for whom aid is sought, the relationship of such person to the soldier or sailor, the company and regiment or branch of the service in which the soldier or sailor is enlisted and in which he last served, the date and place of his enlistment, when known, the duration of his service, and the reason for the application, and shall furnish such official certificate or record, or other evidence of enlistment, service and discharge as may be required.

Commissioner
of state aid
and pensions
to furnish
blanks, decide
disputes, etc.

SECTION 4. The commissioner of state aid and pensions shall furnish, from time to time, to each city and town a sufficient number of blank forms for the use of applicants; shall decide all questions in dispute between applicants and the municipal authorities; shall investigate all payments of aid; shall have power to determine all incidental questions arising in connection therewith; and shall have the custody of the original papers relating to each application.

Applications to
be forwarded
with recom-
mendations.

SECTION 5. Each application shall be forwarded to the commissioner of state aid and pensions by the municipal officers with whom the application is filed, within three days after it is filed, together with a recommendation of the said officers thereon.

Returns of
payments by
municipal
officers.

SECTION 6. Municipal officers making payments under this act shall make return of the same to the commissioner of state aid and pensions on blank forms furnished by the commissioner, in the manner prescribed by chapter five hundred and eighty-seven of the acts of the year nineteen hundred and fourteen, except that so much of section six of said chapter as relates to the maximum aid to be allowed shall not apply. The said commissioner shall prescribe rules as to the amount and the disbursement of relief to the dependents of soldiers and sailors during the period when such soldiers and sailors are in the actual service of the United States, and reimbursement shall be made to the city or town from the treasury of the commonwealth for amounts actually expended: *provided*, that in no case shall more than forty dollars be reimbursed on account of the total aid rendered to all dependent relatives of any one soldier or sailor in any one month. All sums expended by cities and

Common-
wealth to
reimburse
cities and
towns.

Proviso.

towns in excess of the amount so authorized shall be borne by the respective city or town in which the recipient has a legal settlement, in the form of soldiers' relief; but in the case of dependents of a soldier or sailor without legal settlement, the amount expended by cities and towns in excess of the limit prescribed, after determination by the commissioner of state aid and pensions as to how much relief is necessary to afford reasonable support, shall be reimbursed by the commonwealth. Payment under this act may be made from the date of entry into the service of the federal government.

Cities and towns to bear excess amounts, etc.

SECTION 7. Cities and towns, to meet liabilities incurred under the provisions of this act, are hereby authorized to borrow in excess of the statutory limit, for a period not exceeding one year, such sums as may be required, and to issue notes therefor to be payable in not more than one year from the date of issue.

May issue notes.

SECTION 8. The provisions of this act shall not apply to any inhabitant of this commonwealth who has enlisted, or who may hereafter enlist, in the corps of other states or territories.

Not to apply to enlistments of other states, etc.

SECTION 9. This act shall take effect upon its passage.

Approved April 16, 1917.

AN ACT RELATIVE TO THE GRANTING OF EXPRESS PERMITS FOR THE TRANSPORTATION OF INTOXICATING LIQUORS INTO NO-LICENSE CITIES AND TOWNS.

Chap. 180

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter four hundred and twenty-one of the acts of the year nineteen hundred and six, as amended by section one of chapter four hundred and twenty-three of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the word "shall", in the third line, and inserting in place thereof the word: — may, — and by adding at the end thereof the words: — The mayor and aldermen in cities and selectmen in towns may, in their discretion, refuse to grant any and all such permits, — so as to read as follows: — *Section 2.* The mayor and aldermen in cities and the selectmen in towns in which said licenses of the first five classes are not granted may annually in the month of April, grant and issue one or more permits under the provisions of this act, to become effective on the first day of May following, and to

1906, 421, § 2, etc., amended.

Granting of express permits for the transportation of intoxicating liquors into no-license cities and towns made optional.

be granted only to a person, firm or corporation regularly and lawfully conducting a general express business and to no other person, firm or corporation, and every such permit shall specify the residence by street and number (if any) of the holder, and shall be subject to all laws now or hereafter in force relative to the transportation of such liquors. The mayor and aldermen in cities and selectmen in towns may, in their discretion, refuse to grant any and all such permits.

Certain provisions not to apply.

SECTION 2. So much of any act as is inconsistent herewith shall not apply to the provisions of this act.

SECTION 3. This act shall take effect upon its passage.
Approved April 16, 1917.

*Chap.*181 AN ACT AUTHORIZING THE PUBLICATION OF INFORMATION CONCERNING THE NATIONAL FLAG, THE FLAG OF THE COMMONWEALTH AND SIMILAR MATTERS.

Be it enacted, etc., as follows:

Secretary of commonwealth may publish information concerning the flag of the commonwealth, etc.

SECTION 1. The secretary of the commonwealth is hereby authorized to publish in pamphlet form information concerning the national flag, its history and anniversaries, a calendar of American history, the seal, coat-of-arms and flag of the commonwealth, the statutes of the commonwealth and of the United States relating to the national flag and the state flag, and such other material likely to promote patriotism as he may deem advisable. Ten thousand copies shall be printed and such further editions as may become necessary: *provided, however,* that the whole amount expended for this purpose in the year nineteen hundred and seventeen shall not exceed one thousand dollars. The governor, lieutenant governor, councillors, senators and representatives shall be entitled to receive ten copies each, the remainder to be distributed to the public in the discretion of the secretary.

Proviso.

Certain officials to receive copies.

SECTION 2. This act shall take effect upon its passage.
Approved April 16, 1917.

*Chap.*182 AN ACT RELATIVE TO THE TAKING OF SHINERS FOR BAIT IN THE MERRIMACK AND CONNECTICUT RIVERS.

Be it enacted, etc., as follows:

Taking of shiners for bait in the Merrimack and Connecticut

Section eighty-one of chapter ninety-one of the Revised Laws, as amended by section one of chapter one hundred and sixteen of the acts of the year nineteen hundred and

four, and by section one of chapter eighty-one of the acts of the year nineteen hundred and five, relative to taking shiners in the Merrimack and Connecticut rivers, is hereby repealed.

rivers prohibited.

Approved April 16, 1917.

AN ACT RELATIVE TO LIGHTS ON VEHICLES AT NIGHT ON PUBLIC HIGHWAYS AND BRIDGES. Chap. 183

Be it enacted, etc., as follows:

Section one of chapter five hundred and seventy-eight of the acts of the year nineteen hundred and eleven, as amended by chapter one hundred and eighty-two of the acts of the year nineteen hundred and fourteen, and by chapter thirty of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out the words "on wheels", in the first line, so as to read as follows:—

1911, 578, § 1, etc., amended.

Section 1. Every vehicle, whether stationary or in motion, on any public highway or bridge, shall have attached to it a light or lights which shall be so displayed as to be visible from the front and the rear during the period from one half an hour after sunset to one half an hour before sunrise: *provided, however,* that this act shall not apply to any vehicle which is designed to be propelled by hand, or to any vehicle designed for the transportation, as its principal freight, of hay or straw while loaded with such freight.

Certain vehicles to display lights at night on public highways and bridges.

Proviso.

Approved April 16, 1917.

AN ACT RELATIVE TO FACILITIES FOR CROSSING THE CAPE COD CANAL. Chap. 184

Be it enacted, etc., as follows:

SECTION 1. The members of the public service commission and of the commission on waterways and public lands, the county commissioners of the county of Barnstable, and the selectmen of the town of Bourne are hereby constituted a joint commission for carrying out the provisions of this act. The said joint commission, after such notice as it shall deem sufficient, and after hearing the parties interested, may order the discontinuance of the ferry across the Cape Cod canal now maintained at or near the village of Bournedale in the town of Bourne, and may amend, modify or revoke any order made under the provisions of chapter four hundred and forty-eight of the acts of the year eighteen hundred and ninety-nine, and acts in amendment thereof or in addition thereto, relative to the con-

Joint commission to make rules, etc., for crossing the Cape Cod Canal, established.

struction or maintenance of a bridge, ferry or tunnel across, or under said canal at or near said village of Bournedale, and shall have power to impose such terms and conditions in respect to the time for taking effect of such order of discontinuance, or of such amendment, modification or revocation as, in its opinion, will adequately protect the public interests: *provided, however*, that the operation of said ferry at or near said village of Bournedale shall not be discontinued until a street railway has been constructed by the Plymouth and Sandwich Street Railway Company, or its successors and assigns, and is in operation along the north side of, and substantially parallel with, said canal, from a point at or near the bridge across said canal at or near the village of Sagamore in said Bourne to a point at or near the highway bridge across the canal at Bourne village, which, in the opinion of the said commission, will adequately serve the convenience of the public and of the residents of said village of Bournedale.

Proviso.

Boston, Cape Cod and New York Canal Company may purchase certain street railway property.

SECTION 2. The Boston, Cape Cod and New York Canal Company is hereby authorized to subscribe for, or to purchase, and to hold, shares of the Plymouth and Sandwich Street Railway Company, or of its successors and assigns, to an amount at their par or face value not exceeding thirty-five thousand dollars.

Operation.

SECTION 3. After the operation of said ferry has been discontinued in accordance with the provisions of this act, said street railway shall be operated in such a manner as, in the opinion of said joint commission, will adequately serve the convenience of the public and of the residents of said village of Bournedale at all seasons of the year. The fare for the carriage of a passenger by said street railway from any point in the village of Bournedale to either of the termini hereinbefore named shall not exceed the sum of five cents. The superior court sitting in equity shall have jurisdiction to enforce the provisions of this section upon a petition filed in said court by the selectmen of the town of Bourne, or by ten taxable inhabitants of said town.

Certain provision not to apply.

SECTION 4. So much of any act as is inconsistent herewith shall not apply to the provisions of this act.

Time of taking effect.

SECTION 5. This act shall take effect upon its acceptance by the Plymouth and Sandwich Street Railway Company on behalf of itself, its successors and assigns.

Approved April 16, 1917.

Accepted April 18, 1917.

AN ACT TO PROVIDE THAT PLANS TO BE FILED FOR RECORD IN REGISTRIES OF DEEDS SHALL BE APPROVED BY BOARDS OF SURVEY. Chap.185

Be it enacted, etc., as follows:

SECTION 1. No register of deeds in this commonwealth shall accept for record any plan of any territory or sections of land showing thereon proposed streets or ways, in any municipality in which there is a board of survey, unless the same shall have endorsed thereon a certification of said board, or other proper officer by it designated, that all provisions of law applicable to such plan have been complied with. Plans to be filed in registries of deeds to be approved by boards of survey.

SECTION 2. The city or town clerk of each city and town shall notify the register of deeds of the district in which his municipality is situated of the acceptance by such city or town of any act establishing a board of survey therein, and also of the name of the official designated by said board to approve plans under the provisions of this act. Establishment of boards, notice, etc.

SECTION 3. This act shall take effect on the first day of July, nineteen hundred and seventeen. Time of taking effect.

Approved April 16, 1917.

AN ACT RELATIVE TO THE REPORTING OF AUTOMOBILE ACCIDENTS. Chap.186

Be it enacted, etc., as follows:

Chapter five hundred and thirty of the acts of the year nineteen hundred and thirteen is hereby amended by striking 1913, 530, § 1, amended.

out section one and inserting in place thereof the following: — *Section 1.* Every operator of a motor vehicle which in any manner is involved in an accident in which any person is killed or injured, shall forthwith report the same in writing to the Massachusetts highway commission. Automobile accidents to be reported to highway commission.

Approved April 16, 1917.

AN ACT RELATIVE TO THE DEFINITION OF "MOTOR CYCLE." Chap.187

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, as amended by section one of chapter two hundred 1909, 534, § 1, etc., amended.

and four of the acts of the year nineteen hundred and fourteen, by section one of chapter sixteen and also by chapter ninety-nine of the General Acts of the year nineteen hundred and fifteen, and by chapter two hundred and sixty of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by inserting after the word "two", in the second line of the eighth paragraph, the words:—or three,—so that said paragraph will read as follows:— "Motor cycle" shall apply only to motor vehicles having but two or three wheels in contact with the ground, and a saddle on which the driver sits astride, or a platform on which he stands, and to bicycles having a motor attached thereto and a driving wheel or wheels in contact with the ground in addition to the wheels of the bicycle itself.

"Motor cycle,"
term defined.

Repeal.

SECTION 2. Sections two and three of chapter four hundred and twenty of the acts of the year nineteen hundred and fourteen are hereby repealed.

Time of taking
effect.

SECTION 3. This act shall take effect on the first day of January, nineteen hundred and eighteen.

Approved April 16, 1917.

Chap.188

AN ACT RELATIVE TO THE TAKING OF TROUT.

Be it enacted, etc., as follows:

Taking of trout
regulated.

SECTION 1. It shall be unlawful to take trout other than by rod and single line, and at any other time than between one hour before sunrise and two hours after sunset. No person shall in any one day take a total of more than twenty-five trout of any or all species, and when two or more persons are angling from the same boat or raft they shall take not more in the aggregate than thirty trout.

Penalty.

SECTION 2. Any violation of this act shall be punished by a fine of not less than five nor more than twenty dollars for each fish unlawfully taken.

Time of taking
effect.

SECTION 3. This act shall take effect on the first day of January, nineteen hundred and eighteen.

Approved April 16, 1917.

Chap.189 AN ACT TO HARMONIZE THE STANDARDS FOR TOTAL MILK SOLIDS AND MILK FAT.

Be it enacted, etc., as follows:

R. L. 56, § 56,
etc., amended.

Section fifty-six of chapter fifty-six of the Revised Laws, as amended by chapter six hundred and forty-three of the

acts of the year nineteen hundred and eight, is hereby further amended by striking out the words "and fifteen hundredths", in the fourth line, so as to read as follows:—

Section 56. In prosecutions under the provisions of sections fifty-one to sixty-four, inclusive, milk which, upon analysis, is shown to contain less than twelve per cent of milk solids or less than three and thirty-five hundredths per cent of fat, shall not be considered of good standard quality.

Standards for total milk solids and milk fat harmonized.

Approved April 16, 1917.

AN ACT RELATIVE TO SPECIFIC MATERIAL FOR PROTECTIVE INOCULATION, DIAGNOSIS OR TREATMENT TO BE FURNISHED BY THE STATE DEPARTMENT OF HEALTH.

Chap.190

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter seventy-five of the Revised Laws, as amended by chapter four hundred and eighty of the acts of the year nineteen hundred and three, and by chapter one hundred and four of the acts of the year nineteen hundred and twelve, is hereby further amended by inserting after the word "inoculation", in the fifteenth line, the words:—diagnosis or treatment,— so as to read as follows:—*Section 4.* Said board shall take cognizance of the interests of health and life among the citizens of the commonwealth, make sanitary investigations and inquiries relative to the causes of disease, and especially of epidemics, the sources of mortality and the effects of localities, employments, conditions and circumstances on the public health, and relative to the sale of drugs and food and the adulterations thereof; and shall gather such information relative thereto as it considers proper for diffusion among the people. It shall advise the government relative to the location and other sanitary conditions of any public institution; and shall have oversight of inland waters, sources of water supply and vaccine institutions, and may, for the use of the people of the commonwealth, produce and distribute antitoxin and vaccine lymph and such specific material for protective inoculation, diagnosis or treatment against typhoid fever and other diseases as said board may, from time to time, deem it advisable to produce and distribute. It shall annually examine all main outlets of sewers and drainage of cities and towns of the commonwealth, and the effect of sewage disposal, and shall annually report thereon to the general court, with such recommenda-

R. L. 75, §4, etc., amended.

State department of health to safeguard health and life of citizens.

May distribute material for protective inoculation.

tions for the protection of the interests of persons and property and for the prevention of offensive odors and objectionable conditions as it considers expedient.

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

Approved April 18, 1917.

Chap.191 AN ACT TO EXTEND THE POWERS OF MUTUAL LIABILITY INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Mutual liability insurance companies may transact certain business.

SECTION 1. Domestic mutual insurance companies authorized to transact liability insurance may also make contracts of insurance to guarantee the fidelity of persons holding positions of trust in private or public employment or responsibility, and may transact all kinds of liability insurance which stock companies are now, or may hereafter be, permitted by law to transact in this commonwealth, and any form of insurance to protect, indemnify or insure employers against loss on account of injury to persons or damage to property for which they are responsible under existing laws, or for which they may become responsible under laws hereafter enacted, and may also transact the business of insuring against the sickness, and the bodily injury or death of the insured by accident.

Must have surplus, etc.

SECTION 2. Before any such mutual liability insurance company may transact the business of insuring against the sickness and the bodily injury or death of the insured by accident it shall have a surplus of not less than one hundred thousand dollars, and before it may transact the business of fidelity insurance it shall have a surplus of not less than two hundred thousand dollars, and, if it transacts both classes, of three hundred thousand dollars, and these amounts representing surplus shall be maintained while the company transacts the said business.

SECTION 3. This act shall take effect upon its passage.

Approved April 18, 1917.

Chap.192 AN ACT RELATIVE TO THE AUDITING BY THE DIRECTOR OF THE BUREAU OF STATISTICS OF TOWN ACCOUNTS.

Be it enacted, etc., as follows:

Auditing by director of bureau of sta-

SECTION 1. The selectmen of a town may vote to petition the director of the bureau of statistics for an audit of the

accounts of the town when, in their opinion, the condition of the accounts are such as to warrant the making of an audit. The director of the bureau of statistics, upon receipt of a petition as aforesaid, shall, as soon as possible, cause such an audit to be made, the work to be done under the conditions and the cost to be assessed in the manner specified in chapter five hundred and ninety-eight of the acts of the year nineteen hundred and ten, as amended.

statistics of town accounts.

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

Approved April 23, 1917.

AN ACT RELATIVE TO THE TAKING OF SAMPLES OF VINEGAR Chap. 193
FOR THE PURPOSE OF ANALYSIS.

Be it enacted, etc., as follows:

SECTION 1. The collection of samples of vinegar, as authorized by the provisions of section twenty of chapter seventy-five of the Revised Laws, and of chapter six hundred of the acts of the year nineteen hundred and eleven, and all acts in amendment thereof, and in addition thereto, shall be made under the direction and supervision of the state department of health, or by the local boards of health. Samples may be purchased in the open market, and the stencillings, tags, brands or other markings upon the container shall be noted. They shall be divided into substantially two equal parts of at least sufficient volume to permit of a proper analysis as required by law, and there shall be delivered to the owner or other person from whom the vinegar is taken one of the two above mentioned parts properly labeled with identifying marks and sealed with a seal, provided for that purpose, at the time of the taking of the samples and a receipt therefor shall be given to the inspector or collector.

Taking of samples of vinegar for purpose of analysis regulated.

SECTION 2. Whoever makes, causes to be made, uses or has in his possession, an imitation or counterfeit of a seal used by an inspector or other officer engaged in the inspection of vinegar, and whoever changes or tampers with a sample taken or sealed as provided in section one of this act, shall be punished by imprisonment for not more than six months, or by a fine of not more than one hundred dollars, or by both such fine and imprisonment.

Penalty.

Approved April 23, 1917.

Chap.194 AN ACT RELATIVE TO PLEADINGS AND PROOFS IN SUITS TO RECOVER FOR MERCHANDISE SOLD OR WORK DONE.

Be it enacted, etc., as follows:

Pleadings and proofs in suits to recover for merchandise sold, etc.

SECTION 1. In any action hereafter brought to recover the amount due for goods, wares and merchandise alleged to have been sold and delivered, or for work, labor and services alleged to have been performed, the plaintiff, by notice in writing served on the defendant or his attorney, may call upon the other party to admit, for the purpose of the trial of the action, any fact which is material or the execution of any written paper which he intends to use at such trial. The court may delay the trial until such notice is answered. If no answer is returned within ten days after a copy of said demand is filed in the clerk's office, or within such further time as may on motion be granted, the truth of the fact or the execution of the paper shall, for the purposes of that action, be held to be admitted.

Time of taking effect.

SECTION 2. This act shall take effect on the first day of January in the year nineteen hundred and eighteen.

Approved April 23, 1917.

Chap.195 AN ACT TO PROVIDE FOR ENLARGING THE MOUNT TOM STATE RESERVATION.

Be it enacted, etc., as follows:

Mount Tom state reservation commission may purchase land.

The Mount Tom state reservation commission is hereby authorized to acquire by purchase, or by right of eminent domain, such land adjoining the reservation as the commission may deem it expedient to acquire; and may expend from the treasury of the commonwealth for this purpose a sum not exceeding one thousand dollars. The provisions of chapter two hundred and sixty-four of the acts of the year nineteen hundred and three shall apply to the land acquired hereunder, and to the purchase or taking thereof.

Approved April 23, 1917.

Chap.196 AN ACT TO PERMIT THE TAKING OF EUROPEAN HARES IN THE COUNTY OF BERKSHIRE.

Be it enacted, etc., as follows:

1911, 118, § 3, etc., amended.

Chapter one hundred and eighteen of the acts of the year nineteen hundred and eleven, as amended by chapter one

hundred and twenty of the acts of the year nineteen hundred and fourteen, is hereby further amended by adding a new section, to be numbered three A, as follows:— *Section 3A.* The provisions of this act shall not apply in the county of Berkshire to European hares, which may be hunted, taken or killed in that county at any time during the year.

European hares may be taken in Berkshire county.

Approved April 23, 1917.

AN ACT TO EXTEND THE SANCTION OF THE COMMONWEALTH TO THE RECRUITING BUTTON AND TO REGULATE ITS USE.

Chap. 197

Be it enacted, etc., as follows:

SECTION 1. The so-called "Recruiting Button" which is issued from the chief quartermaster's office shall bear the seal of the commonwealth, and shall have inscribed thereon the words "1917 Willing and Ready", a facsimile of which shall be retained in the said office. The said button may lawfully be worn by any member of the national guard of Massachusetts, or by any person who has presented himself to the proper officials, and has duly been approved and enrolled as a recruit for active service in the military forces of the United States or the commonwealth of Massachusetts.

Commonwealth to sanction use of "Recruiting Button."

SECTION 2. The wearing of the said button by any person other than those described in the preceding section shall be unlawful, and shall be punished by a fine of not less than five, nor more than fifty, dollars for each offence.

Penalty for illegally wearing.

Approved April 23, 1917.

AN ACT RELATIVE TO MEDICAL SERVICES IN INDUSTRIAL ACCIDENT CASES.

Chap. 198

Be it enacted, etc., as follows:

Chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven, as amended in section five of Part II by section one of chapter seven hundred and eight of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out said section five and inserting in place thereof the following:— *Section 5.* During the first two weeks after the injury, and, if the employee is not immediately incapacitated thereby from earning full wages, then from the time of such incapacity, and in

1911, 751 (11), § 5, etc., amended.

Medical services in industrial accident cases.

Injured em-
ployee may
select his own
physician.

unusual cases, in the discretion of the board, for a longer period, the association shall furnish adequate and reasonable medical and hospital services, and medicines, when they are needed. The employee shall have the right to select a physician other than the one provided by the association, and in case he shall be treated by a physician of his own selection, or, where, in case of emergency or for other justifiable cause, a physician other than the one provided by the association is called in to treat the injured employee, the reasonable cost of his services shall be paid by the association, subject to the approval of the industrial accident board. Such approval shall be granted only if the board finds that the employee was so treated by such physician, or that there was such emergency or justifiable cause, and, in all cases, that the services were adequate and reasonable and the charges reasonable.

(The foregoing was laid before the governor on the seventeenth day of April, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 199 AN ACT AUTHORIZING THE ISSUANCE OF A CERTIFIED STATEMENT BY THE BOARD OF REGISTRATION IN MEDICINE TO TAKE THE PLACE OF A LOST CERTIFICATE OF REGISTRATION.

Be it enacted, etc., as follows:

R. L. 76, § 9,
etc., amended.

SECTION 1. Chapter seventy-six of the Revised Laws as amended by section three of chapter fifty-five of the General Acts of the year nineteen hundred and seventeen, which adds a new section to said chapter seventy-six numbered nine A, is hereby further amended by striking out said section nine A and inserting in place thereof the following:—*Section 9 A.* No person shall enter upon, or continue in, the practice of medicine within this commonwealth until he shall have presented his certificate of registration as a physician in this commonwealth, or, if he has lost said certificate, a certified statement issued by the board of registration in medicine, setting forth all the material facts in the original certificate which, for this and for any other purpose, shall be the equivalent of said certificate, to the city or town clerk of the city or town where he has, or intends to have, an office or his usual place of business, and shall at the time of such presentation of said certificate, pay to the said city

Board of regis-
tration in medi-
cine may issue
certified state-
ment in place of
lost certificate.

or town clerk a fee of twenty-five cents; and in a like manner, any physician residing in another state and legally qualified to practice therein, whose general practice extends into the border cities or towns of this commonwealth, and who is exempt from registration in this commonwealth under the provisions of section nine of chapter seventy-six of the Revised Laws, shall present his certificate of registration from the state in which he is registered to the city or town clerk of the border cities or towns in this commonwealth to which his practice extends. Upon receipt of a fee of twenty-five cents from the owner of a certificate, as herein provided, it shall be the duty of said city or town clerk to record the name of the owner of said certificate, together with the date of record, upon blanks approved by the board of registration in medicine, said blanks to be so arranged that a duplicate carbon copy shall be made at the time of the original record. The said city or town clerk shall keep the original record, which shall be open to inspection by the public, as a part of the records of his office, and shall, within twenty-four hours after making the same, forward the duplicate record to the office of the board of registration in medicine. Whoever practises or attempts to practise medicine in this commonwealth before submitting his certificate of registration to a city or town clerk as herein provided, or whoever submits to a city or town clerk a false or fraudulent certificate shall, for each offence, be punished by a fine of not less than five nor more than one hundred dollars; and any clerk of a city or town who refuses or neglects to comply with the provisions of this section shall, for each offence, be punished by a fine of not less than five nor more than ten dollars.

Registration of non-resident physician.

City or town clerk to record same.

Records to be open to public inspection.

Penalty.

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

Approved April 24, 1917.

AN ACT RELATIVE TO MOTOR VEHICLES AND TO THE OPERATION THEREOF.

Chap. 200

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, as amended in section fourteen by section five of chapter six hundred and five of the acts of the year nineteen hundred and ten, and by section one of chapter one hundred and ninety of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out said section fourteen and

1909, 534, § 14, etc., amended.

Operators of motor vehicles to stop when approaching horse, etc.

To drive eight feet from running board of street railway car, except, etc.

To slow down and give signal when, etc.

Provisos.

Use of muffler cut-out regulated.

Crossings of ways, manner of approaching.

inserting in place thereof the following: — *Section 14.* Every person operating a motor vehicle shall bring the vehicle and the motor propelling it immediately to a stop when approaching a horse or other draft animal being led, ridden or driven, if such animal appears to be frightened and if the person in charge thereof shall signal so to do; and, if travelling in the opposite direction to that in which such animal is proceeding, said vehicle shall remain stationary so long as may be reasonable to allow such horse or animal to pass; or, if travelling in the same direction, the person operating shall use reasonable caution in thereafter passing such horse or other animal. In approaching or passing a car of a street railway which has been stopped to allow passengers to alight from or board the same, the operator of every motor vehicle shall not drive such vehicle within eight feet of the running board or lowest step of the car then in use by passengers for the purpose of alighting or boarding, except by the express direction of a traffic officer, or 'except at points where passengers are protected by safety zones. Upon approaching a pedestrian who is upon the travelled part of any way and not upon a sidewalk, or where the operator's view is obstructed either upon approaching an intersecting way or a curve or corner in a way, every person operating a motor vehicle shall slow down and give a timely signal with his bell, horn or other device for signalling: *provided*, that in the thickly settled part of a city or town no bell, horn or other device for signalling shall be sounded so as to make a harsh, objectionable or unreasonable noise, except in the case of fire and police department vehicles and ambulances; and *provided, further*, that no operator of any motor vehicle shall at any time permit any unreasonable amount of smoke to escape from such motor vehicle, nor shall said operator at any time open the muffler cut-out in the thickly settled parts of cities and towns; nor, at any time, in the thickly settled parts of cities and towns or elsewhere, permit such motor vehicle to make any unnecessary noise, by cutting out the muffler, or otherwise. The driver of any motor vehicle on any highway approaching a crossing of ways, shall slow down and keep to the right of the intersection of the centres of both ways, when turning to the right, and shall pass to the right of the intersection of the centres of said ways before turning to the left.

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

Approved April 24, 1917.

AN ACT RELATIVE TO THE ANNUAL REPORT OF THE BOARD OF PAROLE OF THE MASSACHUSETTS BUREAU OF PRISONS. *Chap.201*

Be it enacted, etc., as follows:

SECTION 1. The board of parole of the Massachusetts bureau of prisons shall make an annual report to the general court, which shall be incorporated in the annual report of the director of prisons. Report of board of parole to be included in that of director of prisons.

SECTION 2. Chapter thirty-five of the General Acts of the year nineteen hundred and fifteen is hereby repealed. Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved April 24, 1917.

AN ACT PROVIDING FOR THE REGISTRATION OF CHIROPODISTS BY THE BOARD OF REGISTRATION IN MEDICINE. *Chap.202*

Be it enacted, etc., as follows:

SECTION 1. The word "chiropody" shall, for the purposes of this act, mean the external treatment of the structures of the human foot by medical, mechanical or surgical means without the use of anaesthetics other than local anaesthetics. But this act shall not apply to surgeons of the United States army, navy, or of the marine hospital service, nor to physicians duly registered under the provisions of chapter seventy-six of the Revised Laws, and acts in amendment thereof and in addition thereto. "Chiropody," term defined.

SECTION 2. On and after the first day of October in the year nineteen hundred and seventeen, it shall be unlawful for any person to practise or attempt to practise chiropody in this commonwealth, or to hold himself out as a chiropodist, or to designate himself, or describe his occupation, by the use of any words or letters calculated to lead others to believe that he is a registered chiropodist, unless he is duly registered as provided in this act. Chiropodists to be registered, etc.

SECTION 3. Certificates of registration hereunder shall be granted by the board of registration in medicine which, in the examination of applicants, shall have the assistance of two chiropodists who shall have practised chiropody in this commonwealth for a period of not less than five years. They shall be appointed, and may be removed at any time, by the board, and shall act under its direction, and shall each receive in full compensation for his services, the sum of one hundred and fifty dollars a year. For their services Board of registration in medicine to grant certificates.
Compensation of appointees of board.

Compensation, etc., of board for examination.

under this act, the members of the board of registration in medicine who shall be designated by the board to act in the examination of applicants, shall each receive the sum of one hundred dollars a year; and the members of the board who act as aforesaid, and the two chiropodists who assist them, shall be allowed for their travelling expenses, necessarily incurred, such sums as may be approved by the governor and council. It shall be the duty of the said board to prepare and distribute forms of application for registration, certificates to be granted to the persons registered, and such other documents as may be necessary or convenient in carrying out the provisions of this act.

Provisions of act to be published.

SECTION 4. Within thirty days after the passage of this act, the said board shall give notice of its provisions by publishing the same, or an abstract thereof, in one or more newspapers published in each county of the commonwealth.

Board to hold two examinations annually.

The board shall hold at least two examinations annually, at such times and places as shall be designated by the board, and after due notice of the same by publication at least twice a week for three successive weeks in one or more newspapers published in the county in which the examination is to be held. The board may hold such other examinations as it may deem necessary or proper.

Qualifications to be registered without examination.

SECTION 5. Registration under this act shall be granted as follows:— (1) Any chiropodist who shall furnish the board with satisfactory proof that he is twenty-one years of age or over, and of good moral character, who shall make application for registration on or before the first day of October, nineteen hundred and seventeen, and who proves to the satisfaction of the said board that he has been engaged in the practice of chiropody in this commonwealth for a period of two years or more next prior to the passage of this act, shall, upon the payment of a fee of ten dollars, be registered without examination, and shall receive a certificate as a chiropodist registered under this clause, signed by the chairman and secretary of the board.

Practitioners of less than two years to be examined.

(2) Any person who is engaged in the practice of chiropody in this commonwealth at the date of the passage of this act, but who has so been engaged for a period of less than two years next prior to the said date shall, upon furnishing the board with satisfactory proof that he is twenty-one years of age or over, and of good moral character, and upon the payment of a fee of fifteen dollars, be examined as provided in sections three and eight of this act, and if found

qualified, shall be registered, and shall receive a certificate as a chiropodist registered under this clause, signed by the chairman and secretary.

(3) Any person not entitled to registration as aforesaid, who shall furnish the board with satisfactory proof that he is twenty-one years of age or over, and of good moral character, and that he has received a diploma or certificate from a reputable school of chiropody, or from some other institution of equal standing, having a minimum requirement of one year's course of at least eight months shall, upon payment of a fee of fifteen dollars, be examined as provided in sections three and eight of this act, and if found qualified, shall be registered, and shall receive a certificate as a chiropodist registered under this clause, signed by the chairman and secretary.

Persons receiving diploma from certain schools, how registered.

SECTION 6. An applicant for registration under the provisions of this act, who fails to pass an examination satisfactory to the board, shall, within one year, if not disqualified under the provisions of sections nine and ten, be entitled to a re-examination upon payment of a fee of two dollars; and in case of failure to pass the second examination, shall, within one year thereafter, if not disqualified as aforesaid, be entitled to a third examination upon payment of a fee of two dollars; but if he fails to pass the third examination, he shall not be entitled to any further examination without filing another application and paying a fee of fifteen dollars.

Re-examination.

SECTION 7. Applications for registration shall be made upon blanks to be furnished by the board, and shall be signed and sworn to by the applicant. All certificates issued hereunder shall expire on the last day of the year in which they are granted, but upon payment of a fee of two dollars may be renewed by the said board for each subsequent year, without examination. All fees received hereunder shall, once in each month, be paid by the secretary of the board into the treasury of the commonwealth.

Board to furnish application blanks, etc.

SECTION 8. Examinations for registration hereunder shall be in the English language, and shall be written, oral or clinical, or partly written, oral or clinical, as the board may determine. The examinations shall include and be limited to the subjects of the anatomy, physiology, diagnosis and treatment of the human foot, asepsis, therapeutics and clinical chiropody, and applicants shall not be required to have received a medical or surgical education except as specified in clause (3) of section five of this act. No applicant

Examinations to be in English, etc.

who is required to pass an examination hereunder shall be registered unless he obtains a general average of seventy-five per cent in the various subjects in which he is examined, and not less than fifty per cent in any one subject.

Duties of board in refusing and revoking certificates, etc.

SECTION 9. It shall be the duty of the said board to refuse to issue a certificate to any person, and to revoke any certificate issued by it to any person who, in the opinion of a majority of the board, is intemperate in the use of alcoholic liquors or narcotic drugs, or who has been convicted of an offence involving moral turpitude, or who, in the opinion of the board, has been guilty of misconduct involving moral turpitude, or who has violated any provision of this act, or has been guilty of unprofessional conduct, or is in any other manner disqualified, morally, mentally or physically to receive a license hereunder, or who in his application for a license hereunder, knowingly makes any false statement or presents to the board a fraudulent diploma, certificate or other document.

"Unprofessional conduct," term defined.

SECTION 10. The term, "unprofessional conduct", as used in this act, shall include: — (a) The wilful betrayal of a professional secret.

(b) Having professional connection with, or lending the use of one's name to an unregistered chiroprapist, or having professional connection with any one who has been convicted in court of any offence involving moral turpitude.

(c) The selling or giving of any substance or compound containing alcohol or narcotic drugs for other than legal and legitimate purposes.

Board may suspend registration for cause.

SECTION 11. The board may suspend any registration granted hereunder, for a period of not less than six months, because of any misconduct on the part of the person registered which would not, in the opinion of the board, justify the revocation of his registration.

Hearing may be requested.

SECTION 12. No registration hereunder shall be revoked or suspended without a hearing, if the person registered requests a hearing.

Complaints to be investigated.

SECTION 13. The board shall investigate all complaints of violations of this act, and shall report to the proper prosecuting officers any such violation within its knowledge.

City and town clerks to record certificates of registration.

SECTION 14. Every person registered hereunder shall, before entering upon the practice of chiroprasty in this commonwealth, submit his certificate of registration to the clerk of the city or town in which he proposes to practise chiroprasty, and shall inform the clerk that he is the person designated therein, and shall pay to the clerk a fee of fifty cents. There-

upon, it shall be the duty of the city or town clerk to register his name and address, and the date and number of the certificate, and the said record shall be open to public inspection. A copy of every such registration shall be furnished by the city or town clerk within one week after it is made to the board of registration in medicine.

SECTION 15. The board of registration in medicine shall file with the auditor of the commonwealth, on or before November fifteenth of each year, a detailed estimate of its proposed expenditures under this act for the coming year. The expense of carrying out the provisions of this act, and all necessary expenses incurred thereby, shall be paid from an annual appropriation made therefor by the general court; but the expense shall not in any year exceed the amount received by the commonwealth for license fees hereunder during that year.

Estimate of expenditures to be filed, etc.

SECTION 16. Any person who shall obtain or attempt to obtain registration under this act by any false or fraudulent means, and any person who violates any provision of section two hereof, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than three months nor more than one year, or by both such fine and imprisonment. Any person who violates any provision of section fourteen hereof shall be punished by a fine of not less than three nor more than twenty dollars.

Penalties.

Approved April 24, 1917.

AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF EASTERN FRANKLIN.

Chap.203

Be it enacted, etc., as follows:

The salary of the justice of the district court of Eastern Franklin shall be twelve hundred dollars a year, notwithstanding the provisions of section one of chapter four hundred and fifty-three of the acts of the year nineteen hundred and four, and of the amendments thereof.

Salary of justice of eastern Franklin district court established.

Approved April 24, 1917.

AN ACT TO EXEMPT FROM TAXATION THE PERSONAL PROPERTY OF CERTAIN FRATERNAL SOCIETIES, ORDERS AND ASSOCIATIONS.

Chap.204

Be it enacted, etc., as follows:

SECTION 1. The personal property of a fraternal society, order, or association, operating under the lodge system or

Personal property of certain fraternal so-

cities, orders,
etc., exempt
from taxation.

for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and providing life, sick, accident, or other benefits for the members of such society, order, or association, or their dependents, shall be exempt from taxation.

Time of taking
effect.

SECTION 2. This act shall take effect upon its passage, but the income received by such societies, orders, or associations between January first, nineteen hundred and sixteen and the date of the passage of this act shall be exempt from taxation under chapter two hundred and sixty-nine of the General Acts of the year nineteen hundred and sixteen.

(The foregoing was laid before the governor on the eighteenth day of April, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap.205 AN ACT RELATIVE TO THE POWERS OF CITIES AND TOWNS WITH RESPECT TO MUNICIPAL LIGHTING PLANTS AND THE ASSESSMENT OF CERTAIN EXPENSES OF SUPERVISING THE SAME.

Be it enacted, etc., as follows:

City or town
not to sell
municipal
lighting plant
except when
so authorized
by law.

SECTION 1. A city or town which has acquired a municipal lighting plant shall not sell the same for the purpose of abandoning the distribution of gas or electricity to its inhabitants until such sale has been authorized in the manner and by the votes prescribed by sections ninety-three and ninety-four of chapter seven hundred and forty-two of the acts of the year nineteen hundred and fourteen for the acquisition of such plants.

1914, 742, § 92,
amended.

SECTION 2. Section ninety-two of said chapter seven hundred and forty-two is hereby amended by striking out the words "except for the operation of electric cars", in the fifth and sixth lines, so as to read as follows: — *Section 92.* A city or town may, in accordance with the provisions of this act, construct, purchase or lease, and maintain within its limits, one or more plants for the manufacture or distribution of gas or electricity for municipal use or for the use of its inhabitants. Such plants may include suitable land, structures and machinery and other apparatus and appliances for manufacturing, using and distributing gas or electricity for said purposes.

Municipal
plants,
establishment,
etc.

1914, 742, § 136,
amended.

SECTION 3. Section one hundred and thirty-six of said chapter seven hundred and forty-two is hereby amended by

striking out said section and inserting in place thereof the following new section, — so as to read as follows: — *Section 136.* All sums of money annually appropriated by the general court for the salaries and expenses of the board, its clerks and employees, shall be apportioned by the tax commissioner among the several gas and electric companies and cities and towns which have acquired municipal lighting plants, and, on or before the first day of July in each year, he shall assess upon each of said companies, cities and towns its share of said sums, in proportion to gross earnings in the case of companies, and in proportion to expense as defined in section one hundred and fourteen in the case of cities and towns, for the year last preceding the year in which the assessment is made; and such assessments in the case of companies shall be collected in the manner in which taxes upon corporations are collected, and in the case of cities and towns, in the manner in which the state tax is collected.

Tax commissioner to apportion expenses of gas and electric light commissioners among companies, cities and towns, etc.

SECTION 4. Section one hundred and seventy-nine of said chapter seven hundred and forty-two is hereby amended by inserting after the word "companies", in the fifth line, the words: — and cities and towns which have acquired municipal gas plants, — by striking out the word "their", in the sixth line, and inserting after the word "earnings", in the same line, the words: — in the case of companies, and to expense as defined in section one hundred and fourteen in the case of cities and towns, — and by inserting after the word "companies", in the thirteenth line, the words: — and cities and towns, — so as to read as follows: — *Section 179.* The amount of the expenses incurred by

1914, 742, § 179, amended.

the board in the inspection of gas and gas meters and in salaries paid therefor, less the amount deposited with the treasurer and receiver general from the fees for the inspection of meters, shall be borne by the several gas companies and cities and towns which have acquired municipal gas plants in proportion to gross earnings in the case of companies, and to expense as defined in section one hundred and fourteen in the case of cities and towns, and shall be assessed and recovered in the manner provided by section one hundred and thirty-six. If at any time however the amount collected under the provisions of sections one hundred and seventy-seven and one hundred and eighty-five shall exceed the amount of such salaries and expenses, such excess shall be applied to reduce the annual assessment levied upon the several gas companies and cities and towns

Expenses for inspection, how borne.

Excess collections, how applied.

under the provisions of said section one hundred and thirty-six, for the annual expenses of the board.

SECTION 5. This act shall take effect upon its passage.
Approved April 25, 1917.

*Chap.*206 AN ACT RELATIVE TO THE DISPOSITION OF THE RECORDS OF THE SUPREME JUDICIAL COURT AND OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

R. L. 165, § 25, amended.

Disposition of records of supreme judicial court and superior court.

Chapter one hundred and sixty-five of the Revised Laws is hereby amended by striking out section twenty-five and inserting in place thereof the following: — *Section 25.* The supreme judicial court shall, by general rule or special order, direct in what manner and to what extent, if any, the papers in causes which are entered in said court or in the superior court shall be extended upon the records, after final judgment or otherwise, and shall be a final record. Such rule or order shall specify whether such extension shall be in whole or in part, in long-hand, typewriting, print or otherwise, or shall consist of the filing of original papers in such causes by loose-leaf system or otherwise.

Approved April 25, 1917.

*Chap.*207 AN ACT RELATIVE TO THE OBSERVANCE OF THE LORD'S DAY.

Be it enacted, etc., as follows:

Raising, etc., of agricultural products allowed on the Lord's day for certain period.

SECTION 1. The cultivation of land, and the raising, harvesting, conserving and transporting of agricultural products on the Lord's day shall not be unlawful, during the existence of war, and until the first day of January following the termination thereof, between the United States and any other nation.

SECTION 2. This act shall take effect upon its passage.
Approved April 27, 1917.

*Chap.*208 AN ACT TO CODIFY AND AMEND THE LAWS RELATIVE TO THE MANUFACTURE AND SALE OF FOODS AND DRUGS.

Be it enacted, etc., as follows:

Penalty for illegal manufacture of foods or drugs.

SECTION 1. It shall be unlawful for any person to manufacture any article of food or drug which is adulterated or misbranded, within the meaning of this act, or which does not comply with the rules and regulations and standards

herein provided; and any person who shall violate any provision of this section shall be guilty of a misdemeanor, and shall be punished for each offense by a fine of not less than fifteen, nor more than five hundred, dollars, or by imprisonment for not more than six months.

SECTION 2. Any person who shall, for pay or otherwise, deliver or offer to deliver to any person any such article so adulterated or misbranded within the meaning of this act, or which does not comply with the rules and regulations and standards herein provided, and any person who shall sell or offer for sale such adulterated or misbranded foods or drugs, or any food or drug which does not comply with the rules and regulations and standards herein provided, shall be guilty of a misdemeanor, and shall, in the case of misbranding, be punished by a fine of not more than two hundred dollars, and in the case of adulteration by a fine of not less than twenty-five, nor more than two hundred, dollars: *provided*, that no article shall be deemed misbranded or adulterated within the provisions of this act if it be intended for export to any foreign country and is prepared or packed according to the specifications or directions of the foreign purchaser: *provided*, that no substance is used in the preparation or packing thereof in violation of the laws of the foreign country to which the article is intended to be shipped; but if the article shall be in fact sold or offered for sale for domestic use or consumption then this proviso shall not exempt it from the provisions of this act.

Penalty for illegal sale or delivery, etc.

Provisos.

SECTION 3. The state department of health, and also the boards of health of the several cities and towns, shall enforce the provisions of this act. Except as to standards that have already been or may hereafter be fixed by statute, the state department of health shall adopt rules and regulations not inconsistent with the provisions of this act, standards and tolerances and definitions of purity or quality, conforming to the rules and regulations, standards and tolerances or definitions of purity or quality adopted or that may hereafter be adopted for the enforcement of the act of congress approved June thirtieth, nineteen hundred and six, and the amendments thereof, the said act being entitled "An Act for preventing the manufacture, sale or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein and for other purposes", or now

Enforcement of law.

State health department to make regulations, etc.

or hereafter adopted by the United States department of agriculture under any other federal law.

Samples, by whom collected, etc.

SECTION 4. The collection of samples under this act may be made by authorized agents of the state department of health or local boards of health. Samples may be purchased in the open market, and if in bulk and the sample is taken from the original package, carton, wrapper, or other container in the presence of the authorized agent, the marks, brands or tags upon the package, carton, wrapper or other container, and the accompanying printed or written matter shall be noted by the collector. The collector shall also note the name of the vendor by whom the sale was made, together with the date of the purchase. Samples shall, if practicable, be collected in duplicate, or divided into two substantially equal parts, and each part shall be labelled with identifying marks. One of the parts shall be delivered to the person from whom the samples were taken, or if a guaranty has been given, as hereinafter provided, such part shall be sent to the guarantor. One of the parts shall be sent to the laboratory of the department or board taking the sample, if said board maintains a laboratory. The parts of the samples so divided shall be sealed by the collector, at the time of the taking of the samples, as provided by the regulations of the state department of health, with a seal provided for that purpose. Whenever it is impracticable to collect more than one sample, or to divide the same, it shall be sent to the laboratory of the department or board taking the sample, if said board maintains a laboratory.

To be collected in duplicate, etc.

Examination, by whom made, etc.

SECTION 5. The examination of samples of food and drugs shall be made under the direction and supervision of the department or board taking such samples for the purpose of determining from such examination whether such articles are adulterated or misbranded within the meaning of this act; and if it shall appear from such examination that any of the samples are adulterated or misbranded within the meaning of this act, the commissioner of health or local board of health shall not be required to cause formal complaint to be entered at once, but shall in the case of misbranding, and may, in the case of adulteration, cause reasonable notice thereof, together with a copy of the findings, to be given to the party or parties from whom the sample was obtained, and to the guarantor, if any, and to the party, if any, whose name appears upon the label as manufacturer, packer, producer, wholesaler, retailer, or other dealer.

Reasonable notice to be given, etc.

Before any formal complaint is entered any person so notified shall be given an opportunity to be heard before any person designated by the commissioner of health or local board taking the sample under such rules and regulations as the state department of health may prescribe. The notice shall specify the date, hour and place of hearing, and the parties interested therein may appear in person or by attorney. If it is decided that the party whose name appears upon the label, or the guarantor, shall be notified, and such party or guarantor resides without the state, the notice shall be sent by mail to such address as may, with due diligence, be obtained. If after such opportunity to be heard it appears that any provision of this act has been violated, the department of health or local board of health may make, or authorize formal complaint to be made, to a court or justice having jurisdiction in such cases, but no evidence of the result of such analysis or test shall be received if the collector has refused or neglected to seal and deliver the samples as provided in section four of this act.

Person complained of to be heard.

Court complaint, when made.

SECTION 6. The term "drug", as used in this act, shall include all medicines and preparations recognized in the United States pharmacopœia or national formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or other animals. The term "food", as used herein, shall include all articles used for food, drink, confectionery, or condiment by men or other animals, whether simple, mixed or compound.

"Drug," term defined.

"Food," term defined.

SECTION 7. For the purposes of this act an article shall be deemed to be adulterated:

Adulteration of drugs and food defined.

In the case of drugs:

First, If, when a drug is sold under or by a name recognized in the United States pharmacopœia or national formulary, it differs from the standards of strength, quality, or purity, as determined by the test, if any, laid down in the United States pharmacopœia or national formulary official at the time of investigation: *provided*, that no drug defined in the United States pharmacopœia or national formulary, shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof delivered to the customer although the standard may differ from that determined by the test, if any, laid down in the United States pharmacopœia or national formulary.

Proviso.

Same subject.

Second, If its strength or purity fall below the professed standard or quality under which it is sold.

In the case of confectionery:

If it contain terra alba, barytes, talc, chrome yellow or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt or spirituous liquor or compound or narcotic drug.

In the case of food:

First, If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second, If any substance has been substituted wholly or in part for the article.

Third, If any valuable constituent of the article has been wholly or in part abstracted.

Fourth, If it be mixed, colored, powdered, coated or stained in a manner whereby damage or inferiority is concealed.

Proviso.

Fifth, If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *provided*, that when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservative are printed on the covering of the package, the provisions of this act shall be construed as applying only when said products are ready for consumption.

Sixth, If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal, which is unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter.

"Misbranded," term defined, when applied to drugs, food, etc.

SECTION 8. The term "misbranded" as used herein shall apply to all drugs, or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design or device regarding such article, or the ingredients or substance contained therein which is false or misleading in any particular, and to any food or drug product which is falsely branded as to the state, territory, or country in which it is manufactured or produced.

For the purposes of this act an article shall also be deemed to be misbranded:

In the case of drugs:

Same subject.

First, If it be an imitation of, or offered for sale under, the name of another article.

Second, If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fails to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, codeine, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

Third, If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such article, or of any of the ingredients or substances contained therein, which is false and fraudulent.

In the case of food:

Food.

First, If it be an imitation of, or offered for sale under, the distinctive name of another article.

Second, If it be labelled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, codeine, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any of such substances contained therein. Nothing in this paragraph shall apply to the repacking of highly perishable foodstuffs, such as fresh fruit, fresh vegetables, or eggs.

Third, If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular: *provided*, that an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

Proviso.

First, In the case of articles which are mixtures or compounds which may be now or from time to time hereafter known as articles of food, under their own distinctive names and not an imitation of, or offered for sale under, the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article was manufactured or produced.

When food is not deemed to be adulterated, etc.

Same subject. Second, In the case of articles labelled, branded, or tagged so as to indicate plainly that they are compounds, imitations, or blends, and the word "compound", "imitation", or "blend", as the case may be, is plainly stated on the package in which it is offered for sale: *provided*, that the term "blend" as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purposes of coloring and flavoring only; and, *provided, further*, that nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulas, except in so far as the provisions of this act may require in order to secure freedom from adulteration or misbranding.

Provisos. .

Prosecutions. SECTION 9. Except as provided in the following section, no dealer shall be prosecuted under the provisions of this act for selling or offering for sale any article of food or drug in the original unbroken package in which it was received by him: *provided*, that he can establish a guaranty by the wholesaler, jobber, manufacturer, or other person residing in the United States, from whom he purchased the article, to the effect that the same is not adulterated or misbranded within the meaning of the laws of this commonwealth. Such guaranty, to afford protection, shall contain the name and address of the person making the sale of the article to the dealer, and in that case such person shall be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer under the provisions of this act. If it shall appear that any provision of this act has been violated, and the party or parties giving said guaranty are without this commonwealth, no action shall be brought except as is provided herein, but the state department of health or the board taking the sample shall present the facts to the proper national authorities for their action.

Proviso.

Guaranty for protection, how worded, etc.

Rules and regulations, adoption of, etc.

Dealer may be prosecuted. Under the authority given by section three of this act the state department of health shall adopt rules and regulations which shall be observed by the said department and by local boards of health in ascertaining whether there is such a guaranty which may be relied upon by the dealer.

SECTION 10. After a sample of an article of food or drug which is adulterated or misbranded within the meaning of this act has been taken from a person who can establish a

guaranty, as provided in the preceding section, and the guarantor resides without the commonwealth, the dealer may nevertheless be prosecuted for a subsequent sale of such adulterated or misbranded article: *provided*, that the state department or local board which took the sample has presented the facts to the proper national authorities for their action, that the person from whom the sample was taken has been notified by the state department or local board which took the sample that the facts have so been presented, and that such person continues to sell such articles after he has been notified by the state department or local board as to the particulars of the adulteration or misbranding and warned to desist from further sales or distribution of the article. Upon conviction in any such case the penalties provided in section two of this act may be imposed.

Proviso.

Penalties.

In the case of adulteration, however, if the state department of health or a local board of health in a city having a population exceeding one hundred thousand, finds that the sample when analyzed is plainly a gross violation of the provisions of this act, or that the article is distinctly injurious to the health of the community, even though the case has not as yet been adjudicated, the department may cause notice of these facts to be published in its monthly bulletin and in such other ways as may be established by rules and regulations of the department: *provided*, that the guarantor has been notified, and has been afforded an opportunity to be heard as provided in section five. The said notice shall contain a warning to all dealers to desist from further sales or distribution of such articles. Any person who sells such articles after the said notice and warning shall be amenable, for each subsequent sale, to the penalties provided in section two of this act.

Notice of adulteration to be published, etc.

Proviso.

Warning to dealers.

Penalties.

SECTION 11. The word "person", as used in this act, shall be construed to import both the plural and the singular as the case demands, and shall include corporations, companies, societies and associations. When construing and enforcing the provisions of this act, the act, omission or failure of any officer, agent, or other individual acting for or employed by any individual, corporation, company, society or association within the scope of his employment or office, shall in every case be also deemed to be the act, omission or failure of such corporation, company, society or association as well as that of the individual.

"Person," term defined.

Act, how construed.

Repeals.

SECTION 12. Section sixteen of chapter seventy-five of the Revised Laws, as amended by chapter three hundred and sixty-seven of the acts of the year nineteen hundred and three, section seventeen of said chapter seventy-five of the Revised Laws, section eighteen of said chapter seventy-five of the Revised Laws, as amended by section one of chapter five hundred and twenty-eight of the acts of the year nineteen hundred and ten, and by chapter two hundred and seventy-two of the acts of the year nineteen hundred and thirteen, sections nineteen and twenty-one of said chapter seventy-five of the Revised Laws, chapter four hundred and sixteen of the acts of the year nineteen hundred and ten, and chapter two hundred and eighty-nine of the acts of the year nineteen hundred and eleven are hereby repealed, and the provisions of this act shall, so far as consistent with said sections and chapters hereby repealed, be construed as substituted therefor and as continuations thereof.

Not to affect certain prior acts.

SECTION 13. Nothing in this act shall be construed to nullify or affect any act heretofore passed and not expressly amended or repealed hereby; and in case of any inconsistency between a prior act not amended or repealed hereby and this act, the provisions of such prior act shall govern.

Time of taking effect.

SECTION 14. This act shall take effect one year after the date of its passage.

Approved April 30, 1917.

Chap. 209 AN ACT RELATIVE TO DEPARTMENTAL APPROPRIATIONS IN CERTAIN CITIES.

Be it enacted, etc., as follows:

Departmental appropriation in cities except Boston.

SECTION 1. Any city, except Boston, wherein the appropriation for any department is determined by law at a certain rate or percentage of the taxable valuation or the valuation of the taxable property therein, or however otherwise the same may be described, shall, in addition to the amount so determined, appropriate and use for such department such proportion of the proceeds of the tax upon incomes, returned by the commonwealth to the city under the provisions of section twenty-three of chapter two hundred and sixty-nine of the General Acts of the year nineteen hundred and sixteen, as the appropriation so determined by law bears to the total local tax levy of that city for the current year.

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

Approved May 1, 1917.

AN ACT RELATING TO THE EXTRA CHARGE THAT MAY BE MADE BY LIFE INSURANCE COMPANIES IN CASE THE INSURED ENTERS MILITARY OR NAVAL SERVICE IN TIME OF WAR. Chap.210

Be it enacted, etc., as follows:

The first paragraph of section sixty-six of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven is hereby amended by adding at the end thereof the following:— Nothing herein relating to the consideration for the policy shall apply to any extra compensation which may be charged by a company to the insured for engaging in military or naval service in time of war, — so that said first paragraph will read as follows:—

Section 66. All corporations, associations, partnerships or individuals doing business in this commonwealth under any charter, compact, agreement or statute of this or any other state, involving the payment of money or other thing of value to families or representatives of policy and certificate holders or members, conditioned upon the continuance or cessation of human life, or involving an insurance, guaranty, contract or pledge for the payment of endowments or annuities, shall be deemed to be life insurance companies, and shall not make any such insurance, guaranty, contract or pledge in this commonwealth, or to or with any citizen or resident thereof, which does not distinctly state the amount of benefits payable, the manner of payment and the consideration therefor, nor any such insurance, guaranty, contract or pledge, the performance of which is contingent upon the payment of assessments made upon survivors. Nothing herein relating to the consideration for the policy shall apply to any extra compensation which may be charged by a company to the insured for engaging in military or naval service in time of war.

1907, 576, § 66, amended.

Life insurance companies may make extra charge in case insured enters military or naval service in time of war.

Approved May 1, 1917.

AN ACT TO PROVIDE STATE PAY FOR SOLDIERS AND SAILORS FROM THIS COMMONWEALTH IN THE VOLUNTEER SERVICE OF THE UNITED STATES. Chap.211

Be it enacted, etc., as follows:

SECTION 1. There shall be allowed and paid out of the treasury of the commonwealth to each non-commissioned officer, soldier and sailor, who has been, or is hereafter, mustered into the military or naval service of the United

State pay for soldiers and sailors from this commonwealth in United States service.

States as a part of the quota of this commonwealth for service in the United States or in any foreign country, the sum of ten dollars per month. The said amount shall be payable at the office of the treasurer and receiver general immediately upon the termination of the service, and shall date from the muster-in to the United States service of such non-commissioned officer, soldier or sailor, and shall continue until January fifteenth, nineteen hundred and eighteen, unless the service is sooner terminated. In case of the death of any enlisted man, his widow, minor children, parents or dependents shall receive the said monthly compensation for the period up to January fifteenth, nineteen hundred and eighteen; but no part of this section shall be construed as depriving the soldier or sailor of the right to allot all or any of his said pay to the treasurer of the commonwealth for the use of such minor children, parents or dependents as he shall designate; and such allotments shall be payable monthly by the treasurer, during the term of service of said soldier or sailor, for the use of such minor children, parents or dependents.

Pay may be allotted dependents, etc.

SECTION 2. For the purpose of meeting the expenditures authorized by this act the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue bonds or notes from time to time, as they are needed, to an amount not exceeding one million five hundred thousand dollars, for a term not exceeding five years. Such bonds or notes shall be designated on the face thereof, Massachusetts Military Service Loan, Act of 1917, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the commonwealth; and the principal and interest thereof shall be paid at the times specified on said bonds or notes in gold coin of the United States, or its equivalent. Said bonds or notes shall be disposed of in such manner as shall be deemed best by the treasurer and receiver general, who shall, when issuing any of said bonds or notes, provide for the payment of the same in the manner prescribed by chapter three of the acts of the year nineteen hundred and twelve, and the amount necessary to pay the principal of said loan as it matures, and the interest as it accrues, shall be raised by taxation from year to year.

Massachusetts Military Service Loan, Act of 1917.

Period of payment in case of dishonorable discharge.

SECTION 3. In case of dishonorable discharge, or termination of service by reason of desertion or misdemeanor of any enlisted man, the period of payment under this act shall

be from the date of muster-in until the date of the dishonorable termination of service.

SECTION 4. The adjutant general shall certify to the treasurer and receiver general the date of muster-in and the date of termination of service of all enlisted men entitled to payments, and any other information necessary to carry out the provisions of this act.

Adjutant general to certify dates of muster-in, etc.

SECTION 5. This act shall take effect upon its passage.

Approved May 2, 1917.

AN ACT TO AUTHORIZE THE STATE BOARD OF AGRICULTURE AND THE STATE DEPARTMENT OF HEALTH TO MAKE DRAINAGE SURVEYS.

Chap. 212

Be it enacted, etc., as follows:

SECTION 1. The state board of agriculture and the state department of health, acting jointly, are hereby authorized to investigate the question of utilizing the wet lands in the commonwealth, including meadows, swamps, marshes, beaches and other low lands, and to ascertain what lands, if any, in the commonwealth may advantageously be drained for agricultural and industrial uses, the protection of the public health, the utilization of deposits therein, or for other purposes. Said boards may publish and disseminate facts of general interest ascertained in the conduct of the investigation hereby authorized, and may make and publish surveys of tracts of land in need of drainage, showing their situation, area and outlets, the best methods and the cost of draining them, the uses to which they are best adapted, and such other details as may be deemed advisable. The said boards shall report annually to the legislature their doings hereunder in the preceding year.

State board of agriculture and state department of health may make drainage surveys.

Report.

SECTION 2. In carrying out the provisions of this act the said boards shall seek the co-operation and assistance of the United States department of agriculture, and may employ such engineers, assistants, or other agents as may be necessary, who shall have ingress, egress and regress to land which said boards may desire to survey or examine and may expend from the treasury of the commonwealth for the purposes of this act a sum not exceeding two thousand dollars.

To seek assistance of United States department of agriculture, etc.

SECTION 3. Chapter seven hundred and fifty-nine of the acts of the year nineteen hundred and thirteen and

Repeals.

chapter five hundred and ninety-six of the acts of the year nineteen hundred and fourteen are hereby repealed.

To report
changes in
Revised Laws.

SECTION 4. The said boards shall report to the next general court what additions and amendments, if any, should, in its opinion, be made to chapter one hundred and ninety-five of the Revised Laws.

SECTION 5. This act shall take effect upon its passage.
Approved May 2, 1917.

Chap. 213 AN ACT RELATIVE TO LIENS FOR LABOR AND MATERIALS.

Be it enacted, etc., as follows:

Enforcement
of certain
mechanic's
liens.

SECTION 1. Any person who has performed labor in, or has furnished labor or materials actually used in the erection, alteration, repair or removal of a building or structure upon land, by virtue of an agreement made prior to January first, nineteen hundred and sixteen, may, subject to the intervening rights of third parties, enforce a mechanic's lien therefor in accordance with the provisions of chapter one hundred and ninety-seven of the Revised Laws, and acts in amendment thereof, in the same manner as if chapter two hundred and ninety-two of the General Acts of the year nineteen hundred and fifteen had not been enacted. All the provisions of said chapter one hundred and ninety-seven, and of acts in amendment thereof, are hereby re-enacted so far as is necessary for this purpose.

Re-enactment.

SECTION 2. This act shall take effect upon its passage.
Approved May 2, 1917.

Chap. 214 AN ACT TO ESTABLISH THE SALARY OF THE SECOND ASSISTANT REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

Salary of
second assistant
register of probate,
etc., for
Middlesex
county
established.

SECTION 1. The salary of the second assistant register of probate and insolvency for the county of Middlesex shall be twenty-five hundred dollars a year.

SECTION 2. This act shall take effect upon its passage.
Approved May 2, 1917.

AN ACT ACCEPTING THE PROVISIONS OF AN ACT OF CONGRESS RELATIVE TO THE PROMOTION OF VOCATIONAL EDUCATION AND PROVIDING FOR CO-OPERATION WITH THE FEDERAL GOVERNMENT. Chap. 215

Be it enacted, etc., as follows:

SECTION 1. The commonwealth of Massachusetts hereby accepts the provisions of the act of congress approved February twenty-third, nineteen hundred and seventeen, and entitled "An Act to provide for the promotion of vocational education; to provide for co-operation with the states in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure." Provisions of federal act to promote vocational education accepted.

SECTION 2. The board of education is hereby directed to co-operate with the federal board for vocational education in the administration of the provisions of the act of congress aforesaid, and to do all things necessary to entitle the commonwealth to receive all the benefits thereof. Board of education to co-operate with federal board.

SECTION 3. The treasurer and receiver general is hereby designated as the custodian of all the funds allotted to the commonwealth from the appropriations made by said act of congress, and he shall receive and provide for the proper custody and disbursement of the same in accordance with the said act. Treasurer and receiver general to be custodian of funds.

SECTION 4. The federal funds so received shall be paid out in accordance with the provisions of section fourteen of said act of congress upon the requisition of the board of education as reimbursement for expenditures already incurred. The payment of said funds shall be made to such schools and classes as are approved by the said board and as are entitled to receive the same under the provisions of said act: *provided*, that, in accordance with the provisions of said act, the board of education, (1) may grant the federal funds in its control, subject to conditions prescribed by it, as money supplementary to state aid for salaries of teachers of vocational subjects in schools and classes which meet the requirements of said act; (2) may select certain types of training which especially need stimulus and may use the federal funds for salaries of teachers giving such training; (3) may maintain courses for the preparation of teachers of selected vocations, and may use federal funds therefor; may Payment of federal funds.

Certain schools and classes to benefit.
Proviso.

arrange with the authorities of a state school or college to give the proper types of training to teachers of vocations under the supervision of the board, and may use federal funds therefor; may allow local school authorities to conduct, under the supervision of the board, classes for the training of vocational teachers, and may use federal funds therefor.

1911, 471, § 3,
amended.

SECTION 5. The last sentence of the third section of chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven is hereby amended to accord with the provisions of section eleven of the act of congress aforesaid by changing the word "seventeen" to "sixteen", — so that the said sentence will read as follows: — Attendance upon such day or part-time classes shall be restricted to those over fourteen and under twenty-five years of age; and upon such evening classes, to those over sixteen years of age.

Age of pupils.

SECTION 6. This act shall take effect upon its passage.
Approved May 2, 1917.

Chap. 216 AN ACT RELATIVE TO REPAYMENT BY THE COMMONWEALTH OF CERTAIN EXPENSES INCURRED BY CITIES AND TOWNS FOR SICK PERSONS.

Be it enacted, etc., as follows:

R. L. 85, § 15,
etc., amended.

SECTION 1. Section fifteen of chapter eighty-five of the Revised Laws, as amended by section one of chapter five hundred and fifty-five of the acts of the year nineteen hundred and eight, and by section one of chapter seven hundred and ninety-seven of the acts of the year nineteen hundred and thirteen, is hereby further amended by striking out the word "hospital", in the sixth line, and inserting in place thereof the word: — infirmary, — and by inserting after the word "commonwealth", in the seventh line, the words: — If the state board of charity, after an investigation, deems it expedient as an economy in expenditure, and in the interest of the patient's health, it may authorize reimbursement for aid rendered after the patient has become able to be removed to the state infirmary, and, in its discretion, until the patient is able to be discharged, — and by striking out the word "hospital", in the ninth line, and inserting in place thereof the word: — infirmary, — and by striking out the word "seven", in the nineteenth line, and inserting in place thereof the word: — ten, — and by inserting after

the word "dollars", in the same line, the words:— and fifty cents, — and by adding at the end thereof the words: — and no charges of whatever nature in excess of the said ten dollars and fifty cents a week shall be allowed, — so as to read as follows:— *Section 15.* The reasonable expense which is incurred by a city or town under the provisions of the preceding section within five days next before notice has been given as therein required and also after the giving of such notice and until said sick person is able to be removed to the state infirmary shall be reimbursed by the commonwealth. If the state board of charity, after an investigation, deems it expedient as an economy in expenditure, and in the interest of the patient's health, it may authorize reimbursement for aid rendered after the patient has become able to be removed to the state infirmary, and, in its discretion, until the patient is able to be discharged. If the state board of charity considers it expedient to order the removal to the state infirmary of a person whose physical condition is such as to require attendance, then the reasonable expense incurred for such attendance, as directed by the state board of charity, shall also be reimbursed by the commonwealth. The bills for such support shall not be allowed unless they are indorsed with the declaration that, after full investigation, no kindred able to pay the amount charged have been found, and that the amount has actually been paid from the city or town treasury, nor unless they are approved by the state board of charity or by a person designated by it; and not more than ten dollars and fifty cents a week shall be allowed for the support of a person in a city or town hospital; and no charges of whatever nature in excess of the said ten dollars and fifty cents a week shall be allowed.

Commonwealth to repay certain expenses incurred by cities and towns for sick persons.

SECTION 2. This act shall take effect upon the first day of January in the year nineteen hundred and eighteen.

Time of taking effect.

Approved May 2, 1917.

AN ACT TO REGULATE THE PREPARATION AND PRINTING OF
LISTS OF STATE OFFICIALS AND EMPLOYEES WITH THEIR
SALARIES OR COMPENSATIONS.

Chap. 217

Be it enacted, etc., as follows:

Chapter two hundred and sixty-eight of the acts of the year nineteen hundred and ten, as amended in section one

1910, 268, § 1, etc., amended.

by chapter forty-three of the acts of the year nineteen hundred and eleven, and by chapter five hundred and thirty-four of the acts of the year nineteen hundred and thirteen, is hereby further amended by striking out said section one and inserting in place thereof the following: — *Section 1.* Every department, board, commission, bureau, office or institution of the commonwealth shall, at such times as the supervisor of administration may require, prepare and furnish to him such information as he may prescribe concerning all officials and employees of the commonwealth employed in or by such department, board, commission, bureau, office or institution for whose services money has been paid from the treasury of the commonwealth. Such information shall be collected at least once in every fiscal year and shall cover the fiscal year preceding. From the information so collected the supervisor shall keep a record, open to public inspection, showing the name, residence, designation, rate of compensation and date of appointment or qualification of every such official and employee, and any increase in the rate of salary or compensation paid to him during the preceding fiscal year. The record shall also contain such other information concerning such officials and employees as, in the opinion of the supervisor, may be desirable. It shall be the duty of the auditor of the commonwealth, upon request of the supervisor, to verify a list of officials and employees, the amounts and rates of compensation and other information concerning payments to officials and employees about whom information is furnished. The supervisor shall compile such information concerning the officials and employees in the service of the commonwealth on the thirtieth day of November in the year nineteen hundred and seventeen as, in his opinion, may be of public interest, and the said information shall be printed at the expense of the commonwealth not later than the fifteenth day of April in the year nineteen hundred and eighteen. Thereafter information on the same subject shall be compiled by the supervisor, and printed not later than the fifteenth day of April in each even numbered year. The document so published shall contain such summary and comparative tables as will best show the numbers of officials and employees in the service of the commonwealth during the two years for which the publication is issued, and during the preceding period of two years, to be arranged in such manner as will make them of the greatest

Preparation and printing of lists of state officials and officials with their salaries, etc.

List, etc., to be verified by the auditor.

To be compiled, etc., and printed not later than April 15, 1918, and thereafter in each even numbered year.

Summary and comparative tables, etc.

practical utility. The document may be revised or re-
 arranged from time to time at the discretion of the super-
 visor. Revision at
discretion of
supervisor.
Approved May 2, 1917.

AN ACT AUTHORIZING BOARDS OF REGISTRATION TO SUSPEND Chap. 218
 AND CANCEL CERTIFICATES OF REGISTRATION.

Be it enacted, etc., as follows:

SECTION 1. The boards of registration in medicine, Certain boards
of registration
may suspend,
etc., certifi-
cates of
registration.
 dentistry, pharmacy and veterinary medicine, after a hear-
 ing, may, by a majority vote of the whole board, suspend,
 revoke or cancel any certificate, registration, license or
 authority issued by the board, if it appears to the board
 that the holder of such certificate, registration, license or
 authority, is insane, or is guilty of deceit, malpractice, gross
 misconduct in the practice of his profession, or of any offence
 against the laws of the commonwealth relating thereto.
 Any person whose certificate, registration, license or au- Additional
penalty.
 thority is suspended or revoked hereunder shall also be
 liable to such other punishment as may be provided by
 law. The different boards may make such rules and regu-
 lations as they deem proper for the filing of charges and the
 conduct of hearings.

SECTION 2. Any person against whom charges are filed Conduct of
hearings.
 may appear at the hearing thereof with witnesses and be
 heard by counsel. If a person against whom charges are
 filed has left the commonwealth, or cannot be found by
 reasonable search, notice of hearing may be dispensed with.
 Said boards shall have the same powers to summon witnesses Powers to
summon
witnesses, etc.
 to attend such hearings, and to swear the same, as are con-
 ferred upon city councils and other bodies by the provisions
 of section eight of chapter one hundred and seventy-five of
 the Revised Laws, and amendments thereof, and the provi-
 sions of said section, and of sections nine and ten, and
 amendments thereof, of said chapter, shall apply to witnesses
 summoned as aforesaid.

SECTION 3. The said boards shall not defer action upon Certain actions
not to be de-
ferred.
 any charge before them until the conviction of the person
 accused, nor shall the pendency of any charge before any
 of the said boards act as a continuance or ground for delay
 in a criminal action.

SECTION 4. The supreme judicial court may, upon Appeal.
 petition of a person whose certificate, registration, license
 or authority has been suspended, revoked or cancelled, enter

a decree revising or reversing the decision of the board, if it should appear that the decision was clearly wrong; but prior to the entry of such decree, no order shall be made or entered by the court to stay or supersede any suspension, revocation or cancellation of any such certificate, registration, license or authority.

Penalty for practicing after certificate is suspended or cancelled.

SECTION 5. Whoever continues to practice medicine, dentistry, veterinary medicine or surgery, or pharmacy, after his license, registration, certificate or authority so to do is suspended, cancelled or revoked, and while such disability continues, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment.

Approved May 2, 1917.

Chap.219 AN ACT TO PROVIDE FOR THE MARKING AND TO REGULATE THE USE OF MOTOR VEHICLES OWNED BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Motor vehicles owned by commonwealth to be marked.

SECTION 1. Every motor vehicle heretofore or hereafter purchased with funds of the commonwealth shall be marked on a part of the vehicle not readily removable, and in a conspicuous place, with the words in plain letters "Commonwealth of Massachusetts" or in such other manner as may be approved by the supervisor of administration.

Highway commission to furnish number plates.

SECTION 2. The Massachusetts highway commission shall furnish for each vehicle to which this act applies a distinctive number plate bearing such arrangement of letters or numbers, or both, as will distinguish the particular vehicle, and the office, board, bureau, commission, institution or department of the commonwealth by which the vehicle is operated, and at the expense thereof.

Supervisor of administration may make rules, etc.

SECTION 3. The supervisor of administration may make rules and regulations governing the marking of motor vehicles to which this act applies, and may enforce the same in the manner provided by section three of chapter two hundred and ninety-six of the General Acts of the year nineteen hundred and sixteen, as amended by chapter one hundred and thirty-eight of the General Acts of the year nineteen hundred and seventeen. Every officer, board, bureau, commission, institution or department of the commonwealth operating one or more motor vehicles shall keep

such a record of the use of such vehicles, and shall make such reports in relation thereto as may be prescribed by the auditor of the commonwealth. *Approved May 2, 1917.*

AN ACT TO PROVIDE FURTHER FOR THE CONSTRUCTION AND MAINTENANCE BY THE METROPOLITAN PARK COMMISSION OF A NEW BRIDGE OVER THE NEPONSET RIVER BETWEEN THE CITIES OF BOSTON AND QUINCY. *Chap. 220*

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter three hundred of the General Acts of the year nineteen hundred and fifteen is hereby amended by striking out the word "three", in the fifth line, and inserting in place thereof the word:— four, — so as to read as follows:— *Section 6.* To meet the expenses incurred under the provisions of this act the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue bonds or certificates of indebtedness to an amount not exceeding four hundred and fifty thousand dollars, in addition to the amounts already authorized under the provisions of said chapter two hundred and eighty-eight and acts in amendment thereof and in addition thereto, and as part of the Metropolitan Parks Loan, Series Two. Such bonds or certificates of indebtedness shall be issued as coupons or registered bonds, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually on the first days of January and July of each year.

1915, 300 (G), § 6, amended.

Payment of cost of new bridge over the Neponset river between Boston and Quincy.

Interest.

SECTION 2. This act shall take effect upon its passage. *Approved May 3, 1917.*

AN ACT RELATIVE TO CALLING SPECIAL TOWN MEETINGS. *Chap. 221*

Be it enacted, etc., as follows:

SECTION 1. Chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by striking out section three hundred and ninety-four, and inserting in place thereof the following:— *Section 394.* Every town meeting, except as hereinafter provided, shall be called in pursuance of a warrant, under the hands of the selectmen, directed to the constables or to some other persons, who shall forthwith give notice of such meeting in the manner prescribed by the by-laws or, if there are no by-laws, by a vote of the town. The warrant for all

1913, 835, § 394, amended.

Town meetings to be called by warrant.

Contents.

town meetings shall state the time and place of holding the meeting and the subjects to be acted upon thereat. The selectmen shall insert in the warrant for the annual meeting all subjects the insertion of which shall, in writing, be requested of them by ten or more voters of the town. The selectmen shall insert in the warrant for every special town meeting all subjects the insertion of which shall, in writing, be requested of them by one hundred registered voters or by ten per cent of the total number of registered voters of the town. No action shall be valid unless the subject-matter thereof is contained in the warrant. Two or more distinct town meetings for distinct purposes may be called by the same warrant.

Certain actions not valid.

1913, 835, § 396, amended.

Justice of peace may issue warrants in certain cases.

SECTION 2. Section three hundred and ninety-six of said chapter eight hundred and thirty-five is hereby amended by striking out the words "of ten or more voters of the town", in the third line, and inserting in place thereof the words:— in writing of one hundred registered voters or of ten per cent of the total number of registered voters of the town,— so as to read as follows:— *Section 396.* If the selectmen unreasonably refuse to call a town meeting, a justice of the peace, upon the application in writing of one hundred registered voters or of ten per cent of the total number of registered voters of the town, may call a meeting by a warrant under his hand, stating the subjects to be acted upon, directed to the constables of the town if there are any; otherwise to any of the persons applying therefor, directing them to summon the inhabitants qualified to vote in town affairs, to assemble at the time and place, and for the purposes expressed in the warrant.

Approved May 3, 1917.

Chap. 222 AN ACT TO ESTABLISH THE SALARY OF THE SECOND ASSISTANT DISTRICT ATTORNEY OF THE SOUTHEASTERN DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The salary of the second assistant district attorney of the southeastern district shall be fourteen hundred dollars a year.

SECTION 2. So much of any act as is inconsistent herewith shall not apply to the provisions hereof.

SECTION 3. This act shall take effect upon its passage.

Approved May 4, 1917.

Salary of second assistant district attorney of the southeastern district.

Certain provisions not to apply.

AN ACT RELATIVE TO THE COMMITMENT OF FEEBLE-MINDED PERSONS AND THEIR ADMISSION INTO CERTAIN STATE INSTITUTIONS. *Chap.223*

Be it enacted, etc., as follows:

SECTION 1. Section sixty-three of chapter five hundred and four of the acts of the year nineteen hundred and nine, as amended by section one of chapter one hundred and twenty-two of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by adding at the end thereof the following:—The order of commitment shall also direct the sheriff, deputy sheriff, constable, police officer, or other person, as the case may be, to apprehend and convey the feeble-minded person to the institution to which he has been committed.

1909, 504, § 63, etc., amended.

Commitment of feeble-minded persons to certain institutions.

SECTION 2. Said chapter five hundred and four, as amended in section sixty-four by section two of said chapter one hundred and twenty-two is hereby further amended by striking out the said section sixty-four and inserting in place thereof the following:—*Section 64.* The trustees of said institutions may, at their discretion, receive any feeble-minded person from this commonwealth upon application being made therefor by the parent or guardian of such person, which application shall be accompanied by the certificate of a physician, qualified as provided in section thirty-two, that such person is deficient in mental ability, and that in the opinion of the physician he is a fit subject for said school. A physician who makes the said certificate shall have examined the alleged feeble-minded person within five days of his signing and making oath to the certificate. The trustees of said institution may also, at their discretion, receive any person from this commonwealth upon the written request of his natural or legal guardian, and may detain him for observation for a period not exceeding thirty days, to determine if he is feeble-minded.

1909, 504, § 64, etc., amended.

Trustees may admit upon physician's certificate.

SECTION 3. This act shall take effect upon its passage.

Approved May 4, 1917.

AN ACT TO PERMIT THE INCORPORATION OF AGRICULTURAL AND HORTICULTURAL ORGANIZATIONS UNDER THE LAWS RELATING TO BUSINESS CORPORATIONS. *Chap.224*

Be it enacted, etc., as follows:

SECTION 1. Agricultural or horticultural organizations, instituted for the purposes of mutual help, may incorporate

Agricultural and horticultural organiza-

tions, incorporation, etc.

in the manner provided in chapter four hundred and thirty-seven of the acts of the year nineteen hundred and three and amendments thereof, and shall be subject to the provisions of said chapter and amendments thereof: *provided, however*, that if such a corporation is formed for the purpose of doing business at cost for the benefit of its members, it shall not be required to have a capital stock.

Proviso.

Capital stock not required.

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

Approved May 4, 1917.

Chap.225 AN ACT RELATIVE TO THE PROTECTION OF HARES IN THE COUNTIES OF NORFOLK AND BRISTOL.

Be it enacted, etc., as follows:

Protection of hares in Norfolk and Bristol counties.

SECTION 1. In the counties of Norfolk and Bristol, it shall be unlawful, until the beginning of the open season for rabbits throughout the commonwealth in the year nineteen hundred and twenty, to take or kill a hare, commonly called white rabbit or Canada hare, or, if taken or killed contrary to the laws of this commonwealth or of any other state or country, to buy, sell, offer for sale, or have the same in possession.

Penalty.

SECTION 2. Any violation of this act shall be punished by a fine of twenty dollars for each hare in respect to which the violation occurs.

Approved May 4, 1917.

Chap.226 AN ACT RELATIVE TO THE GRANTING OF BOUNTIES TO AGRICULTURAL SOCIETIES.

Be it enacted, etc., as follows:

1912, 260, etc., amended.

Chapter two hundred and sixty of the acts of the year nineteen hundred and twelve, as amended by section one of chapter two hundred and forty of the acts of the year nineteen hundred and thirteen, and by section one of chapter two hundred and nine of the acts of the year nineteen hundred and fourteen, and as affected by chapter two hundred and seventy-six of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the words "for the following purposes: — Two hundred dollars", in the eighth and ninth lines, by inserting after the word "in", in the tenth line, the words: — general premiums, and in, — by striking out the words "and two hundred dollars in general premiums", in the thirteenth and four-

teenth lines, and by striking out all after the word "section", in the eighteenth line, and inserting in place thereof the words: — nor in any case more than eight hundred dollars for general premiums, — so as to read as follows: — Every incorporated agricultural society which is entitled to receive a bounty under section one of chapter one hundred and twenty-four of the Revised Laws, as amended by chapter one hundred and thirty-three of the acts of the year nineteen hundred and nine, shall be entitled to receive annually in August from the commonwealth, in addition to the sum which it is entitled to receive under the said section, four hundred dollars to be distributed in general premiums, and in premiums to children and youths under eighteen years of age for the encouragement of horticulture, agriculture and domestic manufactures, subject to the discretion of each society drawing bounty; but no society shall receive a larger sum in addition to the bounty to which it is entitled under the said section than it shall have expended in the year last preceding in premiums, in excess of the sum to which it is entitled under the said section; nor in any case more than eight hundred dollars for general premiums.

Granting of bounties to agricultural societies.

Bounties limited.

Approved May 4, 1917.

AN ACT TO REQUIRE CLERKS OF COURTS TO GIVE NOTICE OF DEFAULTS IN ACTIONS AT LAW AND OF CERTAIN DECREES IN EQUITY.

Chap. 227

Be it enacted, etc., as follows:

SECTION 1. Upon entry of a default in an action at law or of an interlocutory decree in equity taking a bill pro confesso, the clerk of the court shall forthwith give written notice thereof, in such manner as the court by rule shall direct, to the attorney or attorneys of record of the party or parties against whom such default or decree is entered, or, in cases where the officer's return does not show that personal service of the writ, bill, petition, or complaint, or order therein, as the case may be, has been made, to the said party or parties.

Clerks of courts to give notice of defaults in actions at law, etc.

SECTION 2. This act shall take effect on the first day of September in the year nineteen hundred and seventeen.

Time of taking effect.

Approved May 4, 1917.

Chap.228 AN ACT RELATIVE TO THE ESTABLISHMENT OF STATIONS FOR THE REARING OF TROUT IN CERTAIN COUNTIES.

Be it enacted, etc., as follows:

Stations for the rearing of trout to be established in certain counties.

The board of commissioners on fisheries and game is hereby authorized to establish and maintain one or more rearing stations, situated at such places, within the counties of Hampshire, Franklin and Berkshire as the board may select, for the purpose of rearing to fingerling size the surplus trout fry which the present fish hatcheries annually produce, and for this purpose may expend from the treasury of the commonwealth a sum not exceeding five thousand dollars.

Approved May 4, 1917.

Chap.229 AN ACT TO PROVIDE FOR A SECOND ASSISTANT DISTRICT ATTORNEY FOR THE EASTERN DISTRICT.

Be it enacted, etc., as follows:

Second assistant district attorney for the eastern district, office established.

SECTION 1. The district attorney for the eastern district may appoint a second assistant district attorney, and may remove him at pleasure. His salary shall be fourteen hundred dollars a year, payable from the treasury of the commonwealth.

Certain provision not to apply.

SECTION 2. Section two of chapter one hundred and fifty-seven of the acts of the year nineteen hundred and five shall not apply to the office hereby created.

SECTION 3. This act shall take effect upon its passage.

Approved May 7, 1917.

Chap.230 AN ACT TO PROVIDE THAT A CERTAIN HIGHWAY IN THE TOWN OF PROVINCETOWN SHALL BE MAINTAINED AS A STATE HIGHWAY.

Be it enacted, etc., as follows:

Certain highway in Provincetown to be maintained as a state highway.

SECTION 1. The highway in the town of Provincetown beginning at the railway crossing on Conwell street and running thence to Bradford street a distance of about five hundred feet, thence on Bradford street to Allerton street a distance of about four thousand seven hundred feet, thence on Allerton street to the existing state highway a distance of about three hundred and twenty-five feet, shall hereafter be maintained by the Massachusetts highway commission

in substantially the same manner and condition in which it is now maintained.

SECTION 2. This act shall take effect upon its passage.
Approved May 9, 1917.

AN ACT RELATIVE TO THE OFFICIAL DESIGNATION OF CERTAIN PERSONS IN THE DEPARTMENT OF THE TREASURER AND RECEIVER GENERAL. *Chap. 231*

Be it enacted, etc., as follows:

SECTION 1. The official in the department of the treasurer and receiver general described in existing laws as paying teller shall hereafter be known and designated as warrant teller, and his assistant as assistant warrant teller, and the official in said department heretofore described as cashier shall hereafter be known and designated as paying teller, but without altering or affecting the compensation payable to said officials or their retirement rights.

Official designation of certain persons in the department of the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.
Approved May 9, 1917.

AN ACT RELATIVE TO THE LICENSING OF PRIVATE HOSPITALS AND THE ADMISSION THEREIN OF CERTAIN PATIENTS. *Chap. 232*

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighty-five of the General Acts of the year nineteen hundred and sixteen is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* The commission may annually license any suitable person to establish or have charge of a hospital or private house for the care and treatment of the insane, epileptic, feeble-minded, and persons addicted to the intemperate use of narcotics or stimulants, and may at any time revoke the license. No such license shall be granted for the care and treatment of insane or epileptic persons unless the said commission is satisfied, after investigation, that the person applying therefor is a duly qualified physician, as provided in section thirty-two of chapter five hundred and four of the acts of the year nineteen hundred and nine, and has had practical experience in the care and treatment of such patients. No such license shall be granted for the care and treatment of persons addicted to the intemperate use of narcotics or stimulants unless the commission is satisfied, after in-

1916, 285 (G), § 6, amended.

Licensing of certain private hospitals, etc.

vestigation, that the person applying therefor is a physician who is a graduate of a legally chartered medical school or college; that he has been in the actual practice of medicine for the three years next preceding his application for a license, nor unless his standing, character and professional knowledge of inebriety are satisfactory to the commission. Licenses granted hereunder shall expire with the last day of the calendar year in which they are issued, but may be renewed. The commission shall have power to fix reasonable fees for said licenses and renewals thereof.

1916, 285 (G),
§ 7, amended.

Penalty.

SECTION 2. Said chapter two hundred and eighty-five is hereby further amended by striking out section seven and inserting in place thereof the following: — *Section 7.* Whoever keeps or maintains a hospital or private house for the care or treatment of the insane, epileptic, feeble-minded or persons addicted to the intemperate use of narcotics or stimulants, unless the same is in charge of, and under the direct personal supervision of, a person duly licensed under this act, shall be guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars.

Admission of
patients, etc.

SECTION 3. The superintendent or manager of any hospital or private house licensed for the care and treatment of persons addicted to the intemperate use of narcotics or stimulants may, when requested by a physician, by a member of the board of health or a police officer of a city or town, by an agent of the institutions registration department of the city of Boston, by a member of the district police, or by the wife, husband, guardian or, in the case of an unmarried person having no guardian, by the next of kin, receive and care for in such hospital, as a patient for a period not exceeding fifteen days, any person who needs immediate care and treatment because he has become so addicted to the intemperate use of narcotics or stimulants that he has lost the power of self-control. Such request for the admission of a patient shall be made in writing and filed at the hospital at the time of his reception, or within twenty-four hours thereafter, together with a statement, in a form prescribed by the commission, giving such information as the commission may deem appropriate. The trustees, superintendent or manager of such hospitals or private houses shall cause to be kept a record, in such form as the commission may require, of each case treated therein, which shall at all times be open to the inspection of the commission and its agents. Such records shall not be

Request to be
in writing.

a public record, nor shall the same be received as evidence in any legal proceeding. The superintendent or manager of such a hospital shall not detain any person received as above for more than fifteen days, unless, before the expiration of that period, such person shall have been committed under the provisions of section fifty of chapter five hundred and four of the acts of the year nineteen hundred and nine, as amended by chapter seventy-three of the General Acts of the year nineteen hundred and fifteen, or has signed a request to remain under the provisions of section fifty-four of said chapter five hundred and four.

Time of detention limited, unless, etc.

Approved May 9, 1917.

AN ACT RELATIVE TO THE RETIREMENT SYSTEM FOR PUBLIC SCHOOL TEACHERS.

Chap. 233

Be it enacted, etc., as follows:

SECTION 1. Paragraph (2) of section one of chapter eight hundred and thirty-two of the acts of the year nineteen hundred and thirteen is hereby amended by adding at the end thereof the following: — “Annuities-certain” shall mean payments for a definite number of years only, derived from contributions from teachers, and the number of years during which the payments shall be made shall be determined by the retirement board, — so as to read as follows: — (2) “Annuities” shall mean payments for life derived from contributions from teachers. “Annuities-certain” shall mean payments for a definite number of years only, derived from contributions from teachers, and the number of years during which the payments shall be made shall be determined by the retirement board.

1913, 832, § 1 (2), amended.

Certain terms defined.

SECTION 2. Section six of said chapter eight hundred and thirty-two, as amended by section two of chapter one hundred and ninety-seven of the General Acts of the year nineteen hundred and fifteen, is hereby amended by adding at the end thereof the following paragraphs: — (8) Any member of the retirement association who has served twenty or more years in the public schools of the commonwealth and who, before attaining the age of sixty, by reason of physical or mental disability, becomes permanently incapable of rendering satisfactory service as a teacher, may, with the approval of the retirement board, be retired by the employing school committee: *provided*, that he has served in the public schools of the commonwealth for the

1913, 832, § 6, etc., amended.

Certain teachers eligible to retirement.

Proviso.

five consecutive years immediately preceding the date of his retirement. Periods of leave of absence or sickness shall not be considered as breaking the continuity of the five consecutive years of service required by the provisions of this paragraph, but such periods of absence or sickness shall not be counted as service.

Annuities.

(9) Any member of the retirement association shall, upon retirement under the provisions of paragraph (8) of this section, and during the continuance of disability, be entitled to receive from the annuity fund, in quarterly payments, a sum computed in accordance with the provisions of paragraph (3) of this section: *provided*, that upon the approval of the retirement board, an annuity-certain based upon the tables of the board may be substituted for either of the plans provided for in said paragraph, and in case of the death of the annuitant before all the instalments-certain have been paid, the value at that time of the unpaid instalments, as determined on the basis of the tables adopted by the retirement board, shall be paid to the legal representatives of the deceased member's estate; and *further provided*, that if no executor or administrator of the estate of such deceased member is appointed within three months after his death, all sums due under this paragraph, not exceeding one hundred dollars in any one case, may be paid to such person or persons as appear in the judgment of the retirement board to be entitled to the proceeds of the estate, and such payment shall be a bar to recovery by any other person.

Provisos.

Pensions.

(10) Any member of the retirement association receiving a payment as provided in paragraph (9) of this section, shall, if not rendered ineligible therefor by the provisions of section twelve of this act, be entitled to receive from the pension fund for each year of service a pension equal to one thirtieth of the pension which would have been due him under the provisions of this act if he had retired at the age of sixty, having paid thirty annual assessments to the annuity fund, and received an annuity computed in accordance with the provisions of paragraph (3), option (a) of this section: *provided, however*, that the minimum annual amount to be paid from the pension fund shall be such that a member shall receive from this fund, for each year of his service, one thirtieth of two hundred and fifty dollars; and *further provided*, that the total retiring allowance shall in no case be greater than the amount which the said member

Provisos.

would receive if he were to continue in service until the age of sixty, contributing annual assessments based on the average salary received during the five years of service immediately preceding retirement, at the rate of assessment in effect at the time of retirement.

(11) If a member is granted an annuity-certain by the retirement board, his total retiring allowance shall not be limited to the total retiring allowance which he would have received at the age of sixty, as provided in paragraph (10) of this section, but the amount to be paid from the pension fund shall be the amount which would have been paid from that fund if an annuity-certain had not been granted.

Amount of allowance to be paid.

(12) In computing the amount to be paid from the pension fund under the provisions of paragraph (10) of this section, the assumed assessments necessary to complete the thirty annual assessments shall be based on the average salary received during the five years of service immediately preceding retirement, and shall be at the rate of assessment in effect at the time of retirement. Interest on the amount to the member's credit at the time of retirement and on the assumed assessments shall be figured at the rate of three per cent.

Basis of assessment.

Rate of interest.

(13) No member of the retirement association shall be retired under the provisions of paragraph (8) of this section until the fact of his disability has been certified to under oath by an examining physician selected by the employing school committee and approved by the retirement board, and until any further evidence of his disability which the retirement board may require shall have been furnished.

Disability to be certified by physician, etc.

(14) At intervals of not less than one year, any member of the retirement association receiving a retiring allowance under the provisions of this section, who has not attained the age of sixty, shall, if so requested by the retirement board, be re-examined by a physician selected by the retirement board. If the retirement board finds that disability which prevents satisfactory service as a teacher no longer exists, the retiring allowance shall cease. Refusal to submit to re-examination shall be cause for discontinuing the retiring allowance.

Certain persons to lose allowance when disability ceases to exist.

(15) If a teacher ceases to receive a retiring allowance under the provisions of paragraph (14) of this section, the amount to his credit at that time in the annuity fund shall be determined on the basis of tables adopted by the retirement board, and the said amount shall be considered for the

Amount to credit of teacher, how determined.

purposes of this act to constitute the sum of his assessments, with the regular interest allowed thereon, to the time when his retiring allowance ceased.

Retirement allowance upon re-examination.

(16) Any member of the retirement association who shall cease to receive a retiring allowance under the provisions of paragraph (14) of this section, who does not re-enter the service of the public schools, and who does not withdraw the amount to his credit in the annuity fund, may, upon attaining the age of sixty, receive a retiring allowance computed in accordance with the provisions of paragraphs (3) and (4) of this section, or may, before attaining the age of sixty, under conditions to be determined by the retirement board, upon request and after an interval of one year, be entitled to further re-examination by a physician selected by the retirement board, and if disability contracted during service as a public school teacher is found to exist, shall again be entitled to receive a retiring allowance under the provisions of paragraphs (9) and (10) of this section.

Date of taking effect.

SECTION 3. This act shall take effect on the first day of July, nineteen hundred and seventeen.

Approved May 9, 1917.

Chap. 234 AN ACT TO ESTABLISH THE SALARY OF THE PRESENT PHYSICIAN OF THE MASSACHUSETTS REFORMATORY.

Be it enacted, etc., as follows:

Salary of present physician of the Massachusetts reformatory.

The present physician of the Massachusetts reformatory shall hereafter receive a salary of three thousand dollars a year.

Approved May 9, 1917.

Chap. 235 AN ACT RELATIVE TO THE PURCHASE AND RELEASE BY THE BOARD OF COMMISSIONERS ON FISHERIES AND GAME OF EGG-BEARING LOBSTERS.

Be it enacted, etc., as follows:

Board of commissioners on fisheries and game may purchase, etc., egg-bearing lobsters.

SECTION 1. The board of commissioners on fisheries and game may purchase to the extent of the money provided for that purpose, and at a rate not above the market price, lobsters with eggs attached taken along the shores of the commonwealth. Whoever takes any such lobsters with eggs attached may, after obtaining a permit from said board, safely store the same in lobster cars or sections of cars used for such purpose only, and shall keep them separate from other lobsters until such time as the board or its agents

can gather and pay for the same. The board or its agents shall liberate said lobsters in the vicinity of their place of taking. Said board may also purchase egg-bearing lobsters found in the possession of lobster dealers and for such purpose may expend a sum not exceeding that expended as above authorized.

SECTION 2. Said board or its agents shall mark in some suitable manner, and before their release, all lobsters purchased under the provisions of this act, and any lobsters so marked shall not again be purchased. Any person having in his possession any lobster so marked, or any lobster mutilated in such manner as to hide or obliterate the said mark, shall be punished by a fine of not less than two nor more than two hundred dollars.

Marking, when purchased.

Penalty.

SECTION 3. Chapter four hundred and eight of the acts of the year nineteen hundred and four is hereby repealed.

Repeal.

Approved May 9, 1917.

AN ACT TO PROVIDE FOR THE RECONSTRUCTION OF A BRIDGE AND ITS APPROACHES OVER CHARLES RIVER IN THE CITY OF NEWTON AND THE TOWN OF WELLESLEY.

Chap. 236

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the counties of Middlesex and Norfolk are hereby constituted a board for the purpose of laying out and constructing a bridge, and the highway approaches thereto, over Charles river at Wales street in the city of Newton and at Walnut street in the town of Wellesley. The said board may lay out, alter, prescribe and specify the bridge and highway approaches thereto in Newton and Wellesley for a distance not exceeding five hundred feet on each side, measured from the abutments of the bridge.

Reconstruction of certain bridge over Charles river in Newton and Wellesley.

SECTION 2. The said board after such hearing, if any, as it may deem advisable, may take lands necessary for the purpose and lay out, alter and specify the bridge and its highway approaches: *provided*, that the plans for the highway and the bridge shall be approved by the board of aldermen of the city of Newton, by the board of selectmen of the town of Wellesley and by the metropolitan park commission, and within sixty days after the date of its order, shall file in the registries of deeds of the respective counties and in the office of the town clerk of the town of Wellesley and of the city clerk of the city of Newton, plans and descriptions

Board may take lands, etc.

Proviso.

Description of land taken, etc., to be recorded.

Damages,
how paid, etc.

of the land taken and of the work proposed. The board shall estimate the damages sustained by any person by reason of said proceedings, and shall direct the payment thereof by the county in which the land taken is situated. Any party aggrieved by the action of the board shall have the same remedies as are now provided by law in the case of land taken for highways.

Common-
wealth to give
certain lands,
etc.

SECTION 3. The metropolitan park commission is authorized to give any lands or rights or easements or interest in land under its control that may be needed for carrying out the said plans.

Bids to be
called for.

SECTION 4. The said board shall, after laying out the work, proceed to construct said bridge and the highway approaches by contract, after due advertisement for proposals have been made in the manner prescribed by section twenty-seven of chapter twenty of the Revised Laws.

Apportionment
of cost.

SECTION 5. The cost and expense of the said work shall be paid, in the first instance, in the proportions of one half by each county, but in no event shall the same exceed the sum of twenty thousand dollars. On the completion of the work and the payment of all expenses, the said board shall determine what proportion of the expense shall be borne by each county, or by such cities and towns in said counties as the board may determine are directly benefited by said bridge, and by the city of Newton and the town of Wellesley. In case the board cannot agree upon such apportionment, the superior court shall, upon the petition of the board, appoint a commissioner to hear and determine the matter, and his decision, when returned to the superior court, and approved or modified by it, shall be final and conclusive. The superior court shall determine the compensation which the commissioner shall receive, which shall be included and apportioned as part of the cost of the work. The members of said board shall receive such compensation for their services as shall be determined by the governor and council.

Court may
appoint
commissioner.

Control,
etc., to vest
in city of
Newton and
town of
Wellesley

SECTION 6. Upon the completion of the said structures the control and maintenance of the same shall vest in the city of Newton and the town of Wellesley, and the expense of the maintenance thereof shall be borne by the said city and town respectively in the same manner as the maintenance of the superseded structures.

To be sub-
mitted to city
council and to
voters, etc.

SECTION 7. This act shall take effect upon its acceptance by the mayor and aldermen of the city of Newton, and by

a majority of the legal voters of the town of Wellesley present and voting thereon at a meeting duly called for the purpose.
Approved May 9, 1917.

AN ACT RELATIVE TO ITINERANT VENDORS.

*Chap. 237**Be it enacted, etc., as follows:*

SECTION 1. Section two of chapter sixty-five of the Revised Laws is hereby amended by inserting after the word "delivery", in the fourth line, the words:— nor to sales of goods, wares and merchandise by any person, whether principal or agent, who engages in temporary or transient business in any city or town in which he has paid taxes upon his stock in trade during the current year, — by inserting after the word "hawkers", in the fifth line, the words:— and peddlers as defined in section thirteen, as amended by section one of chapter two hundred and forty-two of the General Acts of the year nineteen hundred and sixteen, — and by striking out the words "on the streets or peddlers from vehicles", in the same line, so as to read as follows:—

R. L. 65, § 2,
amended.

Section 2. The provisions of the first twelve sections of this chapter shall not apply to sales by commercial travellers or by selling agents to dealers in the usual course of business, nor to bona fide sales of goods, wares or merchandise by sample for future delivery, nor to sales of goods, wares and merchandise by any person, whether principal or agent, who engages in temporary or transient business in any city or town in which he has paid taxes upon his stock in trade during the current year, nor to hawkers and peddlers as defined in section thirteen, as amended by section one of chapter two hundred and forty-two of the General Acts of the year nineteen hundred and sixteen, nor shall they affect the right of any city or town to pass ordinances or by-laws authorized by law relative to itinerant vendors.

Certain provisions not to apply to commercial travellers, etc.

SECTION 2. Section three of chapter sixty-five of the Revised Laws, as amended by section one of chapter one hundred and twenty of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by inserting after the word "commissioner", in the eighth line, the words:— or shall give a bond in the sum of five hundred dollars, payable to the commissioner and his successors, with sureties approved by the commissioner, conditioned upon (1) compliance with the provisions of this chapter, (2) payment of all fines or penalties incurred by him through

R. L. 65, § 3,
etc., amended.

violations of the provisions of this chapter, and (3) payment or satisfaction of any judgment obtained against him in behalf of any creditor whose claim arises in connection with the business done under the licensee's state license and who, before the expiration of sixty days from the date of the expiration or return and cancellation of the said state license, shall have given due notice of his claim to the commissioner, — so as to read as follows: — *Section 3.* Every itinerant vendor, whether principal or agent, shall, before commencing business in this commonwealth, make application in writing, under oath, to the commissioner of weights and measures for a license, stating the names and residences of the owners or parties in whose interest said business is conducted, shall make a special deposit of five hundred dollars with the commissioner or shall give a bond in the sum of five hundred dollars, payable to the commissioner and his successors, with sureties approved by the commissioner, conditioned upon (1) compliance with the provisions of this chapter, (2) payment of all fines or penalties incurred by him through violations of the provisions of this chapter, and (3) payment or satisfaction of any judgment obtained against him in behalf of any creditor whose claim arises in connection with the business done under the licensee's state license and who, before the expiration of sixty days from the date of the expiration or return and cancellation of the said state license, shall have given due notice of his claim to the commissioner; and pay to him a state license fee of twenty-five dollars. The commissioner shall thereupon issue to him an itinerant vendor's license authorizing him to do business in this commonwealth for the term of one year from the date thereof. Every license shall contain a copy of the application therefor, shall not be transferable, shall not authorize more than one person to sell goods as an itinerant vendor, either by agent or clerk or in any other way than in his own proper person, shall expire in one year from the date thereof and may be earlier surrendered for cancellation. A licensee may have the assistance of one or more persons in conducting his business who may aid him but not act for or without him.

Itinerant vendors to be licensed.

Deposit or bond.

State license fee.

R. L. 65, § 11, etc., amended.

SECTION 3. Section eleven of said chapter sixty-five, as amended by section four of said chapter one hundred and twenty, is hereby further amended by adding at the end thereof the words: — or if the licensee has given a bond instead of having made a special deposit, the commissioner

shall, after sixty days from the expiration, return, or surrender of the state license, and after all claims made under the provisions of the following section have been satisfied or settled, cancel the bond and notify the licensee and the surety or sureties thereon, — so as to read as follows: —

Section 11. Upon the expiration and return or surrender of each state license the commissioner of weights and measures shall cancel the same, indorse the date of delivery and cancellation thereon, and place the same on file. He shall then hold the special deposit of the licensee thereunder for sixty days and, after satisfying all claims made upon the same under the provisions of the following section, shall return the surplus to the licensee; or if the licensee has given a bond instead of having made a special deposit, the commissioner shall, after sixty days from the expiration, return, or surrender of the state license, and after all claims made under the provisions of the following section have been satisfied or settled, cancel the bond and notify the licensee and the surety or sureties thereon.

Cancellation
of surrendered
license, bond,
etc.

SECTION 4. Section twelve of said chapter sixty-five, as amended by section five of said chapter one hundred and twenty, is hereby further amended by inserting after the word "deposit", in the twenty-sixth line, the words: — or the penal sum of the bond, — and by adding at the end thereof the words: — A bond given in lieu of a deposit may be put in suit by any person who, if a deposit had been made, might have, as a plaintiff in an action of trustee process, attached the deposit as hereinbefore specified, or by the clerk of any court in which, or the trial justice by whom, any fine or penalty is imposed, as hereinbefore specified, — so as to read as follows: — *Section 12.* Each deposit made with the commissioner of weights and measures shall be subject to attachment and execution in behalf of creditors of the licensee whose claims arise in connection with the business done under his state license, and the commissioner of weights and measures may be held to answer as trustee, under the trustee process, in any civil action in contract or tort brought against any licensee and shall pay over under order of court, or upon execution, such amount of money as he may be chargeable with upon his answer. Said deposit shall also be subject to the payment of any and all fines and penalties incurred by the licensee through violations of the provisions of the preceding sections, and the clerk of the court in which, or the trial justice by whom, such fine or

R. L. 65, § 12,
etc., amended.

Special
deposit
subject to
attachment,
etc.

Special
deposit subject
to payment
of fines and
penalties.
etc.

penalty is imposed shall thereupon give notice of the name of the licensee, upon whom such fine or penalty is imposed, and of the amount thereof, to the commissioner of weights and measures, who, if he has in his hands a sufficient amount deposited by such licensee, shall pay the amount so specified to said clerk or trial justice, and if the commissioner shall not have a sufficient amount so deposited he shall make payment as aforesaid of so much as he has in his hands. All judgments, fines or penalties shall be paid in the order in which notice of the claim is received by the commissioner of weights and measures, until all such claims are satisfied or the deposit or the penal sum of the bond exhausted, but no notices filed after the expiration of the sixty days limit aforesaid shall be valid. No payment of any part of said deposit shall be made to a licensee unless so much thereof is retained as is required to discharge all claims due of which notice has been received and which remain undecided or unpaid. A bond given in lieu of a deposit may be put in suit by any person who, if a deposit had been made, might have, as a plaintiff in an action of trustee process, attached the deposit as hereinbefore specified, or by the clerk of any court in which, or the trial justice by whom, any fine or penalty is imposed, as hereinbefore specified.

Judgments,
etc., how paid.

Bond may be
put in suit,
etc.

SECTION 5. This act shall take effect upon its passage.

Approved May 10, 1917.

Chap. 238 AN ACT TO EXTEND THE POWERS OF FIRE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

1907, 576, § 32
(1), etc.,
amended.

SECTION 1. The first clause of section thirty-two of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended by chapter five hundred and nine of the acts of the year nineteen hundred and eight, by chapter four hundred and ninety-nine of the acts of the year nineteen hundred and ten, and by chapter one hundred and seventy-four of the acts of the year nineteen hundred and thirteen, is hereby further amended by inserting after the word "land", in the sixth line, the word:—earthquake,—and by inserting after the word "bombardment", in the same line, the words:—invasion, foreign enemies, insurrection, riot, civil war or commotion, military or usurped power,— so that said clause as amended will read as follows:—

First, To insure upon the stock or mutual plan against loss or damage to property and loss of use and occupancy by fire; explosion, fire ensuing; explosion, no fire ensuing, except explosion of steam boilers and fly wheels; lightning, hail or tempest on land; earthquake; bombardment; invasion, foreign enemies, insurrection, riot, civil war or commotion, military or usurped power; a rising of the waters of the ocean or its tributaries, or by any two or more of said causes.

Powers of fire insurance companies extended.

SECTION 2. A company insuring property in this commonwealth against loss or damage from explosion, except explosion of steam boilers and fly wheels; bombardment; invasion, foreign enemies, insurrection, riot, civil war or commotion, military or usurped power, or any one or more of them, shall file with the insurance commissioner the forms of the policies or riders employed in such insurance in this commonwealth.

Form of policy, etc., to be filed with insurance commissioner.

SECTION 3. This act shall take effect upon its passage.

Approved May 11, 1917.

AN ACT TO AUTHORIZE THE BOARD OF FREE PUBLIC LIBRARY COMMISSIONERS TO SUPPLY BOOKS TO SOLDIERS AND SAILORS.

Chap. 239

Be it enacted, etc., as follows:

SECTION 1. The board of free public library commissioners is hereby authorized to expend, from the amount of the annual appropriation for its use, a sum not exceeding one thousand dollars during the year nineteen hundred and seventeen, and the same sum annually during the continuance of the present war, in supplying books for the use of members of the United States army or navy, or of the national or home guard who may be stationed within the commonwealth. The board may place the books so supplied in the custody of any military officer or other person, or of any corporation; and may make such other arrangements for the distribution and collection of the books as it may deem proper.

Board of free public library commissioners may supply books to soldiers and sailors.

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

Approved May 12, 1917.

Chap.240 AN ACT TO AUTHORIZE THE COMMISSION ON WATERWAYS AND PUBLIC LANDS TO LICENSE CERTAIN STRUCTURES IN THE NON-TIDAL PART OF THE MERRIMACK RIVER.

Be it enacted, etc., as follows:

Licenses may be granted for certain structures in non-tidal part of the Merrimack river.

SECTION 1. The commission on waterways and public lands may grant licenses, upon such terms as it deems proper, for the construction or extension of a dam, road, bridge, or other structure, or for filling land or driving piles, in, over, or upon the waters of the non-tidal part of Merrimack river below high water mark, and for excavating in said part of the river. The provisions of sections nineteen, twenty and twenty-one of chapter ninety-six of the Revised Laws shall apply to licenses granted hereunder.

Unauthorized work deemed a public nuisance.

SECTION 2. Any erection made and any work done on or within the banks of the said part of the river below high water mark, which is not authorized by the general court or by said commission, or is made or done in a manner not sanctioned by the commission, in all cases aforesaid in which provision for a license is made, shall be considered a public nuisance, which the attorney-general and the district attorneys within their respective districts shall, at the request of said commission, institute proceedings to enjoin or abate.

Not to impair legal rights, etc.

SECTION 3. Nothing contained in this act, or in any license granted hereunder, shall be so construed as to impair the legal rights or remedies of any person or corporation.

SECTION 4. This act shall take effect upon its passage.

Approved May 12, 1917.

Chap.241 AN ACT TO AUTHORIZE THE COUNTY OF PLYMOUTH TO BORROW MONEY FOR THE CONSTRUCTION OF A COURT HOUSE IN THE TOWN OF HINGHAM.

Be it enacted, etc., as follows:

Plymouth county may borrow money to construct a court house in Hingham.

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized to borrow on the credit of the county a sum of money not exceeding thirty thousand dollars for the purpose of acquiring land for, and the erection and furnishing of, a court house for the second district court in the town of Hingham, and to issue notes or bonds of the county therefor, to be designated on their face:—

Second District Court Loan, payable within five years in equal annual payments, the first payment to become due not more than one year from the date thereof, and to assess annually upon the county such sums as may be necessary to extinguish the loan within the time specified.

Second District Court Loan.

SECTION 2. This act shall take effect upon its passage.
Approved May 12, 1917.

AN ACT TO ESTABLISH THE SALARIES OF THE DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEY OF THE MIDDLE DISTRICT. Chap.242

Be it enacted, etc., as follows:

SECTION 1. The annual salaries of the district attorney and of the assistant district attorney of the middle district, shall be three thousand dollars and two thousand dollars respectively.

Salaries of district attorney and assistant of middle district established.

SECTION 2. So much of any act as is inconsistent herewith shall not apply to the provisions hereof.
Approved May 12, 1917.

Certain provisions not to apply.

AN ACT TO ESTABLISH THE SALARY OF THE COMMISSIONER OF WEIGHTS AND MEASURES. Chap.243

Be it enacted, etc., as follows:

Section two of chapter five hundred and thirty-four of the acts of the year nineteen hundred and seven, as amended by section one of chapter four hundred and sixty-five of the acts of the year nineteen hundred and ten, and by section one of chapter six hundred and thirty-two of the acts of the year nineteen hundred and eleven, and by section one of chapter two hundred and fifty-six of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "two thousand", in the third line, and inserting in place thereof the words: — twenty-five hundred, — so as to read as follows: — *Section 2.* The said commissioner may appoint six inspectors. The annual salary of the commissioner shall be twenty-five hundred dollars. The annual salary of the inspectors shall be twelve hundred dollars each for the first year of service, thirteen hundred dollars for the second year, fourteen hundred dollars for the third year, and fifteen hundred dollars for the fourth year and for any subsequent year. They shall give bonds for the faithful performance of their duties. The

1907, 534, § 2, etc., amended.

Salary of commissioner of weights and measures, etc., established.

commissioner shall be allowed for clerical services, travel and contingent office expenses for himself and his inspectors such sum as may be necessary, to be paid out of the treasury of the commonwealth. *Approved May 12, 1917.*

Chap.244 AN ACT TO ESTABLISH THE SALARY OF THE POSTMASTER OF THE STATE HOUSE.

Be it enacted, etc., as follows:

Salary of postmaster of the state house established.

The postmaster of the state house shall receive a salary of sixteen hundred dollars a year.

Approved May 12, 1917.

Chap.245 AN ACT RELATIVE TO THE AUTHORITY FOR GRANTING CERTAIN PERMITS TO PRISONERS TO BE AT LIBERTY.

Be it enacted, etc., as follows:

Authority to grant certain permits to prisoners to be at liberty transferred to board of parole.

All the powers and duties of the director of prisons relating to the granting of permits to be at liberty to prisoners who have been removed from the Massachusetts reformatory to a jail or house of correction, and to prisoners who have been removed from the reformatory for women to a jail or house of correction, are hereby transferred to, and shall hereafter be exercised by, the board of parole of the Massachusetts bureau of prisons. *Approved May 12, 1917.*

Chap.246 AN ACT TO PROVIDE FOR THE MAINTENANCE OF WARNING SIGNS, AND TO REGULATE THE OPERATION OF MOTOR VEHICLES, AT RAILROAD CROSSINGS.

Be it enacted, etc., as follows:

Counties, cities, towns, etc., to place warning signs at railroad crossings.

SECTION 1. Within six months after the passage of this act, every county, city, and town within the commonwealth shall, except as hereinafter provided, and the Massachusetts highway commission shall, unless in any case it deems it unnecessary or impracticable so to do, place and thereafter maintain warning signs on every public way subject to its jurisdiction, where the way crosses the tracks of a railroad at grade. The signs shall consist of a metal disc twenty-four inches in diameter, the field thereof to be enameled white, with an enameled black border line one inch wide, and with an enameled black perpendicular and horizontal crossline two and a half inches wide; the reverse side of the disc to be colored black. In each of the upper quarterings shall appear, in black enamel, the letter "R", five inches

high, three and three quarter inches wide, the lines to be of one inch stroke. The said signs shall be placed in conspicuous situations beside the public way, on each side of the crossing, and at a distance of not less than three hundred feet from the nearest rail of the crossing.

SECTION 2. Every railroad corporation shall, upon request in writing, and within four months after receiving the same, furnish to any county, city or town in the commonwealth, or to the Massachusetts highway commission, as the case may be, a sufficient number of warning signs of the type prescribed by section one hereof to enable such county, city or town, or the said commission, from time to time to comply with the provisions of section one hereof. The said signs shall be furnished, as aforesaid, without charge, unless they are to be used for replacement purposes, in which case the railroad corporation may require the payment of the net cost thereof.

Railroad corporations to furnish signs upon request.

SECTION 3. Upon approaching any railroad crossing at grade the person controlling the movement of any self-propelled vehicle shall reduce the speed of the vehicle to a reasonable and proper rate, and shall proceed cautiously over the crossing. Any person who violates any provision of this section shall be punished by a fine of not less than ten nor more than fifty dollars.

Self-propelled vehicles to reduce speed at crossing.

Penalty.

SECTION 4. If in the case of any railroad grade crossing it appears that the placing of the signs prescribed by section one hereof is impracticable or unnecessary, the public service commission, on petition, may release the county, city or town, as the case may be, from the provisions of said section.

Public service commission to determine when signs are unnecessary.

SECTION 5. If any county, city or town shall neglect, for sixty days after the expiration of the six months prescribed in section one hereof, to comply with the requirements thereof, unless released therefrom by order of the public service commission, or unless prevented by the failure of any railroad corporation to comply with the requirements of section two hereof, and if any railroad corporation shall neglect, for sixty days after the expiration of the four months prescribed in section two hereof, to comply with the requirements thereof, it shall forfeit one dollar for each day during which such neglect continues, to be recovered in an action of tort brought in the name and for the use of the commonwealth by the attorney-general or by the district attorney of the district in which the violation occurred.

Penalty for failure to place signs.

Penalty for removal of signs.

SECTION 6. Any person who unlawfully removes, throws down, injures or defaces any such sign shall be punished by a fine not exceeding ten dollars, for the use of the county or municipality placing and maintaining the sign, or of the commonwealth, if the sign is placed and maintained by the Massachusetts highway commission.

Approved May 12, 1917.

Chap.247 AN ACT RELATIVE TO THE INDEPENDENT AGRICULTURAL SCHOOL OF BRISTOL COUNTY.

Be it enacted, etc., as follows:

Bristol County Agricultural school established.

SECTION 1. The name of the independent agricultural school of Bristol county shall be Bristol County Agricultural School.

Courses of instruction.

SECTION 2. The said school shall provide instruction in agriculture and, at such time as may be approved by the board of education, may provide instruction in household arts or home-making. Short-unit courses of instruction may be given both at the school and elsewhere in the county. Members of the school staff shall investigate farm and market conditions for the purpose of advising individuals and organizations with reference to better business methods among farmers, and more satisfactory methods of marketing farm products, shall give instruction in the formation of co-operative enterprises, and shall perform any other work calculated to promote the agricultural or rural development of the county. It shall be the duty of members of the staff to keep in touch with, and to avail themselves of, all agencies in the commonwealth or elsewhere that will enable them to utilize the latest and best knowledge and practice in the furtherance of their work.

May receive gifts.

SECTION 3. The said school may receive and utilize gifts considered by said trustees and the board of education to be consistent with its purposes, but principally it shall be supported as follows:— The treasurer of the county shall pay all bills which are approved by the trustees, not exceeding in the aggregate twenty thousand dollars, in addition to the miscellaneous income described in section four of this act, for the establishment, equipment and maintenance of said school during the fiscal year nineteen hundred and seventeen, and the amount so paid shall be raised by taxation in the same manner in which the other expenses of the

School, how supported.

county are provided for. Said trustees shall annually, after the first year, in consultation with and with the approval of the board of education and the county commissioners of the county prepare on or before the fifteenth day of December, an estimate of the amount required to establish, equip, and maintain the said school for the ensuing year; and the said amount shall be included by the county commissioners of the county in the estimate required by section twenty-seven of chapter twenty-one of the Revised Laws, as amended, and if the amount so estimated, or any part thereof, shall be authorized by the general court as part of the county tax, the county of Bristol shall raise by taxation the sum so authorized, and the treasurer of the county shall pay all bills, if approved by the trustees, not exceeding the amount authorized, in the same manner as the bills of other departments of the county are paid.

Annual estimate of amount required to establish, etc., school to be prepared.

SECTION 4. In order to reduce the net cost to the county and state of the said school, all miscellaneous income, including receipts for tuition collected on account of non-resident pupils, receipts from the sale of products, from the work of pupils, or from any other source, shall be paid to the county treasurer to be applied toward the expense of maintenance.

All miscellaneous income, etc., to be paid county treasurer.

SECTION 5. Said school, to the extent of the capacity of the various courses provided for in accordance with section two of this act, shall be free for attendance to residents of said county over fourteen and under twenty-five years of age; and, to residents of the commonwealth over seventeen years of age in such numbers and for such instruction as shall be approved by the board of education. Any resident, over fourteen years of age, of a city or town in Massachusetts outside of said county which does not maintain a state-aided vocational school offering the type of education desired, may be admitted to the Bristol County Agricultural School in accordance with the provisions governing the admission of non-resident pupils and the collection of tuition fees contained in chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven.

Certain pupils to be admitted free.

Admission of certain pupils resident outside of county.

SECTION 6. This act shall take effect upon its passage; and such parts of previous acts relating to the independent agricultural school of Bristol county as are not consistent with this act are hereby repealed.

Repeal.

Approved May 14, 1917.

Chap.248 AN ACT TO PROVIDE FOR THE MENTAL INSTRUCTION OF INMATES OF THE MASSACHUSETTS REFORMATORY.

Be it enacted, etc., as follows:

Mental instruction of inmates of Massachusetts reformatory.

SECTION 1. The superintendent of the Massachusetts reformatory may, subject to the approval of the director of prisons, expend a sum not exceeding five thousand dollars annually for the mental instruction of inmates.

Repeal.

SECTION 2. Section seventy-four of chapter two hundred and twenty-five of the Revised Laws, and so much of any act as is inconsistent herewith are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved May 14, 1917.

Chap.249 AN ACT INCREASING THE MAXIMUM WEEKLY COMPENSATION PAYABLE TO INJURED EMPLOYEES IN CERTAIN CASES.

Be it enacted, etc., as follows:

1911, 751 (II), § 9, etc., amended.

SECTION 1. Section nine of Part II of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven, as amended by section four of chapter seven hundred and eight of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the word "ten", in the fourth line, and inserting in place thereof the word: — fourteen, — so as to read as follows: — *Section 9.* While the incapacity for work resulting from the injury is total, the association shall pay the injured employee a weekly compensation equal to sixty-six and two thirds per cent of his average weekly wages, but not more than fourteen dollars nor less than four dollars a week; and in no case shall the period covered by such compensation be greater than five hundred weeks, nor the amount more than four thousand dollars.

Maximum weekly compensation payable to injured employees in certain cases increased.

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

Approved May 14, 1917.

Chap.250 AN ACT TO PROHIBIT THE USE OF POLITICAL PARTY NAMES ON NOMINATION PAPERS IN CERTAIN CASES.

Be it enacted, etc., as follows:

1913, 835, § 201, amended.

SECTION 1. Section two hundred and one of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the second paragraph, and inserting in place thereof the

following:— If a candidate is nominated otherwise than by a political party, the name of a political party shall not be used in his political designation. Certificates of nomination and nomination papers for town offices may or may not include a designation of the party or principle which the candidate represents.

Use of political party names on independent nomination papers for state election prohibited.

SECTION 2. Section two hundred and fifty-eight of said chapter eight hundred and thirty-five is hereby amended by striking out the words “expressed in accordance with section two hundred and one”, in the sixteenth line, and by striking out the fourth paragraph in the twenty-fourth to the twenty-eighth lines, inclusive, so as to read as follows:— *Section 258.* General ballots for the use of male voters in a voting precinct or town shall contain the names of all candidates duly nominated for election therein, and such ballots shall, except as provided in section two hundred and sixty, contain the name of no other person.

1913, 835, § 258, amended.

General ballots.

To the name of each candidate for a state office shall be added the name of the city or town in which the candidate resides. To the name of each candidate for a city office shall be added the name of the street on which he resides, with his street number, if any; and to the name of each candidate for the office of alderman at large shall also be added the number of the ward in which he resides.

Residence to be added to name of candidate.

To the name of each candidate for a state or city office, except city offices in Boston, shall be added in the same space his party or political designation or designations. To the name of each candidate for a town office upon an official ballot shall be added the designation of the party or principle which he represents, contained in the certificate of nomination or nomination papers. No greater number of candidates for any office, bearing the same political designation, nominated otherwise than by nomination papers, shall be placed upon the official ballot than are to be elected.

Political designations.

Candidates with same designation.

If a candidate shall receive the nomination of more than one party or more than one political designation for the same office, he may, within the seventy-two hours next succeeding five o'clock of the last day fixed for the filing of nomination papers, by a writing delivered to the officer or board required by law to prepare the official ballot, direct in what order the several nominations or political designations shall be added to his name upon the official ballot; and such directions shall be followed by the said officer or board. If, during said time, said candidate shall neglect to direct in

Candidates receiving nomination of more than one party, etc., may direct as to order on ballot.

writing as aforesaid, then said officer or board shall add said nominations or political designations to the name of said candidate upon the official ballot in such order as said officer or board shall determine.

SECTION 3. This act shall take effect upon its passage.

Approved May 14, 1917.

Chap.251 AN ACT RELATIVE TO THE CARE BY COUNTIES OF CERTAIN PERSONS SUFFERING FROM CONSUMPTION.

Be it enacted, etc., as follows:

1916, 286 (G),
§ 2, amended.

SECTION 1. Section two of chapter two hundred and eighty-six of the General Acts of the year nineteen hundred and sixteen, is hereby amended by striking out the words "before January first of the year nineteen hundred and seventeen", in the first and second lines, and inserting in place thereof the words:—before April first of the year nineteen hundred and eighteen, — so as to read as follows:

Making of
contracts for
supplying
hospital
facilities for
consumptives.

— *Section 2.* A contract entered into before April first of the year nineteen hundred and eighteen for a term of years not less than five nor more than twenty-five, and approved by the state department of health after a petition made to the said department and a public hearing thereon, between (a) boards of county commissioners of two adjoining counties, or (b) boards of county commissioners of any county and the legally constituted authorities of any city within the same county, or (c) either county commissioners or the legally constituted authorities of cities of fifty thousand or more inhabitants and the trustees or authorities of any existing or future privately endowed tuberculosis institution, or the trustees of any fund available for the purpose of supplying hospital facilities for persons suffering from consumption, for the express purpose of supplying, within a reasonable time as provided in the conditions of approval of the state department of health, and guaranteeing adequate hospital provision for consumptives coming under the provisions of this act, shall be held to be satisfactory compliance with the provisions of this act for such counties, sections of counties, or for such cities or classes of individuals, as the case may be, as are designated in the contract; and such contracts shall, subject to the approval of the state department of health, be renewable upon such terms as shall be satisfactory to the contracting parties: *provided, however,* that if such contracts are not renewed and approved by the

Proviso.

state department of health at least nine months before their expiration, or if the contracts are renewed and the state department of health shall refuse approval on the ground that by reason of changed circumstances the contract will be inadequate properly to protect the public health of the communities affected by it, and the contracting parties fail within six months before the time when the previous contract expires to agree to a renewal of the contract upon terms approved by the state department of health, the duties and obligations relative to supplying adequate hospital care for such counties, or sections of counties, cities or classes of individuals imposed upon county commissioners and city governments by this act shall be in full force and effect.

SECTION 2. Section nine of said chapter two hundred and eighty-six is hereby amended by adding at the end thereof the following:—County commissioners of counties whose patients are cared for by contract under the provisions of section two are authorized to raise and expend such sums as may be necessary to carry out the provisions thereof, and may borrow the same on the credit of the county and issue therefor notes of the county, payable, in not more than eighteen months from their respective dates of issue, from the reimbursements received from the said cities and towns. They shall in January of each year determine the total amount already expended by, or due from, the county under the provisions of such contracts during the previous year, and shall apportion the same to, and may collect the same from, the several cities and towns liable under this act in the same manner as the costs of construction and equipment of hospitals is apportioned under the provisions of section seven, and the same shall be applied to the payment of the temporary debt incurred by said counties under the provisions of this act.

1916, 286 (G),
§ 9, amended.

May borrow
money.

SECTION 3. Section thirteen of said chapter two hundred and eighty-six is hereby amended by striking out all after the first sentence, so as to read as follows:—*Section 13.* The situation, plans for construction and actual construction of any new hospitals or additions to any existing hospitals, provided for the purpose of carrying out the provisions of this act, shall be subject to the approval of the state department of health.

1916, 286 (G),
§ 13, amended.

Plans to be
approved
by state
department
of health.

SECTION 4. This act shall take effect upon its passage.

Approved May 14, 1917.

Chap.252 AN ACT TO PROVIDE FOR AN ASSISTANT CLERK FOR THE
CENTRAL DISTRICT COURT OF NORTHERN ESSEX.

Be it enacted, etc., as follows:

Office of
assistant clerk
for the central
district court
of northern
Essex
established.

There shall be an assistant clerk of the central district court of northern Essex who shall be appointed under the provisions of section eleven of chapter one hundred and sixty of the Revised Laws, as amended by chapter two hundred and eighty-nine of the acts of the year nineteen hundred and eight. His salary shall be a sum equal to two thirds of the salary of the clerk of said court, and shall be paid by the county of Essex. *Approved May 14, 1917.*

Chap.253 AN ACT RELATIVE TO THE DUTIES AND SALARY OF THE
MESSENGER OF THE COURTS OF PROBATE AND INSOLVENCY
FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

R. L. 164, § 35,
amended.

SECTION 1. Section thirty-five of chapter one hundred and sixty-four of the Revised Laws is hereby amended by striking out all after the word "direct", in the seventh line, and inserting in place thereof the following:— including duty as a court officer of the said court. He shall receive from said county an annual salary of seventeen hundred dollars payable in equal monthly instalments which shall be in full payment of all services performed by him. He shall also receive ten cents a mile for travel out and home once a week during his attendance upon the said courts, and he shall at his own expense provide a uniform, such as the court shall order, which he shall wear while in attendance on the said court, — so as to read as follows:— *Section 35.* The judges of probate and insolvency for the county of Middlesex may appoint a messenger for the courts of probate and insolvency for said county, may at any time remove him for a cause which is by them considered sufficient, and may fill a vacancy caused by a removal or otherwise. Said messenger shall wait upon said courts and perform such duties as the judges may direct including duty as a court officer of the said court. He shall receive from said county an annual salary of seventeen hundred dollars payable in equal monthly instalments which shall be in full payment of all services performed by him. He shall also receive ten cents a mile for travel out and home once a week during

Duties and
salary of the
messenger of
the courts of
probate and
insolvency for
Middlesex
county.

his attendance upon the said courts, and he shall at his own expense provide a uniform, such as the court shall order, which he shall wear while in attendance on the said court.

SECTION 2. Chapter one hundred and ninety-three of the acts of the year nineteen hundred and six is hereby repealed. Repeal.

Approved May 14, 1917.

AN ACT TO AUTHORIZE CITIES AND TOWNS TO PAY TO THEIR EMPLOYEES WHO ENLIST IN THE SERVICE OF THE UNITED STATES THE DIFFERENCE BETWEEN THEIR MILITARY AND THEIR MUNICIPAL COMPENSATION. Chap.254

Be it enacted, etc., as follows:

SECTION 1. Cities and towns are hereby authorized to pay to employees leaving their service between March twenty-fifth, nineteen hundred and seventeen, and the close of the war, as determined by the United States government, for the purpose of entering the military or naval service of the United States, an amount equal to the difference between the compensation which such employees were receiving at the time of leaving such service and the pay which they receive while in said military or naval service under the acts of congress and of this commonwealth, including aid to their dependents. The payments herein provided for shall date from the time when the employee leaves the service of the city or town. Payments hereunder shall continue to be made for six months after the close of the war as determined aforesaid unless the recipient is sooner discharged.

Cities and towns may pay their employees enlisting in United States service the difference between their military and municipal compensation.

SECTION 2. This act shall take effect in cities upon its acceptance by the mayor and city council, or by the commission in cities where there is a commission form of government, and in towns upon its acceptance by the voters of the town at any regular or special town meeting.

To be submitted to city councils, commissions, voters, etc.

Approved May 14, 1917.

AN ACT RELATIVE TO THE TERMS OF OFFICE OF CERTAIN COUNTY OFFICERS. Chap.255

Be it enacted, etc., as follows:

SECTION 1. Section three hundred and ninety-one of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen is hereby amended by

1913, 835, § 391, amended.

Certain county officers, terms of office, etc.

adding at the end thereof the following:— If a person elected to any of the above offices fails to qualify, by reason of death, on or before the said date, the office shall be filled in the manner hereinbefore provided for filling a vacancy in the office, — so as to read as follows:— *Section 391.* District attorneys, county commissioners, associate commissioners and county treasurers shall hold their several offices for terms of three years, and sheriffs, registers of deeds, clerks of the courts and registers of probate and insolvency for terms of five years, beginning with the first Wednesday of January in the year succeeding their respective elections and until their successors are chosen and qualified. If a person elected to any of the above offices fails to qualify, by reason of death, on or before the said date, the office shall be filled in the manner hereinbefore provided for filling a vacancy in the office.

Election of county commissioner in Berkshire county.

SECTION 2. There shall be elected in the county of Berkshire at the next state election, in addition to the county commissioner regularly elected for the term of three years, an additional county commissioner who shall be elected for the term of two years and who shall take office on the first Wednesday of January next succeeding the date of his election. Upon his election and qualification the term of office of the present county commissioner, elected in the year nineteen hundred and thirteen, shall thereupon cease and determine. *Approved May 14, 1917.*

Chap. 256 AN ACT RELATIVE TO THE CLASSIFICATION AND GRADING OF MILK.

Be it enacted, etc., as follows:

"Grade A, Massachusetts Milk," established.

SECTION 1. A grade of milk to be known as "Grade A, Massachusetts Milk", is hereby established. The said grade shall consist exclusively of milk produced within this commonwealth from healthy cows under cleanly and sanitary conditions, and shall be so cooled and cared for that in its raw state the bacteria count shall not average more than one hundred thousand per cubic centimeter, upon examination of five samples taken consecutively, each from a different lot of milk, on five separate days.

How to be labelled.

SECTION 2. "Grade A, Massachusetts Milk" shall, when sold, kept or offered for sale or exchange, be designated and marked with a label, in plain, legible, bold-faced type, in the words following: "Grade A, Massachu-

sets Milk". The percentage of milk fat may also be stated upon said label, cap or tag, but in no case shall the amount of fat be less than the Massachusetts legal standard.

SECTION 3. The board of health of any city or town, upon application of any person, firm, association or corporation, desiring to sell or exchange milk therein as "Grade A, Massachusetts Milk", shall cause the milk produced or to be sold or exchanged by such applicant to be tested for classification as prescribed by section two of this act, and if upon such examination and test the milk so produced or to be sold or exchanged by the applicant is found to comply with the aforesaid requirements of classification of "Grade A, Massachusetts Milk", the board of health shall issue without charge to the applicant a written permit to keep for sale, exchange or delivery, or to sell, exchange or deliver in such city or town, milk graded, classified, designated and labelled, as hereinbefore provided, as "Grade A, Massachusetts Milk." Any permit so issued may, at any time, be revoked upon written notice to the holder thereof, by the board of health issuing the same, if milk offered by the holder for sale or exchange as so graded or classified shall not comply with the aforesaid requirements.

Boards of health to test milk.

Permit for "Grade A."

Revocation of permit.

SECTION 4. If any grade or classification of milk other than "Grade A, Massachusetts Milk" is established permits for the sale of such milk shall be granted and may be revoked in accordance with the provisions of this act in respect to "Grade A, Massachusetts Milk", but such permits shall not be granted until the milk to be sold thereunder has been tested in such manner as the board of health, to whom application for the permit is made, shall determine. Milk sold or kept or offered for sale or exchange under such a permit shall be marked with a label, cap or tag in plain, legible, bold-faced type, expressing the name of the grade as it is determined by the board granting the permit.

Permits, etc., for other grades of milk.

SECTION 5. Whoever, himself or by his agent, or as the servant or agent of another, sells, exposes for sale or has in his custody or possession with intent to sell milk purporting to be of a grade established hereunder without having a permit so to do shall be subject to the penalty hereinafter provided.

Principal or agent liable without permit.

SECTION 6. Whoever, himself or by his agent, or as the servant or agent of another, sells, exposes for sale, or has in his custody or possession with intent to sell, milk labelled as to its fat content which upon analyses of three samples

Penalty.

Same subject.

taken consecutively, each from a different lot of milk, on three separate days, is found to contain less milk fat than that stated upon the label, cap or tag, and whoever sells, exposes for sale or exchange, or delivers, milk not wholly produced in Massachusetts in containers bearing upon a label, cap, tag, or otherwise, the words "Grade A, Massachusetts Milk", or other words indicating that such milk was produced in Massachusetts; and whoever in any manner represents that milk not wholly produced in Massachusetts was wholly produced in Massachusetts, or is of a grade designated as "Grade A, Massachusetts Milk", shall, for a first offence, be punished by a fine of not more than fifty dollars; for a second offence by a fine of not less than fifty nor more than one hundred dollars, and for a subsequent offence by a fine of not less than one hundred nor more than two hundred dollars.

Approved May 14, 1917.

Chap.257 AN ACT TO EXEMPT FROM TAXATION SAVINGS DEPOSITS WHEN INVESTED IN BONDS OR CERTIFICATES OF INDEBTEDNESS OF THE UNITED STATES.

Be it enacted, etc., as follows:

Savings deposits when invested in United States bonds, etc., to be exempt from taxation.

SECTION 1. Deposits in savings banks, including such savings banks as are called institutions for savings, deposits in the savings departments of trust companies, and also deposits in the Massachusetts Hospital Life Insurance Company, shall be exempt from taxation when invested in bonds or certificates of indebtedness of the United States of America.

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

Approved May 16, 1917.

Chap.258 AN ACT TO AUTHORIZE THE ESTABLISHMENT OF COUNTY INDUSTRIAL FARMS.

Be it enacted, etc., as follows:

Counties may establish industrial farms.

SECTION 1. The county commissioners of any county may, subject to the approval of the director of prisons, purchase, take by right of eminent domain, or lease, in behalf of the county, a tract of land not exceeding five hundred acres in area for use as a county industrial farm, and may reclaim, cultivate and improve the same. The work of reclaiming, cultivating and improving the said

land, shall so far as is practicable, be done by prisoners transferred thereto as hereinafter provided. If the land is taken by right of eminent domain, said commissioners shall file in the registry of deeds of the district in which the land is situated a plan and description thereof sufficiently specific for identification, whereupon the title thereto shall vest in the county in fee: *provided*, that no land, right or interest therein, which has been registered under the provisions of chapter one hundred and twenty-eight of the Revised Laws, shall be deemed to have been taken until a description thereof has been filed in accordance with the provisions of section eighty-nine of said chapter. If said commissioners cannot agree with the owner of land thus taken as to his compensation, he shall have the remedy now provided in the case of land taken for highways. At any time after said land has been reclaimed, cultivated and improved, the same may be sold if the county commissioners determine that it is for the best interest of the county.

Description of certain land to be recorded, etc.

Proviso.

SECTION 2. Said commissioners may erect on said land such temporary buildings of inexpensive construction as they shall consider necessary for the proper housing of prisoners, and for other purposes, in no case, however, costing over three thousand dollars. If the land which has been reclaimed, cultivated and improved, as aforesaid, shall be sold, the proceeds of the sale shall be placed in the treasury of the county and shall be used, so far as is possible, for the payment of loans made as hereinafter provided. Any surplus thereof shall be used for general county purposes. No building used for housing the prisoners shall be constructed until the director of prisons has approved the plans therefor. The commissioners may appoint, and at any time remove, a superintendent for said farm and such assistants as, in their opinion, are needed for its proper management.

Temporary buildings may be erected, etc.

Approval of plans, etc.

SECTION 3. On the request of said commissioners, the sheriff of the county shall remove to said farm such prisoners, held on sentence in the jail or house of correction of the county, as, in his opinion, can advantageously be employed thereon in carrying out the purposes and provisions of this act and when so removed they shall be so employed, but shall be at all times in the custody of the sheriff and his officers. On the order of said commissioners, the sheriff shall return any prisoner to the jail or house of correction from which he was taken.

Prison labor may be used.

County of
Industrial
Farm Loan,
Act of 1917.

SECTION 4. To meet the expenses incurred under the provisions of this act, the county commissioners are hereby authorized to borrow from time to time, upon the credit of the county, such sums as may be needed, and to issue bonds or notes therefor, which shall bear on their face the words, County of _____, Industrial Farm Loan, Act of 1917, and shall be payable by such annual payments, beginning not more than one year after the dates thereof, as will extinguish each loan within _____ years from its date. The amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each issue of bonds or notes shall constitute a separate loan. The said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value, and the proceeds shall be used only for the purposes above specified.

County com-
missioners to
provide for
payment of
loan, etc.

SECTION 5. The county commissioners, at the time of authorizing each loan, shall provide for the payment thereof in accordance with the provisions of section four, and a sum sufficient to pay the interest as it accrues and to make such payments on the principal as may be required under said provisions, shall be levied annually thereafter, as a part of the county tax of the county in the same manner as other county taxes, until the debt incurred by said loan or loans is extinguished.

Approved May 16, 1917.

Chap. 259 AN ACT DEFINING PASTEURIZED MILK AND REGULATING THE SALE THEREOF.

Be it enacted, etc., as follows:

Pasteurized
milk, term
defined.

SECTION 1. Pasteurized milk is hereby defined to be natural cow's milk not more than seventy-two hours old when pasteurized, subjected for a period of not less than thirty minutes, to a temperature of not less than one hundred and forty degrees nor more than one hundred and forty-five degrees Fahrenheit, and immediately thereafter cooled therefrom to a temperature of fifty degrees Fahrenheit or lower.

SECTION 2. It shall be unlawful to sell, exchange or deliver, or to advertise, represent, or describe, or to offer or expose for sale or to have in possession with intent to sell, as pasteurized milk, milk not pasteurized in conformity with the provisions of this act.

Sale of other milk as pasteurized, prohibited.

SECTION 3. Any violation of this act shall be punished by a fine of not less than ten dollars for a first offence, and of not more than one hundred dollars for any subsequent offence.

Penalty.

SECTION 4. This act shall take effect on the first day of January in the year nineteen hundred and eighteen.

Time of taking effect.

Approved May 16, 1917.

AN ACT RELATIVE TO THE PREFERENCE OF CITIZENS FOR EMPLOYMENT IN THE CONSTRUCTION OF PUBLIC WORKS. *Chap.260*

Be it enacted, etc., as follows:

Section twenty-one of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended by section one of chapter four hundred and seventy-four of the acts of the year nineteen hundred and fourteen, is hereby further amended by inserting after the word "mechanics", in the second line, the word:—teamsters,— and by inserting after the word "mechanics", in the ninth line, the words:—and teamsters,— so as to read as follows:—

1909, 514, § 21, etc., amended.

Section 21. In the employment of mechanics, teamsters and laborers in the construction of public works by the commonwealth, or by a county, city or town, or by persons contracting therewith, preference shall be given to citizens of the commonwealth, and, if they cannot be obtained in sufficient numbers, then to citizens of the United States; and every contract for such works shall contain a provision to this effect. The wages for a day's work paid to mechanics and teamsters employed in such construction of public works shall be not less than the customary and prevailing rate of wages for a day's work in the same trade or occupation in the locality, city or town where such public works are constructed. Any contractor who knowingly and wilfully violates the provisions of this section shall be punished by a fine of not more than one hundred dollars for each offence.

Preference to be given citizens of commonwealth in construction of public works.

Penalty.

Approved May 16, 1917.

Chap.261 AN ACT TO ESTABLISH THE SALARY OF JOHN W. LOCKE AS DEPUTY TAX COMMISSIONER.

Be it enacted, etc., as follows:

Salary of John W. Locke, deputy tax commissioner, established.

SECTION 1. The salary of John W. Locke, deputy tax commissioner, shall be four thousand dollars a year.

SECTION 2. This act shall take effect upon its passage. (The foregoing was laid before the governor on the tenth day of May, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap.262 AN ACT TO ESTABLISH THE SALARIES OF THE JUSTICES OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Salaries of justices of the Boston municipal court established.

SECTION 1. The salary of the chief justice of the municipal court of the city of Boston shall be six thousand five hundred dollars a year, and the salary of each of the associate justices shall be six thousand dollars a year.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor.

(The foregoing was laid before the governor on the tenth day of May, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap.263 AN ACT TO PROVIDE FOR INVESTIGATION AND SUPPRESSION OF THE WHITE PINE BLISTER RUST.

Be it enacted, etc., as follows:

State nursery inspector to investigate and suppress white pine blister rust.

SECTION 1. The state nursery inspector, acting under the direction of the state board of agriculture, is hereby authorized to expend a sum not exceeding fifty thousand dollars for the investigation and suppression of the white pine blister rust, and any unexpended balance of this sum remaining at the end of the fiscal year nineteen hundred and seventeen may be expended in the fiscal year nineteen hundred and eighteen.

1912, 507, etc., amended.

SECTION 2. Chapter five hundred and seven of the acts of the year nineteen hundred and twelve, as amended by

section two of chapter one hundred and sixty-one of the General Acts of the year nineteen hundred and fifteen and by section five of chapter ninety-one of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by adding at the end thereof the following new sections to be numbered nineteen and twenty: — *Section 19.* In case the nursery inspector, either personally or through his deputies, shall find plants known as ribes or five-leaved pines infected with the disease known as the white pine blister rust, or shall find ribes or pines so situated that in his opinion they are likely to become infected with this disease, he may, either personally or through his deputies, forthwith destroy or cause to be destroyed such ribes or five-leaved pines. *Section 20.* In carrying out his duties hereunder relative to the control of the white pine blister rust, the state nursery inspector shall, so far as practicable, co-operate with the state forester and with the local tree wardens, moth superintendents, city foresters and forest wardens.

May destroy infected trees.

Co-operation of duties.

SECTION 3. This act shall take effect upon its passage.

Approved May 17, 1917.

AN ACT TO AUTHORIZE CITIES AND TOWNS TO MAKE CERTAIN EMERGENCY APPROPRIATIONS IN TIME OF WAR.

Chap. 264

Be it enacted, etc., as follows:

SECTION 1. Cities and towns are hereby authorized, during the continuance of the existing state of war between the United States and any foreign country, to appropriate such sums of money as they may deem necessary to conserve health and to protect persons and property; to establish, maintain, and equip training fields; to purchase military equipment and supplies; and for the purpose of conserving the food supply, to do such things as they may deem necessary to assist in the raising and distribution of food products. The expenditure of all money appropriated under authority of this act shall, in cities, be under the direction of the mayor and city council or commission, and in towns, of the selectmen, or of committees appointed by the mayor with the approval of the council or commission in cities, and by the selectmen in towns. A report in detail of all such expenditures shall be made and included in the annual report of the proper financial officers of the city or town.

Cities and towns may make certain emergency appropriations in time of war.

May issue
bonds.

SECTION 2. For the purpose of meeting expenditures herein authorized, a city or town may raise such sums as may be necessary by taxation or may incur debt and issue bonds or notes therefor for a period not exceeding five years. All debts incurred under authority of this act shall be payable in accordance with the provisions of section fourteen of chapter seven hundred and nineteen of the acts of the year nineteen hundred and thirteen, and amendments thereof.

Owner of
private land
to pay cost of
ploughing, etc.

SECTION 3. If a city or town, acting under the authority herein granted, shall plough or harrow or furnish other aid in the cultivation of private land situated in such city or town upon application of the owner of such land and for his benefit, the cost of such work shall be paid by the owner and bills shall be rendered to the owner therefor, and if not paid on or before the first day of April of any year, the amount so due and unpaid may be assessed on the land upon which the work was done, and shall be a lien on the said land enforceable in the same manner and with the same effect as is provided in the case of assessments for the suppression of the gypsy and brown tail moth.

Act to have
force during
the war.

SECTION 4. This act shall take effect upon its passage, and shall, except as herein otherwise expressly provided, cease to operate on the termination of the said state of war.

Approved May 17, 1917.

Chap. 265 AN ACT RELATIVE TO THE PENALTY FOR MISUSE OF THE FLAG OF THE UNITED STATES AND OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

R. L. 206, § 5,
etc., amended.

Section five of chapter two hundred and six of the Revised Laws, as amended by chapter four hundred and sixty-four and section one of chapter six hundred and four of the acts of the year nineteen hundred and thirteen, and by chapter five hundred and seventy of the acts of the year nineteen hundred and fourteen, is hereby further amended by inserting after the word "dollars", in the fourteenth line, the words: —, or by imprisonment for not more than one year, or by both such fine and imprisonment, — so as to read as follows: — *Section 5.* Whoever publicly mutilates, tramples upon, defaces or treats contemptuously the flag of the United States or of Massachusetts, whether such flag is public or private property, or whoever displays such flag or any representation thereof upon which are words, figures,

Penalty for
misuse of the
flag of the
United States
or of Massa-
chusetts.

advertisements or designs, or who shall in this commonwealth expose to public view, manufacture, sell, expose for sale, give away or have in possession for sale or to give away or for use for any purpose, any article or substance, being an article of merchandise or a receptacle of merchandise or articles upon which shall be attached through a wrapping or otherwise, engraved or printed in any manner, a representation of the United States flag, shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment; but a flag which belongs to a grand army post, to a camp of the legion of Spanish war veterans or which is the property of or is used in the service of the United States or of this commonwealth may have the names of battles and the name and number of the organization to which such flag belongs inscribed thereon. Words, figures, advertisements or designs attached to, or directly or indirectly connected with, the flag or any representation thereof in such manner that the flag or its representation is used to attract attention to or advertise such words, figures, advertisements or designs, shall for the purposes of this act be deemed to be upon the flag. Trial justices shall have jurisdiction of violations of the provisions of this section.

Exceptions.

Trial justices to have jurisdiction.

Approved May 18, 1917.

AN ACT TO MAKE THE BOARD OF PAROLE OF THE MASSACHUSETTS BUREAU OF PRISONS AN ADVISORY BOARD OF PARDONS.

Chap. 266

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and forty-one of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting after section five a new section, to be numbered five A, as follows: — *Section 5 A.* The board of parole shall be the advisory board of pardons. It shall be the duty of said board to consider carefully and thoroughly the merits of all applications for pardon or commutation of sentence referred to it by the governor, and it shall make to him, in writing, without publicity, a report containing its conclusions and recommendations. No such report shall be made without the concurrence of a majority of its members. Before considering any application for pardon or commutation of sentence, if the con-

1916, 241 (G), § 5, amended.

Board of parole of Massachusetts bureau of prisons made an advisory board of pardons.

viction of the prisoner was had in the superior court, the advisory board of pardons shall notify the district attorney, who shall report the facts of the case as they appeared at the trial, or if the conviction was upon a plea of guilty, the facts as he understands them, the names of all witnesses in the case, and his recommendation. If the petitioner is serving a sentence in the state prison for murder or for a felony, the attorney-general shall also be notified. If the conviction was in a municipal, police or district court the justice thereof shall make to said board a similar report and recommendation. The attorney-general, district attorney or justice, as the case may be, shall be notified of the hearing upon the application for pardon, and they or their representatives may be present at the hearing, may examine the petitioner's witnesses, and may be heard. The said board shall not review the proceedings of the trial court, and shall not consider any questions regarding the correctness, regularity or legality of such proceedings, but shall confine itself solely to matters which properly bear upon the propriety of the extension of clemency to the applicant. Said board, from time to time, may make rules relative to the calling of meetings and to the proceedings thereat. The board, or any member of it may summon witnesses, and administer oaths or affirmations. The fees of witnesses before the board shall be the same as for witnesses before the superior court, and shall be paid from that appropriation from which the expenses of the board of parole may from time to time be paid.

Rules,
witnesses, etc.

Repeal.

SECTION 2. Section six of chapter eight hundred and twenty-nine of the acts of the year nineteen hundred and thirteen is hereby repealed.

SECTION 3. This act shall take effect upon its passage.
Approved May 21, 1917.

Chap. 267 AN ACT TO PROHIBIT THE SOLICITING OF CERTAIN LEGAL BUSINESS BY PERSONS NOT ATTORNEYS AT LAW.

Be it enacted, etc., as follows:

Soliciting of
certain legal
business by
persons not
attorneys at
law pro-
hibited.

It shall be unlawful for any person, not being an attorney at law, to solicit for himself or another from a person accused of crime or his representative, the right to defend the accused person. Violation of the provisions of this act shall be punished by a fine of not more than one hundred dol-

lars, or by imprisonment for not more than six months, for a first offence, and by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, for any subsequent offence. *Approved May 21, 1917.*

AN ACT TO PROVIDE FOR CERTAIN DEDUCTIONS IN DETERMINING THE VALUE OF A CORPORATE FRANCHISE FOR PURPOSES OF TAXATION. Chap.268

Be it enacted, etc., as follows:

SECTION 1. In determining the value of the corporate franchise of domestic business corporations for purposes of taxation, cash on hand or in bank and accounts receivable shall, for the purpose of deductions under clause Third of section forty-one of Part III, of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, as amended by section six of chapter one hundred and ninety-eight of the acts of the year nineteen hundred and fourteen, be regarded as "property situated in another state or country" if the corporation has a usual place of business in such other state or country and if such property is subject to taxation therein.

Certain deductions to be made in determining the value of a corporate franchise for purposes of taxation.

SECTION 2. This act shall take effect as of April first, nineteen hundred and seventeen, and shall be operative for one year only from that date. *Approved May 21, 1917.*

Time of taking effect.

AN ACT RELATIVE TO PAYMENT OF THE EXPENSE OF BURIAL UNDER THE WORKMEN'S COMPENSATION ACT. Chap.269

Be it enacted, etc., as follows:

Part II of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.* In all cases the association shall pay the reasonable expense of burial which shall not exceed one hundred dollars. If the employee leaves dependents, such sum shall be a part of the compensation payable, and shall to that extent diminish the period of payment.

1911, 751 (11), § 8, amended.

Association to pay reasonable expense under workmen's compensation act.

Approved May 21, 1917.

Chap.270 AN ACT TO EXEMPT FROM TAXATION CERTAIN ANNUITIES PAID ON ACCOUNT OF SERVICE IN A POLICE OR FIRE DEPARTMENT.

Be it enacted, etc., as follows:

Certain annuities paid for service in police or fire department exempt from taxation.

Time of taking effect.

SECTION 1. Income from an annuity paid by a city or town on account of service in a police or fire department shall be exempt from taxation.

SECTION 2. This act shall take effect as of the first day of April in the year nineteen hundred and seventeen.

Approved May 21, 1917.

Chap.271 AN ACT AUTHORIZING AND DIRECTING THE COMMISSIONERS ON FISHERIES AND GAME AND THEIR DEPUTIES TO ENFORCE THE LAWS RELATING TO DOGS.

Be it enacted, etc., as follows:

1908, 417, § 1, amended.

Commissioners on fisheries and game and deputies to enforce the laws relating to dogs, etc.

SECTION 1. Section one of chapter four hundred and seventeen of the acts of the year nineteen hundred and eight is hereby amended by striking out the word "salaried", in the second and sixth lines, by striking out the word "and", in the fourth line, and by inserting after the word "mammals", in the same line, the words: — and dogs, — so as to read as follows: — *Section 1.* The commissioners on fisheries and game and their deputies shall have and exercise throughout the commonwealth for the enforcement of the laws relating to fish, birds, mammals and dogs, all the powers of constables, except the service of civil process, and of policemen and watchmen. The said deputies when on duty shall wear, and shall display as a token of authority, a metallic badge bearing the seal of the commonwealth and the words "Deputy Fish and Game Commissioner."

Condition to be expressed in dog license.

SECTION 2. Every license granted for the keeping of dogs under the provisions of chapter one hundred and two of the Revised Laws, and amendments thereof, shall be subject to the condition that the dog which is the subject of the license shall be controlled and restrained from killing, chasing or harassing sheep, lambs, fowls or other domestic animals, and said condition shall be expressed in the license.

Approved May 21, 1917.

AN ACT TO ESTABLISH THE WAGES OF THE SCRUBWOMEN EMPLOYED IN THE SUFFOLK COUNTY COURTHOUSE. *Chap.272*

Be it enacted, etc., as follows:

SECTION 1. The scrubwomen employed by the county of Suffolk in the courthouse of the said county shall hereafter receive a weekly wage of ten dollars.

Wages of scrubwomen employed in the Suffolk county courthouse established.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston with the approval of the mayor.

To be submitted to city council, etc.

Approved May 21, 1917.

[Accepted May 29, 1917.]

AN ACT TO ESTABLISH THE MINIMUM SALARY OF THE ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK. *Chap.273*

Be it enacted, etc., as follows:

SECTION 1. The minimum salary of the assistant clerks of the superior court for civil business in the county of Suffolk shall be twenty-eight hundred dollars a year.

Minimum salary of assistant clerks of the superior court for civil business in Suffolk county established.

SECTION 2. So much of section thirty-five of chapter one hundred and sixty-five of the Revised Laws and acts in amendment thereof as is inconsistent herewith shall not apply to the provisions of this act.

Certain provisions not to apply.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor.

To be accepted by city council, etc.

Approved May 21, 1917.

[Accepted June 12, 1917.]

AN ACT TO ESTABLISH THE DISTRICT COURT OF NATICK. *Chap.274*

Be it enacted, etc., as follows:

SECTION 1. The town of Natick shall constitute a judicial district under the jurisdiction of a court to be called the District Court of Natick. All the provisions of law applicable to police courts shall apply to said court.

District Court of Natick established.

SECTION 2. There shall be one justice and two special justices and a clerk of the court.

Officials.

SECTION 3. Sittings of the said court shall be held at Natick daily, except on Sundays and legal holidays. Sittings of the court for civil business shall be held at Natick, as required by law, or by rule of court.

Sittings.

SECTION 4. The first session of said court shall be held on the first day of October in the year nineteen hundred and seventeen.

First session.

Time of taking effect.

SECTION 5. So much of this act as relates to the appointing and qualifying of the justices of the court and the clerk of the court shall take effect upon its passage, and the remainder shall take effect on the first day of October in the year nineteen hundred and seventeen.

Pending suits not to be affected.

SECTION 6. Nothing in this act shall affect any suit or proceeding, civil or criminal, pending before any trial justice or court at the time when this act takes effect, and such trial justice or court may continue to exercise jurisdiction thereof.

Approved May 21, 1917.

Chap. 275 AN ACT RELATIVE TO THE SALE AND DISTRIBUTION OF CERTAIN NARCOTIC DRUGS.

Be it enacted, etc., as follows:

Sale and distribution of certain narcotic drugs regulated.

SECTION 1. Except as otherwise provided in sections two and three hereof it shall be unlawful for any person, firm or corporation to sell, furnish, give away or deliver coca leaves or any cocaine or any alpha or beta eucaine or any synthetic substitute therefor, or any salts, compound or derivative thereof, except decocainized coca leaves and preparations thereof, or any opium, morphine, heroin, codeine or any preparation thereof, or any salt, compound or derivative of the same, except upon the written order of a manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, veterinarian, registered under the laws of the state in which he resides, or an incorporated hospital, college or scientific institution through its superintendent or official in immediate charge, or upon the written prescription of a physician, dentist or veterinarian, registered under the laws of the state in which he resides, bearing his legal signature, the date of the signature, his office address, the registry number given him under public act two hundred and twenty-three of the sixty-third congress, approved December seventeenth, nineteen hundred and fourteen, and the name, age and address of the patient for whom it is prescribed. The prescription, when filled, shall show the date of filling and the legal signature of the person filling it written across the face of the prescription, together with the legal signature of the person receiving any such drug and the prescription shall be retained on file by the druggist filling it for a period of at least two years. No prescription shall be filled except in the manner indicated therein, and at the time when it is

Prescription to be retained on file for two years.

received, and the full quantity of each substance prescribed shall be given. No order or prescription shall be received for filling or filled more than five days after its date of issue as indicated thereon. Any pharmacist who fills a prescription for a narcotic drug shall securely attach to the container thereof a label giving the name and address of the store in which the prescription is filled, the date of filling, the name of the person for whom it is prescribed, the name of the physician, dentist, or veterinarian who issued it; and the narcotic drug so delivered shall always be kept in its container until actually used. The prescription shall not again be filled, nor shall a copy of the same be made, except for the purpose of record by the druggist filling the same, and it shall at all times be open to inspection by the officers of the state department of health, the board of registration in pharmacy, the board of registration in medicine and the authorized agents of said departments and boards, and by the police authorities and police officers of cities and towns: *provided, however*, that the provisions of this act shall not apply to prescriptions, nor to the sale, distribution, giving away or dispensing or possession, of preparations or remedies, if such prescriptions, preparations and remedies do not contain more than two grains of opium or more than one quarter of a grain of morphine, or more than one eighth of a grain of heroin or more than one grain of codeine, or any salt, compound or derivative of any of them in one fluid ounce, or, if a solid or semi-solid preparation, in the avoirdupois ounce; nor to liniments, ointments or other preparations which are prepared for external use only, except liniments, ointments and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or derivatives, or any synthetic substitute for them; *provided*, that such preparations, remedies or prescriptions are sold, distributed, given away or dispensed or held in possession in good faith as medicines and not for the purpose of evading the provisions of this act, and *provided, further*, that the possession of any of the drugs mentioned in this act, except prescriptions and preparations or remedies especially exempted in this section, by any one not being a manufacturer or jobber of drugs, or wholesale druggist, registered pharmacist, actively engaged in business as such, or a physician, dentist or veterinarian, registered under the laws of the state in which he resides, or superintendent or official in charge of an incorporated hospital, college or

No prescription
to be refilled,
etc.

Provisos.

scientific institution shall, except as provided in section eight, be presumptive evidence of an intent to violate the provisions of this act. The provisions of this section shall not apply to persons having in their possession any of the above mentioned articles by virtue of a legal prescription legally issued as provided in this act, and not obtained by any false representation made to the physician, dentist or veterinarian issuing it, or to the pharmacist who filled it, nor shall the provisions of this act apply to decocainized coca leaves or preparations made therefrom or to other preparations of coca leaves which do not contain cocaine.

SECTION 2. It shall be unlawful for any practitioner of veterinary medicine or surgery to prescribe any of the drugs mentioned in section one of this act for the use of, or in such manner that it may be used subcutaneously by, a human being, and it shall be unlawful for any physician or dentist to prescribe, dispense, administer, sell, give away, or deliver, any narcotic drug to any person except when the drug is obviously and in good faith then and there needed for the treatment and cure of a disease or ailment, and not for any condition or disease directly due to any drug habit or resulting solely from the failure of an habitual user of narcotic drugs to procure the particular narcotic drug or drugs to which he is addicted.

SECTION 3. It shall not be unlawful for a physician personally to administer any narcotic drug at such time and under such circumstances as he, in good faith and in the legitimate practice of medicine, believes to be necessary for the alleviation of pain and suffering or for the treatment or alleviation of disease.

SECTION 4. Any manufacturer or jobber of drugs, any wholesale druggist, any registered pharmacist actively engaged in business as such, and any physician, dentist or veterinarian registered under the laws of the state in which he resides may sell coca leaves, cocaine or any alpha or beta eucaine or any synthetic substitute for them or any preparation containing the same, or any salts, compound or derivative thereof, or any opium, morphine, codeine, heroin or any preparation thereof, or any salt or compound or derivative of such substances, to any manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, or physician, dentist or veterinarian registered under the laws of the state in which he resides, or to any incorporated hospital, college or

Not to apply to certain persons.

Practitioner to prescribe only for treatment and cure of a disease or ailment.

Physician personally may administer drug, etc.

Sales to certain persons and institutions allowed.

scientific institution, but such substances or preparations, excepting such preparations as are included within the exemptions set forth in section one, shall be sold only upon the written order of an incorporated hospital, college or scientific institution, duly signed by its superintendent or official in immediate charge, or upon a written order duly signed by such manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, or physician, dentist or veterinarian registered under the laws of the state in which he resides, and the order shall state the article or articles ordered, the quantity ordered and the date. The said orders shall be kept on file in the laboratory, warehouse, pharmacy or store in which they are filled by the proprietor thereof or his successors for a period of not less than two years after the date of delivery, and shall be at all times open to inspection by the state department of health, the board of registration in pharmacy, the board of registration in medicine and the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns.

Orders to be kept on file not less than two years, etc.

SECTION 5. Any manufacturer or jobber in drugs and any wholesale druggist, any registered pharmacist actively engaged in business as such, any physician, dentist or veterinarian registered under the laws of the state in which he resides, and any incorporated hospital, college or scientific institution through its superintendent or official in immediate charge that shall give an order for any of the aforesaid drugs in accordance herewith shall preserve a duplicate thereof for a period of two years after the date of giving the same, which shall at all times be open to inspection by the state department of health, members of the board of registration in pharmacy, the board of registration in medicine and the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns. The order now or hereafter required by the regulations of the commissioner of internal revenue under and by virtue of said public act number two hundred and twenty-three of the sixty-third congress, shall be deemed to be a sufficient order to comply with this and the preceding section.

Duplicate orders to be preserved for two years, etc.

SECTION 6. Any person who, for the purpose of evading or assisting in the evasion of any provision of this act shall falsely represent that he is a physician, dentist or veterinarian, or that he is a manufacturer or jobber in drugs or

False representations to be deemed violations of act.

Same subject.

wholesale druggist or pharmacist actively engaged in business as such, or that he is superintendent or official in immediate charge of an incorporated hospital, college or scientific institution, or a person registered under said public act two hundred and twenty-three of the sixty-third congress, or who, not being an authorized physician, dentist or veterinarian, makes or alters a prescription or written order for any of the narcotic drugs above mentioned, or knowingly issues or utters a prescription or written order falsely made or altered, or whoever makes any false representation or statement as to his name, age, address, or any other matter, either in writing or orally, to any physician, dentist, pharmacist, or veterinarian for the purpose of procuring a prescription for, or the delivery of, a narcotic drug, shall be deemed guilty of a violation of this act. A prescription or order that is altered, or is obtained by a false representation shall be void and of no effect.

Possession of federal certificate to be evidence, etc.

SECTION 7. The possession of a federal certificate issued under and by virtue of said public act number two hundred and twenty-three of the sixty-third congress, by any person shall be prima facie evidence of an intent to sell, furnish, give away or deliver any of the drugs mentioned in this act.

Not to apply to common carriers, certain officials, etc.

SECTION 8. Nothing in this act shall apply to common carriers engaged in transporting the aforesaid drugs or to any employee, acting within the scope of his employment, of any person who shall lawfully be in possession, for the purpose of delivery, of any of the drugs mentioned in this act, or to any person who shall deliver any such drug, which has been prescribed or dispensed by a physician, dentist or veterinarian registered under the laws of the state in which he resides, who has been employed to prescribe for the particular patient receiving such drug, or to a nurse under the supervision of a physician, dentist or veterinarian having possession or control by virtue of his employment or occupation and not on his own account, or to the possession of any of the aforesaid drugs which have been prescribed in good faith by a physician, dentist or veterinarian, or to any United States, state, county, municipal, district, territorial or insular officer or official who has possession of any of said drugs by reason of his official duties, or who, as an officer or duly appointed agent of any incorporated society for the suppression of vice, has the same in his possession for the purpose of assisting in the prosecution of violations of this act.

SECTION 9. The provisions of this act, except those sections which require the ordering of the above mentioned drugs on an official order blank and the keeping of the same on file, and the keeping of the record relative thereto, shall apply to cannabis indica and cannabis sativa, except that the same shall not apply to prescriptions, preparations or remedies which do not contain more than one half grain of extract of cannabis indica or more than one half grain of extract of cannabis sativa in one fluid ounce, or, if a solid or semi-solid preparation in the avoirdupois ounce, nor to liniments, ointments or other preparations containing cannabis indica and cannabis sativa, which are prepared for external use only.

To apply in part to certain other drugs.

SECTION 10. A manufacturer or jobber in drugs or wholesale druggist or registered pharmacist shall not be liable to prosecution if he fills any prescription or written order for a narcotic drug in good faith, unless he knows or has reasonable cause to suspect that the prescription or order was issued in violation of the provisions of this act, in which event any sale or delivery of a narcotic drug so made shall constitute an unlawful sale and delivery of a narcotic drug under this act.

Liability of manufacturer, jobber, etc.

SECTION 11. No physician, dentist, or veterinarian, and no druggist or pharmacist, either wholesale or retail, shall solicit by public advertisement or otherwise application to him for prescriptions for, or sales of, narcotic drugs, or shall publicly advertise any treatment the principal element of which consists in the administering, dispensing, furnishing, giving away or delivering of a narcotic drug, except, however, that wholesale druggists or manufacturing pharmacists may advertise in journals and publications intended for circulation among the medical profession and drug trade generally.

Physicians, dentists, etc., prohibited from advertising.

SECTION 12. All buildings, places or tenements which are resorted to by habitual users of narcotic drugs for the purpose of using such drugs, or which are used for the illegal keeping or sale of the same, shall be deemed common nuisances. Whoever keeps or maintains such a common nuisance shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year.

Buildings, etc., illegally used to be deemed common nuisances.

Penalty.

SECTION 13. Whoever, not being a manufacturer or jobber of drugs, wholesale druggist, registered pharmacist, registered physician, registered veterinarian, registered den-

Penalty for unlawful possession.

tist, nurse acting under the direction of a physician, or an employee of an incorporated hospital acting under the direction of its superintendent or official in immediate charge, or a common carrier or messenger when transporting any drug mentioned herein between parties hereinbefore mentioned in the same package in which the drug was delivered to him for transportation, is found in possession thereof, except by reason of a physician's prescription lawfully and properly issued shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than three years in the house of correction.

Penalty for
illegal sale, etc.

SECTION 14. Whoever shall have in his possession a narcotic drug with intent unlawfully to sell and deliver such drug, or any part thereof, or whoever unlawfully sells, furnishes, gives away or delivers any narcotic drug in violation of the provisions of this act, shall be punished by imprisonment in the state prison for not more than three years, or in a jail or house of correction for not more than two years, or by a fine not exceeding two thousand dollars.

Possession of
certain in-
struments
prohibited.

SECTION 15. It shall be unlawful for any person, not being a physician, dentist or a veterinarian, registered under the laws of this state or under the laws of the state in which he resides, wholesale druggist, manufacturing pharmacist, registered pharmacist, manufacturer of surgical instruments or any official of any government, having possession thereof by reason of his official duties, or a nurse, acting under the direction of a physician, or the employee of an incorporated hospital, acting under the directions of its superintendent or officer in immediate charge, or a carrier or messenger engaged in the transportation thereof, to have in his possession a hypodermic syringe, a hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection. No such syringe, needle, or instrument shall be delivered or sold except to a registered pharmacist, physician, dentist, veterinarian, wholesale druggist, manufacturing pharmacist, a nurse upon the written order of a physician, or to an employee of an incorporated hospital upon the written order of its superintendent or officer in immediate charge. A record shall be kept by the person selling such instruments which shall give the date of the sale, the name and address of the person purchasing the same, and a description of the instrument. This record shall at all times be open to inspection by the state department of health, the boards of registration in medicine, dentistry, veterinary

Sale of certain
instruments
restricted.

Record of sales
to be kept, etc.

medicine, and pharmacy, by the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns. Any violation of this section shall be punishable by a fine of not more than one hundred dollars, or by imprisonment in the jail or house of correction for not more than six months, or by both such fine and imprisonment. Penalty.

SECTION 16. In a prosecution under this act for unlawfully prescribing, selling, furnishing, giving away, or delivering a narcotic drug in violation of any provision of this act, it shall be sufficient to allege that the defendant did unlawfully prescribe, sell, furnish, give away, or deliver, as the case may be, the alleged narcotic drug, without any further allegations, and without expressly negating the different exceptions of the act, and without naming the person for whom said prescription was issued, or the amount or quantity of the drug, or the person to whom such sale, furnishing, giving away or delivery was made; but the defendant shall be entitled to a bill of particulars under the provisions of section thirty-nine of chapter two hundred and eighteen of the Revised Laws. Evidence in prosecutions.

SECTION 17. The defendant in a prosecution under this act who relies for his defence and justification upon a prescription, written order, registration, appointment, or authority, as an excuse under this act, shall prove the same; and, until he has proved it, the presumption shall be that he is not so justified or authorized. Defence.

SECTION 18. The forms hereto annexed shall apply as well to complaints as to indictments, and such forms shall be sufficient in cases to which they are applicable. In other cases, forms as nearly like the forms hereto annexed as the nature of the case and the provisions of law will allow may be used; but any other form of indictment or complaint which is authorized by law may be used. Forms.

FORMS AND SCHEDULES OF PLEADING.

Common Nuisance. — That A. B., during the three months next before the finding of this indictment, at said [Boston], did keep and maintain a certain tenement resorted to by habitual users of narcotic drugs for the purpose of using narcotic drugs. Common nuisance.

Unlawful Possession. — That A. B. did have in his possession unlawfully certain narcotic drugs, to wit, morphine Unlawful possession.

(cocaine, heroin, or the name of drug as it is commonly known).

Unlawful possession with intent to sell.

Unlawful Possession with Intent to sell. — That A. B. did have in his possession with intent unlawfully to sell and deliver a certain narcotic drug (naming the drug).

Conspiracy.

Conspiracy. — That A. B. and C. D. conspired together to engage in unlawful traffic in narcotic drugs.

Sale and delivery.

Sale and Delivery. — That A. B. did unlawfully sell (or give away, or deliver) a narcotic drug, to wit, morphine (or name drug is commonly known by).

Unlawful prescribing and delivery, etc., by physician, etc.

Unlawful Prescribing and Delivery, etc., by Physician, etc. — That A. B., a physician, (or pharmacist, dentist or veterinarian, etc.) did unlawfully prescribe (or sell, give away, furnish or deliver) a certain narcotic drug, to wit, (naming it).

Possession of hypodermic instrument.

Possession of Hypodermic Instrument. — That A. B. did have in his possession unlawfully a hypodermic syringe and needle.

Sale and delivery of hypodermic instrument.

Sale and Delivery of Hypodermic Instrument. — That A. B. did unlawfully sell (or deliver) a hypodermic syringe (or needle).

False making of prescription.

False Making of Prescription. — That A. B. did falsely make (or alter) a prescription for a narcotic drug.

Uttering a false prescription.

Uttering a False Prescription. — That A. B. did utter and publish as true a certain false prescription for a narcotic drug, well knowing the same to be falsely made (or altered).

Misrepresentation.

Misrepresentation. — That A. B. did falsely represent to C. D. (a physician, dentist, veterinarian, pharmacist, etc.) for the purpose of obtaining a narcotic drug that (state the substance of the statements claimed to be representations).

DEFINITIONS.

Terms used, how construed.

SECTION 19. Terms used in this chapter shall be construed as follows, unless a different meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the legislature: —

"Narcotic drug."

"Narcotic drug" shall mean cannabis indica, coca leaves, or any cocaine, or any alpha, or beta, eucaine, or any synthetic substitute for them, or any salts, compound or derivative thereof, except decocainized coca leaves and preparations thereof, or any opium, morphine, heroin, codeine, or any preparation thereof, or any salt, compound or derivative of the same.

“Physician”, “practitioner of medicine”, “veterinarian”, “veterinary surgeon”, “dentist” shall mean persons duly registered and authorized to practice medicine, veterinary medicine, surgery, and dentistry. “Physician”,
etc.

“Druggist”, “apothecary” or “pharmacist” shall mean a person duly registered under chapter seventy-six of the Revised Laws, and actively engaged as a practitioner, or employee, in an established and fixed place of business for the sale, compounding and dispensing of drugs. “Druggist”,
etc.

“Persons”, as used herein shall include all corporations, associations, partnerships, or other aggregations of individuals, including also their agents, clerks and salesmen. “Persons.”

“Opium”, “morphine”, “heroin”, “codeine” and “cocaine” as used in statutes or in complaints or indictments shall include any synthetic substitute for such drugs or any salts, compounds, derivatives, or preparations thereof, except decoctinized coca leaves and preparations thereof. “Opium”,
“morphine”,
etc.

SECTION 20. The repeal of any law by this act shall not affect any action, suit or prosecution pending at the time of the repeal for an offense committed, or for the recovery of a penalty, or forfeiture incurred, under any of the laws repealed. Not to affect
pending
actions, etc.

SECTION 21. Any violation of the provisions of this act, the punishment for which is not specified herein, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in a house of correction or jail for a term not exceeding one year, or by both such fine and imprisonment. General
penalty.

SECTION 22. Section three of chapter three hundred and seventy-two of the acts of the year nineteen hundred and eleven, as amended by section two of chapter two hundred and eighty-three of the acts of the year nineteen hundred and twelve, and chapter one hundred and eighty-seven of the General Acts of the year nineteen hundred and fifteen are hereby repealed. Repeal.
Approved May 23, 1917.

AN ACT RELATIVE TO THE DISPOSITION OF FEES RECEIVED FOR THE USE AND OPERATION OF MOTOR VEHICLES. Chap.276

Be it enacted, etc., as follows:

Section thirty of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, as amended by chapter five hundred and twenty-five of the acts of the year nineteen hundred and ten, is hereby further amended 1909, 534, § 30,
etc., amended.

Fees and fines received for the use, etc., of motor vehicles to be paid into the treasury of the commonwealth.

by inserting after the word "town", in the twentieth line, the words: — or the county commissioners of the county, — and by inserting after the word "town", in the twenty-fourth line, the words: — or county, — so as to read as follows: — *Section 30.* The fees and fines received under the provisions of this act, together with all other fees received by the commission or any other person under the laws of the commonwealth relating to the use and operation of motor vehicles, shall be paid monthly by the secretary of the commission or by the person collecting the same into the treasury of the commonwealth, and shall be used by the commission for such expenses as may be authorized by the general court to carry out the provisions of law regulating the use of motor vehicles; and the balance shall be expended, under the direction of the commission, for the maintenance of state highways without specific appropriation by the general court, in addition to all sums already or hereafter appropriated by the general court for the same purpose, and an amount not exceeding twenty per cent of said balance may be expended in any one year by said commission in repairing, improving, constructing or maintaining town or county highways which are or may be used as through routes or which connect one city or town with another and where the selectmen of the town or the county commissioners of the county apply, by petition in writing, to have said improvement, construction or repair made, and said commission may spend any part of said money on said work, together with any money which any town or county may appropriate for said purpose to be used on the same highway, and said way shall remain a town or county way. No bills or schedules for work or materials contracted for under the provisions of this section shall be paid unless such bills and schedules are approved by the commission, nor until after audit and certification by the auditor of the commonwealth as required by law for expenditures under specific appropriations. The provisions of section sixteen of chapter forty-seven of the Revised Laws shall not apply to any expenditure made under authority of this section out of the said fees and fines, and the counties shall not be required to repay to the commonwealth any part of such expenditures.

Approved May 23, 1917.

Bills, etc., to be approved by commission, etc.

R. L. 47, § 16, not to apply, etc.

AN ACT RELATIVE TO THE DISPOSITION OF STATE REVENUES *Chap. 277*
 AND TO THE REGULATION OF PAYMENTS FROM THE TREASURY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. All revenue payable into the treasury of the commonwealth and available for meeting any costs or expenses of state departments, boards, commissions, institutions, or undertakings, or for meeting any other cost or expense of the state government, shall be paid into the general fund or ordinary revenue, except revenue from or on account of metropolitan boards and activities, revenue for meeting the principal of or interest on contingent debt, revenue from investments of sinking funds, revenue now placed by law in the Land Registration Assurance Fund, and all revenue for trust funds, including the Massachusetts School Fund, the contributions of state employees to their retirement fund, and the contributions of public school teachers to their retirement fund, which funds shall be maintained and the income applied in accordance with existing laws.

All state revenue to be paid into the general fund, etc., except, etc.

SECTION 2. Chapter six of the Revised Laws, as amended in section twenty-eight by chapter three hundred and forty-two of the acts of the year nineteen hundred and ten, and as affected by chapter five hundred and fourteen of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out said section twenty-eight and inserting in place thereof the following: — *Section 28.* Except as otherwise provided in this section, no money shall be paid from the treasury of the commonwealth without a warrant from the governor drawn in accordance with an appropriation in some act or resolve of the same or of the preceding year, and after the demand or account to be paid has been certified by the auditor; but the principal and interest on all public debts shall be paid when due without any warrant, and the revenue received from fees and fines under the provisions of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, and amendments thereof, relating to motor vehicles, and the revenue now paid by law into special funds and expended by the commission on waterways and public lands shall be appropriated by the general court for the purposes defined in existing laws, notwithstanding any provision in said laws authorizing the expenditure thereof without such appropria-

R. L. 6, § 28, etc., amended.

Regulation of payments from the treasury of the commonwealth.

Provisos.

tion: *provided, however*, that no appropriation shall be required for the payment of principal or income of funds held in trust by the commonwealth, nor of sinking funds to meet maturing bonds, nor of treasury notes issued for temporary loans authorized by statute, nor of corporation and other taxes collected by the commonwealth for distribution to cities and towns, nor for the investment of such funds as the treasurer and receiver general is authorized by law to invest, nor for payments authorized by law out of the several prison industries funds, nor for repayments required by section sixty-eight of chapter fourteen of the Revised Laws; and, *provided, further*, that the governor may, without an appropriation, draw his warrant for the payment of his own salary and the salaries of the justices of the supreme judicial court. No certificate shall be required from the auditor for payment of the pay rolls of the members of the council and general court.

Time of taking effect.

SECTION 3. This act shall take effect on the first day of December, nineteen hundred and seventeen.

Approved May 23, 1917.

Chap. 278 AN ACT RELATIVE TO THE FILING OF ESTIMATES CALLING FOR APPROPRIATIONS.

Be it enacted, etc., as follows:

1912, 719, § 3, etc., amended.

SECTION 1. Section three of chapter seven hundred and nineteen of the acts of the year nineteen hundred and twelve, as affected by chapter two hundred and ninety-six of the General Acts of the year nineteen hundred and sixteen, is hereby amended by striking out the word "November", in the sixth line, and inserting in place thereof the word:— October, — and by inserting after the word "preceding", in the twelfth and thirteenth lines, the words:— Duplicate copies of the said statements shall be filed at the same time with the supervisor of administration, — so as to read as follows:— *Section 3.* Every officer or board having charge of any department, institution or undertaking which receives an annual appropriation of money from the treasury of the commonwealth, including annual appropriations to be met by assessments, shall, annually, on or before the fifteenth day of October, submit to the auditor of the commonwealth, statements showing in detail the amounts appropriated for the current fiscal year, estimates of the amounts required for

Filing of estimates by state departments calling for appropriations.

the ensuing fiscal year, with an explanation of the reason for any increased appropriation, and with citations of the statutes relating thereto, and the expenditures for the current year and for each of the two years next preceding. Duplicate copies of the said statements shall be filed at the same time with the supervisor of administration. The said estimates shall not include any estimates for special purposes or objects. The auditor, on or before the fifteenth day of December in each year, shall submit to the governor elect and to the supervisor of administration copies of the amounts so required by such departments, institutions or undertakings, together with a statement of the general appropriations for said departments, institutions or undertakings of the preceding fiscal year and the expenditures for the same and the unexpended balance as of the preceding thirtieth of November. The auditor shall further embody the statements received from those in charge of such departments, institutions or undertakings, together with his estimates for the ensuing fiscal year for the ordinary and other revenue of the commonwealth, in one document, and shall have the document printed and shall transmit the same to the general court for its action on or before the first Thursday of January of each year. Copies of this document shall be distributed to the members of the general court.

Duplicate copies to be filed with supervisor of administration.

Duties of the auditor.

SECTION 2. Section four of said chapter seven hundred and nineteen, as affected by said chapter two hundred and ninety-six, is hereby amended by inserting after the word "objects", in the fourth line, the words: — or who recommend changes in existing laws or new laws requiring new appropriations or appropriations which exceed the amounts called for in accordance with the provisions of section three of this act, — and by striking out the word "November", in the eighth line, and inserting in place thereof the word: — October, — so as to read as follows: — *Section 4.* Officers, heads of departments, boards, commissions and trustees of institutions, who, in their annual reports, or otherwise, recommend appropriations from the state treasury for special purposes or objects, or who recommend changes in existing laws or new laws requiring new appropriations or appropriations which exceed the amounts called for in accordance with the provisions of section three of this act, including appropriations to be met by assessments, in addition to the ordinary running expenses, shall submit estimates thereof in detail to the auditor of the commonwealth on or

1912, 719, § 4, etc., amended.

Detailed estimates of appropriations requested for special purposes, etc., to be filed with the auditor.

before the fifteenth day of October in each year, and he shall classify and submit them to the governor elect and to the supervisor of administration for their examination on or before the fifteenth day of December next succeeding, and shall have them printed in a public document, and shall transmit the same to the general court on or before the first Thursday of January of each year for its action.

Approved May 23, 1917.

Chap. 279 AN ACT TO AMEND AND REVISE THE LAWS RELATIVE TO
PARTITION OF REAL ESTATE.

Be it enacted, etc., as follows:

Who may have Partition.

Who may have partition of real estate.
R. L. 184, §§ 1, 3, 34, 44, 50.
See R. L. 145, § 27.

SECTION 1. Any person, except a tenant by the entirety, owning a present undivided legal estate in land, not subject to redemption, shall be entitled to have partition in the manner hereinafter provided. If such estate is in fee, the petitioner shall be entitled to partition in fee; if it is a life estate or a term for years he shall be entitled to have partition thereof to continue so long as his estate endures. A life tenant or a tenant for years of whose term at least twenty years remains unexpired may, in the discretion of the court, have partition of the fee. The existence of a lease of the whole or a part of the land to be divided shall not prevent partition, but such partition shall not disturb the possession of a lessee under a lease covering the interests of all the co-tenants.

Probate court to have exclusive jurisdiction.
R. L. 184, §§ 2, 31, 32, 34, 43.

SECTION 2. The probate court shall have exclusive jurisdiction of all petitions for partition under this act. A petition for partition may be filed in the probate court for any county in which any part of the land included in the petition lies, and may include any or all of the common land within the commonwealth.

Case in two or more counties to remain within jurisdiction of court where proceedings were begun.
R. L. 184, § 46; 162, § 6.

SECTION 3. If a case is within the jurisdiction of the probate court in two or more counties, the court in which proceedings are first begun shall retain jurisdiction thereof, which shall exclude the jurisdiction of probate courts of other counties; but this shall not prevent the probate court in any other county in which a part of the common land lies, which is not included in the original petition, from making partition thereof.

Of What Land Partition may be made.

SECTION 4. The court may cause partition to be made of all or any portion of the land included in the petition of which the parties thereto are co-tenants; but if all of the common land is not included in the petition, the court may, upon the request of any of the parties thereto, seasonably filed, cause any other part of the common land to be included, unless a petition for partition thereof is pending in another county.

Partition may be made of all or part of land. R. L. 184, §§ 2, 34, 39; 1912, 135.

SECTION 5. The court may set off to the petitioner his share, and leave the residue of the land for the persons entitled thereto, subject to a future partition; or it may set off to the persons entitled to the residue their respective shares therein. If two or more co-tenants consent to hold their shares undivided, such shares may be so set off.

Division into shares. R. L. 184, §§ 14, 40.

The Petition.

SECTION 6. The petition shall set forth under oath the nature and extent of the share of each co-tenant, so far as known to the petitioner, stating whether he has an estate of inheritance, for life or for years, whether in possession, remainder or reversion, and whether vested or contingent. It shall contain a description of each parcel of land sufficiently specific for identification. If the common title is derived by will or by inheritance from a common ancestor, the name of the testator or common ancestor shall be given; if under a deed or deeds of conveyance, reference shall be made thereto. The petition shall be in the alternative, praying for division of the land or for the sale, either public or private, of all or any part thereof which the court may find can not be advantageously divided. If a private sale is desired the minimum sum for which the sale may be made shall be stated. Only persons having the legal title to an estate for years, for life or in fee, whether in possession, reversion or remainder, shall be necessary or proper parties. Mortgagees, lienors, attaching creditors, and other persons having or claiming incumbrances on the land shall not be parties, but shall be named in the petition and given such notice as the court may order, and shall be permitted to intervene so far as may be necessary to protect their interests in the land or to establish their rights in the proceeds of a sale.

Petition, form of. R. L. 184, §§ 4, 33; 1902, 544, § 26.

Notice to be filed in the Registry of Deeds.

Notice to be filed in the registry of deeds.

SECTION 7. Upon the filing of a petition for partition, the petitioner shall forthwith cause to be filed in the registry of deeds for each registry district in which any of the land included in the petition lies a notice of the same, containing a brief description of the land in such district included therein, and the names of all persons appearing in the petition as parties. If the probate proceedings are at any time amended, either by the inclusion of more land or by adding new parties, a further notice thereof shall be filed forthwith in the registry district in which said land lies. No interlocutory decree for partition or sale shall be made by the probate court until it appears by affidavit that such notice or notices have been filed. If any part of the land is registered land, the petitioner shall, in filing the said notice or notices, comply with the provisions of section seventy-nine of chapter one hundred and twenty-eight of the Revised Laws.

Notice.

Notice to be given by citation, etc. R. L. 184, §§ 5, 6, 35. See R. L. 171, §§ 13, 14, 15.

SECTION 8. Notice shall be given by a citation which shall contain a brief description of the land, and the minimum price in case it is desired to sell the land or any part thereof at private sale. The citation shall be addressed to all known respondents by name, and, in addition, in express terms to all other persons interested. The said notice shall be given to all respondents, whether within or without the commonwealth, whose address is known, by serving the same, either personally or by registered mail, fourteen days at least before the return day; and if any party is not so served, by publishing the notice once in each of three successive weeks in such newspaper as the court shall order, the last publication to be one day at least before the return day, and by mailing a copy thereof to the last known address of such party fourteen days at least before the return day. Proof of service and notice shall be made by affidavit, setting forth the particulars of the service on each respondent, and any other notice given, and if actual notice has been given by registered mail the affidavit shall so state. The court may in its discretion cause further notice to be given.

Proof of service and notice.

Absent, Incompetent and Undetermined Parties.

SECTION 9. If any party named in the petition has not been served personally with the citation, and has not appeared, or is a minor or under other disability, and has no guardian or other legal representative within the commonwealth, or if any person whose name is unknown, or who is unascertained or not in being, appears by the record in the case to have an estate, vested or contingent, as a co-tenant of the land of which partition is sought, the court shall appoint a suitable person to act for him in the proceedings.

Absent, incompetent and undetermined parties.
R. L. 184, §§ 12, 36, 52.

Proceedings.

SECTION 10. If it is found that the petitioner is entitled to have partition for the share claimed or for any less share, the court shall make the interlocutory decree that partition be made, and therein determine the persons to whom and the proportions in which the shares shall be set off. The petition shall not be defeated by the payment by a party of a mortgage, lien, tax or other incumbrance upon the land, if the other parties are entitled to redeem from such payment; but the interlocutory decree shall contain such terms and conditions relative to redemption by a contribution on account of any such payment as the court may deem equitable.

Interlocutory decree.
R. L. 184, § 12.

SECTION 11. If the ownership of any share appears to be in dispute or uncertain, the court may, in its discretion, without determination of such question, order the partition to proceed by setting off the remaining shares, or by sale. The land not set off, or the proceeds of the share in dispute or uncertain, may be left for the parties entitled thereto in a further partition or distribution in such manner and upon such proceedings as the court may order. The interlocutory decree shall not preclude the parties sharing in the partition from any share to which they may be entitled in a subsequent partition or distribution.

Dispute as to ownership of share.

Commissioners and their Duties.

SECTION 12. If the court shall decide that the petitioner is entitled to partition, it shall thereupon appoint, one or more disinterested commissioners, and issue a warrant to them to make the partition. The commissioners, before

Commissioners, duties, etc.
R. L. 184, §§ 13, 37.

entering upon their duties, shall be sworn to execute the warrant faithfully and impartially and a certificate of the oath shall be made on the warrant by the person who administers it. They shall give at least seven days' notice of the time and place appointed for making the partition, either personally or by registered mail, to all known persons interested therein. The commissioners shall make and sign a report of their doings and return it with their warrant.

If land lies in different counties.
R. L. 184, § 38.

SECTION 13. If the land lies in different counties, the judge may in his discretion issue separate warrants and appoint different commissioners for each county, or for two or more counties together, in which case the partition shall be made of the land in each county, or group of counties, as if there were no other land to be divided.

How Partition shall be made.

Partition of land indivisible.
R. L. 184, §§ 16, 17, 18, 41.

SECTION 14. If a part of the land cannot be divided without great inconvenience to the owners, or is of greater value than the share of any party, or if all the land cannot be divided without such inconvenience, the whole or any part thereof may be set off to any one or more of the parties, with his or their consent, upon payment by him or them to any one or more of the others of such amounts of money as the commissioners may award to make the partition just and equal.

Payment or security if money awarded.
R. L. 184, § 53.

SECTION 15. If money is awarded to make the partition just and equal, the court shall be satisfied, before the partition is established, that the money has been paid or secured to the parties entitled thereto. Money awarded on account of shares in dispute or uncertain may be ordered to be deposited in the bank in the name of the judge of probate in accordance with the provisions of section thirty-six of this act.

Confirming the Partition.

Return may be set aside, amended, etc.
R. L. 184, §§ 56, 57.

SECTION 16. The court may, after a hearing, accept and confirm the return of the commissioners, or may set it aside and commit the case anew to the same or to other commissioners, with the same powers as those originally appointed; or it may, after a hearing, amend the return, and accept and confirm it as amended. After the return of the commissioners has been accepted and confirmed the court shall thereupon enter a decree that the partition be firm and effectual forever. If the partition is by division, the com-

missioners shall record a copy of the decree, certified by the register of probate, in the registry of deeds for each district in which any of the land lies, together with so much of the return, as finally confirmed, as relates thereto, or, if any part of the land is registered land, they shall in recording the same comply with the provisions of section eighty-five of chapter one hundred and twenty-eight of the Revised Laws.

Record
of return.

SECTION 17. The court may at any time direct an examination of the title, or the making of a plan, of any land included in the petition, or such investigation relating to the description or title of any of it as seems useful or desirable for its better division or sale. If it appears from the report of a title examiner or from any other source that there are necessary parties, as defined in section six, who were not made parties to the petition, and have not appeared, the court shall, before proceeding further, cause the petitioner to amend his petition by making such persons parties, and to give notice to them in the manner provided in section eight. The court may also cause notice to be given to any incumbrancer whose interest may be disclosed by the examination or otherwise. If it appears at any stage of the proceedings that the land is improperly described, the court may, before proceeding further, require the petitioner to amend his petition by inserting a correct description.

Court may
order exam-
ination of
title, etc.

SECTION 18. The partition by division, when confirmed and established by a final decree under the provisions of section sixteen, or the sale if partition is made by sale, shall be conclusive upon all persons named in the petition or interested in the land therein described who appeared in the case or who waived notice or assented in writing to the same, or to whom due notice was given in accordance with the provisions of section six or eight, or who were represented as provided in section nine, and upon all persons claiming through or under them or any of them, and, if the common title is derived through the settlement of the estate of a deceased person in any probate court within the commonwealth, upon all the heirs and devisees of such deceased person to whom the notice aforesaid was given or who were so represented, and upon all persons claiming through or under them.

Effect of
partition.
R. L. 184, § 45.

SECTION 19. A person who was not made a party and has not appeared, who claims the whole or any part of the share assigned to or left for any of the supposed co-tenants

Remedy of
stranger
claiming a
share assigned.
R. L. 184, § 26.

in the decree for partition, shall be concluded by the decree, so far as it relates to the partition and the assignment of the shares, as if he had been a party to the proceedings; but he may bring his action for the share claimed by him against the person to whom it was assigned or for whom it was left. Such action shall be brought against the tenant in possession, as if the demandant had originally claimed the specific parcel demanded instead of an undivided part of the land; and it may be brought within the time in which it might have been brought if no such decree for partition had been rendered. If partition is made by sale, the claimant may recover the share of the proceeds to which he is entitled either by an action or actions against the person or persons to whom the proceeds were paid, or before such payment, by a petition in equity in the probate court in which the partition was made, to which the commissioner or commissioners and all known claimants of such share shall be made parties defendant.

Remedy of stranger claiming as co-tenant.
R. L. 184, § 27.

SECTION 20. A person who was not a party and has not appeared and who claims part of the land as a co-tenant with any of those who were parties to the action, shall, if the share so claimed was not known or not allowed and left for him in the process of partition, be concluded by the decree so far as it relates to the partition, but may, subject to the provisions of section eighteen, bring an action for the share claimed by him against each of the persons holding any part of the land under the decree for partition, and, if he prevails, shall recover against each the same proportion of the part so held that he was entitled to claim out of all the land before the partition. If the partition was made by sale, he may in like manner recover his portion of the proceeds, as provided in the preceding section.

Remedy of stranger holding title paramount, etc.
R. L. 184,
§§ 25, 45.

SECTION 21. A person who has not appeared, and who claims to hold by a title paramount to that under which the petitioner claims as a co-tenant, shall not be concluded by the partition, but may maintain his action for the land against any or all of the parties, or persons holding under them, within the time in which he might have brought such action if the petition for partition had not been filed.

Jury Trials.

Jury trials.
R. L. 184,
§§ 56, 57.

SECTION 22. Any party desiring a trial by jury upon any issues of fact, may file in the probate court a request for such issues, stating specifically the fact or facts which he

wishes to have determined by the jury. If the request is filed within ten days after the return day of any citation in which he is first named as a party, the issues shall thereupon be framed by the court. If the request is filed after the expiration of said ten days, the court, in its discretion, may frame the issues. Copies of the issues, the petition and all other material papers in the case, shall be transmitted by the register to the superior court for the same county. Upon motion of any party in the superior court, the issues may be advanced for speedy trial. The law and procedure relative to exceptions and new trials in actions at law shall apply to such issues. After the issues have been finally determined in the superior court, the clerk shall return the findings of the jury thereon to the probate court. In cases of appeal from the decree of the probate court, the issues of fact and the findings of the jury thereon shall be a part of the record.

Costs.

SECTION 23. The reasonable expenses and charges of the proceedings, including any examination of title or preparation of plan ordered by the court in accordance with the provisions of section seventeen, and the fees of counsel, of the commissioners, and of all agents, guardians and other persons appointed to represent interests in accordance with the provisions of section nine, shall be determined by the court, and, in case of sale, paid by the commissioners out of the proceeds; and, in case of partition by division, shall be paid by the petitioner, who shall be entitled to contribution from the parties to whom shares of the land are set off who take a vested, and not contingent, interest. Such contribution shall be in proportion to the interests of the parties unless the court finds a different proportion more equitable. Costs may also be awarded under the provisions of section forty-four of chapter one hundred and sixty-two of the Revised Laws. Execution may issue for the said contribution and costs.

Costs,
how paid.
R. L. 184, §§ 1,
14, 42.

Compensation for Improvements.

SECTION 24. If the court in which partition proceedings are pending finds that one of the co-tenants has erected any buildings or made other permanent improvements on the common land, it may, if justice and equity so require, award such compensation as it deems proper for the value of such

Compensation
for improve-
ments.
R. L. 184,
§§ 19, 20.

buildings or other improvements, not exceeding however, the actual amount by which the market value of the common land has been increased thereby; and in awarding such compensation the court may deduct any benefit which the party claiming compensation has received from the common land. The court may make such orders and decrees as it deems necessary for the enforcement or protection of any such claim, and, in case of partition by division, the court may order the improved part set off to the party who made the improvement, and the land divided as if the improvement had not been made.

Improvements
made before
new partition.
R. L. 184, § 54.

SECTION 25. If, after a first partition, improvements have been made on a part of the land which, by a new partition, is taken from the share of the party who made the improvements, he shall be entitled to compensation therefor, which shall be awarded and enforced as provided in the preceding section.

Equity Jurisdiction.

Equity juris-
diction.
R. L. 162, § 5;
1910, 100.

SECTION 26. The probate court in which a petition for partition has been brought in accordance with the provisions of this act shall have jurisdiction in equity over all matters relative to the partition, and, in case of sale, over the distribution of the proceeds thereof; also to hear and determine all matters of accounting between the parties to the petition in reference to the common land, and to appoint one or more receivers to take possession of the common land or any part thereof, and collect the rents and profits therefrom. Such jurisdiction may be exercised upon petition according to the usual course of proceedings in the probate court. Every receiver appointed under this section shall give bond in such amount and with such sureties as the court shall order, and shall distribute the rents among the co-tenants, or otherwise hold or dispose of the same in such manner as the court shall determine by its decree. The decree appointing a receiver shall have effect notwithstanding an appeal therefrom, until it is otherwise ordered by a justice of the supreme court of probate.

Appeals.

Appeals.
R. L. 184, § 21.

SECTION 27. A party who is aggrieved by an interlocutory decree under the provisions of section ten, or a final decree under the provisions of section sixteen, may, within

thirty days, appeal therefrom to the supreme judicial court in any matter of law apparent on the record, but an appeal from the final decree shall not draw in question the interlocutory decree.

Miscellaneous Provisions.

SECTION 28. If a party named in the petition has died prior to the filing thereof, or dies during its pendency, and the fact of his death did not appear during the proceedings, his heir or devisee shall be entitled to the share of land set off to him or his share of the proceeds of a sale. If the fact of his death is made known to the court during the proceedings, the share or portion formerly belonging to him may be assigned or set off in his name to be held and disposed of as if the partition had been made prior to his decease, and his heir or devisee may recover the portion assigned to him, or his share of the proceeds, by appropriate action. The court may, however, in any case arising under this section, if there has been a sale, order his share of the proceeds to be paid over to his personal representatives pending the settlement of his estate, or to be deposited under the provisions of section thirty-six to await their appointment.

Death of part owner during proceedings.
R. L. 184, §§ 28, 33; 1902, 544, § 26.

SECTION 29. If a person to or for whom a part of the land has been set off is evicted by one who, at the time of the partition, had a paramount title to that parcel, but not to the whole land, the person so evicted may have a new partition of the remaining land not subject to the paramount title, as if partition had not been made.

Party evicted.
R. L. 184, § 29.

SECTION 30. A person having a mortgage, attachment or other lien on the share of a co-tenant shall be concluded by the decree, so far as it relates to the partition and the assignment of the shares; but his lien shall remain in full force upon the part assigned to or left for such co-tenant, or, in the event of a sale, upon the share of such part owner in the proceeds, and may be enforced in the manner provided in section nineteen.

Mortgagee, etc., of co-tenant.
R. L. 184, § 30.

SECTION 31. A person who holds land under a partition made under the provisions of this act shall, in case of an eviction, be entitled to compensation for improvements made thereon, as provided in chapter one hundred and seventy-nine of the Revised Laws.

Improvements made by person evicted.
R. L. 184, § 55.

SECTION 32. The fact that a co-tenant is, alone or jointly with others, as trustee or in any other representative

Trusteeship, etc., not to prevent partition.
R. L. 184, § 51.

capacity, the holder of the legal title of a share in which he has no beneficial interest shall not prevent partition under the provisions of this act.

Partition by Sale.

Court may
order sale
of land.
R. L. 184, § 47;
1907, 361.

SECTION 33. In any case of partition, the court may, at the time of appointing a commissioner or commissioners, or subsequently, order the commissioners to sell and convey the whole or any part of the land which cannot be divided advantageously, upon such terms and conditions and with such securities for the proceeds of the sale as the court may order, and to distribute and pay over the proceeds of the sale in such manner as to make the partition just and equal. The sale shall be made by public auction, after like notice as is required for the sale of land by an administrator, and the evidence thereof may be perpetuated, in like manner, by returns filed with the register of the court in which the proceedings are had, or the sale may be a private sale, upon such terms as the court shall order, if the court after notice, as provided in section eight, and a hearing, or after receiving the written assent of all parties in interest, finds that the interests of all parties will be promoted thereby. If the sale is by public auction, the provisions of section nineteen of chapter one hundred and forty-eight of the Revised Laws shall apply thereto.

Commissioners
not liable.

SECTION 34. If the commissioners, after making a sale in accordance with the provisions of the preceding section, shall pay over and distribute the proceeds thereof in accordance with the terms of the order or decree of the court before learning of any conveyance, mortgage, lien or other incumbrance of or upon the share of any of the joint owners, they shall not be liable in any action to any such claimant. If they are in doubt as to the existence or the validity of any such claim against the share in the proceeds of any cotenant, they may ask for instruction by the court in respect thereto.

Penalty for
not disclosing
attachment
or lien.

SECTION 35. A person who receives any proceeds of a sale of land under this act after having sold or mortgaged his interest therein, or with knowledge that it has been attached or liened, without disclosing the fact to the commissioners or the court, shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year.

SECTION 36. If, for any reason, the proceeds of a sale, or any share thereof, cannot be paid to the persons entitled thereto, the commissioners shall deposit the same in the name of the judge of probate for the county in which the proceedings are had, in such savings bank or other like institution as the court may order, to accumulate for the persons entitled thereto. The deposit shall be subject to the provisions of section twenty-three and the subsequent sections of chapter one hundred and fifty of the Revised Laws, so far as they may be applicable.

Disposition of proceeds unclaimed.
R. L. 184, § 48.

SECTION 37. If in any share there are estates in succession, the court making the partition may, upon petition of any party interested therein, appoint a trustee to receive, hold, manage and invest the proceeds of the sale of such share. The annual income of such share shall be paid to the owner of each successive estate for years or for life until it terminates, and the principal, after the termination of the prior estate or estates, shall be paid to the parties entitled to the fee. The trustee shall, before entering upon the duties of his trust, give to the judge of probate a bond, with sufficient surety and in such penal sum as the judge may order, conditioned for the faithful performance of his duties, and, upon breach of the condition, an action may, by order of the probate court, be brought for the use of the persons interested in the trust property, as upon a bond of an administrator.

Appointment of trustee.
R. L. 184, § 49.

Division of Water Rights and Other Incorporeal Hereditaments.

SECTION 38. Joint tenants or tenants in common of a mill privilege, water right, or other incorporeal hereditament may be compelled to divide the same in the manner hereinbefore provided for the division of land. The commissioners appointed to make partition shall set forth in their return the best method of setting off to the several parties their respective shares, and thereupon the court may make all such orders and decrees as might be made in equity. If any one of the joint owners so requests, the court shall order a sale, provided that a sale is feasible.

Division of water rights and other incorporeal hereditaments.
R. L. 184, § 58.

SECTION 39. Under the provisions of the preceding section, partition may be made of the water of a natural stream, not navigable, the banks of which are owned by different riparian proprietors.

Partition of water of a natural stream, etc.
R. L. 184, § 59.

General Provisions.

Repeal.

SECTION 40. Chapter one hundred and eighty-four of the Revised Laws, section twenty-six of chapter five hundred and forty-four of the acts of the year nineteen hundred and two, chapter three hundred and sixty-one of the acts of the year nineteen hundred and seven, and chapter one hundred and thirty-five of the acts of the year nineteen hundred and twelve are hereby repealed.

R. L. 140, § 9,
amended.

SECTION 41. Section nine of chapter one hundred and forty of the Revised Laws is hereby amended by striking out the words "either in the superior court or", in the fourth and fifth lines, and inserting in place thereof the word: — in, — so as to read as follows:— *Section 9.* The probate court in which the estate of a deceased person is settled may hear and determine all questions of advancements arising relative to such estate, or such questions may be heard and determined upon a petition for partition in the probate court; but if such question arises upon a petition for partition, the court may suspend proceedings until the question has been decided in the probate court in which the estate of the deceased is settled.

Determination
of questions
of advance-
ments.
R. L. 140, § 9.R. L. 147, § 15,
etc., amended.

SECTION 42. Section fifteen of chapter one hundred and forty-seven of the Revised Laws, as amended by section one of chapter two hundred and sixty-two of the acts of the year nineteen hundred and seven, is hereby further amended by striking out the words "or the partition of any such real property held in common and undivided", in the third and fourth lines, by inserting after the word "transfer", in the ninth line, the word: — or, — by striking out the words "or partition", in the ninth line, by inserting after the word "transfer", in the eleventh line, the word: — or, — and by striking out the words "or partition", in the eleventh line, so as to read as follows:— *Section 15.* If the sale and conveyance, transfer or exchange of any real or personal property held in trust appears to be necessary or expedient, the supreme judicial court, the superior court or the probate court may, upon petition of a trustee or other person interested, although the instrument creating the trust contains a power authorizing the petitioner to make such sale and conveyance, transfer or exchange, after notice and other proceedings as hereinafter required, order such sale and conveyance, transfer or exchange to be made, and the

Order for sale
of estate held
in trust, how
obtained.
R. L. 147, § 15;
1907, 262.

investment, reinvestment and application of the proceeds of such sale in such manner as will best effect the objects of the trust: *provided, however*, that nothing herein contained shall be construed as requiring a trustee under a written instrument containing such power to obtain any such order. Proviso.

SECTION 43. Section eighty-five of chapter one hundred and twenty-eight of the Revised Laws is hereby amended by inserting after the word "therefor", in the tenth line, the following: — If the land lies in two or more registry districts, only so much of the judgment, decree or return need be filed and registered in any district as relates to the land in that district, — so as to read as follows: — *Section 85.* In all proceedings for partition of registered land, or for the assignment in fee of registered land claimed by husband or wife by statutory right, after the entry of the final judgment or decree of partition and the acceptance of the report of the commissioners, a copy of the judgment or decree and of the return of the commissioners, certified by the clerk or register, as the case may be, shall be filed and registered; and thereupon, if the land is set off to the owners in severalty, any owner shall be entitled to have a certificate entered of the share set off to him in severalty, and to receive an owner's duplicate therefor. If the land lies in two or more registry districts, only so much of the judgment, decree or return need be filed and registered in any district as relates to the land in that district. If the land is ordered by the court to be sold, the purchaser or his assigns shall be entitled to have a certificate of title entered to him or them upon presenting the deed of the commissioners for registration; but any new certificate entered in pursuance of partition proceedings, whether by way of set-off or of sale, shall contain a reference to the final judgment or decree of partition, and shall be conclusive as to the title to the same extent and against the same persons as such judgment or decree is made conclusive by the statutes applicable thereto. A person who holds such certificate of title or a transfer thereof shall have the right to petition the court at any time to cancel the memorandum relative to such judgment or decree, and the court, after notice and a hearing, may grant the application. Such certificate shall thereafter be conclusive in the same manner and to the same extent as other certificates of title. R. L. 128, § 85,
amended.

Proceedings
on judgment
for partition,
etc.
R. L. 128, § 85.

SECTION 44. Section five of chapter one hundred and sixty-two of the Revised Laws, as amended by chapter one R. L. 162, § 5,
etc., amended.

hundred of the acts of the year nineteen hundred and ten and by chapter one hundred and twenty-six of the General Acts of the year nineteen hundred and seventeen, is hereby further amended by inserting after the word "instrument", in the sixth line, the word: — and, — and by striking out all after the word "conservatorship", in the seventh line down to and including the word "proceedings", in the eleventh line, so as to read as follows:— *Section 5.* The probate court shall have jurisdiction in equity, concurrent with the supreme judicial court and with the superior court, of all cases and matters relative to the administration of the estates of deceased persons, to wills, including questions arising under sections nineteen and twenty of chapter one hundred and thirty-five of the Revised Laws, or to trusts which are created by will or other written instrument, and of all matters relative to guardianship and conservatorship. Such jurisdiction may be exercised upon petition according to the usual course of proceedings in the probate court.

Probate court to have jurisdiction in equity concurrent with the supreme judicial and superior courts, etc.
R. L. 162, § 5; 1910, 100; 1917, 126 (G).

Pending suits, etc., not to be affected, etc.

SECTION 45. The repeal or amendment of a statute by this act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action, suit or proceeding begun under any statute herein repealed or amended before such repeal or amendment took effect. The court may, however, apply to any pending action, suit or proceeding any of the provisions of this act so far as they do not operate to deprive any party of any rights acquired under existing law.

Act, how construed.

SECTION 46. The provisions of this act so far as they are substantially the same as those of existing statutes shall be construed as a continuation thereof, and not as new enactments, and a reference to a provision in the existing law which is re-enacted in this act without substantial change shall be construed as applying to such provision as so re-enacted in this act.

Repeal not to revive old law.

SECTION 47. The repeal of any provisions of law by this act shall not revive any law or form of action or proceeding heretofore repealed or superseded.

Unconstitutionality of any part, etc., of act not to affect remaining parts.

SECTION 48. If any part, subdivision or section of this act shall be declared unconstitutional, the validity of the remaining parts thereof shall not be affected thereby, and if any part of this act shall be declared unconstitutional with respect to any case or class of cases, it shall remain in force in relation to all cases with respect to which it is constitutional.

SECTION 49. This act shall take effect on the first day of September, in the year nineteen hundred and seventeen. Time of taking effect.

Approved May 23, 1917.

AN ACT RELATIVE TO THE REMOVAL, SUSPENSION OR TRANSFER OF OFFICERS OF THE STATE PRISON, REFORMATORY FOR WOMEN, PRISON CAMP AND HOSPITAL AND MASSACHUSETTS REFORMATORY. Chap. 280

Be it enacted, etc., as follows:

An officer or employee of the state prison, of the reformatory for women, of the prison camp and hospital, or of the Massachusetts reformatory, sought to be removed, suspended, lowered in rank or compensation, or transferred, shall be notified of the proposed action, and shall be furnished with a copy of the reasons therefor as required by chapter three hundred and fourteen of the acts of the year nineteen hundred and four, and shall, if he so requests in writing, be given a hearing before the director of the Massachusetts bureau of prisons, and be allowed to answer any charges preferred against him, either personally or by counsel. Removal, suspension, etc., of officers of certain reformatory institutions.

The said director, after hearing the officer preferring the charges and the officer or employee in question, together with such witnesses as either of the parties may produce, shall determine whether or not the reasons for such proposed removal, suspension, lowering in rank or compensation, or transfer, are just and sufficient, and shall certify his finding to the head of the institution in which such officer or employee is employed, who shall, if the reasons given have been sustained by the finding, forthwith remove from office or employment, suspend, lower in rank or compensation, or transfer the officer or employee in question, subject to the right of judicial review provided by chapter six hundred and twenty-four of the acts of the year nineteen hundred and eleven, as amended by chapter two hundred and fifty-one of the General Acts of the year nineteen hundred and fifteen. Hearing before director of bureau of prisons.

If the said director finds that the reasons for such proposed removal, suspension, lowering in rank or compensation, or transfer, are not just and sufficient, the head of the institution in which the officer or employee is employed shall continue him in service, or, if he has temporarily been suspended, shall forthwith restore him to duty, or to his original rank or compensation, as the case may be. A copy of the reasons, notice, answer, finding, and order of

removal, suspension, lowering in rank or compensation, or transfer, shall, in each case, be filed in the office of the civil service commissioners and made a matter of public record.

Approved May 23, 1917.

Chap.281 AN ACT TO ESTABLISH THE DISTRICT COURT OF PEABODY.

Be it enacted, etc., as follows:

District Court
of Peabody
established.

SECTION 1. The city of Peabody and the town of Lynnfield shall constitute a judicial district under the jurisdiction of a court to be called the District Court of Peabody. All the provisions of law applicable to district courts shall apply to said court.

Officers.

SECTION 2. There shall be one justice and two special justices and a clerk of the court.

Sittings.

SECTION 3. Sittings of the said court shall be held at Peabody daily, except on Sundays and legal holidays. Sittings of the court for civil business shall be held at Peabody, as required by law, or by rule of court.

First session.

SECTION 4. The first session of said court shall be held on the first day of October in the year nineteen hundred and seventeen.

Time of taking
effect.

SECTION 5. So much of this act as relates to the appointing and qualifying of the justices of the court and the clerk of the court shall take effect upon its passage, and the remainder shall take effect on the first day of October in the year nineteen hundred and seventeen.

Not to affect
pending suits,
etc.

SECTION 6. Nothing in this act shall affect any suit or proceeding, civil or criminal, pending before any trial justice or court at the time when this act takes effect, and such trial justice or court may continue to exercise jurisdiction thereof.

Approved May 23, 1917.

Chap.282 AN ACT TO ESTABLISH THE SALARIES OF COURT OFFICERS IN THE SOUTH BOSTON, DORCHESTER AND CHARLESTOWN MUNICIPAL COURTS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 324, § 1,
amended.

SECTION 1. Section one of chapter three hundred and twenty-four of the acts of the year nineteen hundred and seven is hereby amended by striking out the word "thirteen", in the fourth line, and inserting in place thereof the word: — fourteen, — so as to read as follows: — *Section 1.* The court officers in attendance at the sessions of the mu-

Salaries of
court officers
of South

municipal court of the South Boston district of the city of Boston shall receive an annual salary of fourteen hundred dollars, to be paid from the treasury of the county of Suffolk in monthly instalments, in full for all services performed by them.

Boston municipal court established.

SECTION 2. Chapter seven hundred and twenty-five of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the word "twelve", in the second line, and inserting in place thereof the word: — thirteen, — so as to read as follows: — The salary of the court officer of the municipal court of the Dorchester district of the city of Boston shall be thirteen hundred dollars a year, to be so allowed from the first day of March in the current year.

1913, 725, amended.

Salary of court officer of Dorchester municipal court established.

SECTION 3. Section one of chapter three hundred and sixty-seven of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "twelve", in the fourth line, and inserting in place thereof the word: — thirteen, — so as to read as follows: — *Section 1.* The court officers in attendance at the sessions of the municipal court of the Charlestown district of the city of Boston shall receive an annual salary of thirteen hundred dollars, to be paid from the treasury of the county of Suffolk in monthly instalments, in full for all services performed by them.

1909, 367, § 1, amended.

Salaries of court officers of Charlestown municipal court established.

SECTION 4. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor.

To be submitted to city council, etc.

Approved May 23, 1917.

[Accepted June 26, 1917.]

AN ACT RELATIVE TO THE RESERVES OF TRUST COMPANIES. *Chap. 283*

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter five hundred and twenty of the acts of the year nineteen hundred and eight is hereby amended by inserting after the word "association", in the fourth and eighteenth lines, the words: — or Federal Reserve Bank, — and by inserting after the word "Albany", in line ten, the words: — or from the Federal Reserve Bank of Boston, — so as to read as follows: — *Section 9.* Not less than two fifths of such reserve shall consist either of lawful money of the United States, gold certificates, silver certificates or notes and bills issued by any lawfully organized national banking association or Federal Reserve Bank, and the remainder of such reserve may consist of balances, payable on demand, due from any

1908, 520, § 9, amended.

Reserves of trust companies.

trust company in the city of Boston authorized to act as reserve agent as hereinafter provided, or from any national banking association doing business either in this commonwealth or in the cities of New York, Philadelphia, Chicago, or Albany, or from the Federal Reserve Bank of Boston; but a portion of such reserve not exceeding one fifth may consist of bonds of the United States or of this commonwealth computed at their fair market value, which are the absolute property and in the possession of such corporation: *provided*, that the aggregate amount of lawful money of the United States, gold certificates, silver certificates and notes and bills issued by any lawfully organized national banking association or Federal Reserve Bank held by such corporation shall at all times be equal to at least five per cent of the aggregate amount of all its time and demand deposits, exclusive of deposits in its savings department.

Proviso.

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

Approved May 24, 1917.

Chap. 284 AN ACT TO AUTHORIZE THE APPOINTMENT OF A SECOND ASSISTANT DISTRICT ATTORNEY FOR THE SOUTHERN DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The district attorney for the southern district may appoint a second assistant district attorney and may remove him at pleasure. His salary shall be fourteen hundred dollars a year payable from the treasury of the commonwealth.

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

Approved May 24, 1917.

Chap. 285 AN ACT TO PROVIDE FOR COMPLETING THE EXTENSION OF THE SOUTH METROPOLITAN SEWER TO THE TOWN OF WELLESLEY.

Be it enacted, etc., as follows:

SECTION 1. The treasurer and receiver general, in order to provide for the completion of the extension of the high-level sewer authorized by chapter three hundred and forty-three of the acts of the year nineteen hundred and fourteen, shall, with the approval of the governor and council, issue from time to time scrip or certificates of indebtedness in the name and behalf of the commonwealth and under its seal,

Office of second assistant district attorney for the southern district established.

Commonwealth to issue bonds for completion of the south metropolitan sewer to town of Wellesley.

to an amount not exceeding three hundred and twenty-five thousand dollars, in addition to the amount authorized by said chapter; and the provisions of said chapter and of chapter four hundred and twenty-four of the acts of the year eighteen hundred and ninety-nine, and of all acts in amendment thereof and in addition thereto shall, so far as they may be applicable, apply to the indebtedness and proceedings authorized by this act.

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

Approved May 24, 1917.

AN ACT RELATIVE TO THE EXPENSES OF THE STATE BOARD OF AGRICULTURE. *Chap. 286*

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter eighty-nine of the Revised Laws, as amended by chapter one hundred and eighty-six of the acts of the year nineteen hundred and eleven, and by chapter two hundred and fifty of the General Acts of the year nineteen hundred and fifteen, and by section two of chapter forty-six of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out the words "a sum not exceeding five thousand dollars", in the sixth and seventh lines, and inserting in place thereof the words:—such amount as the general court may appropriate, — so as to read as follows:— *Section 4.* The board may appoint, and prescribe the duties of, a secretary, who shall receive an annual salary of three thousand dollars, and who, with the approval of the board, may employ a first clerk at an annual salary of eighteen hundred dollars, and may annually expend for other clerical service such amount as the general court may appropriate. The secretary may arrange for lectures before the board, and may issue for general distribution such publications as he considers best adapted to promote the interests of agriculture; but the expense of such lectures and publications, unless otherwise provided for, shall be paid out of the appropriation for the dissemination of useful information in agriculture by the board.

R. L. 89, § 4,
etc., amended.

State board
of agriculture,
secretary and
clerks, salaries,
expenses, etc.

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

Approved May 24, 1917.

*Chap.*287 AN ACT TO AUTHORIZE THE METROPOLITAN WATER AND SEWERAGE BOARD TO CONSTRUCT A POWER TRANSMISSION LINE BETWEEN THE WACHUSETT DAM AND THE SUDBURY DAM.

Be it enacted, etc., as follows:

Metropolitan water and sewerage board to construct power transmission line between the Wachusett and Sudbury dams.

SECTION 1. To enable the metropolitan water and sewerage board to construct a line for the transmission of electricity between the power station at the Wachusett dam in Clinton and the power station at the Sudbury dam in Southborough, under authority of chapter one hundred and seventy-two of the General Acts of the year nineteen hundred and sixteen, the treasurer and receiver general shall issue from time to time, upon the request of said board, bonds in the name and behalf of the commonwealth, designated on the face thereof, Metropolitan Water Loan, Act of 1917, to an amount not exceeding twelve thousand dollars, to be taken from the unexpended balance of forty-six thousand dollars authorized by chapter six hundred and ninety-four of the acts of the year nineteen hundred and twelve; and the provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, and of acts in amendment thereof and in addition thereto, shall, so far as they may be applicable, apply to the indebtedness and proceedings authorized by this act.

Metropolitan Water Loan, Act of 1917.

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

Approved May 24, 1917.

*Chap.*288 AN ACT TO ESTABLISH THE BASIS OF APPORTIONMENT OF STATE AND COUNTY TAXES.

Be it enacted, etc., as follows:

Basis of apportionment of state and county taxes.

SECTION 1. The number of polls, the amount of property and the proportion of every thousand dollars of state tax, including polls at one tenth of a mill each, for each city and town in the several counties of the commonwealth, as contained in the following schedule, are hereby established, and shall constitute a basis for apportionment for state and county taxes until another is made and enacted by the general court, to wit: —

POLLS, PROPERTY AND APPORTIONMENT OF STATE AND COUNTY TAX OF \$1,000.

BARNSTABLE COUNTY.

Barnstable county.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Barnstable,	1,428	\$9,769,125	\$1 76
Bourne,	615	7,807,787	1 35
Brewster,	214	1,365,083	25
Chatham,	533	2,121,535	40
Dennis,	597	1,695,920	34
Eastham,	153	591,825	11
Falmouth,	1,171	17,447,384	3 00
Harwich,	647	1,933,772	38
Mashpee,	81	371,517	07
Orleans,	385	9,338,477	1 58
Provincetown,	1,074	2,713,816	56
Sandwich,	381	1,675,366	31
Truro,	174	574,139	11
Wellfleet,	305	918,043	18
Yarmouth,	467	2,872,830	52
Totals,	8,225	\$61,196,619	\$10 92

BERKSHIRE COUNTY.

Berkshire county.

Adams,	2,948	\$9,396,136	\$1 85
Alford,	84	235,533	05
Becket,	297	873,582	17
Cheshire,	470	1,128,073	23
Clarksburg,	284	367,774	09
Dalton,	1,088	7,255,949	1 31
Egremont,	180	659,134	13
Florida,	109	588,134	11
Great Barrington,	1,906	8,253,194	1 55
Hancock,	152	508,796	10
Hinsdale,	382	897,493	19
Lanesborough,	309	871,456	17
Lee,	1,385	3,861,382	78
Lenox,	1,027	10,735,439	1 87
Monterey,	119	445,484	09
Mount Washington,	28	176,447	03
New Ashford,	27	85,632	02
New Marlborough,	313	1,009,949	20

Berkshire
county.

BERKSHIRE COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
North Adams,	5,264	\$18,665,650	\$3 61
Otis,	137	355,687	07
Peru,	63	211,494	04
Pittsfield,	11,560	45,346,204	8 64
Richmond,	174	847,474	16
Sandisfield,	196	495,564	10
Savoy,	157	253,041	06
Sheffield,	530	1,530,311	31
Stockbridge,	563	6,168,784	1 07
Tyringham,	89	470,494	09
Washington,	77	378,635	07
West Stockbridge,	393	694,605	15
Williamstown,	1,077	6,259,014	1 14
Windsor,	121	392,529	08
Totals,	31,509	\$129,419,073	\$24 53

Bristol county.

BRISTOL COUNTY.

Acushnet,	559	\$1,532,093	\$0 31
Attleboro,	5,550	23,685,989	4 46
Berkley,	266	658,432	14
Dartmouth,	1,196	6,781,087	1 24
Dighton,	662	2,048,025	40
Easton,	1,513	11,553,503	2 06
Fairhaven,	1,537	5,047,337	99
Fall River,	33,550	118,692,070	22 94
Freetown,	537	1,364,837	28
Mansfield,	1,702	5,586,871	1 09
New Bedford,	31,024	128,140,755	24 25
North Attleborough,	2,763	10,761,425	2 05
Norton,	777	1,910,315	39
Raynham,	478	1,201,951	25
Rehoboth,	635	1,167,804	26
Seekonk,	758	2,091,570	42
Somerset,	873	2,027,632	42
Swansea,	651	2,221,104	43
Taunton,	10,122	31,373,636	6 19
Westport,	813	2,855,835	55
Totals,	95,966	\$360,702,271	\$69 12

COUNTY OF DUKES COUNTY.

Dukes county.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Chilmark,	112	\$436,290	\$0 08
Edgartown,	381	1,594,446	30
Gay Head,	52	47,075	01
Gosnold,	51	857,163	15
Oak Bluffs,	321	2,080,668	38
Tisbury,	387	2,292,778	42
West Tisbury,	116	761,457	14
Totals,	1,420	\$8,069,877	\$1 48

ESSEX COUNTY.

Essex county.

Amesbury,	2,550	\$7,978,768	\$1 57
Andover,	2,038	10,890,810	2 00
Beverly,	6,805	50,226,574	8 97
Boxford,	200	1,596,189	28
Danvers,	2,951	9,473,287	1 86
Essex,	539	1,483,565	30
Georgetown,	559	1,480,828	30
Gloucester,	7,452	28,316,943	5 42
Groveland,	620	1,461,145	30
Hamilton,	517	7,278,311	1 25
Haverhill,	14,673	49,291,244	9 60
Ipswich,	1,363	6,263,590	1 17
Lawrence,	20,608	96,639,557	18 01
Lynn,	28,218	100,496,260	19 41
Lynnfield,	363	1,461,411	28
Manchester,	875	22,557,139	3 81
Marblehead,	2,234	11,967,840	2 20
Merrimac,	600	1,568,918	32
Methuen,	3,637	11,286,390	2 23
Middleton,	331	1,025,235	20
Nahant,	468	10,748,512	1 82
Newbury,	479	2,467,223	46
Newburyport,	4,131	13,877,098	2 70
North Andover,	1,500	7,329,923	1 36
Peabody,	4,875	17,584,307	3 39
Rockport,	1,351	4,349,897	85
Rowley,	381	2,457,740	44
Salem,	10,063	47,759,021	8 89
Salisbury,	551	1,828,004	36

Essex county.

ESSEX COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Saugus,	2,777	\$7,468,095	\$1 51
Swampscott,	1,979	17,972,061	3 16
Topsfield,	343	4,851,015	83
Wenham,	306	3,962,426	68
West Newbury,	447	1,291,823	26
Totals,	126,784	\$566,691,149	\$106 19

Franklin
county.

FRANKLIN COUNTY.

Ashfield,	272	\$1,033,730	\$0 26
Bernardston,	207	689,934	13
Buckland,	477	2,238,211	42
Charlemont,	320	666,987	14
Colrain,	519	1,097,924	23
Conway,	333	972,426	19
Deerfield,	762	2,851,505	55
Erving,	368	1,557,380	29
Gill,	270	554,012	12
Greenfield,	3,953	16,273,495	3 08
Hawley,	107	279,741	06
Heath,	116	352,114	07
Leverett,	222	449,885	10
Leyden,	93	283,847	06
Monroe,	81	424,463	08
Montague,	2,125	6,465,022	1 28
New Salem,	174	461,161	09
Northfield,	438	1,845,890	35
Orange,	1,671	5,266,375	1 04
Rowe,	124	351,278	07
Shelburne,	442	2,131,645	40
Shutesbury,	90	423,293	08
Sunderland,	378	918,640	19
Warwick,	122	515,525	10
Wendell,	130	814,521	15
Whately,	303	895,109	18
Totals,	14,097	\$49,814,113	\$9 65

HAMPDEN COUNTY.

Hampden county.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Agawam,	1,245	\$3,612,508	\$0 72
Blandford,	187	822,745	15
Brimfield,	267	879,358	17
Chester,	407	1,002,957	21
Chicopee,	7,956	23,963,169	4 75
East Longmeadow,	530	1,567,572	31
Granville,	219	673,552	13
Hampden,	176	555,490	11
Holland,	45	151,842	03
Holyoke,	15,984	73,312,523	13 70
Longmeadow,	507	3,904,730	70
Ludlow,	1,533	5,919,262	1 13
Monson,	1,118	2,777,589	57
Montgomery,	71	201,383	04
Palmer,	2,698	6,192,247	1 29
Russell,	335	2,695,605	48
Southwick,	347	1,039,489	21
Springfield,	31,442	206,649,539	37 25
Tolland,	59	312,262	06
Wales,	107	342,751	07
West Springfield,	3,165	11,453,142	2 21
Westfield,	4,717	14,718,820	2 90
Wilbraham,	700	2,290,201	45
Totals,	73,815	\$365,038,736	\$67 64

HAMPSHIRE COUNTY.

Hampshire county.

Amherst,	1,748	\$7,929,938	\$1 48
Belchertown,	573	1,117,862	24
Chesterfield,	171	428,430	09
Cummington,	193	429,891	09
Easthampton,	2,617	9,240,330	1 79
Enfield,	247	898,020	17
Goshen,	83	282,556	05
Granby,	227	857,223	16
Greenwich,	131	318,224	07
Hadley,	790	2,446,017	48
Hatfield,	758	2,282,500	45
Huntington,	465	905,747	20
Middlefield,	89	272,672	05
Northampton,	5,190	21,552,520	4 08

Hampshire
county.

HAMPSHIRE COUNTY — CONCLUDED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Pelham,	148	\$514,726	\$0 10
Plainfield,	110	244,097	05
Prescott,	104	278,178	06
South Hadley,	1,386	3,997,064	80
Southampton,	251	687,564	14
Ware,	2,327	6,652,635	1 33
Westhampton,	104	342,211	07
Williamsburg,	627	1,415,794	30
Worthington,	184	481,542	10
Totals,	18,523	\$63,575,741	\$12 35

Middlesex
county.

MIDDLESEX COUNTY.

Acton,	682	\$2,975,316	\$0 56
Arlington,	4,063	19,934,504	3 70
Ashby,	270	1,182,723	22
Ashland,	583	1,605,118	32
Ayer,	844	2,555,147	51
Bedford,	402	2,220,981	41
Belmont,	2,313	13,545,492	2 47
Billerica,	911	5,995,726	1 08
Boxborough,	98	321,762	06
Burlington,	231	1,037,672	19
Cambridge,	28,858	147,368,200	27 21
Carlisle,	152	835,654	15
Chelmsford,	1,337	5,197,399	99
Concord,	1,695	10,284,862	1 87
Dracut,	987	2,902,411	58
Dunstable,	114	677,638	12
Everett,	10,478	35,599,819	6 92
Framingham,	4,450	20,294,972	3 79
Groton,	652	5,339,715	95
Holliston,	790	2,268,356	45
Hopkinton,	789	2,091,684	42
Hudson,	2,108	5,220,304	1 07
Lexington,	1,759	11,114,581	2 01
Lincoln,	334	5,509,565	94
Littleton,	345	1,417,459	27
Lowell,	25,984	100,946,930	19 26
Malden,	14,019	47,461,453	9 24
Marlborough,	4,678	12,291,521	2 50

MIDDLESEX COUNTY — CONCLUDED.

Middlesex county.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Maynard,	2,108	\$4,900,544	\$1 02
Medford,	8,831	33,157,118	6 36
Melrose,	4,850	20,994,803	3 95
Natick,	3,354	10,080,236	2 00
Newton,	11,658	97,251,107	17 22
North Reading,	321	1,134,539	22
Pepperell,	911	2,709,443	54
Reading,	2,043	8,756,806	1 65
Sherborn,	378	2,845,626	51
Shirley,	621	1,683,773	34
Somerville,	24,749	81,718,557	15 96
Stoneham,	2,230	6,381,712	1 28
Stow,	330	1,566,632	29
Sudbury,	353	1,704,271	32
Tewksbury,	612	2,121,808	41
Townsend,	555	1,567,786	31
Tyngsborough,	287	870,941	17
Wakefield,	3,780	13,354,144	2 58
Waltham,	8,286	34,312,676	6 49
Watertown,	4,586	23,952,231	4 41
Wayland,	621	3,546,581	65
Westford,	812	3,165,759	60
Weston,	652	10,593,813	1 81
Wilmington,	667	2,428,921	47
Winchester,	2,615	20,147,523	3 59
Woburn,	4,809	15,643,716	3 06
Totals,	200,945	\$874,788,030	\$164 47

NANTUCKET COUNTY.

Nantucket county.

Nantucket,	984	\$4,880,737	\$0 90
Totals,	984	\$4,880,737	\$0 90

Norfolk
county.

NORFOLK COUNTY.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Avon,	642	\$1,193,683	\$0 26
Bellingham,	523	1,190,933	25
Braintree,	2,565	10,382,049	1 97
Brookline,	8,321	173,947,538	29 54
Canton,	1,355	8,405,511	1 52
Cohasset,	838	11,131,387	1 92
Dedham,	2,812	17,512,940	3 17
Dover,	278	9,325,177	1 57
Foxborough,	1,038	3,109,922	62
Franklin,	1,745	5,807,897	1 13
Holbrook,	786	2,127,132	43
Medfield,	608	2,569,789	48
Medway,	881	1,999,940	42
Millis,	452	1,745,535	33
Milton,	2,275	36,879,571	6 31
Needham,	1,808	10,044,703	1 84
Norfolk,	404	1,372,419	27
Norwood,	3,296	19,438,084	3 54
Plainville,	423	1,117,249	23
Quincy,	12,252	46,020,016	8 82
Randolph,	1,215	3,692,917	73
Sharon,	706	4,212,393	77
Stoughton,	2,156	4,876,769	1 02
Walpole,	1,628	8,842,644	1 62
Wellesley,	1,732	22,003,975	3 80
Westwood,	386	5,008,223	87
Weymouth,	3,884	14,172,571	2 73
Wrentham,	489	1,747,860	34
Totals,	55,498	\$429,878,827	\$76 50

Plymouth
county.

PLYMOUTH COUNTY.

Abington,	1,797	\$4,752,410	\$0 96
Bridgewater,	2,007	4,871,376	1 00
Brockton,	19,077	64,989,541	12 63
Carver,	402	2,314,174	42
Duxbury,	585	4,397,590	78
East Bridgewater,	1,064	3,634,419	71
Halifax,	220	711,472	14
Hanover,	817	2,715,228	53
Hanson,	574	1,898,683	37

PLYMOUTH COUNTY — CONCLUDED.

Plymouth county.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Hingham,	1,552	\$9,376,383	\$1 70
Hull,	480	10,004,166	1 70
Kingston,	700	2,005,555	40
Lakeville,	386	1,477,964	28
Marion,	537	7,934,700	1 36
Marshfield,	538	2,899,673	53
Mattapoissett,	369	2,934,833	52
Middleborough,	2,467	5,994,047	1 24
Norwell,	496	1,542,822	30
Pembroke,	402	1,422,358	27
Plymouth,	3,480	16,299,578	3 04
Plympton,	163	544,661	11
Rochester,	377	1,120,636	22
Rockland,	2,162	6,390,945	1 27
Scituate,	847	6,453,994	1 15
Wareham,	1,558	7,248,524	1 35
West Bridgewater,	806	1,988,631	41
Whitman,	2,307	6,224,970	1 26
Totals,	46,170	\$182,149,333	\$34 65

SUFFOLK COUNTY.

Suffolk county.

Boston,	210,083	\$1,802,205,529	\$318 45
Chelsea,	11,241	33,540,732	6 66
Revere,	6,929	24,280,332	4 70
Winthrop,	3,801	17,559,809	3 28
Totals,	232,054	\$1,877,586,402	\$333 09

WORCESTER COUNTY.

Worcester county.

Ashburnham,	580	\$1,623,719	\$0 33
Athol,	2,727	7,523,915	1 51
Auburn,	867	1,997,225	42
Barre,	1,101	3,100,040	62
Berlin,	235	810,343	16
Blackstone,	1,504	2,641,363	59
Bolton,	219	850,293	16

Worcester
county.

WORCESTER COUNTY — CONTINUED.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Boylston,	234	\$670,157	\$0 13
Brookfield,	591	1,677,372	34
Charlton,	612	1,674,393	34
Clinton,	3,499	10,690,308	2 11
Dana,	183	539,271	11
Douglas,	605	1,857,546	37
Dudley,	1,052	3,096,018	62
Fitchburg,	11,827	46,223,657	8 81
Gardner,	4,662	14,036,298	2 78
Grafton,	1,425	4,377,002	86
Hardwick,	971	6,077,267	1 10
Harvard,	324	2,351,084	42
Holden,	684	2,240,598	44
Hopedale,	855	12,455,482	2 14
Hubbardston,	319	900,734	18
Lancaster,	609	13,561,182	2 30
Leicester,	958	2,963,671	58
Leominster,	5,162	15,376,342	3 05
Lunenburg,	457	1,823,890	35
Mendon,	280	857,527	17
Milford,	3,981	10,978,778	2 21
Millbury,	1,283	4,077,673	80
New Braintree,	143	526,097	10
North Brookfield,	821	2,332,644	47
Northborough,	567	2,137,631	41
Northbridge,	2,806	8,608,731	1 70
Oakham,	165	460,292	09
Oxford,	955	2,889,059	57
Paxton,	117	506,610	10
Petersham,	207	1,266,722	23
Phillipston,	106	434,919	08
Princeton,	262	1,591,915	29
Royalston,	233	911,177	17
Rutland,	406	1,041,016	21
Shrewsbury,	769	3,368,780	63
Southborough,	547	3,593,448	65
Southbridge,	4,146	8,912,369	1 89
Spencer,	1,740	4,378,972	90
Sterling,	424	1,582,116	30
Sturbridge,	475	1,046,450	22
Sutton,	691	1,665,149	34
Templeton,	1,148	2,312,160	50
Upton,	551	1,455,192	30

WORCESTER COUNTY — CONCLUDED.

Worcester
County.

CITIES AND TOWNS.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Uxbridge,	1,360	\$5,074,569	\$0 97
Warren,	1,214	2,996,360	62
Webster,	3,229	11,374,725	2 20
West Boylston,	384	1,216,511	24
West Brookfield,	394	1,223,492	24
Westborough,	1,223	3,777,486	75
Westminster,	398	1,203,624	24
Winchendon,	1,763	4,931,259	99
Worcester,	46,846	202,541,153	38 11
Totals,	121,896	\$462,413,776	\$88 51

RECAPITULATION.

Recapitulation.

COUNTIES.	Polls.	Property.	Tax of \$1,000, including polls at one tenth of a mill each.
Barnstable,	8,225	\$61,196,619	\$10 92
Berkshire,	31,509	129,419,073	24 53
Bristol,	95,966	360,702,271	69 12
Dukes,	1,420	8,069,877	1 48
Essex,	126,784	566,691,149	106 19
Franklin,	14,097	49,814,113	9 65
Hampden,	73,815	365,038,736	67 64
Hampshire,	18,523	63,575,741	12 35
Middlesex,	200,945	874,788,030	164 47
Nantucket,	984	4,880,737	90
Norfolk,	55,498	429,878,827	76 50
Plymouth,	46,170	182,149,333	34 65
Suffolk,	232,054	1,877,586,402	333 09
Worcester,	121,896	462,413,776	88 51
Totals,	1,027,886	\$5,436,204,684	\$1,000 00

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

Approved May 24, 1917.

Chap.289 AN ACT RELATIVE TO THE USE OF THE FLAG OF THE UNITED STATES.

Be it enacted, etc., as follows:

Use of United States flag regulated.

SECTION 1. Section five of chapter two hundred and six of the Revised Laws, as amended by chapters four hundred and sixty-four and six hundred and four of the acts of the year nineteen hundred and thirteen, by chapter five hundred and seventy of the acts of the year nineteen hundred and fourteen, and by chapter two hundred and sixty-five of the General Acts of the year nineteen hundred and seventeen, shall not be construed to apply to any newspaper, periodical, book, pamphlet, certificate, diploma, warrant, or commission of appointment to office, ornamental picture, article of jewelry, or stationery for use in correspondence, on which is printed, painted, or placed the flag of the United States of America not connected with any advertisement, and not used for advertising purposes.

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

Approved May 24, 1917.

Chap.290 AN ACT RELATIVE TO SUBSIDIES TO CITIES AND TOWNS ON ACCOUNT OF CONSUMPTIVE PATIENTS AS DETERMINED BY THE BED CAPACITY OF CERTAIN HOSPITALS.

Be it enacted, etc., as follows:

1911, 597, § 1, etc., amended.

SECTION 1. Chapter five hundred and ninety-seven of the acts of the year nineteen hundred and eleven, as amended in section one by section one of chapter six hundred and thirty-seven of the acts of the year nineteen hundred and twelve, and by chapter fifty-seven of the General Acts of the year nineteen hundred and sixteen, is hereby further amended by striking out the said section, and inserting in place thereof the following:—*Section 1.* Every city or town which places its patients suffering from tuberculosis in a municipal or incorporated tuberculosis hospital in this commonwealth, or in a building or ward set apart for patients suffering from tuberculosis by a municipal or incorporated hospital in this commonwealth, shall be entitled to receive from the commonwealth a subsidy of five dollars a week for each patient who is unable to pay for his support, or whose kindred bound by law to maintain him are unable to pay for the same; but a city or town shall not become entitled

Cities and towns to receive subsidies for certain consumptive patients, etc.

to this subsidy unless, upon examination authorized by the trustees of hospitals for consumptives, the sputum of such patient be found to contain bacilli of tuberculosis, nor unless the hospital building or ward be approved by said trustees, who shall not give such approval unless they have by authority of law, or by permission of the hospital, full authority to inspect the same at all times. Said trustees may at any time withdraw their approval: *provided, however*, that in the case of those hospitals having a bed capacity which is in excess of the number of beds needed for the localities which these institutions serve for patients exhibiting tubercle bacilli in their sputum, the subsidy above provided shall be allowed for such patients not exhibiting tubercle bacilli in their sputum as in the joint opinion of the superintendent of the institution and of the state district health officer of the district in which the hospital is situated are bona fide cases of consumption and have been in the institution more than thirty days. The determination of the question of the number of beds in excess of the number of beds needed for patients exhibiting tubercle bacilli in their sputum shall be made as follows:— the city board of health shall first file an application for a tuberculosis survey of the localities served by such tuberculosis hospital, stating in the application the reasons for the belief that the hospital is already providing proper care for all cases showing tubercle bacilli and subject to hospital treatment. On receipt of such an application the state department of health and the state trustees of hospitals for consumptives shall cause a careful survey to be made by representatives of both departments.

Trustees may withdraw approval. Proviso.

Determination of excess bed capacity, how made.

Following the filing of the report of such survey the public health council of the state department of health and the trustees of hospitals for consumptives, sitting jointly, shall determine and decree the average number of beds needed in such institutions for patients exhibiting tubercle bacilli in their sputum. This number shall be subject to re-determination by a new survey made in a similar manner from time to time thereafter upon application by the city board of health, but such application shall not be made more often than once in three years.

Joint board to determine average number of beds needed, etc.

Re-determination.

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

Approved May 24, 1917.

Chap. 291 AN ACT TO ESTABLISH THE SALARY OF THE SECOND ASSISTANT CLERK OF THE MUNICIPAL COURT OF THE ROXBURY DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Salary of second assistant clerk of the Roxbury municipal court established.

To be submitted to city council, etc.

SECTION 1. The salary of the second assistant clerk of the municipal court of the Roxbury district of the city of Boston shall be fifteen hundred dollars a year.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor.

Approved May 24, 1917.

[Accepted June 26, 1917.]

Chap. 292 AN ACT RELATIVE TO THE SALARIES OF THE COURT OFFICERS OF THE MUNICIPAL COURT OF THE ROXBURY DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Salaries of court officers of the Roxbury municipal court established.

To be submitted to city council, etc.

SECTION 1. The court officers of the municipal court of the Roxbury district of the city of Boston shall hereafter be paid an annual salary of sixteen hundred dollars each.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor.

Approved May 24, 1917.

[Accepted June 26, 1917.]

Chap. 293 AN ACT TO PROVIDE FOR THE APPOINTMENT OF A PAROLE CLERK AT THE MASSACHUSETTS REFORMATORY.

Be it enacted, etc., as follows:

Office of parole clerk at the Massachusetts reformatory established.

Salary.

The director of the bureau of prisons is hereby authorized to designate as parole clerk one of the officers at the Massachusetts reformatory mentioned in section twenty-one of chapter two hundred and twenty-three of the Revised Laws, as affected by chapter four hundred and fifty-four of the acts of the year nineteen hundred and ten. He shall perform such duties relating to the parole of inmates of the reformatory as the director may prescribe. While performing the duties of parole clerk, such officer shall receive an annual salary of sixteen hundred dollars in full for all services rendered by him, and shall be subject to the provisions of chapter six hundred and one of the acts of the year nineteen hundred and eight and acts in amendment thereof.

Approved May 24, 1917.

AN ACT TO PERMIT THE EMPLOYMENT OF GIRLS IN CERTAIN TELEPHONE EXCHANGES UNTIL ELEVEN O'CLOCK IN THE EVENING. *Chap. 294*

Be it enacted, etc., as follows:

Section nine of chapter eight hundred and thirty-one of the acts of the year nineteen hundred and thirteen is hereby amended by adding at the end thereof the words:— *provided, however*, that girls under the age of twenty-one years may be employed as operators in regular service telephone exchanges until, but not after, the hour of eleven o'clock in the evening, — so as to read as follows:— *Section 9.* No boy under the age of eighteen years and no girl under the age of twenty-one years shall be employed or permitted to work in, about or in connection with any establishment or occupation named in section one for more than six days in any one week, nor more than fifty-four hours in any one week, nor more than ten hours in any one day, nor before the hour of five o'clock in the morning, nor after the hour of ten o'clock in the evening, nor in the manufacture of textile goods after the hour of six o'clock in the evening: *provided, however*, that girls under the age of twenty-one years may be employed as operators in regular service telephone exchanges until, but not after, the hour of eleven o'clock in the evening.

1913, 831, § 9, amended.

Employment of minors in certain establishments.

Proviso.

Approved May 24, 1917.

AN ACT RELATIVE TO THE FISCAL YEAR UPON WHICH A RETURN OF INCOME FOR TAXATION MAY BE BASED. *Chap. 295*

Be it enacted, etc., as follows:

Section seven of chapter two hundred and sixty-nine of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting after the word "act", in the fifth line, the words:— Persons who customarily estimate their income and expenditure on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the tax commissioner and subject to such rules and regulations as he may establish, return their income taxable under this act on the basis of such fiscal year in lieu of that of the calendar year, — so as to read as follows:— *Section 7.* Persons who customarily estimate their income and expenditure on a basis other than that of actual cash receipts and disbursements may, with the ap-

1916, 269 (G), § 7, amended.

Return of income for taxation may be based upon fiscal year, etc.

proval of the tax commissioner, compute upon a similar basis their income taxable under this act. Persons who customarily estimate their income and expenditure on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the tax commissioner and subject to such rules and regulations as he may establish, return their income taxable under this act on the basis of such fiscal year in lieu of that of the calendar year. In determining the gains or losses realized from the sale of capital assets, the value on January first, nineteen hundred and sixteen, of such property owned on that date shall be the basis of determination, and in case property is acquired after January first, nineteen hundred and sixteen, the value on the date that it is acquired shall be the basis of determination.

Approved May 24, 1917.

Chap. 296 AN ACT RELATIVE TO SALES OF REAL ESTATE FOR DISTRIBUTION.

Be it enacted, etc., as follows:

R. L. 146, § 18,
etc., amended.

SECTION 1. Section eighteen of chapter one hundred and forty-six of the Revised Laws, as amended by chapter two hundred and seventeen of the acts of the year nineteen hundred and four, by chapter seventy-three of the acts of the year nineteen hundred and six, and by chapter two hundred and thirty-six of the acts of the year nineteen hundred and seven, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 18.* The probate court may, upon petition of an administrator, administrator with the will annexed, or executor, unless the will otherwise provides, filed within one year after the date of the giving of the executor's or administrator's bond, or if an administrator de bonis non shall be appointed within one year after the date of the original appointment of the executor or administrator, then within six months after the date of the giving of a bond by such administrator de bonis non, with the consent of all parties interested or after notice, license him to sell the whole or any part of the real property or any undivided interest therein belonging to the estate of the deceased, in such manner and upon such notice as the court orders, for the purpose of distribution; and the net proceeds of such sale, after deducting the expenses thereof and such amount as may be required for the payment of debts, legacies and

Probate court
may license
administrator,
executor, etc.,
to sell real
estate for dis-
tribution.

charges of administration, in consequence of a deficiency in the personal property, shall, subject to the laws governing the distribution of the personal estate of the deceased, be distributed to the persons who would have been entitled to such real property and in the proportions to which they would have been entitled had it not been sold. Before any such license shall be issued, the petitioner shall file in the probate court an affidavit containing the names of all persons known to him as having or claiming any interest in said real estate derived from any deed of conveyance or mortgage by, through or under any of the heirs or devisees, and if it appears that there are any such persons, they shall be notified in accordance with the order of the court, and shall be made parties to the proceedings.

Names of all claimants, etc., to be filed in probate court.

SECTION 2. This act shall take effect on the first day of September in the year nineteen hundred and seventeen.

Time of taking effect.

Approved May 24, 1917.

AN ACT RELATIVE TO THE SETTLEMENT OF CLAIMS UNDER THE WORKMEN'S COMPENSATION ACT. Chap. 297

Be it enacted, etc., as follows:

SECTION 1. The industrial accident board, established by section one of Part III of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven, as amended by section six of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, shall hereafter consist of seven instead of five members. The term of office of the two additional members shall be five years, except that when first appointed one shall be appointed for a term of five years and one for a term of three years. The chairman of the said board shall, from time to time, designate five members to serve as a reviewing board, and three members shall constitute a quorum to decide all matters which are required to be heard by the board.

Membership of industrial accident board increased, etc.

SECTION 2. Section five of Part III of said chapter seven hundred and fifty-one as amended by section ten of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, and by section nine of chapter seven hundred and eight of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the word "who", in the ninth line, and inserting in place thereof the word:— which,— and by striking out all after the word "thereupon", in the tenth line, and inserting in place

1911, 751 (III), § 5, etc., amended.

Hearing upon failure to reach an agreement as to compensation.

thereof, the words:—assign the case for hearing by a member of the board, — so as to read as follows:— *Section 5.* If the association and the injured employee fail to reach an agreement in regard to compensation under this act, or if they have reached such an agreement, which has been signed and filed in accordance with the provisions of this act, and compensation has been paid or is due in accordance therewith and the parties thereto then disagree as to the continuance of any weekly payments under such agreement, either party may notify the industrial accident board which shall thereupon assign the case for hearing by a member of the board.

Repeal.

SECTION 3. Part III of said chapter seven hundred and fifty-one, as amended in section six by section eleven of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the said section six.

1911, 751 (III), § 7, etc., amended.

SECTION 4. Part III of said chapter seven hundred and fifty-one as amended in section seven by section twelve of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out said section seven and inserting in place thereof the following:— *Section 7.* The member of the board shall make such inquiries and investigations as shall be deemed necessary. The hearing shall be held in the city or town where the accident occurred, or in such other place as the board may designate; and the decision of the member, together with a statement of the evidence, his findings of fact, rulings of law, and any other matters pertinent to questions arising before him shall be filed with the industrial accident board. Unless a claim for review is filed by either party within seven days, the decision shall be enforceable under the provisions of section eleven of Part III.

Member of the board to make investigations, etc.

Decision.

Repeal.

SECTION 5. Part III of said chapter seven hundred and fifty-one is hereby amended by striking out section nine.

1911, 751 (III), § 10, etc., amended.

SECTION 6. Section ten of Part III of said chapter seven hundred and fifty-one, as amended by section thirteen of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the word "committee", where it occurs in the fifth and sixth lines, and inserting in place thereof in each instance the word:— member, — so as to read as follows:— *Section 10.* If a claim for a review is filed, as provided in Part III, section seven, the board shall hear the

Claim for review by full board, etc.

parties and may hear evidence in regard to any or all matters pertinent thereto and may revise the decision of the member in whole or in part, or may refer the matter back to the member for further findings of fact, and shall file its decision with the records of the proceedings and notify the parties thereof. No party shall as a matter of right be entitled to a second hearing upon any question of fact.

SECTION 7. Section eleven of Part III of said chapter seven hundred and fifty-one, as amended by section fourteen of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "an arbitration committee", wherever they appear, and inserting in place thereof the words: — a member, — so as to read as follows: — *Section*

11. Any party in interest may present certified copies of an order or decision of the board, a decision of a member from which no claim for review has been filed within the time allowed therefor, or a memorandum of agreement approved by the board, and all papers in connection therewith, to the superior court for the county in which the injury occurred or for the county of Suffolk, whereupon said court shall render a decree in accordance therewith and notify the parties. Such decree shall have the same effect and all proceedings in relation thereto shall thereafter be the same as though rendered in a suit duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact, or where the decree is based upon a decision of a member or a memorandum of agreement, and that there shall be no appeal from a decree based upon an order or decision of the board which has not been presented to the court within ten days after the notice of the filing thereof by the board. Upon the presentation to it of a certified copy of a decision of the industrial accident board ending, diminishing or increasing a weekly payment under the provisions of Part III, section twelve, the court shall revoke or modify the decree to conform to such decision.

SECTION 8. Section twelve of Part III of said chapter seven hundred and fifty-one, as amended by section eleven of chapter seven hundred and eight of the acts of the year nineteen hundred and fourteen, is hereby further amended by inserting after the word "board", in the second line, the words: — or any member thereof, — and by inserting after the word "board", in the third line, the words: — or member, — and by striking out the words "it deems", in the

1911, 751 (III),
§ 11, etc.,
amended.

Appeal to
superior court,
etc.

Effect of court's
decree, etc.

Revocation,
etc., of decree.

1911, 751 (III),
§ 12, etc.,
amended.

fifth line, and inserting in place thereof the words: — may be deemed, — and by adding at the end thereof the following: — If the case is heard and decided by a member, his decision shall be subject to review as provided by sections seven and ten of Part III and the general provisions of the act, — so as to read as follows: — *Section 12.* Any weekly payment under this act may be reviewed by the industrial accident board or any member thereof, and on such review the board or member may, in accordance with the evidence and subject to the provisions of this act, issue any order which may be deemed advisable. If the case is heard and decided by a member, his decision shall be subject to review as provided by sections seven and ten of Part III and the general provisions of the act.

Review of
weekly
payment.

1911, 751 (III),
§ 13, etc.,
amended.

SECTION 9. Section thirteen of Part III of said chapter seven hundred and fifty-one, as amended by section twelve of chapter seven hundred and eight of the acts of the year nineteen hundred and fourteen, is hereby further amended by striking out the words “call for the formation of a committee of arbitration”, in the seventh and eighth lines, and inserting in place thereof the words: — assign the case for hearing by a member of the board, — and by adding at the end thereof the following: — The member shall report the facts to the industrial accident board for decision, and the decision shall be enforceable as provided by Part III of section eleven, — so as to read as follows: — *Section 13.* Fees of attorneys and physicians and charges of hospitals for services under this act shall be subject to the approval of the industrial accident board. If the association and any physician or hospital, or the employee and any attorney, fail to reach an agreement as to the amount to be paid for such services, either party may notify the board, which may thereupon assign the case for hearing by a member of the board in accordance with the provisions of this act, and all proceedings thereunder shall be in accordance with the provisions of this act. The member shall report the facts to the industrial accident board for decision, and the decision shall be enforceable as provided by Part III of section eleven.

Fees of
attorneys, etc.,
subject to
approval of
the board.

Decision.

1911, 751 (III),
§ 14, amended.

SECTION 10. Section fourteen of Part III of said chapter seven hundred and fifty-one is hereby amended by striking out the words “committee of arbitration”, in the first line, and by inserting after the word “board”, in the second line, the words: — any member thereof, — so as to read as follows: — *Section 14.* If the industrial accident board, any

Payment of
cost of pro-

member thereof, or any court before whom any proceedings are brought under this act determines that such proceedings have been brought, prosecuted, or defended without reasonable ground, it shall assess the whole cost of the proceedings upon the party who has so brought, prosecuted or defended them.

Approved May 24, 1917.

AN ACT TO EQUALIZE THE COMPENSATION OF CERTAIN DEPUTY SHERIFFS WHEN ATTENDING COURT. Chap.298

Be it enacted, etc., as follows:

SECTION 1. Deputy sheriffs qualified to serve civil process attending upon the sessions of the supreme judicial, superior or probate court, or upon the sessions of the county commissioners, shall be paid seven dollars a day for such attendance in addition to travelling expenses of ten cents a mile out and home once a week.

Compensation of certain deputy sheriffs when attending court equalized.

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

(The foregoing was laid before the governor on the eighteenth day of May, 1917, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

AN ACT TO PERFECT THE AUTHORITY OF THE METROPOLITAN PARK COMMISSION TO REBUILD EXISTING BRIDGES OVER THE CHARLES RIVER AND TO ACQUIRE ADDITIONAL LAND ALONG SAID RIVER. Chap.299

Be it enacted, etc., as follows:

SECTION 1. In order to carry out the provisions of chapter four hundred and thirty-nine of the acts of the year nineteen hundred and eleven, and to enable the metropolitan park commission to connect lands now under the control of said commission on the banks of Charles river in the city of Boston with nearby public highways, said commission is hereby authorized to exercise all the powers conferred upon it by chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three: *provided, however,* that no land of the Boston and Albany Railroad Company shall be taken hereunder in whole or in part, except from that parcel which lies between Commonwealth avenue and Essex street in the city of Boston and locations of the main line and grand junction branch of the Boston and Albany railroad; and *provided, further,* that no taking hereunder of

Authority of metropolitan park commission to rebuild certain bridges along the Charles river, etc., perfected.

Provisos.

any part of said land of said railroad company shall be made after two years from the date of the passage of this act.

SECTION 2. This act shall take effect upon its passage.
Approved May 25, 1917.

Chap.300 AN ACT TO AUTHORIZE CERTAIN ORGANIZATIONS TO DRILL AND PARADE WITH FIREARMS.

Be it enacted, etc., as follows:

Certain organizations permitted to drill and parade with firearms.

SECTION 1. The adjutant general, with the approval of the governor, may prescribe rules and regulations under which any body of citizens of the commonwealth, organized as an association, club or training school for the purpose of acquiring military knowledge, discipline and training, may drill or parade with firearms: *provided*, that written consent is first obtained from the adjutant general, and that the body organized as aforesaid shall adopt such uniform, equipment and insignia of rank as he shall prescribe. He may authorize the use by any such body of any state armory for drill or training; *provided*, that such use shall not interfere with the occupation and use of the armory by the national guard. The governor may, at any time, disband any such body. This act shall be operative only during such time as the United States may be in a state of actual warfare.

Proviso.

May use State armories.

Proviso.

SECTION 2. This act shall take effect upon its passage.
Approved May 25, 1917.

Chap.301 AN ACT RELATIVE TO THE COMPENSATION OF EMPLOYEES OF THE COMMONWEALTH IN THE MILITARY OR NAVAL SERVICE OF THE UNITED STATES DURING THE PRESENT WAR.

Be it enacted, etc., as follows:

Compensation allowed to employees of the commonwealth in United States service during the present war.

SECTION 1. There shall be allowed and paid, out of the treasury of the commonwealth, to every employee of the commonwealth who has been or is hereafter mustered into the military or naval service of the United States during the present war, an amount equal to the difference between the compensation received by him from the United States, plus the compensation received as extra military pay, received from the commonwealth, and the amount which he was receiving from the commonwealth at the time when he was mustered in. The said payments shall continue so long as he continues in the military or naval service of the United

States, but shall cease one month after the termination of the war. In case of his death in the said service his widow, minor children, parents or dependents shall receive the said sum until the termination of the war.

Payment to dependents in case of death.

SECTION 2. The said sums shall be payable monthly by checks signed by the treasurer and receiver general, which shall be sent to the person to whose order they are drawn, or to his wife, parent or child, or to any other person designated by the beneficiary by a writing filed with the treasurer and receiver general, or sent to him by mail.

Sums payable by check.

SECTION 3. This act shall take effect upon its passage.

Approved May 25, 1917.

AN ACT TO ANNEX CERTAIN TOWNS TO THE JUDICIAL DISTRICTS OF VARIOUS COURTS. *Chap.302*

Be it enacted, etc., as follows:

SECTION 1. The following-named towns are hereby severally annexed to and made a part of the judicial district of the court hereinafter designated, in each case, to wit: —

Certain towns annexed to the judicial districts of various courts.

Town of Westminster, the first district court of Northern Worcester.

Westminster.

Towns of Hardwick and New Braintree, the district court of Western Worcester.

Hardwick and New Braintree.

Towns of Barre, Princeton and Oakham, the central district court of Worcester.

Barre, Princeton and Oakham.

Town of Salisbury, the police court of Newburyport and second district court of Essex, exercising a concurrent jurisdiction.

Salisbury.

Town of West Newbury, the central district court of Northern Essex and the police court of Newburyport, exercising a concurrent jurisdiction.

West Newbury.

Town of Manchester, the first district court of Essex.

Manchester.

Town of Lynnfield, the district court of Peabody.

Lynnfield.

Town of Hudson, the police court of Marlborough.

Hudson.

Town of Hopkinton, the first district court of Southern Middlesex.

Hopkinton.

Town of Carver, fourth district court of Plymouth.

Carver.

Town of Halifax, third district court of Plymouth.

Halifax.

Town of Ludlow, the police court of Springfield.

Ludlow.

Town of New Ashford, the police court of Williamstown.

New Ashford.

Towns of Lenox and Becket, the district court of Central Berkshire and the police court of Lee, exercising a concurrent jurisdiction.

Lenox and Becket.

Stockbridge, Tyringham and Otis.

Towns of Stockbridge, Tyringham and Otis, the police court of Lee.

Sandisfield.

Town of Sandisfield, the district court of Southern Berkshire and the police court of Lee, exercising a concurrent jurisdiction.

West Stockbridge.

Town of West Stockbridge, the district court of Southern Berkshire.

Annexation of other towns, etc., for all kinds of business.

Any other town now within the judicial district of any district court for civil business is hereby annexed to, and made a part of the judicial district of, such court for all kinds of business.

Jurisdiction.

SECTION 2. The jurisdiction acquired by any court under the provisions of section one shall, in all towns which now or hereafter have a trial justice resident and holding court therein, be exclusive of such trial justice only as to matters without the jurisdiction of a trial justice, and concurrent with the trial justice as to all matters within his jurisdiction.

Time of taking effect.

SECTION 3. This act shall take effect on the first day of October, nineteen hundred and seventeen. Nothing herein shall affect any suit or proceeding, civil or criminal, pending before any trial justice or court at the time when this act takes effect, and such trial justice or court may continue to exercise jurisdiction thereof. *Approved May 25, 1917.*

Chap.303 AN ACT RELATIVE TO THE DISTRIBUTION OF THE ESTATES OF PERSONS DYING INTESTATE.

Be it enacted, etc., as follows:

R. L. 140, § 3, etc., amended.

SECTION 1. Clause Third of section three of chapter one hundred and forty of the Revised Laws, as amended by chapter two hundred and fifty-six of the acts of the year nineteen hundred and five, is hereby further amended by striking out the first paragraph of said clause and inserting in place thereof the following: Third, If the deceased leaves no issue, the surviving husband or wife shall take the remaining real and personal property if the combined value thereof does not exceed the sum of five thousand dollars, and the probate court upon petition of any party in interest, and after notice, upon such evidence as it may deem necessary, shall determine the value thereof. If the remaining real and personal property exceeds the sum of five thousand dollars, the surviving husband or wife shall take five thousand dollars and one half of the personal property then remaining

Distribution of estates of persons dying intestate.

and one half of the remaining real property. If the personal property is insufficient to pay said five thousand dollars, the deficiency shall, upon the petition of any party in interest, be paid from the sale or mortgage, in the manner provided for the payment of debts or legacies, of any interest of the deceased in real property which he could have conveyed at the time of his death; and such surviving husband or wife shall be permitted, subject to the approval of the court, to purchase at any such sale, notwithstanding the fact that she or he is the administrator of the estate of such deceased person. A further sale or mortgage of any real estate of the deceased may later be made to provide for any deficiency still remaining.

SECTION 2. This act shall take effect on the first day of September in the year nineteen hundred and seventeen. Time of taking effect.

Approved May 25, 1917.

AN ACT TO ESTABLISH THE SALARY OF THE ASSISTANT DISTRICT ATTORNEY FOR THE NORTHERN DISTRICT. Chap.304

Be it enacted, etc., as follows:

The annual salary of the assistant district attorney for the northern district shall be twenty-six hundred dollars. Assistant district attorney for the northern district, salary established.

Approved May 25, 1917.

AN ACT TO REGULATE FOREIGN CORPORATIONS ENGAGED IN THE BUSINESS OF WRECKING OR SALVAGING IN THE NAVIGABLE WATERS OF THE COMMONWEALTH. Chap.305

Be it enacted, etc., as follows:

SECTION 1. It shall be unlawful for any foreign corporation to engage in the business of wrecking or salvaging in the navigable waters of the commonwealth without first obtaining a license therefor from the commission on waterways and public lands, and filing a bond with the said commission. The license shall be granted upon the payment of a fee, not exceeding twenty-five dollars, to be fixed by the commission, and it shall be good for one year from the date of its issue. The bond shall run to the treasurer and receiver general, shall be for such amount as shall be fixed by, and shall have sureties satisfactory to, the said commission, and shall be conditioned upon payment by the licensee of such amounts as shall lawfully be due to any person for damage to person or property caused by any act of the corporation, its agents or servants, in this commonwealth. Foreign corporations engaged in wrecking or salvaging business to be licensed, etc.

Penalty.

SECTION 2. Violation of any provision of this act shall be punished by a fine of not less than fifty nor more than three hundred dollars for each offence.

Not to impair any right, etc., derived from federal government.

SECTION 3. This act shall not be construed to impair any right or authority derived from, or exercised under, any law of the United States, or any right, license or privilege lawfully granted by any department thereof.

Approved May 25, 1917.

Chap.306 AN ACT RELATIVE TO THE SALE OF ESTATES SUBJECT TO REMAINDERS.

Be it enacted, etc., as follows:

R. L. 127, § 28, amended.

SECTION 1. Section twenty-eight of chapter one hundred and twenty-seven of the Revised Laws is hereby amended by inserting before the word "contingent", in the first line, the words:—vested or, —and by striking out the words "who has an estate in possession of such land", in the fourth line, and inserting in place thereof the words:—having an estate or interest therein, either present or future, vested or contingent, — so as to read as follows:—*Section 28.* If land is subject to a vested or contingent remainder, executory devise or power of appointment, the probate court for the county in which such land is situated may, upon the petition of any person having an estate or interest therein, either present or future, vested or contingent, and after notice and other proceedings as hereinafter required, appoint one or more trustees and authorize him or them to sell and convey such land or any part thereof in fee simple, if such sale and conveyance appears to the court to be necessary or expedient, or to mortgage the same, either with or without a power of sale, for such an amount, on such terms and for such purposes as may seem to the court judicious or expedient; and such conveyance or mortgage shall be valid and binding upon all parties.

Sale of land subject to vested or contingent remainder, etc.

Repeal.

SECTION 2. Section twenty-nine of said chapter one hundred and twenty-seven, as amended by section one of chapter one hundred and eight of the acts of the year nineteen hundred and fourteen, is hereby repealed.

R. L. 127, § 30, amended.

SECTION 3. Section thirty of said chapter one hundred and twenty-seven is hereby amended by striking out the words "the two preceding sections", in the first and second lines, and inserting in place thereof the words:—section twenty-eight, — so as to read as follows:—*Section 30.*

Notice of a petition under the provisions of section twenty-eight shall be given, in such manner as the court may order, to all persons who are or who may become interested in the land to which the petition relates, and to all persons whose issue, not in being, may become interested therein; and the court shall of its own motion in every case appoint a suitable person to appear and act therein as the next friend of all minors, persons not ascertained, and persons not in being, who are or may become interested in such land; and the provisions of sections twenty-three and twenty-four of chapter one hundred and forty-five, which are not inconsistent herewith, shall apply in the case of such appointment.

Proceedings on such petition.

SECTION 4. Section thirty-one of said chapter one hundred and twenty-seven is hereby amended by striking out the words "or twenty-nine", in the second line, so as to read as follows:— *Section 31.* A trustee who is appointed under the provisions of section twenty-eight shall give bond in such form and for such amount as the court appointing him may order, and he shall receive and hold, invest or apply the proceeds of any sale or mortgage made by him for the benefit of the persons who would have been entitled to the land if such sale or mortgage had not been made, and the probate court of any county in which any part of such land is situated shall have jurisdiction of all matters thereafter arising relative to such trust.

R. L. 127, § 31, amended.

Bond, duties, etc., of trustees making the sale or mortgage.

SECTION 5. This act shall take effect on the first day of September in the year nineteen hundred and seventeen.

When to take effect.

Approved May 25, 1917.

AN ACT RELATIVE TO THE TAKING EFFECT OF CERTAIN ORDERS, RULES AND REGULATIONS.

Chap. 307

Be it enacted, etc., as follows:

SECTION 1. Every commission, board or official vested by law with the power to make and issue rules and regulations general in scope, and to be observed or performed under penalty for the violation thereof, shall file attested copies thereof, together with a citation of the law by authority of which the same purport to have been issued, with the secretary of the commonwealth, and such rules and regulations shall not take effect until so filed. Nothing herein contained shall be deemed to apply to rules and regulations issued by commissions, boards or officials of

Rules, etc., made by state commissions, etc., not to take effect until copies are filed with secretary of the commonwealth.

Act not to apply to cities or towns, etc.

cities or towns, or to municipal ordinances or by-laws, or to rules and regulations affecting solely the internal management or discipline of a commission or board, nor to orders or decrees made in specific cases within the jurisdiction of a commission, board or official.

Rules, etc., to be void unless filed within six months, etc.

SECTION 2. Every such order, rule or regulation now in effect shall, within six months after the passage of this act, be filed in accordance with the provisions of section one, and in default of such filing shall become null and void.

To be published in public document form.

SECTION 3. The secretary of the commonwealth shall annually, and oftener if he deems it necessary, publish as a public document all orders, rules and regulations filed with him under the provisions hereof, together with such indexes and references to preceding rules and regulations as may be necessary.

Act, how to apply.

SECTION 4. This act shall apply to orders, rules and regulations issued by a commission, board or official whether or not they require the approval of the governor and council, or other authority, before taking effect.

Approved May 25, 1917.

Chap.308 AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF LITTLE HOG AND CALF ISLANDS IN BOSTON HARBOR.

Be it enacted, etc., as follows:

United States may acquire Little Hog and Calf islands in Boston harbor.

SECTION 1. The consent of the commonwealth of Massachusetts is hereby granted to the United States of America to acquire by purchase or condemnation Little Hog and Calf islands in Boston harbor, the same to be used for the purposes of national defence.

Jurisdiction of the commonwealth.

SECTION 2. Jurisdiction over the said islands is hereby granted and ceded to the United States, but upon the express condition that this commonwealth shall retain a concurrent jurisdiction with the United States, in and over the islands so acquired, in so far that all civil processes, and such criminal processes as may issue under the authority of this commonwealth against any person or persons charged with crimes committed without the said islands, may be executed thereon in the same manner as though this consent and cession had not been granted. *Approved May 25, 1917.*

AN ACT RELATIVE TO SALES OF REAL ESTATE OF DECEASED PERSONS. *Chap.309*

Be it enacted, etc., as follows:

SECTION 1. Upon any petition by an executor or administrator to sell real estate of a deceased person, if it shall appear that a surviving husband is or may be entitled to an estate of curtesy, or a surviving wife to an estate of dower in the premises to be sold, the probate court may, if the petitioner so requests, and after notice, license him to sell the same free and clear of any such interest or claim on the part of the surviving husband or wife. One third of the proceeds of the sale shall thereupon be set apart for the period during which such curtesy or dower may be claimed, and if a claim is duly made therefor the court shall appoint a trustee to administer the same in accordance with the provisions of section thirty-seven of chapter two hundred and seventy-nine of the General Acts of the year nineteen hundred and seventeen, unless the parties in interest shall otherwise agree upon a division of the proceeds without the appointment of a trustee, and the probate court shall have power to approve of any such agreement on the part of the executor or administrator.

Sales of real estate of deceased persons.

SECTION 2. This act shall take effect on the first day of September in the year nineteen hundred and seventeen.

When to take effect.

Approved May 25, 1917.

AN ACT TO AUTHORIZE THE HOMESTEAD COMMISSION TO PROVIDE HOMESTEADS FOR CITIZENS. *Chap.310*

Be it enacted, etc., as follows:

SECTION 1. The homestead commission is hereby authorized, with the consent of the governor and council, to take or purchase in behalf of and in the name of the commonwealth, a tract or tracts of land for the purpose of relieving congestion of population and providing homesteads, or small houses and plots of ground, for mechanics, laborers, wage earners of any kind, or others, citizens of this commonwealth; and may hold, improve, subdivide, build upon, sell, repurchase, manage and care for such land and the buildings constructed thereon, in accordance with such terms and conditions as may be determined upon by the commission.

Homestead commission authorized to provide homesteads for citizens.

Land, etc.,
acquired, may
be sold, etc.

SECTION 2. The commission may sell land acquired hereunder, or any parts thereof, with or without buildings thereon, for cash, or upon such instalments, terms and contracts, and subject to such restrictions and conditions as may be determined upon by the commission, but no tract of land shall be sold for less than its cost, including the cost of any buildings thereon. All proceeds from the sale of land and buildings or other sources shall be paid into the treasury of the commonwealth.

May expend
not exceeding
\$50,000.

SECTION 3. The homestead commission is hereby authorized to expend a sum not exceeding fifty thousand dollars for the purposes of this act.

SECTION 4. This act shall take effect upon its passage.

Approved May 25, 1917.

Chap.311 AN ACT RELATIVE TO THE MANNER OF RENDERING THE
"STAR SPANGLED BANNER."

Be it enacted, etc., as follows:

Manner of ren-
dering the
"Star Spangled
Banner"
regulated.

SECTION 1. It shall be unlawful in this commonwealth to play, sing or render the "Star Spangled Banner" in any public place, theatre, motion-picture hall, restaurant or cafe, or at any public entertainment, other than as a whole and separate composition or number, without embellishment or addition in the way of national or other melodies, or to play, sing or render the "Star Spangled Banner", or any part thereof as dance music, as an exit march or as part of a medley of any kind.

Penalty.

SECTION 2. Any violation of this act shall be punished by a fine of not more than one hundred dollars.

Approved May 25, 1917.

Chap.312 AN ACT TO PROVIDE FOR THE BETTER PROTECTION OF THE
LOBSTER INDUSTRY.

Be it enacted, etc., as follows:

Taking of
lobsters
regulated.

SECTION 1. No person either as principal, agent, or employee shall at any time catch or take lobsters from any waters within the jurisdiction of the commonwealth, or place, set, keep, maintain, supervise, lift, raise, or draw in or from the said waters, or cause to be placed, set, kept, maintained, supervised, lifted, raised, or drawn in or from the said waters any pot, trap, or other contrivance designed

for, or adapted to, the taking of lobsters, unless licensed so to do as hereinafter provided.

SECTION 2. The clerk of any city or town in the counties of Essex, Middlesex, Suffolk, Norfolk, Plymouth, Barnstable, Bristol, Dukes or Nantucket, situated on the shores of this commonwealth, shall, in the manner and subject to the provisions hereinafter set forth, grant licenses to catch or take lobsters from the waters of the commonwealth within three miles of the county within which the city or town granting the license is situated. Such a license shall be granted to any applicant who has resided in the commonwealth for a period of at least one year next preceding the date of the same. Non-residents transiently or temporarily residing in any city or town granting such licenses may, during the months of June, July, August and September in each year, upon payment of the fee hereinafter provided, procure a license to take lobsters for consumption of the licensee and his family only. Applications for licenses shall be made on special forms provided by the board of commissioners on fisheries and game. Licenses, except those granted to non-residents, shall expire on the thirty-first day of October next succeeding the granting of the same unless sooner revoked as hereinafter provided. The city or town clerk granting a license, shall collect therefor a fee of one dollar, which shall be paid to the treasurer and receiver general on the first Monday of every month. Upon the granting of a license hereunder, the city or town clerk shall forthwith forward to the board of commissioners on fisheries and game the name and address of the licensee, the number of the license and the date of its expiration.

Licenses may be granted in certain counties.

License fee, etc.

An applicant for a license under the provisions of this act shall state the color scheme or other special markings of the buoys to be used by him which shall be set forth in his license, and all buoys used by him shall be marked accordingly.

Buoys to have special markings.

A person licensed hereunder within the county of Norfolk shall have the right to fish in the waters of the two adjoining counties.

Norfolk county licensees granted certain rights.

SECTION 3. A licensee hereunder shall at all times while acting in pursuance of the license exhibit his license upon the demand of any commissioner, deputy commissioner or local fish and game warden.

Licensee to exhibit license at all times, etc.

SECTION 4. The conviction for a second time of a person licensed hereunder of catching short lobsters, or taking seed

Penalty for second conviction, etc.

lobsters, or of interfering with the pots or gear of any other fisherman shall render his license void, and the same shall immediately be surrendered to the officer who secured the conviction, and the person so convicted shall not be entitled to receive another license for a period of one year from the date of such conviction: *provided, however*, that no person licensed under the provisions of this act shall lose his license unless more than two per cent in count of the lobsters in his possession are short lobsters.

Proviso.

Licensee to file report of catch, etc.

SECTION 5. A licensee hereunder shall, before receiving a new license, file a report of his catch of the previous year with the city or town clerk, who shall forthwith forward the same to the board of commissioners on fisheries and game, and the commissioners in their annual report shall state the number of licenses granted under the provisions of this act, and the names of the licensees.

Penalty.

SECTION 6. Any violation of the provisions of section one of this act shall be punished by a fine of not less than ten dollars.

Repeal.

SECTION 7. Chapter two hundred and sixty-five of the acts of the year nineteen hundred and nine is hereby repealed.

When to take effect.

SECTION 8. This act shall take effect on the first day of November in the year nineteen hundred and seventeen.

Approved May 25, 1917.

Chap.313 AN ACT TO AUTHORIZE THE COMMISSION ON MENTAL DISEASES TO ACQUIRE AN ADDITIONAL WATER SUPPLY FOR THE GRAFTON STATE HOSPITAL.

Be it enacted, etc., as follows:

Grafton state hospital, additional water supply.

SECTION 1. The commission on mental diseases, for the purpose of supplying the Grafton state hospital with pure water for domestic and other purposes, may take, or acquire by purchase or otherwise, and hold, the waters of any pond or stream, or of any ground sources of supply, by means of driven, artesian or other wells within the limits of the town of Grafton, and the water rights connected with any such water sources, and may also take, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of the lands owned by the commonwealth: *provided, however*, that no source of water supply

Proviso.

and no lands necessary for preserving the quality of the water shall be taken or used without first obtaining the advice and approval of the state department of health, and that the situation of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of the state department of health.

SECTION 2. Said commission may construct on lands acquired under the provisions of this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any lands, water courses, railroads, railways, and public or other ways, and along such ways in the towns of Northborough, Westborough and Grafton in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said commission may dig up or raise and embank lands, highways or other ways, in such manner as to cause the least hindrance to public travel on such ways, and all things done upon any such way shall be subject to the direction of the selectmen of the town in which the way is situated. Said commission shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or in case of failure to so agree, as may be approved by the public service commission.

Construction of dams, reservoirs, etc.

May lay pipes, etc.

Not to enter upon railroad location, except, etc.

SECTION 3. Said commission shall, within ninety days after the taking of any lands, rights of way, water rights, water sources or easements, under the provisions of this act, file and cause to be recorded in the registry of deeds for the county of Worcester, a description thereof sufficiently specific for identification, with a statement of the purposes for which the same were taken duly signed by the commission.

Description of lands, etc., taken to be recorded.

SECTION 4. The commonwealth shall pay all damages sustained by any person or corporation by the taking of any land, right of way, water, water source, water right or ease-

Damages, how assessed and determined.

ment, or by any other thing done by said commission under the authority of this act. Any person or corporation sustaining damages as aforesaid and failing to agree with the commission as to the amount thereof may have the damages assessed and determined in the manner provided by law in the case of land taken for laying out highways, on application at any time within the period of two years from the taking of such land or other property or the doing of other injury under the authority of this act; but no such application shall be made after the expiration of said two years, and no assessment for damages shall be made for the taking of any water, water right, or any injury thereto, and the said period of two years shall not begin to run, until the water is actually withdrawn or diverted by said commission under the authority of this act.

Penalty for
polluting
water, etc.

SECTION 5. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by the commonwealth for the purposes of this act shall forfeit and pay to the commonwealth three times the amount of damages assessed therefor to be recovered in an action of tort; and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for a term not exceeding six months.

May expend a
certain sum,
etc., for pur-
poses of the
act.

SECTION 6. For the purpose of carrying out the provisions of this act, the said commissioners are authorized to expend a sum not exceeding one hundred and five thousand dollars, to be paid out of the treasury of the commonwealth from the ordinary revenue.

SECTION 7. This act shall take effect upon its passage.
Approved May 25, 1917.

Chap. 314 AN ACT TO AUTHORIZE THE METROPOLITAN WATER AND SEWERAGE BOARD TO SELL AND DELIVER WATER TO CONCENTRATION CAMPS ESTABLISHED BY THE UNITED STATES.

Be it enacted, etc., as follows:

Metropolitan
water and
sewerage board
may sell, etc.,
water to
United States
concentration
camps.

SECTION 1. The metropolitan water and sewerage board is authorized to sell and deliver water from any of the reservoirs or aqueducts of the metropolitan water system to any concentration camp established in this commonwealth by the United States, and to lay and maintain such pipe lines and other works as may be necessary for the purpose, upon

such terms and conditions as may be agreed upon by the duly authorized officer or representative of the United States government and said board.

SECTION 2. The provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five and acts in amendment thereof shall apply to this act.

Certain provisions of law to apply.

SECTION 3. This act shall take effect upon its passage.

Approved May 25, 1917.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW BRIDGE OVER THE MONATIQUOT RIVER IN THE TOWN OF BRAINTREE.

Chap.315

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby directed, within eighteen months after the passage of this act, subject to the provisions of chapter ninety-six of the Revised Laws, of the amendments thereof, and of all other general laws which may be applicable, to remove the existing bridge or bridges and to construct a new bridge with suitable approaches, substantially replacing the present bridge over Monatiquot river, so-called, on Quincy avenue in the town of Braintree, at an expense not exceeding one hundred and ten thousand dollars. The said bridge shall be constructed with a draw having an opening not less than fifty feet wide, and shall be of such width, grade, material and construction as said board of commissioners shall deem necessary or proper.

Norfolk county commissioners may construct new bridge over Monatiquot river in Braintree.

SECTION 2. The cost and expenses incurred hereunder shall in the first instance be paid by the county of Norfolk, and the county commissioners are hereby directed to borrow on the credit of the county such sums of money as may from time to time be required therefor. All money so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all moneys borrowed and expended including interest.

Commissioners to keep separate account of moneys borrowed, etc.

SECTION 3. The said county commissioners are hereby authorized to make all contracts which may be necessary for the construction of said bridge: *provided, however*, that no contract so made shall be valid until it is approved by the governor and council.

Contracts to construct bridge. Proviso.

May acquire certain property or property rights, etc.

SECTION 4. The said commissioners are hereby authorized to take in fee simple, or to acquire by purchase or otherwise, any lands with the structures thereon or any property or property rights, including the location of any street railway company, which in their judgment may be required in the building of said bridge.

Damages, how determined.

SECTION 5. The said commissioners shall estimate and determine all damages that may be sustained by any person or corporation by the taking of land or other property, or injury thereto, as aforesaid; but any person or corporation aggrieved by their determination may have his or its damages assessed by a jury in the manner provided by law with respect to damages sustained by reason of the laying out of highways: *provided, however*, that if the street railway company or companies now owning or operating the street railway across said river at said bridge shall receive a location for a single track railway on the bridge to be built under this act, the location on the new bridge shall be accepted as full compensation for loss of the present bridge and railway location across said river.

Proviso.

Detailed statement of cost, etc., to be filed.

SECTION 6. When the said bridge and approaches are completed and the full cost and expenses of the same, including the damages if any, awarded under the preceding section, are ascertained, the county commissioners shall file in the office of the clerk of the superior court for the county of Norfolk their report of the fact, together with a detailed statement of the amount of the cost and expenses; whereupon, and upon the application of the county commissioners or of any party interested, and after such notice as the said court may order, the court shall appoint a board of three commissioners, none of whom shall be a resident of or have his usual place of business in the county of Norfolk or in the county of Plymouth. The said commissioners shall be sworn to the faithful discharge of their duties, and, after proper notice and a full hearing of all parties interested, shall assess the amount paid out by the county of Norfolk, including interest paid on moneys borrowed under the authority of section two of this act, in such manner and proportion as they shall deem just and equitable upon the counties of Plymouth and Norfolk, the city of Quincy, the towns of Weymouth and Braintree, such street railway corporation as shall have a location upon the new bridge, and such other counties, cities, towns and quasi public corporations as they shall determine to be specially benefited by

Court to appoint board to assess amounts to be paid by counties, etc., benefited by the bridge.

the bridge, and shall return their award into the said court. When the award has been accepted by the court, it shall be a final adjudication of all matters referred to said commissioners, and shall be binding on all parties named therein; and such proceedings may be had to enforce the judgment or decree of the court, and to carry into effect the provisions of this act as are provided by law in civil cases in the said court. The counties, cities, towns and corporations so assessed shall, within such time and in such manner as said commissioners shall determine, pay into the treasury of the county of Norfolk the amount assessed upon them, with interest.

Award to be final adjudication, etc.

SECTION 7. The commissioners appointed under section six of this act, and the county commissioners shall severally receive such pay for their services and expenses hereunder as shall be approved by a justice of the said court; and the amount so allowed shall be added to and made a part of the cost of the bridge.

Amount allowed for services, etc., to be added to cost of bridge.

SECTION 8. The maintenance and repair of said bridge, including the operation of the draw, shall be in the charge of the selectmen of the towns of Weymouth and Braintree. The cost of maintaining the bridge and of keeping the same in repair, including the cost of operating the draw therein, shall be borne, and in the same proportions, by those who pay the original cost of the bridge as provided in section six of this act.

Maintenance and repair of bridge.

SECTION 9. This act shall take effect upon its passage.

Approved May 25, 1917.

AN ACT TO AUTHORIZE THE METROPOLITAN PARK COMMISSION TO PAY CERTAIN CLAIMS ARISING FROM THE TAKINGS OF LAND FOR A BOULEVARD FROM QUINCY TO QUINCY SHORE RESERVATION.

Chap. 316

Be it enacted, etc., as follows:

SECTION 1. The metropolitan park commission is hereby authorized to expend a further sum not exceeding eight thousand dollars for the satisfaction of claims arising out of takings of land in Quincy for the extension of a parkway or boulevard from Hancock street in that city to Quincy shore reservation, as authorized by chapter six hundred and ninety-nine of the acts of the year nineteen hundred and twelve.

Metropolitan park commission may pay certain claims for land taken for boulevard in Quincy.

SECTION 2. For the purpose aforesaid, the treasurer and receiver general is hereby authorized, with the approval of

May issue bonds, etc.

Metropolitan
Parks Loan,
Series Two.

the governor and council, to issue, in behalf of the commonwealth and under its seal, bonds or certificates of indebtedness, either registered or with interest coupons attached, to an amount not exceeding eight thousand dollars, for a term not exceeding eight years. Said securities shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually, shall be designated on their face, Metropolitan Parks Loan, Series Two, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the commonwealth; and the principal and interest thereof shall be paid at the time specified therein, in gold coin of the United States or its equivalent. The said securities shall be issued upon the serial payment plan, in accordance with the provisions of chapter three of the acts of the year nineteen hundred and twelve.

SECTION 3. This act shall take effect upon its passage.
Approved May 25, 1917.

Chap.317 AN ACT RELATIVE TO THE DISTRIBUTION OF THE TAX ON INCOMES FOR THE YEAR NINETEEN HUNDRED AND EIGHTEEN.

Be it enacted, etc., as follows:

Distribution of
tax on incomes
for 1918 to cities
and towns.

On or before the fifteenth day of November in the year nineteen hundred and eighteen the treasurer and receiver general shall pay to each city or town an amount equal to the difference between the amount of the tax levied upon personal property in such city or town in the year nineteen hundred and sixteen and the amount, computed by the tax commissioner, that would be produced by a tax upon the personal property actually assessed in such city or town for the year nineteen hundred and eighteen at the same rate of taxation as prevailed therein in the year nineteen hundred and sixteen. If the amount of taxes collected from incomes shall exceed the sum necessary to make such payments, the balance shall be distributed among the several cities and towns in proportion to the amount of the state tax imposed upon each of them in the year nineteen hundred and eighteen: *provided*, that of the aforesaid excess the commonwealth shall retain a sum sufficient to reimburse it for the expenses incurred under this act during the year nineteen hundred and eighteen, and abated taxes repaid hereunder during that year. In years subsequent to nine-

Proviso.

General court
to determine

teen hundred and eighteen, the taxes collected under this act shall be distributed as the general court may determine. distribution subsequent to 1918.

Approved May 25, 1917.

AN ACT TO PROVIDE FOR THE COMPULSORY ATTENDANCE AND TESTIMONY OF WITNESSES IN CERTAIN INVESTIGATIONS HELD BY THE ATTORNEY-GENERAL. Chap.318

Be it enacted, etc., as follows:

SECTION 1. If it appears to the attorney-general that there is cause to investigate any alleged violation of law by reason of monopolies, unlawful discriminations or combinations, or other unlawful practices in restraint of trade, he may require by summons the attendance and testimony of witnesses and the production of books and papers before him relating to any such matter under investigation. Such summonses may be issued by the attorney-general or by any of his assistants. They shall be served in the same manner as summonses for witnesses in criminal cases issued on behalf of the commonwealth, and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under this act, so far as they are applicable. Such witnesses shall, before testifying, be sworn by the attorney-general or by an assistant designated by him. Witnesses may be summoned to attend and testify in certain investigations held by the attorney-general.

SECTION 2. Any justice of the supreme judicial court or of the superior court may, upon application of the attorney-general, compel the attendance of witnesses and the giving of testimony before the attorney-general in the same manner and to the same extent as before said courts. Justices of certain courts may compel attendance of witnesses.

SECTION 3. The provisions of this act shall be and continue in force only so long as the present state of war exists. Act to continue in force during the present war.

Approved May 25, 1917.

AN ACT TO ESTABLISH THE SALARIES OF THE JUSTICE AND CLERK OF THE SECOND DISTRICT COURT OF EASTERN MIDDLESEX. Chap.319

Be it enacted, etc., as follows:

The second district court of eastern Middlesex shall be included in Class E as defined in section one of chapter four hundred and fifty-three of the acts of the year nineteen hundred and four, as amended by section one of chapter three hundred and twenty-five of the acts of the year nineteen hundred and six, and shall cease to be included in Salaries of justice and clerk of the second district court of eastern Middlesex established.

Class F as defined in section one of said chapter four hundred and fifty-three, as amended by section two of said chapter three hundred and twenty-five and by section one of chapter one hundred and twenty-eight of the acts of the year nineteen hundred and seven.

Approved May 25, 1917.

Chap.320 AN ACT TO ESTABLISH THE SALARY OF THE CHIEF DEPUTY SHERIFF OF MIDDLESEX COUNTY.

Be it enacted, etc., as follows:

1916, 133 (G),
amended.

Salary of chief
deputy sheriff
of Middlesex
county estab-
lished.

SECTION 1. Chapter one hundred and thirty-three of the General Acts of the year nineteen hundred and sixteen is hereby amended by adding at the end thereof the following: — He shall be paid the sum of twenty-one hundred dollars a year, payable in equal monthly instalments by the county of Middlesex, — so as to read as follows: — The sheriff of the county of Middlesex may appoint one of the court officers of the superior court to act as chief deputy sheriff for attendance on the superior court of said county. Such officer, under the orders of the sheriff, and in addition to his regular duties as a court officer, shall supervise, direct and assign the officers of the said court. He shall hold his office subject to the provisions of chapter one hundred and thirty-four of the acts of the year nineteen hundred and twelve. He shall be paid the sum of twenty-one hundred dollars a year, payable in equal monthly instalments by the county of Middlesex.

To take effect
upon accept-
ance by Mid-
dlesex county
commissioners.

SECTION 2. This act shall take effect upon its acceptance by the board of county commissioners of the county of Middlesex, on or before the first day of December of the current year.

Approved May 25, 1917.

Chap.321 AN ACT TO ESTABLISH THE MASSACHUSETTS BUREAU OF IMMIGRATION.

Be it enacted, etc., as follows:

Massachusetts
bureau of im-
migration
established.

SECTION 1. The Massachusetts Bureau of Immigration is hereby established to consist of five persons, to be appointed by the governor with the advice and consent of the council, for terms of one, two, three, four and five years, respectively, from the first day of June, nineteen hundred and seventeen, as the governor may specify. One member shall be a woman, and at least two members shall by nativity

or descent be of the races most largely represented in the immigration to Massachusetts during the ten years preceding their appointment. Thereafter, as the term of any member expires, the governor shall annually appoint, in like manner, one member for the term of five years. He shall fill any vacancy for the unexpired term, and may remove any member for cause with the approval of the council. The governor shall designate one member to serve as chairman who may be known as the director of immigration. All of the members shall serve without compensation, but they shall be reimbursed for expenses necessarily incurred in the performance of their duties, and they shall be furnished with suitable quarters in the state house. The bureau may appoint an executive secretary, clerks and other assistants, and may pay them such salaries and may incur such other expenses, including travelling expenses, not exceeding such sums as may be appropriated therefor by the general court, as it may deem necessary and proper, subject, however, to the approval of the governor and council.

Vacancies.

Chairman and director of immigration.

Appointment of executive secretary, etc.

SECTION 2. It shall be the duty of the bureau to employ such methods, subject to existing laws, as, in its judgment, will tend to bring into sympathetic and mutually helpful relations the commonwealth and its residents of foreign origin, to protect immigrants from exploitation and abuse, to stimulate their acquisition and mastery of the English language, to develop their understanding of American government, institutions and ideals, and generally to promote their assimilation and naturalization. For the above purposes, the bureau shall have authority to co-operate with other officers, boards, bureaus, commissions and departments of the commonwealth, and with all public agencies, federal, state or municipal. It shall have authority to investigate the exploitation or abuse of immigrants, and in making any investigation it may require the attendance of witnesses and the production of books and documents relating to the matter under investigation.

Duties of the bureau.

May require witnesses to attend, etc., when making investigations.

SECTION 3. The commission is hereby authorized to expend for the purposes of this act during the current fiscal year a sum not exceeding ten thousand dollars.

Authorized to expend certain sum.

SECTION 4. This act shall take effect upon its passage.

Approved May 25, 1917.

Chap.322 AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A WATER MAIN IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON BY THE METROPOLITAN WATER AND SEWERAGE BOARD.

Be it enacted, etc., as follows:

New water main for East Boston.

SECTION 1. The metropolitan water and sewerage board is hereby authorized to construct a new thirty-six inch water main about eighteen hundred feet in length to provide an additional supply of water for the East Boston district of the city of Boston.

May issue bonds.

SECTION 2. To meet the expenses incurred under the provisions of this act, the treasurer and receiver general shall issue from time to time, upon the request of said board, bonds in the name and behalf of the commonwealth and under its seal, designated on the face thereof Metropolitan Water Loan, Act of 1917, to an amount not exceeding thirty thousand dollars, to be taken from the unexpended balance of the amount authorized by chapter six hundred and ninety-four of the acts of the year nineteen hundred and twelve, and the provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, and acts in amendment thereof and in addition thereto, shall, so far as applicable, apply to the indebtedness and proceedings authorized by this act.

Metropolitan Water Loan, Act of 1917.

SECTION 3. This act shall take effect upon its passage.

Approved May 25, 1917.

Chap.323 AN ACT TO AUTHORIZE TEMPORARY INCREASE IN THE COMPENSATION OF CERTAIN EMPLOYEES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Temporary increase in compensation of certain employees of the commonwealth.

SECTION 1. All persons who have been regularly in the employ of the commonwealth from the first day of July in the year nineteen hundred and sixteen, including the pages of the senate and house of representatives appointed in the year nineteen hundred and sixteen, and whose annual compensation in full for all services rendered does not exceed fifteen hundred dollars, shall, until final action shall have been taken upon the report of the governor's council on the standardization of salaries of employees of the commonwealth under the authority of an order adopted in the

senate on the sixteenth day of March and in the house of representatives on the seventeenth day of March in the year nineteen hundred and sixteen, receive additional compensation as hereinafter provided.

SECTION 2. The compensation of all employees who are included in the provisions of section one, except as hereinafter provided, shall, for the period specified therein, be increased twenty per cent from and after the first day of July in the current year, but in no event shall such additional compensation exceed one hundred dollars per year, nor shall the total compensation paid to any employee exceed fifteen hundred dollars per year. The above increase shall be computed upon the compensation which the employee was receiving on the first day of July in the year nineteen hundred and sixteen.

Twenty per cent increase but not to exceed certain amount, etc.

To be computed upon compensation July 1, 1916.

SECTION 3. All persons included in the provisions of section one who are receiving from the commonwealth as a part of their compensation maintenance in full or in part, provided that the amount of compensation which they receive in full for all services in addition to such maintenance does not exceed twelve hundred dollars a year, shall, for the period specified in said section, receive as additional compensation a sum equal to one half the additional compensation provided for by section two. All employees who are receiving as part of their compensation maintenance in whole or in part and whose compensation, other than maintenance, exceeds the sum of twelve hundred dollars a year, shall not be entitled to additional compensation under the provisions of this act.

Amount of additional compensation for certain persons receiving maintenance.

Limitation.

SECTION 4. This act shall not be construed as in any way repealing or abridging any act providing for the increase of compensation of any employees of the commonwealth, including employees whose salaries, under existing provisions of law, are made to increase automatically, by graduated instalments, from year to year, until the maximum therein provided has been reached, but employees who accept additional compensation under the provisions of this act shall not, during such time as they shall continue to receive the additional compensation herein provided for, be entitled to the benefit of any increase in compensation which they may have received since the first day of July in the year nineteen hundred and sixteen, or to which they may hereafter become entitled. But any such employee may at any time elect to receive any increase in compensation to

Act, how to be construed.

which he might otherwise be entitled in lieu of the additional compensation hereby provided for.

SECTION 5. This act shall take effect upon its passage.

Approved May 25, 1917.

Chap.324 AN ACT AUTHORIZING THE GOVERNOR TO INCUR EMERGENCY EXPENSES INCIDENT TO THE EXISTING STATE OF WAR.

Be it enacted, etc., as follows:

Governor may incur war emergency expenses.

SECTION 1. The governor with the consent of the council is hereby authorized to incur expenses not exceeding one million dollars to meet any emergency which may arise during the recess of the general court by reason of the exigencies of the existing state of war.

May issue bonds, etc.

SECTION 2. For the purpose of defraying the said expenses, the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue, in behalf of the commonwealth and under its seal, bonds or certificates of indebtedness, either registered or with interest coupons attached, to an amount not exceeding one million dollars, for a term not exceeding ten years. Such bonds or certificates of indebtedness shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually. They shall be designated on their face, Massachusetts Emergency War Loan, Act of 1917, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the commonwealth; and the principal and interest thereof shall be paid at the time specified therein, in gold coin of the United States or its equivalent. The said bonds or certificates of indebtedness shall be issued upon the serial payment plan, in accordance with the provisions of chapter three of the acts of the year nineteen hundred and twelve.

Massachusetts Emergency War Loan, Act of 1917.

SECTION 3. This act shall take effect upon its passage.

Approved May 25, 1917.

Chap.325 AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A STATE AGRICULTURAL AND INDUSTRIAL BUILDING IN WEST SPRINGFIELD ON THE GROUNDS OF THE EASTERN STATES AGRICULTURAL AND INDUSTRIAL EXPOSITION, INC.

Be it enacted, etc., as follows:

Exposition Building

SECTION 1. For the purpose of providing a suitable and adequate building upon the grounds of the Eastern States

Agricultural and Industrial Exposition, Inc., for the exhibition of the agricultural and industrial products of the commonwealth, a commission is hereby established, to be known as the Exposition Building Commission, which shall consist of the secretary of the state board of agriculture, and two members to be appointed by the governor, with the advice and consent of the council.

Commission established.

SECTION 2. The said commission is hereby authorized to expend a sum not exceeding fifty thousand dollars for the purpose of aiding in the construction of a building upon the said grounds and to make on behalf of the commonwealth all contracts for the construction of said building: *provided*, that they are approved by the governor and council; and *provided, further*, that before any contract is made, the Eastern States Agricultural and Industrial Exposition, Inc., shall have given to the commonwealth such conveyance or lease of land suitable for the proposed building, and subject to such terms and conditions as may be approved by the governor and council, and, *provided, further*, that the fifty thousand dollars authorized by this act shall not be available unless and until the Eastern States Agricultural and Industrial Exposition, Inc., has raised and set apart a sufficient sum to complete the said building.

May expend certain sum, etc.

Provisos.

SECTION 3. No commissioner appointed under this act shall receive any compensation for his services in carrying out its provisions, nor shall he be interested directly or indirectly in any contract made under this act, under penalty of removal from office by the governor and council, and of punishment as provided in section nine of chapter two hundred and ten of the Revised Laws.

No commissioner to receive compensation nor be interested in any contract, etc.

SECTION 4. The said building may be used for the purpose of exhibiting both agricultural and industrial products of the commonwealth, but shall be under the supervision and control of the secretary of the state board of agriculture, and shall be maintained by and at the expense of the commonwealth.

Purpose for which building may be used.

SECTION 5. For the purpose of defraying the expenses incurred under the authority of this act, a sum not exceeding fifty thousand dollars is hereby appropriated to be paid out of the treasury of the commonwealth from the ordinary revenue.

Appropriation for expenses.

Approved May 25, 1917.

Chap. 326 AN ACT RELATIVE TO THE APPOINTMENT, COMPENSATION AND JURISDICTION OF TRIAL JUSTICES.

Be it enacted, etc., as follows:

R. L. 161, §§ 6, 9, 10, amended.

Trial justices, appointment, etc.

Number.

Authority to receive complaints, etc.

SECTION 1. Chapter one hundred and sixty-one of the Revised Laws is hereby amended by striking out sections six, nine and ten, and inserting in place thereof the following new sections:—*Section 6.* The governor, with the advice and consent of the council, may from time to time designate and commission justices of the peace as trial justices in the towns hereinafter named, and may at any time revoke such designation. *Section 9.* One such trial justice may be designated and commissioned in each of the following-named towns and in no other: Ludlow, Hardwick, Barre, Hudson, Hopkinton, Saugus, Nahant, Marblehead, North Andover, Andover, Methuen and Nantucket. *Section 10.* The said trial justices shall have authority to receive complaints, issue warrants and try criminal cases within the towns where they are resident at the time when they are appointed and commissioned, except that the trial justices resident in Barre and Hardwick shall have concurrent jurisdiction of offences committed in the towns of New Braintree and Oakham.

Repeal.

SECTION 2. Section twenty-eight of chapter twenty-four of the Revised Laws, sections eleven, twelve, thirteen and fourteen, as amended by section twenty-four of chapter five hundred and forty-four of the acts of the year nineteen hundred and two, fifteen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, fifty-two and fifty-eight of chapter one hundred and sixty-one of the Revised Laws, and section five of chapter two hundred and four of the Revised Laws, as amended by section two of chapter thirty-eight of the acts of the year nineteen hundred and thirteen, are hereby repealed.

R. L. 161, § 16, amended.

Where causes may be heard.

SECTION 3. Section sixteen of chapter one hundred and sixty-one of the Revised Laws is hereby amended by striking out all after the word "place", in the third line, so as to read as follows:—*Section 16.* Actions before trial justices may be heard and determined at their dwelling houses or at any other convenient and suitable place.

R. L. 161, § 28, amended.

SECTION 4. Said chapter one hundred and sixty-one is hereby amended by striking out section twenty-eight and

inserting in place thereof the following:— *Section 28.* Trial justices may within the towns for which they are appointed receive complaints and issue warrants against persons charged with crime except as is otherwise provided by law. They may receive complaints and issue warrants in cases occurring within their respective towns which are outside their jurisdiction and yet within the jurisdiction of a police, district or municipal court of the county, making the same returnable to that one of said courts having jurisdiction of the offence alleged to have been committed. They may take bail in all such cases and receive the statutory fees therefor. They may take bail in all cases of which they have jurisdiction, but shall receive no fee therefor except in cases where the defendants are admitted to bail within the hours of six o'clock P.M. and nine o'clock A.M.

Trial justices may issue warrants, etc.

May take bail, etc.

SECTION 5. Said chapter one hundred and sixty-one is hereby amended by striking out section forty-nine and inserting in place thereof the following:— *Section 49.* They shall keep a record of all their judicial proceedings. They shall safely preserve all dockets and records of their judicial proceedings and other official papers in their custody, shall keep them open, under proper regulations, to public inspection and examination, and shall furnish copies thereof upon request and upon payment of such fees as are allowed in similar cases to clerks of courts.

R. L. 161, § 49, amended.

Records and copies thereof.

SECTION 6. Section fifty-one of said chapter one hundred and sixty-one is hereby amended by striking out the words "civil or criminal", in the second line, so as to read as follows:— *Section 51.* They may adjourn their courts in all cases on trial before them to any other time or place as occasion may require, except as provided in section thirty-four of chapter two hundred and seventeen.

R. L. 161, § 51, amended.

Adjournment of courts.

SECTION 7. Section fifty-three of said chapter one hundred and sixty-one is hereby amended by striking out all after the word "themselves", in the third line, so as to read as follows:— *Section 53.* They shall not be retained or employed as attorneys before any court, upon appeal or otherwise, in any suit or action previously determined before themselves.

R. L. 161, § 53, amended.

Not to be employed as attorneys, etc.

SECTION 8. Section fifty-six of said chapter one hundred and sixty-one is hereby amended by striking out all after the word "papers", in the fourth line, so as to read as follows:— *Section 56.* If the commission of a trial justice expires without renewal, or is terminated by resignation, change of

R. L. 161, § 56, amended.

Completion of unfinished business.

domicile or revocation, he may finish any business which has been commenced or is pending before him and certify copies of his records and papers.

May file
criminal cases.

SECTION 9. Trial justices shall have the same right to file criminal cases which is now given by statute to police, district or municipal courts.

Salaries of
trial justices.

SECTION 10. The several trial justices in the towns herein named shall receive a salary, to be paid by the county in which the respective towns are situated, on the basis of the following-named sums for each year or portion thereof of their respective commissions: — Trial justice of the town of Ludlow, five hundred dollars; trial justice of the town of Hardwick, two hundred and fifty dollars; trial justice of the town of Barre, three hundred dollars; trial justice of the town of Hudson, five hundred dollars; trial justice of the town of Hopkinton, one hundred dollars; trial justice of the town of Saugus, six hundred dollars; trial justice of the town of Nahant, twelve hundred dollars; trial justice of the town of Marblehead, one thousand dollars; trial justice of the town of North Andover, three hundred dollars; trial justice of the town of Andover, five hundred dollars; trial justice of the town of Methuen, one thousand dollars; and trial justice of the town of Nantucket, three hundred and fifty dollars.

Certain trial
justices to
continue to
act, etc., until,
etc.

SECTION 11. Trial justices now residing in any town named in section ten, shall, until the expiration of the term of office for which they were respectively commissioned, continue to act as such in their respective towns under the provisions of this act.

Time of taking
effect.
Act not to
affect pending
suits, etc.

SECTION 12. This act shall take effect on the first day of October, nineteen hundred and seventeen. Nothing in this act shall affect any suit or proceeding, civil or criminal, pending before any trial justice or court at the time when this act takes effect, and such trial justice or court may continue to exercise jurisdiction thereof.

Approved May 25, 1917.

AN ACT TO CODIFY, REVISE AND AMEND THE LAWS RELATING TO THE MILITIA. Chap. 327

Be it enacted, etc., as follows:

PART I.

1. *Definitions.*

SECTION 1. This act shall be known as The Militia Law. In this act except as is otherwise provided herein the word "soldier", or the words "enlisted man", shall include musicians and all persons, except commissioned officers, in the volunteer or reserve militia, including both land and naval forces; and the word "company" shall include battery, troop and naval division.

"Soldier",
"enlisted
man", and
"company"
defined.
R. L. 16, § 1.
1905, 465, § 1.
1908, 604, § 1.

2. *Unorganized Militia.*

SECTION 2. Every able-bodied male citizen, and every able-bodied male of foreign birth who has declared his intention to become a citizen, resident within this commonwealth, of the age of eighteen years and under the age of forty-five years, except persons exempted by section three, shall be enrolled in the militia. In all cases of doubt respecting the age of a person enrolled, the burden of proof shall be upon him.

Persons to be
enrolled in the
militia.
R. L. 16, § 2.
1905, 465, § 2.
1908, 604, § 2.

SECTION 3. All persons exempted from military service by the laws of the United States shall be exempt from enrollment in the militia.

Exemptions.
R. L. 16,
§§ 3, 6.
1905, 465,
§§ 3, 6.

SECTION 4. Every person of the religious denomination of Quakers or Shakers, if conscientiously scrupulous of bearing arms, shall, if such conscientious belief is established as provided by the laws of the United States, be exempt from service in the militia in a combatant capacity.

Same subject.
R. L. 16, § 4.
1905, 465, § 4.
1908, 604, § 4.

SECTION 5. The militia shall consist of two classes, namely, the organized militia, to be known as the Massachusetts volunteer militia, composed and organized as hereinafter provided; and the remainder, to be known as the unorganized militia. The unorganized militia shall be subject to no active duty except in case of war, actual or threatened, invasion, the prevention of invasion, the suppression of riots, and the assisting of civil officers in the execution of the laws.

Organized and
unorganized
militia.
R. L. 16, § 7.
1905, 465, § 7.
1908, 604, § 7.

Assessors' lists
for enrollment.
R. L. 16, § 8.
1905, 465, § 8.
1908, 604, § 8.

SECTION 6. Assessors shall annually, in April or May, make a list of persons living within their respective limits liable to enrollment, and shall place a certified copy thereof in the hands of the clerks of their respective cities and towns, who shall place it on file with the records of such city or town, and annually, in May, June or July, transmit returns of the militia thus enrolled to the adjutant general.

Tavern keepers,
etc., to give
names, etc.
R. L. 16, § 9.
1905, 465, § 9.
1908, 604, § 9.

SECTION 7. Keepers of taverns or boarding houses, and masters and mistresses of dwelling houses, shall, upon application of the assessors, or of persons acting under them, give information of the persons residing in their houses, liable to enrollment or to military service and every such person shall, upon like application, give his name and age. Any such keeper, master, mistress violating the provisions of this section shall forfeit twenty dollars, and any person liable to enrollment or to military service guilty of such violation shall forfeit twelve dollars, to be recovered on complaint of any of the assessors.

Calling out
of unorganized
militia.
R. L. 16, § 10.
1905, 465, § 10.
1908, 604, § 10.

SECTION 8. When it is necessary to call out any part of the unorganized militia for active duty, the commander-in-chief shall direct his order to the mayor and aldermen or to the selectmen, who shall forthwith, by written order or oral notice to each individual, or by proclamation, appoint a time and place for the assembling of the unorganized militia in their city or town, and shall then and there draft as many thereof, or accept as many volunteers, as are required by the order of the commander-in-chief, and shall forthwith forward to him a list of the persons so drafted or accepted as volunteers.

Muster of
same, etc.
R. L. 16, § 11.
1905, 465, § 11.
1908, 604, § 11.

SECTION 9. The part of the unorganized militia so drafted or accepted shall immediately be mustered under the orders of the commander-in-chief into the service of the commonwealth for three years, or for such less period as he may direct, and shall be organized into new units, or assigned to organizations of the volunteer militia already existing. Such new organizations shall be officered, equipped, trained and governed according to the laws for the government of the volunteer militia. Elections shall forthwith be ordered in such new organizations by the commander-in-chief, who may detail officers to train and command them until the officers-elect shall have qualified as required by law. Every member of the unorganized militia who volunteers or is detached or drafted, who does not appear to be mustered in as required by the orders of the commander-in-chief, and has

not some proper substitute at such time and place, and does not produce a sworn certificate, from a physician in good standing, of physical disability so to appear, shall be taken to be a deserter, and dealt with accordingly.

3. *Volunteer or Organized Militia.*

SECTION 10. The active or organized militia shall be composed of volunteers, and shall be designated the Massachusetts volunteer militia.

Active militia, designation. R. L. 16, § 22. 1905, 465, § 22. 1908, 604, § 15.

SECTION 11. (a) The Massachusetts volunteer militia shall comprise the staff of the commander-in-chief, the land forces and the naval forces.

Organization and provisions applicable. 1908, 604, § 18 (a).

(b) Sections one to seventy-seven, inclusive, shall apply to all persons, including all parts of the volunteer militia and the unorganized militia.

(c) Sections seventy-eight to one hundred and ninety-three, inclusive, shall not apply to the naval forces (including an officer of the naval forces detailed as aide on the staff of the commander-in-chief) or to such part of the unorganized militia as may under sections eight and nine be called out for active service as a part of the naval forces, but shall apply to all other persons.

(d) Sections one hundred and ninety-four to two hundred and sixty-seven, inclusive, shall not apply to the staff of the commander-in-chief, except an aide detailed from the naval forces, or to the land forces, or to such part of the unorganized militia as may under sections eight and nine be called out for active service as a part of the land forces, but shall apply to all other persons.

(e) Parts I and II constitute the militia law for the land forces, and Parts I and III constitute the militia law for the naval forces.

4. *Commander-in-Chief (Powers and Duties).*

SECTION 12. The commander-in-chief is empowered to raise volunteer companies or detachments, as he may deem necessary, or when they are needed to maintain the forces of the commonwealth at the strength and of the composition required or permitted by law.

Commander-in-chief may raise volunteer companies. R. L. 16, § 25. 1905, 465, § 25. 1908, 604, § 32.

1915, 289 (G), § 3.

SECTION 13. The commander-in-chief may transfer companies from one regiment to another regiment as he deems for the best interests of the service.

May transfer companies.

May prescribe organization, etc.
1907, 356, § 1.
1908, 604, § 26.
1915, 289 (G), § 2.

Proviso.

SECTION 14. The commander-in-chief may from time to time prescribe in orders the organization of the Massachusetts volunteer militia, and the numbers, titles, grades and duties of all officers and enlisted men as the interests of the service, in his opinion, from time to time demand: *provided, however*, that the organization shall not conflict with the laws of the United States relating to the organized militia. He shall, subject to the constitution and laws of the commonwealth, prescribe how such officers and enlisted men shall be elected or appointed to office or to specific duty.

May prescribe number mounted, etc.
1907, 305, § 1.
1908, 604, § 30.

SECTION 15. The commander-in-chief may from time to time, by order, prescribe the number of officers and enlisted men to be mounted, and the number of animals to be allowed for militia use.

May disband inefficient company.
R. L. 16, § 33.
1905, 465, § 36.
1908, 604, § 33.

SECTION 16. The commander-in-chief may, subject to the laws of the United States, disband any company of the volunteer militia which falls below the proper standard of efficiency.

May order out for escort duty, etc.

SECTION 17. The commander-in-chief may order out any part of the volunteer militia for escort and other duties.

R. L. 16, § 137.

1905, 465, § 143.

1908, 604, § 160.

May exclude traffic from highways, etc.
1912, 147.

SECTION 18. The governor, under such regulations as he may prescribe, with the consent of the council, may exclude traffic from highways during target practice or maneuvers of the Massachusetts volunteer militia, whenever he deems that the convenience or safety of the public so requires.

May make regulations, publish militia law, etc.
R. L. 16, § 171.
1905, 465, § 177.
1906, 504, § 14.
1908, 604, § 193.

SECTION 19. The commander-in-chief may make regulations for the government of the militia in accordance with law, and may publish the same with a sufficient index. The commander-in-chief shall cause copies of this act, with such amendments as may be made from time to time, to be published for the information and use of the volunteer militia, with a sufficient index for every such publication, and copies sufficient for the proper supply of the several commands of the volunteer militia shall be printed and issued by the adjutant general.

May transfer organizations, etc.
1916, 127 (G), § 1.

SECTION 20. The governor, with the advice and consent of the council, is hereby authorized and empowered to transfer any or all organizations, departments or staff corps of the Massachusetts volunteer militia to such United States volunteer military or naval force, other than the regular army or navy, as the congress of the United States may at any time authorize, and commission or enlistment in such United States force shall entitle officers and men to an honorable discharge from the Massachusetts volunteer

militia; but no organization shall be transferred by the governor to such United States force if a majority of the officers and enlisted men of the organization shall by vote reject such proposed transfer within thirty days after notice to the commanding officer of the organization by the governor of his proposal to transfer the organization. Nothing in this act shall be construed to affect the right of any officer to be retired under the provisions of this act, and any officer or enlisted man of any organization that has been transferred to such United States force, who does not elect to enter the said force, shall be entitled to receive an honorable discharge from the Massachusetts volunteer militia, if such discharge would not contravene any law of the United States.

SECTION 21. The governor, with the advice and consent of the council, may lease to, or permit to be used by, any United States volunteer military or naval force, authorized by the congress of the United States, any military or naval property belonging to the commonwealth, upon such terms and conditions as will fully protect the commonwealth against expense.

May lease property to United States, etc.
1916, 127 (G), § 2.

5. *Staff of Commander-in-Chief.*

SECTION 22. The staff of the commander-in-chief shall be appointed by him and shall consist of:

One adjutant general with the grade of colonel;

Two aides-de-camp, each with the grade of captain;

Eight aides-de-camp, to be detailed annually from the commissioned officers of the Massachusetts volunteer militia, but not to be relieved from duty with their organizations while serving in that capacity.

In case of war, actual or threatened, the commander-in-chief may appoint such additional staff officers as the service may require, with such grade, not higher than that of colonel, as he may designate, and he may delegate to or confer on such staff officers such authority and duties as he may deem proper.

The staff officers aforesaid, excepting the detailed aides-de-camp, shall be commissioned and hold office until their successors are appointed and qualified, but they may be removed at any time by the commander-in-chief.

No person shall be eligible to appointment on the staff of the commander-in-chief unless he has served at least six years in the volunteer militia of the commonwealth, at least two years of which shall have been as a commissioned

Governor's staff, appointment.
R. L. 16, § 36.
1905, 465, § 39.
1908, 604, § 42.
1910, 299, § 1.
1912, 268, § 1.
1916, 284 (G), § 5.
Composition, etc.
R. L. 16, § 12.
1905, 465, § 12.
1907, 526, § 1.
1908, 604, § 12.
1912, 720, § 1.
1914, 460, § 1.

officer, or has had equivalent service in the army or navy of the United States, or in the organized militia of other states.

Appointment
in absence of
chief of staff
corps.

During the absence or disability of the chief of any staff corps or department, or when he is called into the service of the United States, the commander-in-chief may in orders designate some officer to perform his duties.

Military council
and naval
militia bureau.

The commander-in-chief may detail from the officers of the land forces a military council which, subject to his authority, shall determine the policies of the land forces; and he may appoint or detail from the officers of the naval forces a naval militia bureau in the department of naval militia which, subject to his authority, shall determine the policies of the naval forces.

The adjutant general shall be, ex officio, a member of the military council, and of the naval militia bureau in the department of naval militia.

Adjutant
general and
department of
naval militia.
R. L. 16, § 13.
1905, 465, § 13.
1908, 604, § 13.
1916, 284 (G),
§ 1.

SECTION 23. The adjutant general shall be charged with carrying out the policies of the commander-in-chief and the military council as to the land forces, and shall issue orders in the name of the commander-in-chief. The department of naval militia shall be charged with carrying out the policies of the commander-in-chief as to the naval forces, and shall issue orders under the authority of the commander-in-chief. Except in those cases where by law or regulations specific powers are conferred on the adjutant general as such, he shall have no authority independently of the commander-in-chief, from whom his orders shall be considered as emanating, and the acts of the adjutant general and the department of naval militia shall be regarded as in execution of the orders of the commander-in-chief.

All orders and instructions, and all regulations for the government of the militia and of the officers and enlisted men therein, shall be issued by and communicated to the commands and individuals in the military service through the adjutant general and the department of naval militia.

The adjutant general shall make such returns and reports as may be prescribed by the commander-in-chief or required by the laws or regulations of the commonwealth or of the United States.

Adjutant
general and
assistants,
salaries.
R. L. 16, § 14.
1902, 336, § 14.
1904, 439.
1905, 465, § 14.
1908, 604, § 14.

SECTION 24. The adjutant general shall receive a salary of thirty-six hundred dollars a year. An adjutant general, rank of lieutenant colonel, adjutant general's department, shall receive a salary of eighteen hundred dollars a year. The adjutant general may employ such clerks and other

assistants as may be necessary in his department, the expense thereof not to exceed the amount annually appropriated therefor.

1910, 348, § 1.
1912, 593, § 1.
1913, 710, § 1.
1917, 92 (G), § 1.

6. *Aid to Civil Power.*

SECTION 25. The commander-in-chief shall call out the volunteer militia to repel an invasion or to suppress an insurrection made or threatened. If such invasion, insurrection or imminent danger thereof is so sudden that the commander-in-chief cannot be informed and his orders seasonably received and executed, a brigade commander in that part of the commonwealth may order out his brigade, or any part thereof.

Volunteer militia called out in case of invasion or insurrection.
R. L. 16, § 120.
1905, 465, § 124.
1908, 604, § 141.

SECTION 26. In case of a tumult, riot, mob or a body of persons acting together by force to violate or resist the laws of the commonwealth, or when such tumult, riot or mob is threatened, or in case of public catastrophe when the usual police provisions are inadequate to preserve order and afford protection to persons and property, and the fact appears to the commander-in-chief, to the sheriff of a county, to the mayor of a city or to the selectmen of a town, the commander-in-chief may issue his order, or such sheriff, mayor or selectmen may issue a precept, directed to any commander of a brigade, regiment, naval brigade or battalion, battalion, squadron, corps of cadets or company, within the jurisdiction of the officer issuing such order or precept, directing him to order his command, or any part thereof, to appear at a time and place therein specified to aid the civil authority in suppressing such violations and supporting the laws; which precept shall be in substance as follows:

Call of militia in case of tumult, riot, etc.
R. L. 16, § 121.
1905, 465, § 125.
1908, 604, § 142.
1915, 289 (G), § 6.

COMMONWEALTH OF MASSACHUSETTS.

To (insert the officer's title) *A.B.*, commanding (insert his command).

Precept.

Whereas, It appears to (the sheriff, mayor or the selectmen) of the (county, city or town) of _____, that (here state one or more of the causes above mentioned) in our _____ of _____, and that military force is necessary to aid the civil authority in suppressing the same: Now, therefore, we command you that you cause (the command or such part thereof as may be desired), armed and equipped with ammunition and with proper officers, to parade at _____, on _____

then and there to obey such orders as may be given according to law. Hereof fail not at your peril, and have you there this precept with your doings returned thereon.

How signed.

This precept shall be signed by the sheriff, mayor or selectmen, and may be varied to suit the circumstances of the case; and a copy of the same shall immediately be forwarded by the sheriff, mayor or selectmen to the commander-in-chief.

Duty of commander of unit.
R. L. 16, § 122.
1905, 465, § 126.
1908, 604, § 143.

SECTION 27. The officer to whom the order of the commander-in-chief or brigade commander, or a precept as aforesaid, is directed shall forthwith order the troops therein called for to parade at the time and place appointed, and shall immediately notify the commander-in-chief of his order, in the most expeditious manner, and also by letter through the usual military channels.

Penalty for disobedience.
R. L. 16, § 123.
1905, 465, § 127.
1908, 604, § 144.

SECTION 28. If an officer refuses or neglects to obey such order or precept, or if any officer or soldier neglects or refuses to obey an order issued in pursuance thereof, he shall be punished as a court-martial may direct.

Troops to appear armed, etc.
R. L. 16, § 124.
1905, 465, § 128.
1908, 604, § 145.

SECTION 29. Such troops shall appear at the time and place appointed, armed, equipped, and with ball ammunition, and shall obey and execute such orders as they have received, or such additional orders as they may then and there or thereafter receive from the commander-in-chief, or from an officer or magistrate acting under the provisions of section twenty-five or twenty-six.

Additional orders to be in writing when practicable.
1905, 465, § 129.
1908, 604, § 146.

SECTION 30. Whenever it is practicable all orders issued under the provisions of section twenty-nine shall, at the request of the officers to whom they are addressed, be in writing and shall be signed by the officers or magistrates issuing the same. Such orders shall set forth the purpose to be accomplished by the military officer to whom they are addressed, but shall not prescribe the military measures to be used or the orders to be issued by said officer, who shall use such measures and issue such orders as he shall deem necessary to accomplish the purpose indicated.

No liability for acts under orders.
1905, 465, § 130.
1908, 604, § 147.

SECTION 31. No officer or soldier shall be liable, either civilly or criminally, for any injury to persons or property caused by him or by his order, while he is serving under the provisions of section twenty-five or twenty-six and is acting in obedience to and in execution of such orders as he may have received from the person or persons and in the manner prescribed by this act, unless the act or order causing such

injury was manifestly beyond the scope of the authority of such officer or soldier.

SECTION 32. If a company without officers is ordered to march, or if a detachment is ordered therefrom, the commander of the regiment, battalion, squadron, naval brigade, naval battalion, or corps shall detail an officer to command, who shall have the same authority and responsibility as the commanding officer of such company.

Detail of commander of company, etc., without officers.
R. L. 16, § 125.
1905, 465, § 131.
1908, 604, § 148.

SECTION 33. When the entire organized militia has been called out under section twenty-five or twenty-six, and a further force is required, it shall be taken from the unorganized militia, as provided in section eight. 1908, 604, § 150.

Additional force to be taken from unorganized militia.
R. L. 16, § 127.
1905, 465, § 133.

SECTION 34. No officer or soldier of the volunteer militia, not on leave of absence or furlough, shall be excused from duty when called or ordered out under section twenty-five or section twenty-six, except upon a physician's certificate of disability. If an officer or soldier is absent without leave and does not produce such certificate to his commanding officer, he shall be tried by court-martial for desertion, or absence without leave. Sickness shall not be an excuse unless he procures a certificate or satisfies the court-martial that he was unable to procure the same.

Excuse from duty, and punishment for absence without leave.
R. L. 16, § 149.
1905, 465, § 155.
1908, 604, § 172.

7. *Armories, Rifle Ranges and Drill Fields.*

SECTION 35. The mayor and aldermen, or the selectmen, shall provide for each command of the volunteer militia, or detachment thereof, not provided with an armory of the first class, and permanently stationed within the limits of their respective cities and towns, an armory, including a suitable hall for the purpose of drill, and suitable rooms annexed thereto for the meetings of the command, for administrative work, and for the safe keeping of military property; and shall also provide for each headquarters permanently located within their said limits, suitable rooms for administrative work, for the assembling of officers for instruction, and for the safe keeping of military property; and they shall provide for every such armory and headquarters the necessary fuel, lights, water, telephone service, janitor service and necessary repairs, or shall make a reasonable allowance therefor. Any city or town failing to comply with the provisions of this section shall forfeit yearly to the commonwealth a sum not exceeding five thousand dollars;

Cities and towns to provide armories and headquarters.
R. L. 16, § 105.
1905, 465, § 110.
1906, 504, § 9.
1907, 526, § 2.
1908, 604, § 127.

and any amount so forfeited shall be credited to the armory appropriation for the fiscal year in which the forfeiture occurs.

SECTION 36. Where two or more commands of the volunteer militia are permanently stationed in the same city or town, the mayor and aldermen, or the selectmen, may, if it be practicable, provide for such commands a suitable hall for drill, to be used by them in common: *provided*, that in every other respect the provisions of section thirty-five are complied with. When it is practicable, the rooms provided for a headquarters shall be in an armory provided for its command, or for any of the units thereof. When a company is formed by men residing in different cities or towns, the permanent location of its armory shall be determined by vote of a majority of its members, subject to the approval of the adjutant general.

SECTION 37. For each armory or headquarters located in a building not exclusively devoted to the use of the volunteer militia, provided and maintained by a city or town in compliance with the provisions of section thirty-five or section thirty-six, there shall annually be allowed and paid by the commonwealth the following amounts, which shall be in full for rental and for all other charges of maintenance: for an armory provided for one company, a sum not exceeding nine hundred dollars; for each additional company quartered therewith, a sum not exceeding four hundred dollars; for each headquarters located in a building wherein are quartered no other troops, a sum not exceeding four hundred dollars; for each headquarters located in the same building with other troops, a sum not exceeding two hundred dollars; for a detachment from any command, such amount as may be determined by the adjutant general, which amount shall be deducted from the total amount allowed by law for armory rental and maintenance at the home station of the command of which such detachment forms a part. Armories provided and maintained under the provisions of this section shall be designated and known as armories of the third class.

SECTION 38. The mayor and aldermen, or the selectmen, shall provide and maintain for each command of the volunteer militia or detachment thereof permanently stationed within the limits of their respective cities and towns suitable grounds for parade, drill and small arms practice, unless such grounds have been furnished for such command by the commonwealth. Any city or town failing to comply with

Location of armories and headquarters in certain cases.

R. L. 16, §§ 113, 115.
1905, 465, §§ 117, 119.
1906, 504, § 9.
1907, 526, § 3.
1908, 604, § 128.
Proviso.

Allowances to cities and towns for armories and headquarters in buildings not exclusively occupied by the militia.

1906, 504, § 9.
1908, 604, § 129.

Parade grounds, etc.

R. L. 16, § 114.
1905, 465, § 118.
1906, 504, § 9.
1907, 526, § 4.
1908, 256, §§ 1, 2.
1908, 604, § 130.

this provision shall forfeit yearly to the commonwealth a sum not exceeding five thousand dollars, which shall be credited to the appropriation for small arms practice for the fiscal year in which the forfeiture occurs. When two or more commands of the volunteer militia are permanently stationed in the same city or town, the mayor and aldermen or the selectmen may, if it be practicable, provide for such commands suitable grounds for parade, drill and small arms practice, to be used by them in common. Land for drill and parade grounds and for ranges for small arms practice may be acquired by purchase, taking or lease. The mayor of any city or the selectmen of any town so purchasing or taking land shall cause a plan and description thereof to be filed in the registry of deeds for the county and district in which the land is situated; and such filing and the date thereof shall be notice to all persons of the purchase or taking; and the title to lands so purchased or taken shall vest in the city or town. In case land is taken under authority hereof and the parties are unable to agree upon the damages, either party may file in the superior court within two years after the date of recording the taking, as above provided, a petition asking that the damages be assessed; and thereupon the damages shall be assessed in the manner provided for the assessment of damages in the case of land taken for laying out highways. Cities and towns in which headquarters, commands, or detachments of the volunteer militia are permanently stationed may raise money by taxation or otherwise for the purpose of acquiring land for drill and parade grounds or ranges for small arms practice or for the purpose of complying with the provisions of sections thirty-five and thirty-nine.

SECTION 39. For each armory maintained by a city or town in a building constructed or provided for the exclusive use and occupancy of the volunteer militia, no part thereof being devoted to any other purpose except in accordance with the later provisions of this section or with those of section forty-eight, there shall annually be allowed and paid by the commonwealth the following amounts: for the rental of an armory in which are quartered not more than two companies, an amount not exceeding twelve hundred dollars, and further sums not exceeding four hundred dollars for each company, and two hundred dollars for each headquarters, quartered in the armory in addition to the two companies first named; but the aggregate sum allowed as rental for the armory

Allowances to cities and towns for armories occupied by the militia.
 1905, 465, § 122.
 1906, 504, § 9.
 1907, 526, § 5.
 1908, 604, § 131.

shall not exceed four per cent of the total cost thereof, including the amounts paid for both land and building; for all other expenses of the maintenance of an armory maintained under the provisions of this section in which are quartered not more than two companies, a sum not exceeding six hundred dollars, and further sums not exceeding one hundred dollars for each company and fifty dollars for each headquarters, in addition to the two first named companies and quartered in the same building therewith. Armories constructed or provided and maintained under the provisions of this section shall be designated and known as armories of the second class. Cities and towns constructing or maintaining armories of the second class, as herein provided, may by enlargements thereof or additions thereto, in accordance with plans approved by the chief quartermaster, provide rooms for municipal or town offices. The cost of such additions or enlargements shall be ascertained to the satisfaction of the chief quartermaster, and allowances for rent of such armories, so far as the same may be based upon the cost thereof, shall exclude the cost of such additions or enlargements. The amount to be allowed to a corps of cadets shall be determined by the commander-in-chief, but shall not exceed the allowance which would be made in the aggregate to a regiment and the headquarters thereof, when quartered in an armory of the second class.

Armory
commissioners,
appointment,
etc.
R. L. 16, § 106.
1905, 465, § 111.
1906, 504, § 9.
1907, 526, § 6.
1908, 604, § 132.

SECTION 40. The governor, with the advice and consent of the council, shall appoint a commissioner, who, together with the adjutant general and the chief quartermaster, shall be armory commissioners. The adjutant general shall serve without compensation; the chief quartermaster and the commissioner shall receive such pay for duty performed as the commander-in-chief shall order. In addition to these three persons, the senior officer of the troops to be quartered in any armory shall be a consulting armory commissioner during the period of the construction of the armory, but shall have no vote as such commissioner and shall serve without compensation other than reimbursement for expenses actually incurred in the performance of his duty.

Chief quarter-
master to have
care, etc., of
armories.

The armory commissioners shall have full supervision and control of the construction of all armories erected by the commonwealth, and on the completion and acceptance of any such armory the care and maintenance thereof, as well as the care and maintenance of all armories belonging to the commonwealth, shall devolve upon the chief quartermaster.

SECTION 41. The armory commissioners shall rebuild, remodel or repair armories of the first class which have been injured or destroyed by fire, and may reconstruct, remodel, enlarge or otherwise improve existing state armories, if, in their judgment, the needs of the service so require, and shall construct additional armories until the volunteer militia shall be provided with adequate quarters. The armory commissioners shall designate the location of armories so to be constructed and shall thereupon acquire by purchase, or otherwise, suitable lots of land in the respective cities and towns designated, and shall erect, furnish and equip thereon armories sufficient for one or more companies of militia, and for such other commands or headquarters thereof permanently stationed in any such city or town as they may deem necessary; but no land shall be acquired and no buildings shall be erected, reconstructed, remodeled or enlarged until the site and plans thereof, respectively, and the total cost to be authorized therefor, have been approved by the governor and council. The said commissioners shall cause to be recorded in the registry of deeds for the county and district in which the land lies a description of the land so taken, as certain as is required in an ordinary conveyance of land, with a statement signed by the commissioners that it is taken for the commonwealth; and thereupon title to the land so taken shall vest in the commonwealth. The act and time of filing the said description shall be the act and time of taking such land, and notice to all persons that the same has been so taken.

Construction, etc., of armories. R. L. 16, §§ 107, 108. 1904, 371, § 1. 1905, 391, § 1. 1905, 465, §§ 112, 113. 1906, 504, § 9. 1907, 526, § 7. 1908, 604, § 133. 1909, 323, § 1. 1912, 665, § 1.

The armory commissioners may, by agreement with the owner of the land taken, determine the value thereof, and, in default of such agreement, either party may have a jury in the superior court to determine the value in the manner provided for the determination of damages for land taken for laying out highways, if the petition therefor is filed in the clerk's office of the superior court for the county in which the land lies within one year after the taking. The amount determined by agreement or by verdict as the value of any property so purchased or taken shall be paid from the treasury of the commonwealth upon the execution of such a release or conveyance as shall be prescribed by the attorney-general.

Determination of value of land taken, etc.

The armory commissioners may, with the approval of the governor and council, take by right of eminent domain, purchase or lease land suitable for parade and drill grounds or for ranges for target practice until the volunteer militia is

Taking of land for drill grounds, ranges, etc. 1913, 812, § 1.

adequately provided with parade and drill grounds and ranges for target practice. The methods of taking land for this purpose and the manner of determining the value of the land so taken shall be the same as are set forth in this section for the taking of land for the site of an armory.

Erection of buildings, etc.

Upon land so acquired the armory commissioners may, with the approval of the governor and council, erect such building or buildings as may be needed for the use of the militia.

Purchase of armories of the second class.
1907, 526, § 8.
1908, 604, § 134.

SECTION 42. The armory commissioners may, by agreement with the mayor and aldermen of any city or the selectmen of any town in which is located an armory of the second class, determine the value of the land and buildings, and upon the approval of such agreement by the governor and council may purchase the said armory for and in the name of the commonwealth, and thereupon title to the land and buildings so purchased shall vest in the commonwealth.

Purchase of certain armories.

The armory commissioners may, by agreement with the owners of the armory of the first corps of cadets in the city of Boston and of the armory of company E, fifth regiment, in the city of Medford, determine the value of the land and buildings, and upon the approval of such agreement by the governor and council may purchase for and in the name of the commonwealth either or both of said armories.

Purchase of drill grounds, etc.
1913, 812, § 2.

The armory commissioners may, by agreement with the mayor and aldermen of any city or the selectmen of any town which holds title to a drill and parade grounds or a target range, determine the value of such drill and parade ground or target range and upon approval of such agreement by the governor and council may purchase such drill and parade ground or target range for and in the name of the commonwealth, and thereupon title to the land and buildings so purchased shall vest in the commonwealth.

Armory loan bonds.
R. L. 16, § 109.
1905, 465, § 114.
1906, 504, § 9.
1907, 526, § 9.
1908, 604, § 135.

SECTION 43. To meet the expenses incurred under the preceding two sections, the treasurer and receiver general is hereby empowered, with the approval of the governor and council, to issue, in behalf of the commonwealth and under its seal, bonds or certificates of indebtedness, either registered or with interest coupons attached, for terms not exceeding thirty years. Such bonds or certificates of indebtedness shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually. They shall be designated on their face, Armory Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of

the commonwealth; and the principal and interest thereof shall be paid at the time specified therein in gold coin of the United States or its equivalent. The said bonds or certificates of indebtedness shall be issued upon the serial payment plan in accordance with the provisions of chapter three of the acts of the year nineteen hundred and twelve.

SECTION 44. Armories built or purchased by the armory commissioners under the provisions of former or existing laws, and armories built or purchased by them under the provisions of this act, shall be designated and known as armories of the first class.

Armories of the first class.
1906, 504, § 9.
1907, 526, § 10.
1908, 604, § 136.

SECTION 45. When any armory of the first or second class or any parade and drill ground or range for target practice is furnished by the commonwealth in any city or town, the adjutant general shall notify the city or town in which such armory, parade and drill ground or range for target practice is situated, and thereupon all the obligations of said city or town, under sections thirty-seven, thirty-eight and forty of this act, and all allowances and payments by the commonwealth for rent, shall cease, as to the organizations quartered in said armory, or using said parade and drill ground or said range for target practice.

Cities and towns to be relieved of certain obligations.
1907, 526, § 11.
1908, 604, § 137.
1913, 812, § 3.

All armories taken, purchased or erected under the provisions of this act shall be under the control of the commander-in-chief, and shall be cared for and maintained by the commonwealth, and the necessary expenditures for care and maintenance shall be made subject to the approval of the chief quartermaster.

Armories of first class to be under control of commander-in-chief.
Duties of chief quartermaster.
R. L. 16, § 111.
1905, 465, § 116.
1906, 504, § 9.

SECTION 46. The mayor and aldermen of a city, or the selectmen of a town, providing an armory or armories, or headquarters, for the use of the volunteer militia, shall annually on or before the first day of February make returns thereof to the chief quartermaster on blank forms to be provided by him. All statements contained therein shall be sworn to by at least two members of the board of aldermen or by two of the selectmen. All such returns shall give the designation and location of each armory or headquarters, the name of each command or headquarters therein quartered, the rental paid or charged for the same, and, when it is so required by the chief quartermaster under the classification of such armories or headquarters, the expenses incurred in heating, lighting and repairing the same, in furnishing water, telephones and janitor service, as well as the aggregate cost of the land and building. The chief quartermaster shall ex-

Cities and towns to make annual returns to chief quartermaster.
R. L. 16, §§ 118, 119.
1903, 457, §§ 1, 2.
1905, 465, §§ 122, 123.
1906, 504, § 9.
1907, 526, § 12.
1908, 604, § 138.

amine each return so made and shall allow or disallow, in whole or in part, the sums so returned, his decision being subject to review and amendment by the commander-in-chief. He shall, not later than March first of each year, file with the auditor his certificate, stating the sum allowed for each armory, the name of the command or headquarters occupying the same, and the city or town making the return, and thereupon he shall notify the mayor or the selectmen of the sum allowed, which shall be paid to such city or town; but no return received by the chief quartermaster after the first day of February shall be allowed.

Commanding officer to have control of armory, etc.
 R. L. 16, § 117.
 1905, 465, § 121.
 1906, 504, § 9.
 1907, 526, § 13.
 1908, 604, § 139.

SECTION 47. Every officer whose command occupies, or assembles or drills in any armory, drill hall or building used according to law for that purpose shall have control of such premises during the period of occupation, subject to the orders of his superior officers, and any person who intrudes contrary to his orders or to the orders of his superior officers, or who interrupts, molests, obstructs or insults the troops or any of them so occupying such premises, may be ejected, forcibly, if necessary, or may be dealt with as provided in sections fifty-five and fifty-six for like offences, at the discretion of such officer or of his superior officers; but in armories of the second and third classes reasonable inspection of the premises may be made by the mayor and aldermen or by the selectmen, or by the owners of the premises if such inspection is according to the terms of the lease.

Use of armories limited.
 Temporary use for public purposes.
 R. L. 16, § 116.
 1905, 298, §§ 1, 2.
 1905, 465, § 120.
 1906, 469, § 1.
 1906, 504, § 9.
 1907, 526, § 14.
 1908, 604, § 140.
 1914, 752, § 1.
 1915, 31 (G), § 1.
 Proviso.

SECTION 48. (a) Armories provided for the militia shall be used only by the volunteer militia for such military purposes or purposes incidental thereto as may be designated by the commander-in-chief: *provided, however*, that the commander-in-chief, upon terms and conditions to be prescribed by him and upon an application approved by the military custodian of an armory, may allow the temporary use of such armory for public purposes at such times and in such manner as not to interfere with the military use thereof. The compensation for every such temporary use shall be fixed by the armory commissioners subject to the approval of the commander-in-chief, and shall, except as is otherwise provided herein, be at least sufficient to cover all expenses of lighting, heating, guarding and cleaning the armory, and similar expenses, and shall be paid to the military custodian of the armory before the occupation of the armory for such temporary use. The compensation as fixed shall be collected by the military custodian and forwarded to the adjutant general, who shall pay

the same into the treasury of the commonwealth at least once in every thirty days.

As used in this section the words "public purposes" shall include: —

A public meeting or hearing held by a state department or commission.

An examination conducted by the state civil service commission.

A meeting of an organization composed of veterans of the civil or Spanish wars, a board of trade, a chamber of commerce or an occupational organization, or a meeting to raise funds for any non-sectarian charitable or non-sectarian educational purpose.

A meeting to raise funds for a benefit association of policemen or firemen.

Elections, primaries or caucuses, and town meetings.

(b) The commander-in-chief may also, upon terms and conditions to be prescribed by him and upon an application approved by the military custodian, allow the use in such manner as not to interfere with the military use thereof of any one, two, three or four company armories for a meeting or rally of a political or municipal party, as defined by section one of chapter eight hundred and thirty-five of the acts of the year nineteen hundred and thirteen, conducted by the duly constituted local committee of such party, no party to be permitted the use of the same armory more than twice in the same year.

Use for rally of political or municipal party.
1914, 752, § 2.

(c) Upon application to the commander-in-chief, approved by the custodian of an armory, any organization of boys under eighteen years of age, and any student military organizations which conform to the regulations and training prescribed by the commander-in-chief, with a view to preparing the members thereof for military or naval service, shall be permitted to use such armory for military instructions upon the payment of a sum sufficient to cover all expenses occasioned by such use thereof and such use shall be regarded as a military purpose. Upon application to the commander-in-chief and on such terms and conditions as may be prescribed by him, such organizations may be permitted to use, for parade or drill purposes, such grounds owned by the commonwealth as are used by the militia of the city or town in which the organization is located. Such organizations shall reimburse the officer or authority responsible for any damage to or loss of any property or equipment.

Use of armories, drill grounds, etc., by organizations of boys.
1914, 751, § 1.

Compensation for use.
1914, 752, § 2.

(d) Compensation for the use of any armory under subsection (b) or (c) of this section shall be fixed as provided in subsection (a).

Operation of cinematographs, etc., in armories, etc.
1914, 196, § 1.

SECTION 49. An officer or enlisted man of the volunteer militia who has been duly licensed in accordance with the provisions of chapter seven hundred and ninety-one of the acts of the year nineteen hundred and fourteen, may, in any armory or other place permanently occupied by the commonwealth for military purposes, operate any cinematograph or similar apparatus which is owned or controlled by the commonwealth, without obtaining the special license required by chapter four hundred and forty of the acts of the year nineteen hundred and eleven or by chapter two hundred and eighty of the acts of the year nineteen hundred and thirteen: *provided, however*, that all other laws of the commonwealth and the regulations of the district police relative to the use of the cinematograph or similar apparatus shall be complied with.

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8. General Provisions.

Pay not allowed for inspections.
R. L. 16, § 17.
1905, 465, § 17.
1908, 604, § 35.

SECTION 50. Inspections by the inspector or his assistants shall not constitute tours of duty for which state pay will be allowed to the troops inspected.

Penalty for unauthorized wearing of uniforms, etc.
R. L. 16, § 85.
1905, 465, § 90.
1906, 504, § 7.
1908, 604, § 106.
1912, 67.

SECTION 51. Any part of the uniform or insignia of rank prescribed for the officers or enlisted men of the volunteer militia shall be worn only by persons entitled thereto by commission or enlistment under the laws of this commonwealth or of the United States or of another state of the United States. A person violating the provisions of this section shall be punished by a fine of not less than ten nor more than one hundred dollars, on complaint of any officer or enlisted man of the militia.

Street railways, etc., may transport military supplies.
1909, 118.

SECTION 52. All street railway, electric railroad and elevated railway companies within the commonwealth are hereby authorized to transport military supplies and equipment over their respective lines, and from and to any point thereon, subject only to the supervision of the public service commission and to such regulations as it may impose.

Military bands may be excused from camp and substitute duty ordered.
1912, 117.

SECTION 53. Commanding officers of organizations to which are allowed military bands may, with the approval of the commander-in-chief, excuse the members of such bands from performing the annual tours of camp duty with their organizations, or any part of such tours, and at any time thereafter may, with the approval of the commander-in-

chief, order such bands to perform duty from time to time not in excess of the number of days for which they were excused from camp duty, and the members of the bands shall be paid for such duty at the same rate and with the same allowance which they would have received had they performed such duty at camp.

SECTION 54. (a) No parade or voluntary service shall be performed by any company under arms or with state uniform without the approval of the regimental, separate battalion, naval battalion or squadron commander, or, if unattached, of its next superior commander.

No parade without approval.
R. L. 16, § 140.
1905, 465, § 146.
1908, 604, § 163.

(b) Any officer or enlisted man may temporarily be detailed or assigned to duty with commands other than his own command, or he may be detailed for any special duty by competent authority.

Details for temporary or special duty.
1916, 284 (G), § 2.

SECTION 55. Every commanding officer, when on duty, may fix necessary bounds and limits to his parade or encampment, not including a road within such bounds in such manner as to prevent travelling thereon, within which bounds and limits no person shall enter without his leave. Whoever intrudes within the limits of the parade or encampment, after being forbidden, may be ejected, forcibly if necessary, or may be confined under guard during the time of parade or encampment, or during a shorter time, at the discretion of the commanding officer; and whoever resists a sentry may be arrested by order of the commanding officer and dealt with as provided in the next following section.

Bounds of parades or encampments, and punishment for intrusion, etc.
R. L. 16, § 141.
1905, 465, § 147.
1908, 604, § 164.

SECTION 56. Whoever interrupts, molests or insults, by abusive words or behavior, or obstructs any officer or soldier while on duty or at any parade, drill or meeting for military improvement, may immediately be put under guard and kept at the discretion of the commanding officer until the duty, drill, parade or meeting is concluded; and may be delivered into the custody of any police officer or constable of the city or town wherein such duty, parade, drill or meeting is held, who shall detain him in custody for examination or trial before a court having jurisdiction of the place; and any person found guilty of any of the offences enumerated in this section, or in sections forty-seven and fifty-five, or of obstructing or interfering with United States forces or troops or any part of the militia in the exercise or enjoyment of the right of way granted by the following section, shall be punished by imprisonment for not more than six months, or by a fine of not more than one hundred dollars.

Penalty for molesting or insulting troops on duty.
R. L. 16, § 142.
1905, 465, § 148.
1908, 604, § 165.

Troops to have right of way, etc.

R. L. 16, § 143.
1905, 465, § 149.
1908, 604, § 166.

SECTION 57. United States forces or troops, and any part of the militia parading, or performing any duty, according to law, shall have the right of way in any street or highway through which they may pass: *provided*, that the carriage of the United States mails, the legitimate functions of the police, and the progress and operation of fire engines and fire departments shall not be interfered with thereby.

No military duty on election day, except, etc.

R. L. 16, § 146.
1905, 465, § 152.
1908, 604, § 169.

SECTION 58. Except while on duty under section twenty-five or twenty-six, or in obedience to the commander-in-chief, no officer or soldier shall be required to perform military duty on a day appointed for a state election in the city or town in which he resides; and an officer parading his command, or ordering it to parade, contrary to the provisions of this section, shall be liable to trial by court-martial.

Unauthorized drilling forbidden, etc.

R. L. 16, § 147.
1904, 226, § 1.
1905, 465, § 153.
1906, 198, § 1.
1907, 232, § 4.
1908, 604, § 170.
1916, 8 (G), § 1.

SECTION 59. No body of men, except the volunteer militia, the troops of the United States, the Ancient and Honorable Artillery Company of Boston, and the home guard, shall maintain an armory, or associate together at any time as a company or organization, for drill or parade with firearms, nor so drill or parade; nor shall any city or town raise or appropriate money toward arming, equipping, uniforming, supporting or providing drill rooms or armories for any such body of men: *provided*, that associations wholly composed of soldiers honorably discharged from the service of the United States may parade in public with arms, upon the reception of any regiment or company of soldiers returning from said service, and for escort duty at the burial of deceased soldiers, with the written permission of the mayor and aldermen of the city or selectmen of the town in which they desire to parade; that students in educational institutions where military science is a prescribed part of the course of instruction may, with the consent of the governor, drill and parade with firearms in public, under the superintendence of their teachers; that members of schools for military instruction conducted with the approval of the governor, may drill and parade with firearms in public, under the supervision of their instructors; that foreign troops whose admission to the United States has been consented to by the United States government may, with the consent of the governor, drill and parade with firearms in public; and any body of men may, with the consent of the governor, drill and parade in public with any harmless imitation of firearms which has been approved by the adjutant general; that regularly organized posts of the grand

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army of the republic, and regularly organized camps of the united Spanish war veterans, may at any time parade in public their color guards of not more than twelve men armed with firearms; that regularly organized camps of the sons of veterans may at any time parade in public their color guards of ten men with firearms; and that any organization heretofore authorized by law may parade with side-arms; and any veteran association composed wholly of past members of the militia of this commonwealth may maintain an armory for the use of the organizations of the militia to which its members belonged; *provided, further*, that such drill or parade is not in contravention of the laws of the United States.

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SECTION 60. Whoever violates any provision of the preceding section, or belongs to or parades with any such unauthorized body of men with firearms, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than six months, or by both such fine and imprisonment.

Penalty.

R. L. 16, § 148.
1905, 465, § 154.
1908, 604, § 171.

SECTION 61. The commander-in-chief is hereby authorized to send a rifle team composed of members of the Massachusetts volunteer militia to take part in the annual competitions in rifle shooting for national and other trophies held in the United States.

Rifle team.
1909, 300, § 1.

SECTION 62. Officers of the army and navy of the United States detailed by the war or navy department, at the request of the commander-in-chief, to act as instructors, advisers or umpires, or to perform any other duty in connection with the volunteer militia of the commonwealth, shall be reimbursed by the commonwealth, from the appropriation for compensation of officers and men of the militia, for all expenses incurred by them in the performance of the said duties, and authorized or approved by the adjutant general, in excess of those expenses allowed and paid by the United States. Payments under this section shall be made to officers entitled thereto on certificates approved by the adjutant general, in such form as the commander-in-chief shall prescribe.

Officers of
United States
army and navy
to be reim-
bursed for
expenses.
1909, 280, § 1.

SECTION 63. Regimental, battalion, squadron, company, mess, band or detachment funds shall be maintained and conducted as the commander-in-chief may prescribe in regulations. The administration of such a fund by the officer designated in regulations to have the custody thereof shall be one of the duties pertaining to his office and for the

Regimental,
etc., funds.
R. L. 16, § 169.
1905, 465, § 175.
1908, 604, § 191.
1915, 239 (G),
§ 7.

proper performance of which he shall furnish bond to the commonwealth. Suit on the bond of such officer to recover for any misappropriation of the fund shall be brought in the name of the commonwealth for the benefit of the organization affected. Upon the disbandment of any organization maintaining a fund as above provided, the adjutant general shall at once become custodian or treasurer thereof, and shall draw a check for the total amount on deposit in favor of the treasurer and receiver general, who shall hold such funds or shall expend them as the legislature may prescribe.

Exemption
from jury duty.
R. L. 16, § 173.
1905, 465, § 179.
1908, 604, § 195.

SECTION 64. Members of the volunteer militia shall not be liable to jury duty, and any officer or soldier who has served faithfully for nine years in the volunteer militia shall be exempt for life from jury duty, and the statement of such service shall be endorsed on the back of his discharge and certified by his commanding officer.

No loss of pay
or vacation to
state employees
in militia.
1916, 126 (G).

SECTION 65. Any person in the service of the commonwealth shall be entitled, during the time of his service in the organized militia, under the provisions of sections seventeen, twenty-five, twenty-six, one hundred and forty-six, one hundred and forty-seven and two hundred and thirty-nine, to receive pay therefor, without loss of his ordinary remuneration as an employee or official of the commonwealth, and shall also be entitled to the same leaves of absence or vacation with pay given to other like employees or officials.

Rolls of militia.
R. L. 16, § 180.
1902, 493.
1905, 465, § 180.
1908, 604, § 196.

SECTION 66. Rolls of the volunteer militia, showing the names of all general, field, staff and noncommissioned staff officers, and the names of all company officers and enlisted men in the service, shall be made on the first day of January in each year. Those for companies shall be prepared by the respective company commanders, and all others by direction of the commanding officers of the several organizations. A sworn copy of such rolls, or of so much thereof as may be necessary, shall be furnished by the commanding officers of companies and of such other organizations before the tenth day of January in each year to the registrars of voters in any city except Boston, and in Boston to the election commissioners, and to the selectmen of any town, in which such companies or organizations or any members thereof are situated, for use in ascertaining exemptions from jury duty. The issue by an officer of the volunteer militia of a false certificate, or the issue of a certificate to any person not

Sworn copies to
be furnished to
city and town
officers.

Penalty for
false certificate.

entitled to receive the same, for the purpose of securing exemption from jury duty, shall be punished in such manner as the commander-in-chief shall direct. The clerk of the Ancient and Honorable Artillery Company shall furnish annually to the election commissioners in the city of Boston and to the registrars of voters in any other city, or to the selectmen of any town, sworn rolls of all active members belonging to the company resident in such city or town. No member of the Ancient and Honorable Artillery Company, otherwise liable for jury duty, shall be exempt if the sworn roll hereby required has not been made and furnished as aforesaid.

SECTION 67. No officer or soldier shall be arrested on civil process while going to, remaining at or returning from a place where he is ordered to attend for election of officers or for military duty.

Exemption from arrest on civil process.
R. L. 16, § 174.
1905, 465, § 181.
1908, 604, § 197.

SECTION 68. A member of the volunteer militia who shall, when on duty or when assembled therefor under the provisions of sections seventeen, twenty-five, twenty-six, one hundred and forty-six, one hundred and forty-seven, one hundred and fifty-nine, two hundred and thirty-nine and two hundred and forty-four, receive any injury by reason of such duty or assembly, or who shall without fault or neglect on his part be wounded or disabled, or contract any sickness or disease, while performing any such lawfully ordered militia duty, which shall temporarily incapacitate him from pursuing his usual business or occupation, shall, during the period of such incapacity, receive such compensation as shall be fixed by a board appointed to inquire into his claim, not exceeding in amount the pay provided for by this act and actual necessary expenses for care and medical attendance. All claims arising under this section shall be inquired into by a board of three officers, at least one of whom shall be a medical officer, to be appointed by the commander-in-chief. The board shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers, and to punish their failure to do so, as is possessed by a general court-martial. The findings of the board shall be subject to the approval of the commander-in-chief. The amount found due such member by said board, to the extent that its findings are approved by the commander-in-chief, shall be a charge against the commonwealth, and shall be paid in the same manner as other military accounts.

Compensation for injury during military duty.
R. L. 16, § 175.
1905, 465, § 182.
1906, 504, § 15.
1908, 604, § 198.
1909, 170, § 1.
1914, 380, § 1.

Interference
with militia,
penalty.
1912, 358, § 1.

SECTION 69. Any person who wilfully either deprives a member of the volunteer militia of his employment, denies him employment, prevents his being employed by another, or obstructs or annoys him or his employer in respect of his trade, business or employment, because of such member's connection with the volunteer militia or because of his necessary absence from business in performance of his duty as such member, and whoever dissuades any person from enlisting in the volunteer militia by threat of injury to him in respect of his employment, trade or business, or of other injury, in case he shall so enlist, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment.

Paymasters'
bonds.
R. L. 16, § 178.
1905, 465, § 185.
1908, 604, § 201.
1916, 284 (G),
§ 14.

SECTION 70. Each officer regularly assigned to the duty of paying troops, and the pay officers of the naval militia, shall give bond in the penal sum of ten thousand dollars, with such surety or sureties as may be approved by the governor and council, conditioned faithfully to perform the duties of his office.

Bond for mili-
tary property,
etc.
R. L. 16, § 179.
1905, 465, § 186.
1908, 604, § 202.

SECTION 71. Any officer of the volunteer militia to whom any public property is at any time issued may be required to give bond, with such surety or sureties as may be approved by the governor and council, conditioned faithfully to perform the duties of his office; to properly hold and administer funds; to use all necessary care in the safe-keeping of military stores and property committed to his custody; and to account for and deliver to his successor, or to any other person authorized to receive the same, all such military property or funds.

Reimburse-
ment for pre-
mium on bond.
1908, 469.

SECTION 72. When a member of the volunteer militia who has the custody of property of the commonwealth, or who is charged with the duty of receiving or disbursing money, is required to give bond to the commonwealth for the faithful discharge of his duty, the commonwealth shall reimburse him for any amount that he may be required to pay to a surety company for becoming surety on his official bond.

Schedule
bonds.
1913, 268, § 1.

SECTION 73. The adjutant general may arrange for such schedule bonds as he may deem advisable to take the place of bonds now required by law from any officers of the Massachusetts volunteer militia. Any such schedule bond shall be with such surety as is satisfactory to the governor and council, and the condition shall be that the officer or officers

named in the bond shall faithfully perform the duties of their offices, and the bond shall contain such other conditions or provisions as may be required by law. Such bonds shall take the place of any bond that may be required from any officer named in the schedule bond. The premium due to any surety company for acting as surety on any such bond shall be paid by the commonwealth.

SECTION 74. (a) The provisions of this act shall not affect the right of the Ancient and Honorable Artillery Company to maintain its organization as a military company and its constitution and by-laws in so far as the same are not repugnant to the laws of this commonwealth or of the United States and do not restrain the lawful parade or exercise of the active militia.

Certain rights of the Ancient and Honorable Artillery Company not affected.
R. L. 16, § 182.
1905, 465, § 190.
1908, 604, § 205.

(b) Real estate owned by or held in trust for a regiment, corps, company or other organized unit of the volunteer militia and used exclusively for military purposes, and tangible personal property owned by such an organized unit of the volunteer militia and used by it or its members exclusively for military purposes, shall be exempt from taxation in any year in which the trustee or a competent officer of the organization owning such property brings in to the assessors the list and statement required by section forty-one of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, and acts in amendment thereof.

Certain militia property exempt from taxation.
1915, 40 (G).

SECTION 75. Civil officers named in this act who neglect or refuse to obey its provisions shall, except as is otherwise expressly provided, forfeit not less than twenty nor more than five hundred dollars for each offence.

Penalty on civil officers for violation of this act.
R. L. 16, § 185.
1905, 465, § 193.
1908, 604, § 208.

SECTION 76. (a) Money or other suitable prizes may be awarded for shooting, athletic or other competitions in the militia under such regulations as the commander-in-chief shall determine, which prizes shall be paid out of the treasury of the commonwealth from the appropriation for military accounts, or from the appropriation for small arms practice if the prizes are for shooting.

Prizes for competitions.
1914, 342, § 1.

(b) For the maintenance and repair of aeroplanes, given to the commonwealth for the use of the militia, the adjutant general may expend annually such sums as may be appropriated therefor.

Maintenance and repair of aeroplanes.
1916, 123 (G), § 1.

SECTION 77. There shall annually be allowed and paid out of the treasury of the commonwealth such sum as may annually be appropriated, to be expended under the direc-

Allowances for military instruction.
1905, 202, § 1.
1908, 317, § 1.

1908, 604, § 174.
1912, 399, § 1.
1913, 664, § 1.

tion of the adjutant general in furnishing the officers and men of the militia with uniform instruction in military authority, organization and administration and in the elements of military art. Certificates for allowance of expenses incident to such instruction shall be furnished to the adjutant general, and upon his approval payment shall be made to the person or persons certified to be entitled thereto.

PART II.

LAND FORCES.

1. Organization.

Composition of
land forces.

SECTION 78. (a) The land forces shall consist of the national guard, the national guard reserve, the national guard retired list, such other units, officers and enlisted men as the commander-in-chief may prescribe under section fourteen, and any part of the unorganized militia serving with the land forces under the provisions of sections eight, nine and eleven.

National
guard.
R. L. 16, §§ 23,
26, 27, 28, 31.
1905, 465, §§ 23,
27, 28, 29, 32, 33.
1906, 273, § 1.
1908, 344, § 1.
1908, 604, §§ 16,
18 (b), 20.

(b) The national guard of Massachusetts shall consist of such regiments, corps or other units as the commander-in-chief may from time to time authorize to be formed, all to be organized in accordance with the laws of the United States affecting the national guard and the regulations issued by the secretary of war. 1910, 228, § 1. 1911, 326, § 1.

1911, 633, § 1. 1911, 365, § 2. 1912, 720, § 2. 1915, 289 (G), § 1.

To continue as
now consti-
tuted, etc.
1908, 604, § 25.

(c) The national guard and the organizations thereof shall be and continue as at present constituted until changed by the commander-in-chief under authority of law.

Coast artillery
corps a regi-
ment.
1908, 604, § 20.
1912, 720, § 2.

(d) The coast artillery corps shall be considered a regiment in all matters of administration and law, unless especially excepted in law or orders.

Special details,
etc., by com-
mander-in-
chief.
1908, 604, § 20.
1912, 720, § 2.

(e) The commander-in-chief may, by order, attach officers and enlisted men of staff departments and corps to brigades, regiments, battalions and other organizations for duty therewith, and shall so detail such officers and enlisted men as may be necessary to comply with the provisions of United States laws concerning the organized militia.

National guard
reserve.

(f) The national guard reserve shall consist of such organizations, officers and enlisted men as the commander-in-chief shall prescribe, consistently with the requirements of the United States.

Graduates of
training school
to be appointed

(g) Graduates of the training school, national guard, Massachusetts volunteer militia, shall, upon their own

request, at any time within the three years next following the date of graduation, be appointed by the commander-in-chief second lieutenants on the reserve list of the national guard, Massachusetts volunteer militia, and upon passing a satisfactory physical examination in the manner now or hereafter required of newly commissioned officers of the same grade, shall be commissioned accordingly.

(h) Officers on the reserve list of the national guard, upon being commissioned, may be assigned, for a period of one year, as additional second lieutenants, to such companies as the commander-in-chief may direct, for the purpose of continuing their military training. At the conclusion of said assignments the commander-in-chief shall cause due inquiry to be made as to the efficiency and general fitness of reserve officers, and those who shall be found to be zealous, efficient and generally fitted to discharge the duties of their grade shall be continued on the reserve list for a further period of five years, during which time they shall perform such duties consistent with the constitution and laws of the commonwealth as may be required of them by the commander-in-chief; otherwise they shall be honorably discharged. At the end of such further period of five years a reserve officer who has not in the meantime received a commission on the active list shall be honorably discharged. Officers of the reserve lists of the national guard shall be subject to the provisions of all laws now or hereafter applicable to commissioned officers of the land forces, active or retired, except as is otherwise provided in this act.

(i) Officers on the reserve list of the national guard who are elected or appointed to office on the active list, not higher in grade than that of first lieutenant, shall be exempt from passing the examinations required of other newly commissioned officers of those grades, and, upon being commissioned and qualified, shall be assigned to duty.

SECTION 79. To the first corps of cadets there shall be one colonel, one lieutenant colonel, two majors, regimental and battalion staffs and such other officers, noncommissioned staff officers and noncommissioned officers and other enlisted men, not exceeding the numbers of each provided by law and regulations for a regiment of engineers, as the commander-in-chief shall deem expedient. The first corps of cadets shall be instructed, armed and equipped as the commander-in-chief shall direct, and shall receive the same compensation and allowances as a regiment. The second corps of cadets shall be

reserve officers. 1916, 170 (G), § 1.

Reserve officers, further training, discharge, etc. 1916, 170 (G), § 3.

Reserve officers exempt from certain examinations. 1916, 170 (G), § 4.

First and second corps of cadets, officers, equipment, etc. R. L. 16, § 29. 1905, 465, § 30. 1908, 604, § 19. 1916, 1 (G), § 1.

organized and equipped as a battalion of field artillery, and may retain its name. It shall retain the right to own and wear in place of such full dress uniform as may be prescribed by orders or regulations for the militia, a full dress uniform of special design such as may be by it adopted and approved by the commander-in-chief.

2. *Staff Corps and Departments.*

Titles and grades to conform to U. S. laws and regulations. 1911, 145, § 2.

SECTION 80. The officers of the several corps and departments shall be commissioned with such title and grade and shall have such designation as may be necessary to conform to the laws of the United States, and the regulations issued under the authority thereof.

Chief surgeon. R. L. 16, § 18. 1905, 465, § 18. 1908, 604, § 36. 1911, 145, § 4. 1916, 284 (G), § 15.

SECTION 81. (a) The chief surgeon shall receive a salary of twelve hundred dollars a year; and, subject to the orders of the commander-in-chief, shall have general supervision and control of all matters pertaining to the medical department of the land forces, and shall prescribe the physical and mental disabilities exempting from military duty. He shall purchase and issue all medical and hospital supplies, and shall perform such other official duties as the commander-in-chief shall direct. He shall have all the rights, duties, powers, and obligations now conferred and imposed by law upon the surgeon general.

Judge advocate. R. L. 16, § 19. 1905, 465, § 19. 1908, 604, § 37. 1911, 145, § 4.

(b) The judge advocate shall examine and report in writing upon all proceedings of courts-martial requiring the action of the commander-in-chief and, in matters referred to him by law or by the commander-in-chief, shall be the legal adviser of the militia department of the commonwealth and shall bring all necessary actions.

Inspector. Inspection of state property in armories, etc. R. L. 16, § 17. 1905, 465, § 17. 1908, 604, § 35. 1911, 145, § 4.

(c) The inspector, or such other officers as the commander-in-chief shall designate, shall inspect once in every year, and oftener if the commander-in-chief shall deem it necessary, all headquarters, armories and state property in the hands of the land forces, and shall report the condition of the same. The superintendent of the state arsenal shall, when so ordered, inspect state property in armories and ascertain what supplies are needed. The inspector, or his assistants under his orders, may inspect any organization at any time when the troops thereof are under arms, or in attendance at their armories.

Ordnance officer. 1908, 604, § 20. 1911, 145, § 4. 1912, 720, § 1.

(d) The ordnance officer, under the direction of the adjutant general, shall be charged with the care and control of all state rifle ranges, with the supervision of all other ranges

provided for the small arms practice of the volunteer militia, and with the supervision of the expenditure of such public funds as may be appropriated by the commonwealth for the promotion of small arms practice.

SECTION 82. The chief quartermaster shall receive compensation as such not exceeding two thousand dollars a year. An officer of the quartermaster corps of the land forces, detailed to have supervision of state armories, shall receive compensation not exceeding eight hundred dollars a year, to be paid out of the appropriation for maintenance of armories of the first class. An officer of the quartermaster corps of the land forces with the grade of captain, detailed to act as superintendent of the state arsenal, shall receive fifteen hundred dollars a year, and shall be in the quartermaster corps of the land forces as a clerk in addition to the clerks hereinafter provided for. The chief quartermaster shall give bond to the commonwealth in the penal sum of twenty thousand dollars, with such surety or sureties as may be approved by the governor and council, conditioned faithfully to perform the duties of his office, to use all necessary diligence and care in the safe-keeping of military stores and property of the commonwealth committed to his custody, and to account for and deliver over to his successor, or to any person authorized to receive the same, such stores and property. The commander-in-chief may require the duties imposed upon the chief quartermaster to be performed by any officer of the land forces, who shall, in that case, give bond to the commonwealth in like manner as is required of the chief quartermaster. The chief quartermaster, under the orders of the commander-in-chief, shall have the care and control of the state camp ground and all other land held for military purposes, of all state arsenals and magazines, of the soldiers' burial lot and monument at Dedham, and of all military property of the commonwealth except such as is by law expressly intrusted to the keeping of other officers. He shall procure and provide transportation for the land forces and for all their implements, munitions of war and military supplies; such transportation to be in kind whenever that is practicable. He shall, at the public expense, provide suitable places for the safe keeping of all munitions of war, and all other implements of war. Such implements shall be designated as the property of the commonwealth by suitable permanent brands or marks on each of them. He may allow annually proper accounts for the repair of uniforms and equipment. He shall ad-

Chief quartermaster, salary, etc.

R. L. 16, § 15.
 1905, 465, § 15.
 1906, 504, § 1.
 1908, 604, § 39.
 1910, 348, § 2.
 1911, 145, § 4.
 1911, 747, § 1.
 1913, 733, § 1.
 1916, 284 (C), § 15.

Bond, etc.

To have care and control of state camp ground, etc.

Duties concerning loans of

state military property, etc.

Assistants, salaries, etc.

Clerical assistants, etc.

Officers not to be pecuniarily interested in purchases and sales, etc.
R. L. 16, § 21.
1905, 465, § 21.
1906, 504, § 2.
1908, 604, § 33.

Penalty.
1906, 504, § 2.
1908, 604, § 33.

Eligibility to election or appointment.
R. L. 16, § 34.
1905, 465, § 37.
1908, 504, § 40.

just all accounts relating to loans of state military property to cities and towns, institutions and schools, and shall require annual returns of such property and of its condition, at such time and in such manner as he may direct, and may at any time, under the direction of the commander-in-chief, require the return of the whole or any part of such property as he may deem best for the commonwealth. He may employ the following assistants: one superintendent of armories, with a salary of eighteen hundred dollars a year; one watchman, with a salary of eight hundred dollars a year. The actual transportation expenses of the superintendent of armories, in visiting the various armories of the state under the direction of the chief quartermaster, shall be paid from the appropriation for maintenance of armories of the first class. The chief quartermaster may employ such clerks and other assistants as may be necessary in his department, at an expense not exceeding the amount annually appropriated therefor.

SECTION 83. The adjutant general, the officers of a corps or department, and the officers attached thereto, shall not be interested, directly or indirectly, in the purchase or sale of any articles intended for, or appertaining to, their respective departments, except for and on account of the commonwealth; nor shall they or any of them take or apply to his or their own use, for negotiating or transacting business in their respective departments, any gift, gain or advantage other than what is allowed by law.

SECTION 84. Any officer who violates any provision of the preceding section shall be punished by imprisonment for a term not exceeding five years, or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment.

3. *Commissioned Officers — Election and Appointment.*

SECTION 85. No person, except an officer of the United States army, shall be eligible to election or appointment as a commissioned officer in the land forces who is not a male citizen of the United States of twenty-one years of age or upward, resident in this commonwealth, or who is disqualified by law from enrollment in the militia, or who is not certified as eligible by the military service commission as hereinafter provided; and no person shall be eligible to such election or appointment who is under sentence of disability to hold office or command, or of suspension from command, in the

military forces of the United States or of any state. But no citizen not subject to enrollment on account of his age, or otherwise qualified, but exempted from military service by the laws of the United States, or subject to enrollment but not enrolled, shall, on that account, be ineligible to position in the land forces, or incapable of serving in a volunteer company, unless he is made ineligible to such office or service by the laws of the United States. No person shall receive a commission in the national guard unless he has been selected from such classes as may be prescribed by the laws of the United States.

SECTION 86. Commissioned officers of the land forces shall rank in their grade, according to the date of their commissions. Between officers of the same grade and date of appointment or commission, where there has been no previous commissioned service, the relative rank shall be determined by lot. Where there has been such previous service in the army of the United States, or in the national guard or national guard reserve of this commonwealth, it shall count in the order herein named.

Relative rank of commissioned officers.
R. L. 16, § 35.
1905, 465, § 38.
1908, 604, § 41.
1911, 298.

The day of the appointment or election of an officer shall be expressed in his commission and shall be considered as the date thereof. When an officer is appointed, elected or transferred from one office or organization to another, without increase of grade or loss of continuous service, he shall rank in his grade according to the date of his original commission, which shall be stated in his new commission.

Day of appointment or election to be expressed in commission, etc.

Graduates of the training school, national guard, Massachusetts volunteer militia, holding commissions on the reserve list of the same date, shall take rank among themselves according to their standing in the class in which they graduated. Officers on the reserve list shall take rank after all officers of like grade on the active and retired lists.

Rank of graduates of training school, etc.

SECTION 87. (a) The staff of a brigade shall be appointed by the brigadier general commanding; the staff of a regiment, separate battalion or squadron, and of the first corps of cadets, by the permanent commander thereof; the captains, first lieutenants, second lieutenants and chaplain, allowed to the headquarters of the coast artillery corps, shall be appointed by the chief of the coast artillery, and they shall be commissioned by the commander-in-chief, on the request of the appointing officer. All officers in the staff corps and department shall be appointed by the commander-in-chief.

Appointment of staff officers.
R. L. 16, § 36.
1905, 465, § 39.
1908, 604, § 42.
1910, 299, § 1.
1912, 268, § 1.
1914, 715.
1915, 71, § 1.
1916, 284 (G), § 5.

Qualifications and term of service of staff officers.
1911, 449, § 1.

(b) All staff officers of the national guard, including officers of the pay, inspection, subsistence and medical departments, hereafter appointed, shall have had previous military experience, and shall hold their positions until they reach the age of sixty-four years, unless retired prior to that time by reason of resignation, disability, or for cause to be determined by a court-martial legally convened for that purpose, and vacancies among said officers shall be filled by appointment from the officers of the militia of Massachusetts.

Eligibility for appointment as medical or veterinary officer, etc.
1905, 465, § 40.
1908, 604, § 43.

SECTION 88. No person shall be eligible to appointment as a medical or veterinary commissioned officer unless he has been duly registered in accordance with the laws of the commonwealth, and has complied with the laws of the commonwealth relative to the practice of his profession.

Election of line officers.
R. L. 16, § 37.
1905, 465, § 41.
1908, 604, § 44.
1916, 284 (G), § 6.

SECTION 89. The following officers of the land forces shall be elected by written votes: brigadier generals, by the field officers of the respective brigades; field officers of a regiment of the coast artillery corps, of a separate battalion or squadron, and of the first corps of cadets, by the captains and lieutenants of the several companies respectively belonging thereto; captains and lieutenants of companies, by the enlisted men of the respective companies, except that in the first corps of cadets, captains and lieutenants shall be elected by the enlisted men of the whole corps.

Orders for elections.
R. L. 16, § 38.
1905, 465, § 42.
1908, 604, § 45.

SECTION 90. Elections of brigadier generals shall be ordered by the commander-in-chief. Elections of other officers shall be ordered either by the commander-in-chief or by such officers as he may authorize.

No election of company officers without minimum enlistment.

SECTION 91. Elections of officers shall not be ordered in any company unless the minimum number of men is actually enlisted and mustered in. R. L. 16, § 39. 1905, 465, § 43. 1908, 604, § 46.

Vacancies, when to be filled.
R. L. 16, § 40.
1905, 465, § 44.
1908, 604, § 47.

SECTION 92. Vacancies in the grades of company officers shall be filled and the officers-elect commissioned before an election of field officers is held for the respective organizations; and all vacancies in the grades of field officers shall be filled in each brigade before an election of brigadier general is held therein.

Elections, time and place.
R. L. 16, § 41.
1905, 465, § 45.
1908, 604, § 48.

SECTION 93. Elections shall be held at the place most convenient for the majority of the electors. Officers ordering elections shall designate the time and place at which the election shall be held.

Notices of elections.
R. L. 16, § 42.
1905, 465, § 46.
1908, 604, § 49.

SECTION 94. An officer who receives an order for an election, shall order such electors to assemble for the election at the time and place designated. Such order shall be given to

each elector at least four days before the time of the meeting, either verbally or by delivering it to him in person, or by leaving it at or mailing it to his last known place of business or abode.

SECTION 95. The officer ordering an election under the provisions of section ninety may preside, or may detail some officer of suitable grade to preside. The grade of captain shall be deemed suitable at the election of an officer of equal or inferior grade; but no candidate for an office to be filled shall preside at the election, except to adjourn the meeting if no proper officer appears to preside.

Presiding officer at election.
R. L. 16, § 43.
1905, 465, § 47.
1908, 604, § 50.

SECTION 96. The presiding officer shall keep a record of the proceedings and shall, within six days thereafter, make a certified return thereof to the adjutant general, through the proper military channel, for the information of the commander-in-chief; and the officer-elect shall, if he is eligible and accepts, thereupon be commissioned.

Election record, return, etc.
R. L. 16, § 44.
1905, 465, § 48.
1908, 604, § 51.

SECTION 97. The qualifications of an elector are, for an officer, that he has been commissioned and qualified, and for an enlisted man, that he has been duly mustered. Officers shall carefully revise or correct rosters or rolls before issuing orders to electors to assemble for an election, and submit to the presiding officer a certified copy of the roster or roll and the order to the electors to assemble, with a certificate thereon endorsed of the notice given to them, and every officer who presides at an election shall report to the adjutant general any officer who shall have neglected this duty.

Qualifications and rosters of electors. Presiding officer to be furnished with roster, etc.
R. L. 16, § 45.
1905, 465, § 49.
1908, 604, § 52.

SECTION 98. The presiding officer at an election shall first read the order calling it and ordering him to preside. He shall then call the names borne on the certified roster or roll, in a company election directing the men to fall in as their names are called; and after reading the order to the electors to assemble, and the certificate thereon endorsed, showing that proper notice has been given, shall inquire if there is any objection to proceeding with the election; and if objection is made shall record the objection and report it with his return of the election.

Conduct of election.

No presiding officer shall proceed with an election unless a quorum, consisting of a majority of the electors, is present. No votes shall be received for any candidate before the hour named in the order, and after such hour every legal vote, presented before the ballot is declared closed, shall be received. If there is no quorum present and voting or the electors present fail to elect, the presiding officer shall ad-

Quorum, opening and closing of ballot, and adjournment.
R. L. 16, § 46.
1905, 465, § 50.
1908, 604, § 53.

journal the meeting to a day certain, and shall in writing report the facts to the adjutant general. Elections may not be adjourned more than twice, and each adjournment shall be for a period not exceeding seven days.

Counting votes, declaring result and number required to elect.

R. L. 16, § 47.
1905, 465, § 51.
1908, 604, § 54.

SECTION 99. (a) The presiding officer, having declared the ballot closed, shall count the votes, after which he shall announce and record the whole number present, the number necessary for a choice, the number given for each candidate and the result. The person who has a majority of the ballots of the electors present shall be deemed elected, and the presiding officer shall forthwith notify him of his election.

Second and subsequent ballots. Adjournment for failure to elect.

(b) If no person is elected on the first ballot, the presiding officer shall require the electors to ballot again and again, until some person is elected, or until, in the opinion of the presiding officer, it is evident that no election can result. When the presiding officer is satisfied that further ballots are useless, he may declare the election adjourned, as provided in section ninety-eight. A recess of not more than two hours shall not be considered an adjournment.

Dissolution of meeting.

(c) After the business for which the meeting was called has been transacted, or after the number of adjournments allowed by law have been made and the presiding officer is satisfied that further ballots are useless, he shall dissolve the meeting.

Record of proceedings.

(d) The record of the proceedings at an election shall be signed by the presiding officer, and forwarded by him directly to the officer ordering the election, who shall retain it.

Inquiry and report as to eligibility of person elected.

(e) The presiding officer shall, after the election, ascertain, whether or not the person elected is eligible for office, and shall make a report thereof with the notice of the election.

Acceptance or declination in writing.

R. L. 16, § 48.
1905, 465, § 52.
1908, 604, § 55.

SECTION 100. Persons elected to office in the land forces shall within three days after their election declare in writing or in person to the officer presiding at the election their acceptance or declination, which shall be a part of the return of the presiding officer.

Refusal at meeting.

R. L. 16, § 49.
1905, 465, § 53.
1908, 604, § 56.

SECTION 101. If before the dissolution of the meeting the person chosen signifies to the presiding officer, either in person or in writing, his refusal to accept, the refusal shall be recorded and included in the return, and the electors shall proceed to another election.

Acceptance to vacate office previously held, etc.

R. L. 16, § 50.
1905, 465, § 54.

SECTION 102. The acceptance of one office in the militia shall, for the purpose of election, vacate another office therein previously held by the same person; but the officer

shall serve until his successor is qualified, if so ordered by his regimental, battalion or squadron commander or by the commander-in-chief. If an officer is so ordered to serve, he shall do so by virtue of his old commission, and with the rate of pay of such old commission, until he has taken and subscribed the oath of office under his new commission, and has been ordered to duty thereunder.

1908, 604, § 57.
1916, 284 (G),
§ 7.

SECTION 103. When the electors neglect or refuse to fill a vacancy the commander-in-chief may appoint an eligible officer thereto.

Appointment
in case of
failure to elect.

R. L. 16, § 51. 1905, 465, § 55. 1908, 604, § 58.

SECTION 104. If a company having no commissioned officers has twice been ordered to elect officers and neglects or refuses to elect one of such officers, it may be disbanded by the commander-in-chief, subject to the laws of the United States.

Disbandment
for failure to
elect.
R. L. 16, § 52.
1905, 465, § 56.
1908, 604, § 59.

SECTION 105. (a) The commander-in-chief shall, upon the passage of this act, appoint or detail a military service commission to consist of three commissioned officers, who shall be appointed for one, two and three years, respectively, and thereafter each commissioner shall be appointed for the term of three years.

Military service
commission,
appointment,
etc.

(b) The military service commission shall establish an eligible officers' list for all commissioned grades in the land forces.

Eligible officers'
list.

(c) The commission shall from time to time prepare rules regulating the selection of persons to fill elective or appointive commissioned office in the land forces. Such rules may be of a general or limited application and shall include provision for: (1) the classification of all grades to be filled; (2) open, competitive and other examinations to test the practical fitness of applicants; (3) the filling of vacancies in and selection of persons for commission in the land forces, in accordance with the fitness of applicants and the results of such examination or otherwise; and shall take effect only when approved by the commander-in-chief.

Rules, exami-
nations, etc.

(d) The commission may designate commissioned officers of the regular army or land forces to act as examiners of particular grades or branches of the service.

Examiners.

(e) The commission and examiners shall receive such pay for duty performed and may incur such expenses as the commander-in-chief shall order.

Pay of com-
mission and
examiners.

(f) The commission shall prepare a full record of its proceedings and findings in the case of each person appearing before it for examination.

Record in case
of each person.

Physical examination, etc.
1905, 465, § 57.
1908, 604, § 61.
1912, 138, § 1.

(g) All examinations as to physical qualifications to hold office in the land forces shall be made by a board of three medical officers appointed by the commander-in-chief. If the board of medical officers finds that an officer is physically competent to perform the duties of his office, it shall certify that fact to the commander-in-chief; if, in the opinion of the medical board, an officer is not physically fit to perform his duties, it shall transmit a report to the commander-in-chief setting forth the nature of the disabilities found and the manner and extent to which such disabilities are likely to prevent or impair the full performance of the duties of the office. Whenever the commander-in-chief finds that an officer who has been reported by the medical board to be physically unsound possesses professional and general qualifications of a high order, and that his physical disabilities will not materially impair his efficiency as an officer, he may thereupon waive such physical disabilities and order the officer to duty. A detailed description of such disabilities and all reports and facts resulting in a waiver of the same shall be entered in the military record of the officer concerned.

Physical disabilities may be waived in certain cases.

No further examination for appointment to grade for which officer is eligible.
R. L. 16, § 62.
1905, 465, § 67.
1908, 604, § 71.

(h) An officer who has been certified as eligible for his grade, if appointed or elected and assigned to duty in that grade, shall not be required to take another examination under the rules adopted by authority of subsection (c) in order to continue to hold the same commission. But the military service commission may, by rule or regulation, limit the length of time during which an applicant's name may remain on an eligible list without re-examination.

Certain officers exempt from examination.
1912, 464, § 2.
1916, 284 (G), § 8.

(i) Officers elected or appointed from one office to another of equal or lower grade in the same branch of the militia service, chaplains, and retired officers, shall be exempt from all examinations under this act, as to professional and practical qualifications.

Certain persons to be placed on eligible list without examination.
1916, 170 (G), § 1.

(j) Any person certified as eligible for any specified grade in the national guard under the provisions of the laws of the United States, and graduates of the training school, shall be placed on the eligible list by the military service commission without professional examination.

Any tests required by U. S. laws must be passed.

SECTION 106. No person hereafter commissioned as an officer in the national guard shall enter upon the performance of his official duties or exercise any command unless he shall have taken and subscribed to the oath of office, shall have

been selected from such classes, and shall have successfully passed such tests as to his physical, moral and professional fitness as are prescribed by the laws of the United States, except that an officer may be ordered to duty pending such tests as hereinbefore provided.

SECTION 107. An officer who fails to pass satisfactorily the tests required by this act or by the laws of the United States and the regulations issued thereunder, shall, unless further time is allowed for cause, forthwith be discharged by the commander-in-chief.

Discharge for failure to pass. R. L. 16, § 57. 1905, 465, § 61. 1908, 604, § 65. 1912, 464, § 9.

SECTION 108. An officer who has failed to pass satisfactorily the required tests, but who is otherwise entitled to be retired, may, in the discretion of the commander-in-chief, be placed upon the retired list with the grade to which his new commission entitles him, instead of being discharged as provided in the preceding section.

Retirement after failure to pass. 1912, 464, § 10.

SECTION 109. Every commissioned officer, before entering upon the performance of his official duties or exercising any command, shall take and subscribe the following oaths and declarations:—

Oaths of office. R. L. 16, § 64. 1905, 465, § 69. 1908, 604, § 73.

I, A.B., do solemnly swear that I will bear true faith and allegiance to the commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.

I, A.B., do solemnly swear that I will obey the lawful orders of all my superior officers. So help me, God.

I, A.B., do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my ability and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God.

I, A.B., do solemnly swear that I will support the constitution of the United States. So help me, God.

All officers shall take and subscribe the said oaths before an officer qualified to administer oaths, except retired officers and the staff of the commander-in-chief who may take the said oaths before any competent authority; and the following certificate shall be printed on every commission, and shall be signed by the person before whom the officer is qualified:—

Qualifying officers to administer oaths.

This may certify that A.B., commissioned as within on this _____ day of _____, A.D., personally appeared and took and subscribed the oaths

required by the constitution and laws of this commonwealth and by a law of the United States, to qualify him to discharge the duties of his office.

Before me,

4. Commissioned Officers — Discharge and Retirement.

Discharge of officers on findings of efficiency board.
R. L. 16, § 63.
1905, 465, § 68.
1908, 604, § 72.

SECTION 110. (a) At any time the moral character, capacity and general fitness for the service of any officer may be investigated and determined by an efficiency board of three commissioned officers, senior in rank to him, to be appointed by the commander-in-chief. The investigation may include misconduct in civil life for which the officer is not amenable to court-martial. If the findings of the board are unfavorable to the officer and are approved by the commander-in-chief, the officer shall be discharged.

Discharge by address and upon sentence of court-martial.
R. L. 16, § 76.
1905, 465, § 81.
1908, 604, § 91.

(b) An officer may be discharged by order of the commander-in-chief upon an address of both branches of the general court, to carry out the lawful sentence of a court-martial, or under the provisions of this act. 1912, 444, § 1.

Honorable discharge.
R. L. 16, § 77.
1905, 465, § 82.
1908, 604, § 92.
1912, 444, § 2.

(c) An officer may be honorably discharged by the commander-in-chief upon removal of residence from the commonwealth, upon tender of resignation, or when he accepts an appointment in the army or navy of the United States.

Dismissal.
R. L. 16, § 80.
1905, 465, § 85.
1908, 604, § 101.
1915, 289 (C), § 5.

(d) The commander-in-chief may dismiss an officer who has been convicted of crime, or who has been absent without leave for a period of three months.

Placing in reserve of surplus officers.

(e) Officers rendered surplus by the disbandment of their organizations shall be placed in the national guard reserve. Officers may, upon their own application, be placed in the said reserve.

Term of office of brigadier general, etc.
1906, 423, § 1.
1908, 604, § 93.

SECTION 111. The term of office of a brigadier general of the line shall be five years from the date of his election, and he shall be ineligible for re-election. The time during which such an officer is in the service of the United States, shall be excluded from, and shall be in addition to, the term of office herein specified.

Term of office of colonel.
1906, 423, § 2.
1908, 604, § 94.

SECTION 112. The term of office for a colonel of a regiment, and for the colonel of the coast artillery corps, shall be seven years from the date of his election and he shall be ineligible for re-election. The time during which such an officer is in the service of the United States, shall be excluded from, and shall be in addition to, the term of office herein specified.

SECTION 113. Any commissioned officer in the militia service of the age of sixty-four years shall be placed upon the retired list with the grade held by him at the time of making such application, and any officer who has served as such in the volunteer militia of this commonwealth for the period of twenty-five years may, upon his own application, be so retired. The service of an officer on the reserve list shall be allowed in computing eligibility for retirement.

Retirement of officers for age or length of service.
 R. L. 16, § 78.
 1904, 231, § 1.
 1905, 465, § 83.
 1906, 212, § 1.
 1906, 504, § 6.
 1907, 305, § 2.
 1908, 604, § 96.
 1912, 441, § 1.

SECTION 114. The commander-in-chief may order any commissioned officer before a medical board consisting of at least three commissioned medical officers, and, if the board reports such officer to be physically unable to perform the duties of his office, the commander-in-chief may retire him.

Retirement for disability.
 R. L. 16, § 78.
 1904, 231, § 1.
 1905, 465, § 83.
 1906, 212, § 1.
 1906, 504, § 6.
 1907, 305, § 2.
 1908, 604, § 97.

SECTION 115. (a) The names and records of all retired officers shall annually be printed in a separate register in the order of their retired rank, to be appended to the report of the adjutant general, or to the roster of the officers of the volunteer militia.

Register of retired officers.
 1908, 604, § 99.
 1915, 289 (G), § 4.

(b) The commander-in-chief is hereby authorized, under such regulations as he may prescribe, and without new commissions, to transfer to the retired list hereby created any officers on the present retired list, who have been retired with military rank, and who request such transfer. Those not making the said request shall be honorably discharged.

Transfer to new retired list.

SECTION 116. Retired officers shall be commissioned on the retired list by the commander-in-chief, and on occasions of ceremony may, and when acting under orders as hereinafter provided shall, wear the uniform of their retired rank. They shall be eligible to perform any military duty to the same extent as if not retired, and the commander-in-chief may, in his discretion, require them to serve upon military boards, courts of inquiry and courts-martial, or to perform any other special or temporary military duty, and while actively engaged in such duty they shall receive the pay and allowances provided for like service by officers of the land forces. They shall be amenable to court-martial for military offences, as if upon the active list of the land forces. Their names shall be borne on a separate roster, kept under the supervision of the adjutant general. They shall report to the adjutant general any change in their residence. An officer now on the retired list may, on application, receive a commission on the retired list as provided

Retired officers, privileges and duties.
 R. L. 16, § 79.
 1905, 465, § 84.
 1908, 604, § 100.

above, and such commission shall state the date on which he was so retired.

Certificate of discharge of officers.
R. L. 16, § 81.
1905, 465, § 85.
1908, 604, § 102.

SECTION 117. Officers discharged from the service of the commonwealth shall be entitled to a certificate of discharge, in such form as the commander-in-chief shall direct.

5. *Noncommissioned Officers — Appointment and Reduction.*

Number of noncommissioned officers to conform to law or orders.
1905, 465, § 31.
1906, 504, § 3.
1908, 604, §§ 25, 29.

SECTION 118. Commanding officers shall warrant, appoint, enlist or keep warranted, appointed or enlisted the number of noncommissioned staff officers, noncommissioned officers and other enlisted men specified herein or required in orders of the commander-in-chief.

Commander-in-chief to make regulations as to appointment, etc., of noncommissioned officers.

SECTION 119. The commander-in-chief shall provide, in regulations issued by him, how and by whom noncommissioned officers and other rated men shall be appointed, warranted and reduced.

R. L. 16, §§ 65, 66. 1905, 465,
§§ 70, 71. 1908, 604, §§ 74-80, inclus. 1909, 167, § 1.

6. *Enlisted Men — Enlistment and Muster.*

Commander-in-chief may make regulations as to enlistment, etc., of soldiers.
R. L. 16, § 67.
1905, 465, § 72.
1908, 604, § 81.

SECTION 120. The commander-in-chief may, by regulations, prescribe such conditions of qualification, enlistment, service and discharge of enlisted men as he may deem necessary, but such regulations shall not conflict with the laws of the United States or with the regulations issued thereunder.

To prescribe rank or rating.
R. L. 16, § 68.
1905, 465, § 73.
1908, 604, § 82.

SECTION 121. (a) All soldiers shall be enlisted and mustered in with such rank or rating as the commander-in-chief shall prescribe. 1916, 284 (G), § 11.

Commander-in-chief to be recruiting officer.
R. L. 16, § 69.
1905, 465, § 74.
1908, 604, § 83.
1914, 376, § 1.
1915, 126 (G), § 1.

(b) The commanding officer of a brigade, regiment, separate battalion or squadron, or of the coast artillery corps, first corps of cadets, or signal corps, shall be the recruiting officer for his noncommissioned staff and enlisted men attached to or to be attached to the headquarters of his command, and for enlisted men who are or are to be permanently detailed for duty away from the companies in which they are enlisted.

Recruiting officers of sanitary troops, staff corps, etc.
R. L. 16, § 69.
1905, 465, § 74.
1908, 604, § 83.
1914, 376, § 1.

(c) The senior officer of the medical corps or an officer designated by him shall be the recruiting officer of sanitary troops assigned to any staff corps. The senior officers of the staff corps and the departments, or officers designated by them, shall be the recruiting officers for their respective corps. The commander-in-chief may appoint persons to act as recruiting officers of new companies until a captain has qualified. Company commanders shall be the recruiting

officers for their commands. In case of a vacancy the commanding officer of a regiment, coast artillery corps, separate battalion or squadron may order some officer to perform the duty until the vacancy is filled. Recruiting officers may enroll applicants for enlistment above the maximum allowed by law, not exceeding fifteen in number in each company, and such applicants may be instructed and drilled as recruits, and in the discretion of the recruiting officer may be preferred for enlistment as vacancies may occur.

Vacancies,
recruits, etc.

(d) In time of war, or when the volunteer militia is called into actual service for any reason and is on duty at some point other than its regularly established armory or location, the commander-in-chief is authorized to establish recruiting depots and to detail officers as recruiting and mustering officers, and officers so detailed shall have authority to enlist and muster enlisted men for all units of the volunteer militia on such duty.

Recruiting
depots, etc.
1916, 284 (G),
§ 12.

SECTION 122. The officers named in the preceding section as recruiting officers shall be mustering officers for mustering in and administering the prescribed oath of enlistment to all soldiers enlisted by them, but any officer who is herein designated as recruiting officer may authorize any other officer of his command to muster in and administer the prescribed oath of enlistment to soldiers enlisted by such recruiting officer.

Mustering
officers,
duties, etc.
R. L. 16, § 70.
1905, 465, § 75.
1908, 604, § 84.
1915, 126 (C),
§ 2.

Mustering officers shall forward to the commander-in-chief the returns of the enlistment and muster in of soldiers as soon as practicable, and not later than ten days thereafter. Such returns shall be in such form, and accompanied by such certificates, descriptive lists and other information relating to the recruit, as may be required by law or prescribed in orders by the commander-in-chief. No recruit shall be accepted who is known to be ineligible for enlistment or physically or otherwise below the standard prescribed by the commander-in-chief. No recruit having been accepted shall be mustered into the service until all the requirements of the statute law, of the militia regulations, and of all proper orders relating to the enlistment and muster in of soldiers have been complied with.

Returns of en-
listment, etc.

SECTION 123. Recruits shall sign such enlistment papers as the commander-in-chief may prescribe. 1905, 465, § 76. 1908, 604, § 85.

Enlistment
papers.
R. L. 16, § 71.

SECTION 124. (a) As soon as practicable, the recruit shall be mustered in by a mustering officer, before whom he shall make oath as follows: —

Oath before
mustering
officer.
R. L. 16, § 72.
1905, 465, § 77.

1908, 604, § 86.

I, _____ do solemnly swear that I will bear true faith and allegiance to the commonwealth of Massachusetts, and will support the constitution thereof; and I do also solemnly swear that I will faithfully observe and obey all laws and regulations for the government of the volunteer militia of the commonwealth, and the orders of all officers elected or appointed over me. I do also solemnly swear that I will support the constitution of the United States. So help me, God.

Sworn to before me,

Mustering Officer.

No muster until enlistment contract is signed, etc.

(b) No person shall be mustered in as a member of the national guard until he shall have signed such enlistment contract and taken and subscribed such oath of enlistment as may be prescribed by the commander-in-chief in compliance with the laws of the United States or the regulations issued thereunder.

No duty or pay until muster, etc.
R. L. 16, § 72.

SECTION 125. No enlisted man shall be held to duty in the land forces or receive any compensation or allowance until he is mustered in. 1905, 465, § 77. 1908, 604, § 87.

Muster-in of unfit persons forbidden.
R. L. 16, § 73.
1905, 465, § 78.
1908, 604, § 88.

SECTION 126. The commanding officer of any regiment, separate battalion or squadron, or of the first corps of cadets may forbid the mustering in of any person enlisted if, in his judgment, such person is unfit to be a member of the volunteer militia.

No enlistment in another organization during term of service.

SECTION 127. No soldier whose term of service in one organization has not expired shall enlist in another organization of the volunteer militia. R. L. 16, § 74. 1905, 465, § 79. 1908, 604, § 89.

7. *Enlisted Men — Discharge.*

Discharge during term of service only by order of commander-in-chief.

SECTION 128. (a) No enlisted man shall be discharged before the expiration of his term of service, except by order of the commander-in-chief. R. L. 16, § 82. 1902, 158.

1905, 465, § 87. 1906, 373, § 1. 1908, 604, § 103. 1912, 87.

Recommendation for discharge for inaptitude, disability, etc.

(b) When an enlisted man is inapt, or does not possess the required degree of adaptability for the military service, or gives evidence of habits or traits of character which serve to render his retention in the service undesirable, or is disqualified for service, physically or in character, through his own misconduct, his company or detachment commander shall report the facts to the commanding officer, who shall convene a board of officers, three if practicable, to determine whether or not the soldier should be discharged prior to the expiration of his term of enlistment. If the company or

detachment commander is also the commanding officer, he shall report the facts to the next higher commander, who shall convene the board. When the findings of the board indicate disqualification through physical disability, the proceedings shall be accompanied by a certificate of disability. If discharge be recommended, the board shall also recommend the character to be given on the discharge, and the proceedings of the board, when approved by the convening authority, shall be forwarded to the commander-in-chief for final action. If the commander-in-chief approves the proceedings, he shall order the discharge of the enlisted man, in accordance therewith, subject to the provisions of the laws of the United States.

Commander-in-chief to order discharge.

SECTION 129. A dishonorable discharge, or a discharge expressly forbidding re-enlistment, shall be given only to carry out the sentence of a court-martial.

Dishonorable discharge, etc., only on sentence of court-martial.

R. L. 16, § 83.

1905, 465, § 88.

1908, 604, § 104.

SECTION 130. A discharged soldier shall be furnished with a certificate of discharge, setting forth his rank and stating clearly the reason for his discharge.

Certificate of discharge.
R. L. 16, § 84.
1905, 465, § 89.
1908, 604, § 105.

8. *Uniforms of Officers.*

SECTION 131. Commissioned officers shall provide themselves with uniforms, arms and equipments prescribed by the commander-in-chief, which shall be free from attachment, distress, execution or sale for debt or payment of taxes.

Uniforms, etc., of commissioned officers.
R. L. 16, § 85.
1905, 465, § 90.
1906, 504, § 7.
1908, 604, § 106.
1912, 67.

9. *Public Property — Issue, Accountability, etc.*

SECTION 132. Except as provided in the preceding section, organizations of the land forces shall be provided, at the expense of the commonwealth, with the uniforms, arms, equipments, colors, musical instruments, books of instruction and of record, supplies and camp and garrison equipage, wagons and draft animals necessary for their proper training and instruction and for the performance of military duty. Such property shall be issued as the commander-in-chief may prescribe. The chief quartermaster is authorized to make sales of clothing, equipment, ordnance stores and medical stores for cash to officers and enlisted men of the Massachusetts volunteer militia, and the money so received by him shall be paid to the treasurer of the commonwealth.

Certain supplies to be provided by the commonwealth.
R. L. 16, § 86.
1905, 465, § 91.
1908, 604, § 107.
1911, 554, § 1.

Chief quartermaster may sell certain other supplies to soldiers.

Uniforms of soldiers, how prescribed and provided.
R. L. 16, § 87.
1905, 465, § 92.
1908, 604, § 108.
1916, 284 (G), § 13.

Uniforms, etc., to be used only for military purposes, etc.
R. L. 16, § 88.
1905, 465, § 93.
1908, 604, § 109.

Regulations as to military property.

Responsibility for military property, etc.
R. L. 16, § 93.
1905, 465, § 98.
1908, 604, § 114.

Accountability of officer for military property, etc.
R. L. 16, § 96.
1905, 465, § 101.
1908, 604, § 118.

Court-martial for neglect as to same.
R. L. 16, § 95.
1905, 465, § 100.
1908, 604, § 117.

Recovery of stolen or embezzled property.
1906, 504, § 8.
1908, 604, § 115.

SECTION 133. The uniform of the land forces shall be prescribed by the commander-in-chief. No uniforms, except required yearly supplies, shall be provided by the commonwealth without a special appropriation for that purpose, and they shall be purchased under such inspection as the commander-in-chief may direct.

SECTION 134. The uniforms, arms, equipments and other property so provided shall be used only for military purposes, in accordance with such regulations as may be prescribed by the commander-in-chief, and shall be returned when ordered by the commander-in-chief.

SECTION 135. The regulations issued by the commander-in-chief shall provide how, and where, such property shall be kept and used.

SECTION 136. An officer or soldier shall be responsible for the care, safe-keeping and return of all government and state property delivered to him; he shall use the same for military purposes only, and upon receiving a discharge or otherwise leaving the military service, or upon the demand of his commanding officer, shall forthwith deliver such property in his possession to the commanding officer, or to any officer ordered to receive it, in good order and condition, reasonable use and ordinary wear thereof excepted.

SECTION 137. (a) An officer shall be accountable for public property received by him for military use, and shall not sell, loan or transfer the same or any part thereof, without the authority of the commander-in-chief; and shall be liable to the commonwealth for all property defaced, injured, destroyed or lost by his neglect or default, or for its value, to be recovered in an action of tort brought by a judge advocate in the name of the commonwealth.

(b) Commissioned officers shall exercise the strictest care and vigilance for the preservation of the uniforms, arms, equipment and other property furnished to their several commands; and in case of any loss thereof or damage thereto, by their neglect or default, they shall be liable to punishment as a court-martial may direct.

(c) When any officer or enlisted man neglects or refuses to return any military property of the commonwealth or of the United States or of any military organization, or to account satisfactorily for it to the officer responsible for the custody of the property, or to the officer ordered to receive it, such custodian or officer may make a written complaint directly to the chief of the district police, describing the

offender and the missing property, and thereupon the district police shall make diligent search for the property and the offender, and shall take possession of all such property and shall turn the same over to the officer responsible for its custody.

SECTION 138. (a) An officer of the land forces, upon vacating an office, shall turn over to his immediate successor, or other officer designated by the commander-in-chief, all records, reports and military property in his possession belonging or in any way pertaining to such office.

Records, reports and property to be turned over to successor, etc.
R. L. 16, § 97.
1905, 465, § 102.
1908, 604, § 119.

(b) Upon the disbandment of any organization which has received property for military use, the commissioned officers thereof shall be responsible for the safe return to the officer ordered to receive it of all such property in its possession, and the officer who has received for such property shall be liable for any loss or damage thereto.

Liability upon disbandment, etc.
R. L. 16, § 98.
1905, 465, § 103.
1908, 604, § 120.

(c) Until an officer or his legal representative receives from the adjutant general notice that the property accounts of such officer have been found correct, the liability of such officer or of his estate for public property for which he is or may have been responsible shall not be affected by his resignation, discharge, change in official position or death. Upon the death or desertion of an officer responsible for public property his immediate commanding officer shall at once cause such property to be collected, and a correct inventory made by actual count and examination and forwarded to the adjutant general, and compensation for any deficiency may be recovered as provided in section one hundred and thirty-seven.

Liability to continue, etc.
R. L. 16, § 99.
1905, 465, § 104.
1908, 604, § 121.

Correct inventory to be made, etc.

SECTION 139. Whoever purchases, retains or has in his possession any implement, or any weapon of ordnance or article of clothing, camp or garrison equipage or field equipage issued by and the property of the United States or the commonwealth, unless the same shall have been issued to him or is in his possession in accordance with law, shall be punished by a fine not exceeding ten times the value thereof. Every officer and enlisted man of the land forces who loses through carelessness or neglect, carries away, or unlawfully disposes of arms, equipment or other military property belonging to the United States or to the commonwealth, shall be charged with the money value thereof, as determined by a surveying officer or board of survey detailed or appointed by the commander-in-chief to investigate and report upon the case. Such surveying officer or board of survey shall

Penalty for unlawful purchase. Pecuniary liability of officer or soldier to be determined by survey.
R. L. 16, § 16.
1905, 465, § 16.
1908, 604, § 116.

submit with the report all the evidence bearing upon the loss or disposition of the property.

Penalty on officer or soldier for destruction of state property, etc.
R. L. 16, § 94.
1905, 465, § 99.
1906, 504, § 8.
1908, 604, § 115.

SECTION 140. An officer or enlisted man who wilfully or maliciously destroys, injures or defaces any United States or state property, or who loses or injures such property through carelessness or neglect, or who carries away or unlawfully disposes of such property, or who retains in his possession such property and neglects or refuses to return it when so ordered, or who uses it in violation of the regulations or law, or who fails satisfactorily to account for it, shall be punished as a court-martial may direct.

Uniform to be worn only when on duty, etc.
R. L. 16, § 92.
1905, 465, § 97.
1908, 604, § 113.

SECTION 141. No soldier shall wear or use, except upon military duty or by special permission of his company commander or other competent authority, any uniform or other article of military property belonging to the commonwealth.

Adoption of other than prescribed uniform, etc.
R. L. 16, § 100.
1905, 465, § 105.
1908, 604, § 122.

SECTION 142. Any organization of the land forces may, with the approval of a majority of its commissioned officers and of the commander-in-chief, adopt at its own expense any other uniform than that prescribed under the provisions of section one hundred and thirty-three, but such uniforms shall not be worn, except by permission of the commander-in-chief, when such organization is on duty under his orders.

Volunteer organizations may own personal property, etc.
R. L. 16, § 101.
1905, 465, § 106.
1908, 604, § 123.

SECTION 143. Volunteer organizations may own personal property, which shall be under the control of the active members thereof; and the commanding officer of any organization may recover in his own name for its use in any county where such organization or part thereof is located any debts or effects belonging to it, or damages for injury to such property. No suit or complaint pending in his name shall be abated by his ceasing to be commanding officer of the organization; but his successor shall be admitted to prosecute the suit or complaint.

Inspection and condemnation of military property, etc.
R. L. 16, § 102.
1905, 465, § 107.
1908, 604, § 124.
1912, 142, § 1.

SECTION 144. Three officers designated by the commander-in-chief shall constitute a board to inspect and condemn state military property unfit for use; and no property shall be sold until it has been so inspected and condemned, and the condemnation approved by the commander-in-chief, except that subsistence stores of a perishable nature, which would spoil before action could be taken by a board of inspection as above provided, may be sold by the officer responsible therefor, after survey by a surveying officer detailed by the commanding officer of the organization. The report of the survey, approved by the commanding officer, shall be forwarded by the accountable officer with his report of

the sale. The proceeds of all sales made hereunder shall be paid into the treasury of the commonwealth.

SECTION 145. The chief quartermaster, under the direction of the commander-in-chief, may, without expense to the commonwealth, lend military camp equipage to any state encampment of posts of the grand army of the republic, and may permit any such encampment to occupy the state camp ground at Framingham and its appurtenances for a state encampment, when this can be done without interfering with its use by the militia. A bond, with sufficient sureties in double its value, shall be given for the return of such camp equipage without loss or damage.

Camp equipage may be loaned to grand army of the republic, etc.
R. L. 16, § 104.
1905, 465, § 109.
1908, 604, § 126.

10. *Duty — Active and Peace. Inspection and Drill.*

SECTION 146. Each regiment, separate battalion, squadron, corps of cadets, staff corps and department, and unattached company of the land forces shall parade for instruction one day in each year, at a time and place appointed by the commander-in-chief. The inspector, his assistants, or other officers designated by the commander-in-chief, shall attend such tours of duty, and, within thirty days thereafter, shall report in writing to the commander-in-chief upon the proficiency of the troops.

Annual parade, etc.
R. L. 16, § 128.
1905, 465, § 134.
1908, 604, § 151.

SECTION 147. The land forces shall perform during each year not less than fourteen days' training under service conditions at times and places designated by the commander-in-chief.

Annual service training.
R. L. 16, § 129.
1905, 465, § 135.
1908, 604, § 152.
1916, 209, (G), § 1.

SECTION 148. When on duty under the orders of the commander-in-chief, the militia may enter upon and occupy any public or private lands within the commonwealth for the necessary purposes of such duty, and no officer or soldier shall thereby become liable, either civilly or criminally, for trespass; but, except in times of invasion, insurrection, riot, or public catastrophe or danger, neither the organizations of the militia nor individual members thereof shall be permitted to enter houses or other buildings or their immediate inclosures, without the consent of the owner or tenant in possession, nor to go upon the gardens, lawns, tobacco fields, cranberry meadows, vineyards, nurseries, fields with especially valuable crops, orchards or cemeteries unless extreme necessity for such entry exists, and then only in obedience to the specific orders of the senior officer present. In the case of land so entered upon for an encampment or other substantial occupancy, the owner thereof shall receive dam-

Militia on duty may enter and occupy certain lands, etc., without liability.

Damages for use or injury to land, etc.

ages in the nature of compensation for the use of the land and for any injury to the same resulting from such occupancy; and in the case of land so entered upon or passed over in the course of maneuvers, field exercises, or any similar transient purpose, the owner shall receive damages for any injury to the same resulting from such entry, but shall not be entitled to compensation for the use of the land. The amount of damages to be paid by the commonwealth under the provisions of this section shall be as agreed upon by the owner of the land with an officer or board of officers appointed by the commander-in-chief to adjust the claim, but in case the parties are unable to agree upon the damages, the owner may file in the superior court, within one year after the date of said entry, a petition asking that the damages be assessed; and thereupon the damages shall be assessed in the manner provided for the assessment of damages in the case of land taken for the laying out of highways.

Inspection at
encampment.
R. L. 16, § 131.
1905, 465, § 137.
1908, 604, § 154.

SECTION 149. At each encampment, the inspector, or such assistants as may be detailed, shall be present, and shall, within thirty days thereafter, report in writing to the commander-in-chief in regard to numbers, discipline and other matters affecting the character and efficiency of the organizations.

Judge advocate
at encamp-
ment, etc.
R. L. 16, § 132.
1905, 465, § 138.
1908, 604, § 155.

SECTION 150. A judge advocate may be detailed by the commander-in-chief to attend any encampment, and during the encampment shall, within the limits of the camp and for a distance of one mile from the guard line, have the jurisdiction of a district court of all offences then and there committed.

Notice
for duty.
R. L. 16, § 133.
1905, 465, § 139.
1908, 604, § 156.

SECTION 151. (a) The notice for the duty required under sections one hundred and forty-six and one hundred and forty-seven shall be given to each person verbally, or by delivery to him in person, or by leaving at or mailing to his last known abode or place of business the order therefor, at least four days previous to the time appointed.

Delivery by
enlisted men.
R. L. 16, § 134.
1905, 465, § 140.
1908, 604, § 157.

(b) The commanding officer of a regiment, separate battalion or squadron, or of the first corps of cadets, or of a company, may direct such orders to be delivered by one or more of the enlisted men of his command.

Mounted
bands.
R. L. 16, § 137.

SECTION 152. The commander-in-chief may authorize the use of mounted bands. 1905, 465, § 143. 1908, 604, § 160.

United States
system of
discipline to
be observed.
R. L. 16, § 172.

SECTION 153. (a) The land forces shall conform to the system of discipline and field exercise ordered to be observed by the army of the United States, or to such other

system as may hereafter be established by the laws of the United States.

1905, 465, § 178.
1908, 604, § 194.

(b) Officers and enlisted men of the land forces may be tried and punished under the provisions of this act for acts contrary to the provisions of this act or to the regulations for the government of the militia, or for any offence for which officers and enlisted men of the United States army may be so tried and punished.

Officers and men subject to military law and jurisdiction.

SECTION 154. Commissioned officers and enlisted men, who, by reason of their supplementary positions in the land forces, cannot be accepted when the organization to which they are attached is taken into the service of the United States, shall not therefore be discharged from the land forces, but shall be subject, within the limits of the commonwealth, to such military duty as the commander-in-chief shall require, and upon the return to the state of the organization to which they were attached shall resume their former duties.

Officers and men not entering service of the United States remain in militia.
1905, 465, § 187.
1908, 604, § 203.

In like manner, officers and soldiers who are in the service of the commonwealth, but who do not for any lawful reason enter the service of the United States, shall retain their positions with the land forces.

SECTION 155. Except by order of the commander-in-chief, or with his consent, no organization of the land forces shall be ordered without the limits of the commonwealth or leave the commonwealth for any period or purpose whatever, with public military property in its possession or use. Any organization disobeying the provisions of this section may, subject to the laws of the United States, be disbanded by the commander-in-chief.

Troops to be ordered outside the commonwealth, etc., only by consent of commander-in-chief.
Penalty, disbandment.
R. L. 16, § 183.
1905, 465, § 191.
1908, 604, § 206.

11. *Meetings and Assemblies.*

SECTION 156. (a) Brigade commanders may, six times in each year, call meetings for instruction of their staff officers, including attached departmental officers, field officers, adjutants, and captains of unattached companies of their commands, at some convenient place within the limits of their brigades, or at such place as the commander-in-chief may designate. The commanding officer of each regiment, separate battalion or squadron, or of the first corps of cadets may call similar meetings of the officers and non-commissioned officers of his command, including attached departmental officers, six times in each year. No compensation shall be allowed for attendance at such meetings, but the

Meetings of officers and noncommissioned officers for instruction.
R. L. 16, § 135.
1905, 465, § 141.
1908, 604, § 158.
1911, 642, § 1.

Compensation not allowed.

Transportation rates paid.

officers and noncommissioned officers attending such meetings shall be provided with the necessary transportation, at the rates established by law, when the distance traveled exceeds five miles.

School for officers.

(b) At the discretion of the commander-in-chief a school for officers may be established in any part of the commonwealth, under such regulations as he deems proper.

Visits by commanding officers, etc.
R. L. 16, § 136.
1905, 465, § 142.
1908, 604, § 159.

SECTION 157. Brigade commanders may visit the headquarters and companies of their brigades whenever they consider it necessary for military instruction. The commanding officer of each regiment, separate battalion or squadron, or of the first corps of cadets may visit the companies in his command six times each year; field and staff officers, such companies as they are ordered to visit by regimental, separate battalion or squadron or corps commanders, six times each year; inspectors of small arms practice may visit the companies in their respective organizations, when ordered so to do, three times each year; brigade staff officers, including attached departmental officers, when ordered so to do by their commanding officers, may visit each company in their brigade once in each year. The senior ordnance officer may visit competitions of company teams in regimental, battalion, squadron and corps competitions, and competitions of regimental, battalion, squadron and corps teams in state matches. Mileage for such visits shall be allowed on receipt of returns therefor at the rate of four cents a mile each way, the distance being computed by the line of the most direct railway communication from the residence of the officers, or by such route as may be approved by the commander-in-chief.

Mileage allowed.

SECTION 158. The commanding officer of any regiment, separate battalion or squadron, or of the first corps of cadets may order company inspection in the evening at the several company armories, when the good of the service so requires.

Evening company inspection may be ordered.
R. L. 16, § 138.
1905, 465, § 144.
1906, 504, § 10.
1908, 604, § 161.

SECTION 159. In addition to the duty required by sections one hundred and forty-six and one hundred and forty-seven, and in addition to any duty that may be required under the provisions of sections seventeen, twenty-five and twenty-six, every company of the volunteer militia shall assemble for instruction and drill at least forty-eight times in each calendar year, and oftener upon the orders of the company commander or his superior commanding officers. Regimental, battalion or squadron drills may be held in place of company drills, and transportation to and from the place of such drills shall be furnished for the companies, batteries or

Companies to assemble for instruction and drill, etc.
R. L. 16, § 139.
1903, 247.
1905, 465, § 145.
1908, 604, § 162.
1911, 594, § 1.

Regimental, etc., drills.

troops composing the regiment, battalion or squadron, if authorized by the commander-in-chief.

SECTION 160. The commanding officer of a regiment, separate battalion or squadron, of the first corps of cadets, or of a staff corps or department may, on sufficient grounds, excuse absences from camp duty and drills.

Excuses from drills, etc.
R. L. 16, § 149.
1905, 465, § 155.
1905, 604, § 172.

12. *Pay and Allowances.*

SECTION 161. No officer or soldier in the land forces shall be entitled to compensation for military service unless he personally performs the same, although he may be excused therefrom; and no substitute shall be allowed any compensation for such services.

No compensation except for personal service, etc.
R. L. 16, § 145.
1905, 465, § 151.
1905, 604, § 168.

SECTION 162. (a) There shall be allowed and paid per diem to officers of the land forces, on rolls and accounts kept in such form as the commander-in-chief may prescribe, for the duty prescribed by sections seventeen, twenty-five, twenty-six, one hundred and forty-six and one hundred and forty-seven, the same per diem pay as is received by officers of like grade in the regular army.

Pay of officers and soldiers.
R. L. 16, § 150.
1905, 465, § 156.
1905, 501, § 11.
1905, 604, § 173.
1913, 532.
1917, 105 (G), § 1.
Of officers for certain duties.

(b) There shall be allowed and paid per diem to soldiers of the land forces, on rolls and accounts kept in such form as the commander-in-chief may prescribe, for the duty prescribed by sections seventeen, twenty-five, and twenty-six, as follows: noncommissioned staff officers, three dollars and five cents; bandsmen, four dollars and fifty-five cents; cooks, three dollars and fifty-five cents, if, in such form as the commander-in-chief prescribed, it is certified and made to appear that in each case the duty of superintending and assisting in the preparation of the food of the company was actually performed by the cook in person during the tour of duty or day of duty for which he is returned for pay, otherwise the pay of other enlisted men of like grade; and every other enlisted man, one dollar and fifty-five cents.

Of noncommissioned staff, etc.

(c) There shall be allowed and paid per diem to soldiers of the land forces, except bandsmen and cooks, on rolls and accounts kept in such form as the commander-in-chief may prescribe, for the duty prescribed by sections one hundred and forty-six and one hundred and forty-seven, the same per diem pay and allowances as are received by soldiers of like grade in the regular army. Bandsmen and cooks shall receive the same per diem pay for this duty as is provided for members of a band and cooks serving under section seventeen of this act.

Of enlisted men for certain duties.

Of officers and soldiers for certain duties.

(d) For all other duty under orders of the commander-in-chief unless specially provided, or as a witness or defendant under summons, there shall be paid per diem to all officers above the rank of captain, four dollars; to every other commissioned officer, two dollars and fifty cents; to every member of a band, three dollars and fifty cents, and if with troops one dollar additional; and to every other enlisted man, one dollar and fifty-five cents.

Allowance for horses and draft animals.

(e) There shall be allowed for each horse actually used and furnished by officers and soldiers authorized to be mounted, and for each draft animal used, a sum not exceeding four dollars a day, which shall be in full for keeping and forage, except that when forage is furnished in kind, as provided in section one hundred and seventy, the cost of the same shall be deducted from this allowance.

Payment in lieu of subsistence.

(f) In addition to the pay herein specified, each member of a band and each enlisted man shall receive forty-five cents per diem, in lieu of subsistence, except as provided in section one hundred and seventy.

To be paid from certain appropriation. 1914, 350, § 1.

(g) All sums specified as pay for officers and enlisted men under this section shall be paid from the appropriation for pay and allowance for the militia.

Compensation for killing or injury of horse. 1910, 227, § 1.

SECTION 163. (a) An owner of a horse which is killed or injured while in the custody of a person in the performance of duty under the provisions of sections seventeen, twenty-five, twenty-six, one hundred and forty-six or one hundred and forty-seven, shall be entitled to receive compensation for the loss sustained by such death or injury.

Manner of adjusting claims. 1910, 227, § 2.

(b) All claims for such death or injury shall be inquired into by a board of three officers appointed by the commander-in-chief. The board shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers, and to punish their failure to do so, as is possessed by a general court-martial. The findings of the board shall be subject to the approval of the commander-in-chief. The amount found due to the owner by said board, to the extent that its findings are approved by the commander-in-chief, shall be paid from the fund established by the following sections.

Annual appropriation for claims for killing or injury of horses. 1910, 227, § 3.

SECTION 164. For the purpose of defraying the claims and expenses arising under the provisions of the preceding section, there shall annually be allowed from the treasury of the commonwealth a sum not exceeding twenty-five hundred dollars.

SECTION 165. (a) There shall annually be allowed and paid out of the treasury of the commonwealth a sum not exceeding ten thousand dollars, for the maintenance of United States and state draft or riding animals, used for military purposes, and from this sum there may be allowed and paid to each troop of cavalry and battery of field artillery, and other military organizations authorized to be mounted, an amount not exceeding fifteen dollars each month for every such animal owned by such organization or by individual members thereof and used for military purposes. Such allowance to an organization maintaining horses under the provisions of this section shall be for forage, care and maintenance, and shall be in lieu of any allowance for instruction in riding provided for by section one hundred and sixty-eight. The commander-in-chief shall, by order, prescribe the conditions and regulations relative to the use and maintenance of such horses, which shall be complied with before the allowance shall be paid.

Annual appropriation for maintenance of state draft and riding animals, etc. 1914, 758, § 1. 1917, 93 (G), § 1.

(b) The commander-in-chief shall, by order, prescribe the conditions and regulations for the use and maintenance of draft or riding animals owned by the commonwealth and used for military purposes, and may authorize the use and letting of such animals. All income received from such use and letting shall be paid into the treasury of the commonwealth.

Regulations, etc., for use and maintenance of draft or riding animals, etc. 1914, 758, § 2. 1917, 93 (G), § 1.

SECTION 166. When an organization of the land forces engages in any encampment, maneuvers or field instruction under the provisions of laws of the United States, and the troops of this commonwealth receive from the United States government any pay, subsistence, forage and transportation or other allowance on account of such service, the allowance for pay, subsistence, forage and transportation provided for by this act shall be reduced by the amounts so received from the United States government.

Excess of state pay, etc., over United States pay, etc., to be given, when. 1910, 283, § 1.

SECTION 167. There may be allowed, upon approval of the adjutant general, for motor vehicles actually used in lieu of horses, to each officer and soldier authorized to be mounted, but using such vehicle in lieu of a horse, a sum not exceeding four dollars per day; but the commonwealth shall not be liable for any injury to or depreciation of motor vehicles so used, or for any damages to persons or property resulting from such use.

Allowance for motor vehicles, etc. 1911, 514, § 1.

SECTION 168. (a) There shall be allowed and paid to each officer and soldier required to travel on duty, as follows: under sections seventeen, twenty-five, twenty-six, one hun-

Allowance for travel. R. L. 16, § 151. 1904, 361, § 1. 1905, 465, § 157.

1905, 468, §§ 1, 2.
 1906, 504, 12.
 1908, 371, 1.
 1908, 604, 174.
 1911, 642, 2.
 1912, 399, 1.
 1916, 221 (G),
 § 1.
 1917, 105 (G),
 § 3.

dred and forty-six and one hundred and forty-seven, two and one quarter cents a mile each way, computed by the most direct railroad communication from the place in which the headquarters of the various commands and the armories of the companies are situated or by such route as may be approved by the commander-in-chief; and when upon duty as a member or judge advocate of any military court or board, or as a witness or defendant before such court or board, when attending meetings of officers and noncommissioned officers, as provided in section one hundred and fifty-six; when acting as the presiding officer at an election, as an elector at the election of a general or field officer, or as a paymaster, and in any case when obliged by orders of the commander-in-chief to travel without troops, — four cents a mile each way, computed by the most direct railroad communication from the residence of the officer or soldier, or by such route as may be approved by the commander-in-chief.

For instruction
 in riding.

(b) The commander-in-chief may allow and pay a sum for instruction in riding not exceeding ten dollars per man for the aggregate enlisted strength, entitled by law to be mounted, of each organization for which no horses are issued or available for military instruction. Certificates signed by the commanding officer of each organization, stating the number of men in his command who have received such instruction and who have ridden at least five times under proper military instruction, shall be furnished to the adjutant general, and upon his approval payments shall be made from said sum to the commanding officer of each organization at the rate of ten dollars for each man in his command, not exceeding the maximum legal enlisted strength thereof, so certified as having received instruction.

Annual allowance to com-
 missioned
 officer.
 1904, 361, § 1.
 1905, 468, §§ 1, 2.

(c) There shall annually be allowed and paid out of the treasury of the commonwealth to every person who has held a commission in the land forces and who has served the whole of the year preceding the first day of April of each year, the sum of thirty-five dollars, upon the approval of the adjutant general, and of the intermediate commander of organizations, and upon their certification that such persons during the said period of service have complied with the provisions of section one hundred and thirty-one of this act; and every commissioned officer who has not held his office during the whole of said year shall, upon the approval and certification by the officers specified in this section and in the manner aforesaid,

be allowed and paid such sum as may equitably be due him for that part of the year during which he actually served.

(d) When military property loaned by the United States government to the commonwealth has suffered loss or injury, the amount of such loss or injury shall be paid to the United States government out of the treasury of the commonwealth upon the approval of the adjutant general, and the amounts so paid shall be deducted from allowances made payable to officers of the militia or from sums paid into the treasury of the commonwealth by the adjutant general on account of such loss or injury and collected by him from officers of the militia responsible therefor, or from their bondsmen.

Reimbursement to United States for injury to its property, etc. 1908, 371, § 1.

(e) Inspecting officers, when on duty in armories under orders of the commander-in-chief, shall receive the pay and allowances provided for officers on duty.

Pay and allowances of inspecting officers. R. L. 16, § 151.

1906, 504, § 12.

1908, 604, § 174.

1912, 399, § 1.

SECTION 169. Mounted officers and men, when ordered by the commander-in-chief to transport their horses, shall be allowed the actual cost of such transportation from the point of departure nearest to the several headquarters or the armories of the companies to which they belong. No allowance shall be made for transportation not actually used, nor to officers or men when transported by horses provided by the commonwealth.

Allowance for transporting horses. R. L. 16, § 153. 1905, 465, § 159. 1908, 604, § 175.

SECTION 170. Subsistence for enlisted men and bandmen shall be furnished in kind, unless it is otherwise directed by the commander-in-chief, when troops are on duty under sections seventeen, twenty-five, twenty-six, one hundred and forty-six and one hundred and forty-seven, and the necessary cost thereof shall be paid from the appropriation for pay and allowances. Bids for supplies for the annual encampment of the militia, involving the expenditure of more than one hundred dollars, shall be advertised for by the senior quartermaster in such newspapers as the adjutant general shall approve; and the contract shall be awarded to the lowest bidder, if the bid is approved by the adjutant general, and the bidder furnishes such security, if any, as the adjutant general may require. This requirement as to advertising shall not apply to supplies purchased or drawn from the war department or from contractors under contract to that department, if the commander-in-chief so directs. The senior quartermaster is authorized to make sales of commissary stores for cash, at contract prices, to officers and enlisted men, and to civilian employees of the state or of the United States assigned to or

Subsistence. R. L. 16, § 154. 1905, 465, § 160. 1908, 604, § 176. 1912, 568, § 1.

Bids for supplies to be advertised.

Sales of commissary stores for cash, etc.

employed at the station or with the troops, and the moneys so received by him shall be paid into the treasury of the commonwealth, and shall be credited to the appropriation for pay and allowances for that year. The senior quartermaster may purchase annually for sale for cash to officers and enlisted men and to civilian employees of the state or of the United States, as specified above, commissary stores to a value not exceeding five thousand dollars. Forage and transportation may be furnished in kind in lieu of money allowances.

Allowance to headquarters, etc., for certain expenses.
 R. L. 16, § 155.
 1905, 465, § 161.
 1906, 504, § 13.
 1908, 604, § 177.
 1914, 481.
 1916, 86 (G), § 1.
 1917, 105 (G), § 2.

SECTION 171. There shall annually be allowed and paid for postage, printing, stationery, care of property, equipment, military expense, including clerical assistance: to each brigade headquarters, one hundred and fifty dollars; to each regimental headquarters, twelve hundred dollars, and fifty dollars for every company in the command; to each separate battalion or squadron, and to the first corps of cadets, one hundred and fifty dollars for each company therein; and to each company, five hundred dollars, and five dollars for each enlisted man attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law.

For repair, etc., of uniforms, etc.
 R. L. 16, § 155.
 1905, 465, § 161.
 1906, 504, § 13.
 1908, 604, § 177.
 1914, 481.
 1916, 86 (G), § 1.
 1917, 105 (G), § 2.

SECTION 172. There shall annually be allowed and paid to each headquarters, department, corps, and company, the sum of two dollars for each enlisted man, excepting bandsmen not mustered, attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law, the amount so paid to be expended in the repair and alteration of uniforms, or in defraying the incidental military expenses of the several organizations.

For armorer.
 R. L. 16, § 155.
 1905, 465, § 161.
 1906, 504, § 13.
 1908, 604, § 177.
 1914, 481.
 1916, 86 (G), § 1.
 1917, 105 (G), § 2.

SECTION 173. There shall annually be allowed and paid to each regimental, separate battalion, squadron, and corps headquarters, and to each company, for the services of a company armorer, or armorer for regimental, separate battalion, squadron and corps headquarters, who shall devote all necessary attention to the care of the arms, equipments, uniforms, and quarters of the headquarters or company, the sum of one hundred and twenty-five dollars.

For artillery mechanic.
 1909, 298, § 1.

SECTION 174. There shall annually be allowed and paid to each battery of field artillery the sum of eight hundred dollars for the employment of a competent mechanic, who shall be appointed by the battery commander and approved by the chief quartermaster, and who shall be regularly enlisted in the battery. The said mechanic shall devote his time and labor exclusively to the care of the artillery equipment and material of the battery, except, however, that he

may be required by the chief quartermaster to perform, without further compensation, the duties of assistant armorer in the quarters occupied by the battery.

SECTION 175. The chief quartermaster may have advanced to him, from the treasury of the commonwealth, under such rules and regulations as the auditor may prescribe, one hundred per cent of the pay and mileage for duty performed at camp or annual drill, and shall return the unexpended balance of the sum so advanced as soon as possible, or at such times as the auditor may require.

Advances to chief quartermaster from treasury for pay, etc.
1908, 434, § 1.
1914, 370, § 2.
1916, 284 (G), § 15.

SECTION 176. Pay officers shall take proper vouchers for all payments, and immediately after the payment of troops shall file with the auditor of the commonwealth an account of their payments, with their vouchers; and such accounts shall be audited by the said auditor, and the several pay officers shall be held to account for any discrepancies.

Pay officers' vouchers and accounts.
R. L. 16, § 177.
1905, 465, § 184.
1908, 604, § 200.
1912, 58, § 1.

SECTION 177. The militia, when in the service of the United States, if paid by the commonwealth, shall receive the same pay and allowances as the regular troops of the United States, and the rations when commuted shall be valued at the rate fixed by the regulations of the United States army in force at the time. When the militia are discharged from such service, they shall be allowed pay and rations to their respective homes.

In United States service, pay and allowances to equal those of regular troops, etc.
R. L. 16, § 184.
1905, 465, § 192.
1908, 604, § 207.
Pay, etc., allowed to homes, when discharged.

13. Courts-martial — Courts of Inquiry — Special Boards.

SECTION 178. Courts of inquiry in the land forces shall be instituted, constituted and conducted in the same manner and shall have like powers and duties as similar courts in the army of the United States, except that such courts shall be ordered by the commander-in-chief or by a brigade commander.

Courts of inquiry.
R. L. 16, §§ 157, 158.
1905, 465, §§ 163, 164.
1908, 604, §§ 179, 180.

SECTION 179. There shall be allowed to each person, not in the volunteer militia, appearing before courts of inquiry or courts-martial upon summons of the president or judge advocate thereof, one dollar and fifty cents for each day's attendance and four cents for each mile necessarily traveled in obedience to the summons.

Allowance to witness.
R. L. 16, § 156.
1905, 465, § 162.
1908, 604, § 173.

SECTION 180. Courts-martial in the land forces shall be of three kinds, namely, general courts-martial, special courts-martial and summary courts-martial. They shall be constituted like similar courts provided for by the laws and regulations governing the army of the United States, and shall

Courts-martial.

have cognizance of the same subjects as those courts and possess like powers with them, except as to punishments, and the proceedings of courts-martial of the national guard shall follow the forms and modes of procedure prescribed for said similar courts.

General courts-martial, how convoked. Punishments, etc.
R. L. 16,
§§ 159, 160, 161.
1905, 465,
§§ 165, 166, 167.
1908, 604,
§§ 181, 182, 183.
1912, 519, § 1.

SECTION 181. General courts-martial of the land forces may be convoked by order of the president or of the governor, and shall have power to impose one or more of the following punishments or sentences for each offence: (1) Fine, not exceeding two hundred dollars. (2) Forfeiture of pay and allowances. (3) Reprimand. (4) Dismissal or dishonorable discharge from the service. (5) Reduction of noncommissioned officers to the ranks.

Special courts-martial, appointment, powers, etc.

SECTION 182. The commanding officer of each garrison, fort, post, camp or other place, brigade, regiment, detached battalion, or other detached command, may appoint special courts-martial for his command; and such special courts-martial may in any case be appointed by superior authority at its discretion. Special courts-martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offence made punishable by the military laws of the United States, and such special courts-martial shall have the same powers of punishment as do general courts-martial, except that fines imposed by them shall not exceed one hundred dollars.

Summary courts, appointment, powers, etc.

SECTION 183. The commanding officer of each garrison, fort, post, or other place, regiment, or corps, detached battalion, company, or other detachment, of the land forces may appoint for such place or command a summary court to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violation of laws governing such organizations; and said court, when satisfied of the guilt of the soldier brought before it, may impose fines not exceeding twenty-five dollars for any single offence, may sentence noncommissioned officers to reduction to the ranks, and may sentence to forfeiture of pay and allowances. The proceedings of such courts shall be informal, and the minutes thereof shall be the same as are prescribed for summary courts of the army of the United States.

Sentence to confinement in lieu of fines.

SECTION 184. All courts-martial of the land forces, including the summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed, not exceeding one day for each dollar of fine authorized.

SECTION 185. No sentence of dismissal from the service or dishonorable discharge imposed by a court-martial shall be executed until approved by the governor.

Governor to approve sentence of dismissal or dishonorable discharge.

SECTION 186. In the land forces, presidents of courts-martial and summary court officers shall have power to issue warrants to arrest accused persons and to bring an accused person before the court for trial whenever he shall have disobeyed an order in writing from the convening authority, delivered to the accused, with a copy of the charge or charges, and directing him to appear before the court. The said officials shall also have authority to issue subpoenas and subpoenas duces tecum, and to enforce the attendance of witnesses and the production of books and documents, and to sentence for a refusal to be sworn or to answer, as provided in actions before civil courts.

Power to issue warrants, compel attendance of witnesses, etc.
R. L. 16, §§ 163, 164, 1905, 465, §§ 169, 170, 1908, 604, §§ 185, 186.

SECTION 187. (a) All processes and sentences of said courts shall be executed by an officer qualified to serve criminal process, and commitment under said sentences may be made to any jail or house of correction in the commonwealth. The necessary charges shall be paid by the commonwealth on duplicate vouchers to be submitted to the adjutant general.

Processes, etc., how executed.

(b) All fines assessed under the provisions of this act and collected or withheld shall be paid to the commanding officer of the regiment, separate battalion, squadron, corps or department, to which the person fined is attached, to be used by such commanding officer to replace lost or damaged property, or for such other purposes as he may determine, subject to such regulations as may be prescribed by the commander-in-chief. Upon receipt of a certificate from the authority convening the court as to any fine assessed by it, the pay officer concerned shall pay over any funds due to the person convicted, not exceeding the amount of the fine, to the commanding officer upon his sole receipt.

Fines, how collected.

Fine may be paid out of funds due person convicted.

(c) Any soldier guilty of a military offence may be put and kept under guard by the commander of the company corps, separate battalion, squadron or regiment, or of the post, for a time not extending beyond the term of service for which he is then ordered.

Commander may keep offender under guard.
R. L. 16, § 144, 1905, 465, § 150, 1908, 604, § 167.

SECTION 188. The provisions for training and the general rules of conduct set forth in the articles of war and general regulations for the government of the army of the United States, so far as they may be applicable, and with such modi-

United States articles of war, etc., to apply to national guard, subject to modifications by commander-in-chief.

R. L. 16, § 168.
1905, 465, § 174.
1908, 604, § 190.

fications as the commander-in-chief may prescribe, shall apply to the national guard, and the officers and men of the national guard shall conform thereto.

14. *General Provisions.*

Band of
musicians.
R. L. 16, § 32.
1905, 465, § 35.
1906, 504, § 4.
1908, 604, § 31.

SECTION 189. The commanding officers of a squadron of cavalry and of the first corps of cadets may each employ or raise by enlistment a band of musicians, not exceeding twenty-four in number, to be under his command. Such musicians while on duty shall be subject to the laws and regulations for the government of the militia, except that they may not be mustered in.

Chaplains.

SECTION 190. Chaplains in the land forces shall hold the same grades as chaplains in the regular army.

Service medals.
R. L. 16, § 75.
1905, 465, § 80.
1906, 504, § 5.
1908, 315, § 1.
1908, 604, § 90.

SECTION 191. To each officer or enlisted man who completes nine years of honorable service, continuous or otherwise, there shall be issued a medal, and, for each additional five years of like service, a clasp to be affixed thereto. Active, retired or honorably discharged officers and enlisted men who have served in the military or naval service of the United States in time of war and have been honorably discharged therefrom, shall receive an additional clasp indicative of such service, to be affixed to the medal herein provided for.

Oaths,
by whom
administered.
R. L. 16, § 181.
1905, 465, § 189.
1908, 604, § 204.

SECTION 192. General and field officers, officers regularly assigned to the duty of paying troops and all judge advocates may administer the oaths required by this act, and also oaths required by the regulations for the government of the militia.

Delegates to
annual con-
ventions of
national guard
association.
1910, 513, § 1.

SECTION 193. The governor is hereby authorized to appoint from the Massachusetts national guard association delegates, at his discretion, to represent the militia of the commonwealth at the annual conventions of the national guard association of the United States. The necessary expenses of the delegates so appointed shall be paid out of the appropriation for military accounts.

PART III.

NAVAL FORCES.

1. *Organization.*

Naval forces,
who shall
constitute.

SECTION 194. (a) The naval forces shall consist of the department of naval militia, the naval militia, the naval militia retired list, and the naval militia reserve list, and any part of the unorganized militia serving with the naval forces under the provisions of sections eight, nine and eleven.

(b) The department of naval militia shall consist of a naval militia bureau, such other officers as the commander-in-chief may detail, and such clerks as he may direct to be transferred from the clerical force of the adjutant general's office.

Naval militia, department of.

The chief of the naval militia bureau shall be the chief of the department. A member of the bureau shall be designated as assistant chief of bureau and shall, in the absence of the chief of department, be acting chief of department. The adjutant general shall be, *ex officio*, a member of the naval militia bureau, and shall be, *ex officio*, acting chief of department in the absence of the chief of bureau and the assistant chief of bureau.

Naval militia bureau.

SECTION 195. (a) The naval militia shall consist of the regularly enlisted forces of the commonwealth between the ages of eighteen and forty-five years, organized as prescribed by law for the naval militia, and commissioned officers between the ages of twenty-one and sixty-two years, naval branch, and twenty-one and sixty-four years, marine corps branch: *provided, however*, that enlisted men may continue in service after the age of forty-five, and until the age of sixty-two years, naval branch, or sixty-four years, marine corps branch; *provided*, that the service is continuous.

Naval militia, how composed.

(b) The naval militia and the organizations thereof shall continue as at present constituted, until changed by the commander-in-chief, under the authority of law.

Present organizations to continue until changed by commander-in-chief.

1916, 284 (G) § 3 (a).

(c) Detachments of an engineer division or of an aeronautic division may be recruited and stationed in separate cities and towns.

Engineer or aeronautic division. 1916, 284 (G), § 3 (c).

(d) Whenever in any headquarters, division, company, detachment or section enlisted men are, by the orders of the commander-in-chief or of the commanding officer, permanently detailed away from their headquarters, division, company, detachment or section, the commander-in-chief may authorize the maximum enlisted strength of such unit to be increased by the number of men so permanently detailed. If the necessity for which such enlisted men were detailed has ceased to exist, they shall be returned to their respective units, and the maximum enlisted strength of such units may be reduced by the commander-in-chief by the number of men so returned.

Maximum enlisted strength may be increased, when. 1914, 161, § 1.

SECTION 196. The naval militia shall be subject to the system of discipline prescribed for the naval militia by the laws of the United States, and officers and enlisted men of the naval forces may be tried and punished under the pro-

System of discipline prescribed by United States to be followed. R. L. 16, § 172.

1905, 465, § 178.
1908, 604, § 194.

visions of this act for any offence for which officers and enlisted men of the United States navy and marine corps may be tried and punished, or for acts contrary to the provisions of this act or to the regulations for the government of the naval forces.

Medical head
of naval
militia.

SECTION 197. Such officer of the Massachusetts volunteer militia as the commander-in-chief may designate shall have general supervision and control of all matters pertaining to the medical department of the naval forces, and shall, subject to the laws of the United States, prescribe the physical and mental disabilities exempting from military duty. He shall purchase and issue all medical and hospital supplies and shall perform such other medical duties as the commander-in-chief may direct.

Acting judge
advocate
general for
naval militia,
duties, etc.

SECTION 198. Such officer of the Massachusetts volunteer militia as the commander-in-chief may designate as acting judge advocate general for the naval militia may be required to examine and report in writing upon all proceedings of courts-martial in the naval forces requiring the action of the commander-in-chief; and, in matters referred to him by law or by the commander-in-chief, shall be the legal adviser of the department of naval militia of the commonwealth, and shall bring all necessary actions.

Supervision,
etc., of clothing,
equipment, etc.

SECTION 199. (a) Such officer, or officers, as the commander-in-chief may designate, shall have the supervision and control of all clothing, equipment and other naval property, both state and federal, issued to, drawn, or purchased for the use of the naval militia. Such clothing, equipment and other naval property shall be purchased, drawn and issued as the commander-in-chief may direct.

Transportation
of naval
forces.

(b) Such officer, or officers, as the commander-in-chief may designate shall procure and provide transportation for the naval forces and its equipment and other property under such regulations as the commander-in-chief may prescribe.

Adjutant
general, or
other to control
appropriations
and allow
accounts for
repairs.

(c) The adjutant general, or such other officer as the commander-in-chief may designate, shall have control of the appropriations for the use and benefit of the naval forces, and may allow, annually, proper accounts for the repair of uniforms and equipment.

Use of armories
or grounds by
naval militia.

SECTION 200. The naval militia while occupying armories, or quarters therein, or using grounds for parades, drill or small arms practice, as provided in Part I of this act, shall be subject to the same rules and regulations in the use

thereof, and the same administrative control, as is the national guard. The officer or official charged by law with the care and maintenance of armories shall, at the public expense, provide suitable places for the safe-keeping of all clothing, equipment and other naval property of the naval militia.

2. *Commissioned Officers — Election and Appointment.*

SECTION 201. No person, except an officer of the United States navy, shall be eligible for election or appointment to commissioned office in the naval forces who is not a male citizen of the United States, of twenty-one years of age or upward, resident in this commonwealth, or who is disqualified by law from enrollment in the naval militia, or who has not been certified as eligible by the naval militia service board, hereinafter provided for. No person shall be eligible to such election or appointment who is under sentence of disability to hold office or command, or of suspension from command, in the naval or military forces of the United States or of any state.

Persons eligible for commissions. R. L. 16, § 34. 1905, 465, § 37. 1908, 604, § 40.

SECTION 202. Commissioned officers on the active and retired lists of the naval militia shall take rank in their grade according to the date of their commission. Between officers of the same grade and date of appointment or commission, where there has been no previous commissioned service, the relative rank shall be determined by lot. Where there has been previous commissioned service in the navy of the United States or in the naval forces of this commonwealth, it shall count in the order herein named.

Relative rank of commissioned officers. R. L. 16, § 35. 1905, 465, § 38. 1908, 604, § 41. 1911, 298.

The date of the appointment or election of an officer shall be expressed in his commission and shall be considered as the date thereof. When an officer is appointed, elected or transferred from one office or organization to another, without increase of grade or loss of continuous service, he shall rank in his grade according to the date of his original commission, which shall be stated in his new commission. The provisions of this paragraph shall not apply when a commissioned officer is transferred by election or appointment from the staff to the line.

Date of appointment, etc., to be given in commissions, etc.

Not applicable to certain transfers.

A commissioned officer of the naval militia may be reduced in rank in his grade by sentence of a general court-martial. No officer, however, shall be reduced in grade. When an officer is reduced in rank, as herein provided, he

Reduction in rank, etc.

shall, if the sentence is approved, immediately forward his commission to the commander-in-chief, through the proper channels, and the commander-in-chief shall cause his commission to be endorsed with the date of the commission of the officer, next after whom the officer reduced shall thereafter take rank.

Graduates of the naval militia cadet school, Massachusetts naval forces, holding commissions on the reserve list of the same date, shall take rank among themselves according to their published standing in the class in which they graduated. Officers on the reserve list shall take rank after all officers of like grade on the active and retired lists.

SECTION 203. (a) The staff of a naval brigade or of an administrative naval battalion shall be appointed by the commanding officer thereof; and they shall be commissioned by the commander-in-chief on the request of the appointing officer.

1916, 284 (G), § 5.

(b) No person shall be eligible to appointment as a medical officer of the naval militia unless he has been duly registered in accordance with the laws of the commonwealth, and has complied with the laws of the commonwealth relative to the practice of his profession.

SECTION 204. The commanding officer of an administrative naval battalion shall be elected by the elected division and company officers of the battalion. The other line officers of the battalion, except division and company officers and officers detailed from the reserve lists, shall be appointed by the commanding officer of the battalion. The commanding officer of a naval brigade composed of administrative naval battalions shall be elected by the elected line officers of the brigade. The other line officers of such naval brigade, except battalion, division and company officers, shall be appointed by the commanding officer of the brigade. Line officers appointed under the provisions of this section shall be commissioned by the commander-in-chief on request of the appointing officers.

Officers of divisions, companies, and of detachments or sections not organized into divisions or companies, except ensigns detailed from the reserve lists, shall be elected by the written votes of the enlisted men of the respective units.

SECTION 205. (a) Elections of commanding officers of a naval brigade or administrative naval battalion shall be ordered by the commander-in-chief. Elections of other officers shall be ordered either by the commander-in-chief or by such officers as he may authorize.

Graduates of naval militia cadet school and reserve officers.

Staff of naval brigade, etc., appointment, etc.

R. L. 16, § 36.
1905, 465, § 39.
1908, 604, § 42.
1910, 299, § 1.
1912, 268, § 1.

Requirements for medical officers.

1905, 465, § 40.
1908, 604, § 43.

Commanding and line officers, election, appointment, etc.

R. L. 16, § 37.
1905, 465, § 41.
1908, 604, § 44.
1916, 284 (G), § 6.

Officers of divisions, etc., how elected.

Orders for elections.

R. L. 16, § 38.
1905, 465, § 42.
1908, 604, § 45.

(b) Elections of officers shall not be ordered in any division, company, detachment or section unless the minimum number of men are actually enlisted and mustered in.

R. L. 16, § 39. 1905, 465, § 43. 1908, 604, § 46.

No election of officers of division, etc., without minimum enlistment.

(c) Vacancies in the grades of division and company officers of an organization shall be filled and the officers-elect commissioned and qualified before an election of commanding officer is held in that organization.

Vacancies, when to be filled.
R. L. 16, § 40.
1905, 465, § 44.
1908, 604, § 47.

(d) An officer who receives an order for an election shall order such electors to assemble for the election at the time and place designated. Such order shall be given to each elector at least four days before the time of the meeting, either verbally or by delivering it to him in person, or by leaving it at or mailing it to his last known place of business or abode.

Notices of elections.
R. L. 16, § 42.
1905, 465, § 46.
1908, 604, § 49.

(e) The officer ordering an election under the provisions of subsection (a) may preside, or may detail some officer of suitable grade to preside. The grade of lieutenant shall be deemed suitable at the election of an officer of equal or inferior rank; but no candidate for an office to be filled may preside at the election, except to adjourn the meeting if no proper officer appears to preside.

Presiding officer at election.
R. L. 16, § 43.
1905, 465, § 47.
1908, 604, § 50.

(f) The officer-elect if he is eligible, and accepts, shall thereupon be commissioned by the commander-in-chief and notified to appear before the proper examining board.

1908, 604, § 51.

Officer-elect to be commissioned, etc.
R. L. 16, § 44.
1905, 465, § 48.

(g) The qualifications of an elector are, for an officer, that he has been commissioned and qualified, and for an enlisted man, that he has been duly mustered.

1908, 604, § 52.

Qualifications of electors.
R. L. 16, § 45.
1905, 465, § 49.

(h) Elections may not be adjourned more than twice and each adjournment shall be for a period of not exceeding seven days.

Adjournments.
R. L. 16, § 46.
1905, 465, § 50.
1908, 604, § 53.

SECTION 206. (a) Persons elected to office in the naval militia shall, within three days after their election, declare in writing to the officer presiding at their election the acceptance or declination, which shall be a part of the return of the presiding officer.

Acceptance or declination in writing.
R. L. 16, § 48.
1905, 465, § 52.
1908, 604, § 55.

(b) If, before the dissolution of the meeting, the person chosen signifies to the presiding officer, either in person or in writing, his refusal to accept, the refusal shall be recorded and included in the return, and the electors shall proceed to another election.

Refusal at meeting.
R. L. 16, § 49.
1905, 465, § 53.
1908, 604, § 56.

(c) The acceptance of one office in the naval militia shall, for the purpose of election, vacate another office therein previously held by the same person; but the officer shall serve until his successor is qualified, if so ordered by his

Acceptance to vacate office previously held, etc.
R. L. 16, § 50.
1905, 465, § 54.
1908, 604, § 57.

1916, 284 (G),
§ 7.

brigade or battalion commander or by the commander-in-chief. If an officer is so ordered to serve, he shall do so by virtue of his old commission, and with the rate of pay of such old commission, until he has taken and subscribed the oath of office under his new commission, and has been ordered to duty thereunder.

Appointment
in case of
failure to elect.
R. L. 16, § 51.
1905, 465, § 55.

SECTION 207. (a) When the electors neglect or refuse to fill a vacancy the commander-in-chief may appoint or detail an eligible officer thereto. 1908, 604, § 58.

Disbandment
for failure to
elect.
R. L. 16, § 52.
1905, 465, § 56.
1908, 604, § 59.

(b) If a division, company, detachment or section having no commissioned officers has twice been ordered to elect officers, and neglects or refuses to elect one of such officers, it may be disbanded by the commander-in-chief, subject to the laws of the United States.

Time and
place of
elections.
R. L. 16, § 41.
1905, 465, § 42.
1908, 604, § 45.

SECTION 208. (a) Elections shall be held at places most convenient for the majority of the electors. Officers ordering elections shall designate the time and place at which the election shall be held.

Election record,
return, etc.
R. L. 16, § 44.
1905, 465, § 48.
1908, 604, § 51.

(b) The presiding officer shall keep a record of the proceedings and shall, within six days thereafter, make a certified return thereof to the department of naval militia, through the proper military channels, for the information of the commander-in-chief.

Rosters
and rolls.
R. L. 16, § 45.
1905, 465, § 49.
1908, 604, § 52.

(c) Officers shall carefully revise and correct rosters or rolls before issuing orders to electors to assemble for an election, and shall submit to the presiding officer a certified copy of the roster or roll and the order to the electors to assemble, with a certificate thereon endorsed of the notice given to them; and every officer who presides at an election shall report to the department of naval militia any commanding officer who shall have neglected this duty.

Conduct of
election.

(d) The presiding officer at an election shall first read the order calling it and ordering him to preside. He shall then call the names borne on the certified roster or roll, in an election of an officer or officers of a division or company directing the men to fall in as their names are called; and after reading the order to the electors to assemble and the certificate thereon endorsed, showing that proper notice has been given, shall inquire if there is any objection, and report the objection, if any is made, with his return of the election.

Quorum,
opening and
closing of
ballot, and
adjournment.
R. L. 16, § 46.
1905, 465, § 50.
1908, 604, § 53.

(e) No presiding officer shall proceed with an election unless a quorum, consisting of a majority of the electors, is present. No votes shall be received for any candidate before the hour named in the order, and after such hour every legal vote, presented before the ballot is declared

closed, shall be received. If there is no quorum present and voting, or the electors present fail to elect, the presiding officer shall adjourn the meeting to a day certain, and shall in writing report the facts to the department of naval militia.

(f) The presiding officer, having declared the ballot closed, shall count the votes, after which he shall announce and record the whole number present, the number necessary for a choice, the number given for each candidate, and the result. The person who has a majority of the ballots of the electors present shall be deemed elected, and the presiding officer shall forthwith notify him of his election.

Counting votes, declaring result, number required to elect.
R. L. 16, § 47.
1905, 465, § 51.
1908, 604, § 51.

(g) If no person is elected on the first ballot, the presiding officer shall require the electors to ballot again and again until some person is elected, or until, in the opinion of the presiding officer, it is evident that no election can result. When the presiding officer is satisfied that further ballots are useless, he may declare the election adjourned, subject to the provisions of subsection (h) of section two hundred and five. A recess of not more than two hours shall not be considered an adjournment.

Second and subsequent ballots.

(h) After the business for which the meeting was called has been transacted, or after the number of adjournments allowed by law have been made and the presiding officer is satisfied that further ballots are useless, he shall dissolve the meeting.

Adjournment for failure to elect.

(i) The records of the proceedings at an election shall be signed by the presiding officer, and forwarded by him directly to the officer ordering the election, who shall retain it.

Meeting dissolved, when.

(j) The presiding officer shall, after the election, ascertain whether or not the person elected is eligible for office, and make a report thereof to the department of naval militia with the return of the election.

Record of proceedings.

SECTION 209. (a) The commander-in-chief shall, upon the passage of this act, appoint or detail a naval militia service board to consist of three commissioned officers of the naval forces, who shall be appointed or detailed for one, two and three years, respectively, and thereafter each member shall be appointed or detailed for a term of three years. The commander-in-chief may, if he thinks it necessary, make temporary details to fill vacancies in said board caused by absence, temporary disability or active duty in the service of the United States.

Inquiry and report as to eligibility of person elected.

(b) The naval militia service board shall establish an eligible officer's list for all commissioned grades in the naval militia.

Naval militia service board, appointment, etc.

Vacancies.

Eligible officers' list.

Rules, examinations, etc.

(c) The board shall from time to time prepare rules regulating the selection of persons to fill elective and appointive commissioned offices in the naval militia. Such rules may be of a general or limited application and shall include provisions for (1) the classification of all grades to be filled; (2) open, competitive and other examinations to test the professional and practical fitness of applicants; (3) the filling of vacancies in and selection of persons for commissions in the naval militia, in accordance with the fitness of applicants, the results of such examination or otherwise; and (4) promotion, if practicable, on the basis of ascertained merit in the examination, and seniority of service in grade; and shall take effect only when approved by the commander-in-chief.

Examiners.

(d) The board may designate officers of the naval forces, or, if it be practicable, may procure the services of officers of the regular navy, to act as examiners of applicants for certification of eligibility in particular grades or branches of the service.

Record in case of each person.

(e) The board shall prepare a full record of its proceedings and findings in the case of each person appearing before it for examination.

Pay and expenses of board and examiners.

(f) The members of the board and examiners shall receive such pay for duty performed and may incur such expenses as the commander-in-chief shall determine.

Cadet school, eligible list of graduates.

(g) Graduates of the cadet school shall be placed on the eligible list by the naval militia service board, upon certificate of the superintendent, without examination.

No second examination after assignment to duty.
R. L. 16, § 62.
1905, 465, § 67.
1908, 604, § 71.

SECTION 210. An officer who has been certified as eligible for his grade, if appointed or elected and assigned to duty in that grade, shall not thereafter be required to take another examination under the rules adopted by authority of subsection (c) in order to continue to hold the same commission. But the naval militia service board may, by rule or regulation, limit the length of time during which an applicant's name may remain on an eligible list without re-examination.

Certain officers exempt from examination.
1912, 464, § 2.
1916, 284, (G), § 8.

SECTION 211. Officers elected or appointed from one office to another of equal or lower grade in the same branch of the naval militia service, chaplains and retired officers shall be exempt from all examinations under this act as to professional and practical qualifications.

Physical examination and oaths.

SECTION 212. No person hereafter commissioned as an officer of the naval militia shall enter upon his official duties

or exercise any command until he shall have successfully passed an examination as to his physical qualifications, as provided in section two hundred and thirteen, and shall have taken and subscribed to the oaths required by this act and the laws of the United States, An officer who fails to pass the physical examination and whose physical disabilities are not waived by the commander-in-chief shall be discharged, except as provided in section two hundred and nineteen.

1912, 464, §§ 1, 9.

Officer to be discharged, when.

SECTION 213. All examinations as to the physical qualifications to hold office in the naval militia shall be made by a board of three medical officers appointed by the commander-in-chief. If the board of medical officers finds that an officer elected or appointed is physically competent to perform the duties of his office, it shall certify that fact to the commander-in-chief, who shall, as soon as the officer has taken the prescribed oaths, order the officer to duty. If, in the opinion of the medical board, an officer is not physically fit to perform his duties, it shall so report to the commander-in-chief, setting forth the nature of the disabilities found and the manner and extent to which they are likely to prevent or impair the full performance of the duties of the office. Whenever the commander-in-chief finds that an officer who has been reported by the medical board to be physically unsound possesses professional and general qualifications of a high order and that his physical disabilities will not materially impair his efficiency as an officer, he may waive such physical disabilities and order the officer to duty. A detailed description of the disabilities and a statement of all the facts as to professional and general qualifications resulting in a waiver of the same shall be entered on the military record of the officer concerned.

Board of medical officers to make physical examinations. R. L. 16, § 53. 1905, 465, § 57. 1908, 604, § 61. 1912, 138, § 1.

Physical disabilities may be waived in certain cases.

SECTION 214. The commander-in-chief may require the naval militia service board to examine and report on enlisted men of the naval militia appointed to the naval militia cadet school as to their general fitness to pursue the course of training at the said school, and he may also require said board to inquire into and report on the zeal, efficiency and general fitness to discharge the duties of their grade, of officers on the naval militia reserve list, as required in section two hundred and sixteen.

Commander-in-chief may require reports on men in cadet school and on reserve officers.

SECTION 215. Graduates of the naval militia cadet school, shall, upon their own request, and at any time within three years next following the date of graduation, be appointed by the commander-in-chief ensigns on the reserve list of the naval

Graduates of cadet school to be appointed ensigns on reserve list, etc. 1916, 170 (G), § 2.

militia, and, upon passing a satisfactory physical examination in the manner now or hereafter required of newly commissioned officers of the same grade, shall be commissioned accordingly.

Officers on reserve list, etc., assignments, etc. 1916, 170 (G), §§ 3, 4.

SECTION 216. Officers on the reserve list of the naval militia, upon being commissioned, may be assigned for a period of one year as additional ensigns to such units of the naval militia as the commander-in-chief may direct, for the purpose of continuing their training. At the conclusion of said assignments the commander-in-chief shall cause due inquiry to be made as to the efficiency and general fitness of reserve officers, and those who shall be found zealous, efficient and generally fitted to discharge the duties of their grade shall be continued on the reserve list for a further period of five years, during which time they shall perform such duties consistent with the constitution and laws of the commonwealth as may be required of them by the commander-in-chief; otherwise they shall be honorably discharged. At the end of such further period of five years a reserve officer who has not in the meantime received a commission on the active list shall be honorably discharged. Officers on the reserve list of the naval militia shall be subject to the provisions of laws now or hereafter applicable to commissioned officers of the naval militia, active or retired, except as is otherwise provided in this act. Officers on the reserve list of the naval militia who are elected or appointed to office on the active list not higher in grade than that of ensign, line duties only, shall be exempt from passing the examination required of other newly commissioned officers of that grade, and, upon being commissioned and qualified, shall be assigned to duty.

Oath of commissioned officer. R. L. 16, § 64. 1905, 465, § 69. 1908, 604, § 73.

SECTION 217. Every commissioned officer, before entering upon the performance of his official duties or exercising any command, shall take and subscribe such oaths as may be required by the laws of the United States, and in addition the following oaths and declarations: —

I, A. B., do solemnly swear that I will bear true faith and allegiance to the commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.

I, A. B., do solemnly swear that I will obey the lawful orders of all my superior officers. So help me, God.

I, A. B., do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____ according to the best of my ability and understanding, agreeably to the rules and regulations of the

constitution and the laws of the commonwealth. So help me, God.

I, A. B., do solemnly swear that I will support the constitution of the United States. So help me, God.

All officers shall take and subscribe the said oaths before an officer qualified to administer oaths, except retired officers, who may take the said oaths before any competent authority; and the following certificate shall be printed on every commission and shall be signed by the person before whom the officer is qualified: —

Oaths to be administered by qualifying officers.

This may certify that A. B., commissioned as within on this _____ day of _____, A.D., personally appeared and took and subscribed the oaths required by the constitution and laws of this commonwealth and by a law of the United States, to qualify him to discharge the duties of his office.

Before me,

3. *Commissioned Officers — Discharge and Retirement.*

SECTION 218. (a) An officer may be discharged by order of the commander-in-chief upon an address of both branches of the general court, to carry out the lawful sentence of a court-martial, or under the provisions of this act.

Discharge of officer upon address or sentence of court-martial. R. L. 16, § 76.

1905, 465, § 81.

1908, 604, § 91.

1912, 444, § 1.

(b) An officer may be honorably discharged by the commander-in-chief upon removal of residence from the commonwealth, upon tender of resignation, upon the disbandment of the organization to which he belongs, or when he accepts an appointment in the army or navy of the United States.

Honorable discharge to officers, when. R. L. 16, § 77. 1905, 465, § 82. 1908, 604, § 92. 1912, 444, § 2.

SECTION 219. (a) Any commissioned officer of the naval militia service who has served as a commissioned officer in the volunteer militia of this commonwealth for the period of ten years may, upon his own application, be placed upon the naval militia retired list with the grade held by him at the time of making such application; but an officer who at the time of making such application has remained in the same grade for the period of ten years, or has served as a commissioned officer for the period of fifteen years, or having served in the army or navy of the United States in time of war and having been honorably discharged therefrom, has also served as a commissioned officer in the volunteer militia of this commonwealth for the period of five years, may be retired with the grade next above that held by him during the six months

Retirement of officers for length of service. R. L. 16, § 78. 1904, 231, 1. 1905, 465, § 83. 1906, 212, 1. 1906, 504, 6. 1907, 305, 2. 1908, 604, § 96. 1912, 444, 1.

preceding the time of making the said application. Any commissioned officer requesting retirement after the completion of twenty-five years or more of commissioned service may be placed upon the retired list with such increase in grade as the commander-in-chief may direct. At his own request an officer applying for retirement may be given the grade herein provided for, or a lower grade. A commissioned officer on the naval militia retired list who accepts a commission in the active militia may at any time, upon his application, be placed again upon the retired list with the grade with which he was formerly retired; but if his latest service on the active list of the naval militia has entitled him to a grade on the retired list higher than that previously held by him, he shall be given such higher grade.

Retirement for disability.
R. L. 16, § 78.
1904, 231, 1.
1905, 465, 83.
1906, 212, 1.
1906, 504, 6.
1907, 305, 2.
1908, 604, § 97.

(b) The commander-in-chief may order any commissioned officer of the naval militia before a medical board, consisting of at least three commissioned medical officers, and may retire such officer if the board reports him to be physically unable to perform the duties of his office. Such officer may be retired with any increase in grade that he would be entitled to receive if retired upon his request under the preceding subsection.

Service on reserve list counted for retirement.
Discharge or retirement rescinded in certain cases.
1908, 604, § 98.

(c) The service of an officer on the reserve list shall be allowed in computing eligibility for retirement.

(d) Any officer who has been honorably discharged or retired from the naval militia since the year eighteen hundred and ninety-eight, may, upon application to the commander-in-chief, have such discharge or retirement rescinded, and be placed upon the naval militia retired list under the provisions of this act.

Register of retired officers.
1908, 604, § 99.
1915, 289 (G),
§ 4.

(e) The names and records of all officers on the retired list of the naval militia shall annually be printed in a separate register in the order of their retired rank, to be appended to the report of the department of naval militia, or to the roster of officers of the volunteer militia.

Transfer to new retired list.

(f) The commander-in-chief is hereby authorized, under such regulations as he may prescribe, and without new commissions, to transfer to the retired list hereby created such officers on the present retired list, who have been retired with naval rank, as may request such transfer. Those not making the said request shall be honorably discharged.

Retired officers, privileges and duties.
R. L. 16, § 79.
1905, 465, § 84.
1908, 604, § 100.

SECTION 220. (a) Retired officers shall be commissioned on the retired list by the commander-in-chief, and on occasions of ceremony may, and, when acting under orders as

hereinafter provided, shall wear the uniform of their retired rank. They shall be eligible to perform any military duty to the same extent as if not retired, and the commander-in-chief may, in his discretion, require them to serve upon military boards, courts of inquiry and courts-martial, or to perform any other special or temporary military duty, and while actively engaged in such duty they shall receive the pay and allowances provided for like service by officers of the active naval militia. They shall be amenable to courts-martial for military offences, as if upon the active list of the naval militia. Their names shall be borne on a separate roster, kept under the supervision of the adjutant general. They shall report to the adjutant general any change in their residence. An officer now on the retired list may, upon application, receive a commission on the retired list as provided above, and such commission shall state the date on which he was retired.

(b) Ensigns on the reserve list, when ordered to active duty, shall wear the uniform of their grade, and while actually performing such duty under the orders of the commander-in-chief, they shall receive the pay and allowance of officers of like grade in the active naval militia. Their names shall be borne on a separate list on the roster of naval militia officers, kept under the supervision of the department of naval militia. They shall report to the department of naval militia any change in their address.

Ensigns on reserve list.

SECTION 221. (a) The commander-in-chief may dismiss an officer who has been convicted of crime, or who has been absent without leave and whose whereabouts are unknown for a period of three months, or who has been dishonorably discharged or dismissed or who is a deserter from the service of the United States, or from the volunteer militia of this or any other state; or he may dismiss an officer in order to carry out the sentence of a court-martial.

Dismissal of officer.
R. L. 16, § 80.
1905, 465, § 85.
1908, 604, § 101.
1915, 289 (G), § 5.

(b) Officers discharged from the service of the commonwealth shall be entitled to a certificate of discharge, in such form as the commander-in-chief shall direct.

Certificate of discharge of officer.
R. L. 16, § 81.
1905, 465, § 86.
1908, 604, § 102.

4. *Petty Officers — Appointment and Reduction.*

SECTION 222. (a) Commanding officers shall warrant, appoint, enlist, or keep warranted, appointed, or enlisted, the number of chief petty officers, petty officers and other enlisted men required in orders of the commander-in-chief.

Number of petty officers, etc., to conform to orders.
1905, 465, § 34.
1906, 504, § 3.
1908, 604, §§ 25, 29.

Commander-in-chief to make regulations as to appointment, etc., of rated men.
 R. L. 16, §§ 65, 66.
 1905, 465, §§ 70, 71.

(b) The commander-in-chief shall provide, in regulations issued by him, how and by whom chief petty officers, petty officers, and other rated men shall be appointed, warranted and reduced. 1908, 604, §§ 74-80 inclus. 1909, 167, § 1. 1916, 284 (G), § 10.

5. *Enlisted Men — Enlistment and Muster.*

Enlistment and muster.
 R. L. 16, § 67.
 1905, 465, § 72.
 1908, 604, § 81.

SECTION 223. (a) Every person enlisting in the naval militia shall be mustered into the service of the commonwealth for a term of three years; but an enlisted man who has received an honorable discharge from the naval militia at the expiration of his term of service may be re-enlisted and mustered in for a term of one, two or three years, at his election. Terms of service, except in cases of re-enlistment, shall begin on the day of enlistment, if the enlisted man is mustered in within thirty days thereafter. When an enlisted man re-enlists, and is mustered into service within thirty days after the expiration of his previous term of service, his term of service shall be considered as continuous and his new enlistment shall be dated on the day succeeding that on which his previous service expires. Terms of service shall expire on the day of the month next preceding the date of commencement of service, but an enlisted man may be held to service on the last day of his enlistment.

Commander-in-chief to prescribe rank or rating.
 R. L. 16, § 68.

(b) All enlisted men shall be enlisted and mustered with such rank or rating as the commander-in-chief may prescribe. 1905, 465, § 73. 1908, 604, § 82. 1916, 284 (G), § 11.

Commanding officer to be recruiting officer.
 R. L. 16, § 69.
 1905, 465, § 74.
 1908, 604, § 83.
 1914, 376, § 1.
 1915, 126 (G), § 1.

SECTION 224. (a) The commanding officer of a naval brigade or of an administrative naval battalion shall be the recruiting officer for the chief petty officers, petty officers and other enlisted men attached or to be attached to the headquarters of his command, and enlisted men who are or are to be permanently detailed for duty away from the units in which they are enlisted. The commander-in-chief may appoint persons to act as recruiting officers of new units of the naval militia until an officer has been elected or appointed, and has qualified. Division, company, section or detachment commanders shall be the recruiting officers for their commands. In case of a vacancy a commanding officer of a naval battalion may order some officer to perform the duty until the vacancy is filled. Recruiting officers may enroll applicants for enlistment in the naval militia above the maximum allowed by law not exceeding fifteen in number in each unit, and such applicants may be instructed and

drilled as recruits, and in the discretion of the recruiting officer may be preferred for enlistment as vacancies occur.

(b) In time of war, or when the volunteer militia is called into active service for any reason, and is on duty at some point other than its regularly established armory or location, the commander-in-chief is authorized to establish recruiting depots and to detail officers as recruiting and mustering officers, and the officers so detailed shall have authority to enlist and muster in enlisted men for the naval militia.

Recruiting depots, etc. 1916, 284 (G), § 12.

SECTION 225. (a) The officers named in the preceding section as recruiting officers shall be mustering officers for mustering in and administering the prescribed oaths of enlistment to all enlisted men enlisted by them, but any officer who is herein designated as recruiting officer may authorize any other officer of his command to muster in and administer the prescribed oaths of enlistment to enlisted men enlisted by the recruiting officer.

Mustering officers. R. L. 16, § 70. 1905, 465, § 75. 1908, 604, § 84. 1915, 126 (G), § 2.

(b) Mustering officers shall forward to the commander-in-chief the returns of the enlistment and mustering in of enlisted men as soon as practicable, and not later than ten days thereafter. Such returns shall be in such form, and accompanied by such certificates, descriptive lists and other information relating to the recruit, as may be required by law or prescribed in orders by the commander-in-chief. No recruit shall be accepted who is known to be ineligible for enlistment or physically or otherwise below the standard prescribed by the commander-in-chief. No recruit having been accepted shall be mustered into the service until all the requirements of statute law, of the naval militia regulations, and of all proper orders relating to the enlistment and muster in of enlisted men have been complied with.

Duties.

(c) Recruits shall sign such enlistment papers as the commander-in-chief may prescribe.

Enlistment papers. R. L. 16, § 71. 1905, 465, § 76. 1908, 604, § 85.

SECTION 226. As soon as practicable, within thirty days after enlistment, the recruit shall be mustered in by a mustering officer, before whom he shall make oath as required by the laws of the United States, and in addition shall take the following oath: —

Oath before mustering officer. R. L. 16, § 72. 1905, 465, § 77. 1908, 604, § 86.

I, _____ do solemnly swear that I will bear true faith and allegiance to the commonwealth of Massachusetts, and will support the constitution thereof; and I do also solemnly swear that I will faithfully observe and obey all laws and regulations for the government of the

volunteer militia of the commonwealth, and the orders of all officers elected or appointed over me. I do also solemnly swear that I will support the constitution of the United States. So help me, God.

Sworn to before me,

Mustering Officer.

No duty or pay until muster.
R. L. 16, § 72.
1905, 465, § 77.
Commanding officer may forbid muster of unfit persons.
R. L. 16, § 73.
1905, 465, § 78.
No enlistment in another organization during term of service.
R. L. 16, § 74.
1905, 465, § 79.
1908, 604, § 89.

SECTION 227. (a) No enlisted man shall be held to duty in the naval militia or receive any compensation or allowance until he is mustered in. 1908, 604, § 87.

(b) The commanding officer of any brigade or independent administrative naval battalion may forbid the mustering in of any person enlisted, if in his opinion such person is unfit to be a member of the naval militia. 1908, 604, § 88.

(c) No enlisted man whose term of service in one organization has not expired shall enlist in another organization of the volunteer militia.

6. *Enlisted Men — Discharge.*

Discharge of enlisted men.
R. L. 16, § 82.
1902, 158.
1905, 465, § 87.
1906, 373, § 1.
1908, 604, § 103.
1912, 87.

SECTION 228. No enlisted man shall be discharged before the expiration of his term of service, except by the order of the commander-in-chief, and for the following reasons: upon acceptance of promotion by commission; upon removal of residence from the commonwealth, or so far from the bounds of the command to which he belongs that he cannot, in the opinion of the commanding officer, properly perform his military duty; upon the disbandment of the organization of which he is a member; upon disability, established by certificate of a medical officer; upon conviction of a felony; when in the opinion of the commander-in-chief the interests of the service require his discharge; to carry out the sentence of a court-martial; or upon application of his company commander, approved by a superior commander: *provided, however,* that whenever the commanding officer of a division, company, detachment or section shall apply to his superior commander for the discharge of an enlisted man as last provided above, he shall at once notify the enlisted man of such application; and should the enlisted man, within seven days after such notification by his company commander, apply directly to the commanding officer of his organization, or, in case of unattached units, to the department of naval militia, for a hearing upon the application for his discharge, he shall be given a hearing, and, if he so requests, shall be represented by counsel, at his own expense. No

Proviso.

discharge shall, however, be given in contravention of the laws of the United States.

SECTION 229. (a) A discharged enlisted man shall be furnished with a certificate of discharge, setting forth his rank or rating, and stating clearly the reason for his discharge.

Certificate to state reason for discharge.
R. L. 16, § 84.
1905, 465, § 89.
1908, 604, § 105.

(b) A dishonorable discharge, or a discharge expressly forbidding re-enlistment, shall be given only to carry out the sentence of a court-martial. R. L. 16, § 83. 1905, 465, § 88. 1908, 604, § 104.

Dishonorable discharge, etc., only on sentence of court-martial.

7. *Uniforms of Officers.*

SECTION 230. Commissioned officers shall provide themselves with uniforms, arms and equipments prescribed by the commander-in-chief, which shall be free from attachment, distress, execution or sale for debt or payment of taxes.

Commissioned officers to provide their uniforms, etc.
R. L. 16, § 85.
1905, 465, § 90.
1906, 504, § 7.
1908, 604, § 106.
1912, 67.

8. *Public Property — Issue and Accountability.*

SECTION 231. (a) Except as provided in the preceding section, organizations of the naval militia shall be provided at the expense of the commonwealth with the uniforms, arms, equipments, colors, musical instruments, books of instruction and of record, supplies, equipage and draft animals necessary for their proper training and instruction and the proper performance of their duties. Such property shall be issued as the commander-in-chief may direct, but in time of peace no uniforms, arms, equipments or supplies shall be issued to, or for the use of, any company which has not the minimum number of enlisted men.

Uniforms, arms, etc., to be provided by the commonwealth.
R. L. 16, § 86.
1905, 465, § 91.
1908, 604, § 107.

(b) The uniform of the naval militia shall conform as nearly as practicable to that of the regular navy of the United States, and the style shall be prescribed by the commander-in-chief, and shall be as designated by the navy department of the United States.

Uniform of naval militia.
R. L. 16, § 87.
1905, 465, § 92.
1908, 604, § 108.
1916, 284 (G), § 13.

(c) The uniforms, arms, equipments and other property so provided shall be used only for military purposes in accordance with regulations issued by the commander-in-chief, and shall be returned when it is so ordered by the commander-in-chief.

State uniforms, etc., to be used for military purposes only.
R. L. 16, § 88.
1905, 465, § 93.
1908, 604, § 109.

(d) The regulations issued by the commander-in-chief shall provide how and where such property shall be kept and used.

Regulations as to property issued to naval militia.

SECTION 232. An officer or enlisted man shall be responsible for the care, safe-keeping and return of all govern-

Responsibility for care and return of naval property.

R. L. 16, § 93.
1965, 465, § 98.
1908, 604, § 114.

ment or state property delivered to him; and upon receiving a discharge, or otherwise leaving the service, or upon the demand of his commanding officer, shall forthwith deliver such property in his possession to the commanding officer, or to any officer ordered to receive it, in good order and condition, reasonable use and ordinary wear thereof excepted.

Officers
accountable
for property,
etc.
R. L. 96, § 96.
1905, 465, § 101.
1908, 604, § 118.

SECTION 233. (a) An officer shall be accountable for public property received by him for military use, and shall not sell, loan or transfer the same, or any part thereof, without the authority of the commander-in-chief, and shall be liable to the commonwealth for all property defaced, injured, destroyed or lost by his neglect or default, and for its value, to be recovered by an action of tort to be brought by the acting judge advocate general in the name of the commonwealth.

Commissioned
officers liable
to court-
martial for
damage to
property.
R. L. 96, § 95.
1905, 465, § 100.
1908, 604, § 117.

(b) Commissioned officers shall exercise the strictest care and vigilance for the care of uniforms, arms, equipments and other property furnished to their several commands, and in case of any loss thereof or damage thereto, by their neglect or default, they shall be liable to punishment as a court-martial may direct.

Recovery of
stolen or
embezzled
property.
1906, 504, § 8.
1908, 604, § 115.

(c) When any officer or enlisted man neglects or refuses to return any military property of the commonwealth or of the United States, or of any naval militia organization, or to account satisfactorily for it to the officer responsible for the custody of the property, or to the officer ordered to receive it, such custodian or officer may make a written complaint directly to the chief of the district police, describing the offender and the missing property, and thereupon the district police shall make diligent search for the property and the offender, and shall take possession of all such property and shall turn it over to the officer responsible for its custody.

Officer to
turn over
records, reports
and property
to successor.
R. L. 16, § 97.
1905, 465, § 102.
1908, 604, § 119.

SECTION 234. (a) An officer of the naval militia upon vacating an office shall turn over to his immediate successor, or other officer designated by the commander-in-chief, all records, reports and military property in his possession belonging, or in any way pertaining, to such office.

Liability of
officers upon
disbandment.
R. L. 16, § 98.
1905, 465, § 103.
1908, 604, § 120.

(b) Upon the disbandment of any naval militia organization which has received property for military use, the commissioned officers thereof shall be responsible for the safe return of all such property in its possession; and the officer who has received for such property shall be liable for any loss or damage thereto.

(c) Until an officer, or his legal representative, receives from the department of naval militia notice that the property accounts of such officer have been found correct, the liability of the officer or of his estate for public property for which he is, or may have been, responsible shall not be affected by his resignation, discharge, change in official position or death. Upon the death or desertion of an officer responsible for public property, his immediate commanding officer shall at once cause such property to be collected and a correct inventory made by actual count and examination, and forwarded to the department of naval militia; and compensation for any deficiency may be recovered as provided in section two hundred and thirty-three.

Liability to continue until notified that accounts are correct, etc.
R. L. 16, § 99.
1905, 465, § 104.
1908, 604, § 121.

SECTION 235. Whoever purchases, retains or has in his possession any tool or equipment, or any weapon of ordnance, or article of clothing or equipment issued by and the property of the United States or the commonwealth, unless the same shall have been issued to him, or is in his possession in accordance with law, shall be punished by a fine not exceeding ten times the value thereof.

Penalty for unlawful purchase, etc.
R. L. 16, § 16.
1905, 465, § 16.
1908, 604, § 116.

SECTION 236. An officer or enlisted man of the naval forces who wilfully or maliciously destroys, injures or defaces any United States or state property, or who loses or injures such property through carelessness or neglect, or who carries away or unlawfully disposes of such property, or who retains in his possession such property and neglects or refuses to return it when so ordered, or who uses it in violation of the regulations or law, or who fails satisfactorily to account for it, shall be punished as a court-martial may direct.

Penalty on officer or sailor for destruction, etc., of property.
R. L. 16, § 94.
1905, 465, § 99.
1906, 504, § 8.
1908, 604, § 115.

SECTION 237. Naval militia organizations may own personal property, which shall be under the control of the active members thereof; and the commanding officer of any organization may recover in his own name for its use, in any county where such organization or part thereof is located, any debts or effects belonging to it, or damages for injury to such property. No suit or complaint pending in his own name shall be abated by his ceasing to be commanding officer of the organization, but his successor shall be permitted to prosecute the suit or complaint.

Personal property of organizations and suits to recover same.
R. L. 16, § 101.
1905, 465, § 106.
1908, 604, § 123.

SECTION 238. Three officers designated by the commander-in-chief shall constitute a board to inspect and condemn state military property unfit for use; and no property belonging to the commonwealth shall be sold until

Inspection and condemnation of state military property.
R. L. 16, § 102.
1905, 465, § 107.

1908, 604, § 124.
1912, 142, § 1.

it has been so inspected and condemned, and the condemnation approved by the commander-in-chief, except that subsistence stores of a perishable nature, which would spoil before action could be taken by a board of inspection as above provided, may be sold by an officer appointed by the senior officer present of the organization. The report of the survey, approved by the commanding officer, shall be forwarded by the accountable officer with his report of the sale. The proceeds of all sales made hereunder shall be paid into the treasury of the commonwealth.

9. Duty. Active and Peace. Inspection and Drill.

Annual service training.

R. L. 16, § 129.
1905, 465, § 135.
1908, 604, § 152.
1916, 209 (G), § 1.

Duty may be performed afloat.
1916, 284 (G), § 3 (b).

Expenses for use of United States ships.
1916, 10 (G), § 1.

Camp grounds in time of peace.
R. L. 16, § 130.
1905, 465, § 135.
1908, 604, § 153.

Notice for duty.
R. L. 16, §§ 133, 134.
1905, 465, §§ 139, 140.
1908, 604, §§ 156, 157.

SECTION 239. (a) The naval militia shall perform during each year not less than fourteen days' training under service conditions at times and places designated by the commander-in-chief.

(b) The duty of the naval militia may be performed afloat on vessels of the navy or on vessels or boats loaned by the secretary of the navy to the governor or other proper state authority, for the use of the naval militia.

The annual appropriation for the furnishing, repair and care of any United States ships loaned to the commonwealth of Massachusetts for the use of the naval militia shall be available for the payment of all damages and other expenses incident to the use of such ships. Claims for damages shall be paid only when approved by the adjutant general, and the release obtained shall be in such form as he may prescribe.

(c) No ground shall be occupied for an encampment of the naval militia in time of peace without the consent of the mayor and aldermen of the city, or the selectmen of the town, where the encampment is to be held, unless ordered by the commander-in-chief. The commonwealth shall pay for the use of such grounds on contracts approved by the department of naval militia.

(d) The notice of the duty required under this section shall be given to each person verbally, or by delivery to him in person, or by leaving at or mailing to his last known abode or place of business, an order therefor, at least four days previous to the time appointed.

The commanding officer of a brigade, battalion, division, company, detachment or section may direct such orders to be delivered by one or more enlisted men of his command.

SECTION 240. Commissioned officers and enlisted men who, by reason of their supplementary positions in the naval militia, cannot be accepted when the organization to which they are attached is taken into the service of the United States, shall not therefor be discharged from the naval militia, but shall be subject within the limits of the commonwealth to such military duty as the commander-in-chief shall require, and upon the return to the state of the organization to which they were attached shall resume their former duties. In like manner officers and enlisted men who are in the service of the commonwealth, but who do not for any lawful reason enter the service of the United States, shall retain their positions with the naval militia.

Officers and men not entering service of United States remain in naval militia.
1905, 465, § 187.
1908, 604, § 203.

SECTION 241. Except by order of the commander-in-chief, or with his consent, no organization of the naval militia shall be ordered without the limits of the commonwealth or leave the commonwealth for any period or purpose whatever, with public military property in its possession or use. Any organization disobeying the provisions of this section may, subject to the laws of the United States, be disbanded by the commander-in-chief.

Naval militia not to be ordered out of the commonwealth, etc., without consent of commander-in-chief.
R. L. 16, § 183.
1905, 465, § 191.
1908, 604, § 206.

10. Meetings and Assemblies.

SECTION 242. (a) Commanders of naval brigades or independent administrative naval battalions may call meetings for the instruction of the officers and petty officers of their respective commands six times in each year. No compensation shall be allowed for attendance at such meetings, but the officers and petty officers attending the meetings shall be provided with the necessary transportation, at the rates provided by law, when the distance traveled exceeds five miles.

Meetings of officers and petty officers for instruction.
R. L. 16, § 135.
1905, 465, § 141.
1908, 604, § 158.
1911, 642, § 1.

(b) At the discretion of the commander-in-chief a school for officers may be established in any part of the commonwealth under such regulations as he deems proper.

School for officers.

SECTION 243. (a) Commanding officers of brigades and battalions may visit the companies in their command six times each year; headquarters officers of brigadier and administrative naval battalions may visit such companies as they are ordered to visit by the brigade or battalion commanders, six times each year. Mileage for such visits shall be allowed on receipt of returns therefor at the rate of four cents a mile each way, the distance being computed by the

Visits by commanding officers, etc.
R. L. 16, § 136.
1905, 465, § 142.
1908, 604, § 159.

line of most direct railway communication from the residence of the officers, or by such route as may be approved by the commander-in-chief.

(b) The commanding officer of a naval brigade or battalion may order company inspections in the evening at the several company armories, when the good of the service so requires.

SECTION 244. (a) In addition to all other duties required by the provisions of this act, every division, company, detachment or section of the naval militia shall assemble for instruction and drill at least forty-eight times in each calendar year, and oftener upon the orders of the division, company, detachment or section commander or his superior commanding officer. Battalion drills may be held in place of company drills; and transportation to and from the place of such drills shall be furnished for the companies composing the battalions, if it is authorized by the commander-in-chief.

(b) Commanding officers of naval brigades and battalions may, on sufficient grounds, excuse absences from duty and drills.

11. *Pay and Allowances.*

SECTION 245. No officer or enlisted man in the naval militia shall be entitled to compensation for military services unless he personally performs the same, although he may be excused therefrom; and no substitute shall be allowed any compensation for such service.

SECTION 246. (a) There shall be allowed and paid per diem to officers of the naval forces on rolls and accounts kept in such forms as the commander-in-chief may prescribe, for the duty prescribed by sections seventeen, twenty-five, twenty-six and two hundred and thirty-nine, the same per diem pay and allowances as are received by officers of like grade in the regular navy, or marine corps.

(b) There shall be allowed and paid per diem to enlisted men of the naval militia on rolls and accounts kept in such form as the commander-in-chief may prescribe, for the duty prescribed by sections seventeen, twenty-five, twenty-six and two hundred and thirty-nine as follows: chief petty officers, three dollars and five cents; members of a band, four dollars and fifty-five cents; cooks, first class, bakers, first class, cabin stewards, cabin cooks, wardroom stewards, wardroom cooks, steerage stewards and steerage cooks, three dollars and fifty-five cents, if, in such form as the

Company inspections.

R. L. 16, § 138.
1905, 465, § 144.
1906, 504, § 10.
1908, 604, § 161.

Division and battalion drill.
R. L. 16, § 139.
1903, 247.
1905, 465, § 145.
1908, 604, § 162.
1911, 594, § 1.

Excuse from drills, etc.

R. L. 16, § 149.
1905, 465, § 155.
1908, 604, § 172.

No compensation except for personal service, etc.

R. L. 16, § 145.
1905, 465, § 151.
1908, 604, § 168.

Pay of officers for certain duties.

R. L. 16, § 150.
1905, 465, § 156.
1906, 504, § 11.
1908, 604, § 173.
1913, 532.
1917, 105 (G), § 1.

Of chief petty officers, petty officers, and enlisted men for certain duties.

commander-in-chief prescribes, it is certified and made to appear that in each case the duty of superintending and assisting in the preparation of food was actually performed by the steward, cook or baker in person during the tour of duty, or day of duty, for which he is returned for pay, otherwise the pay of other enlisted men of like grade; officers' mess attendants, one dollar and fifty-five cents; and to every other enlisted man of the naval militia, one dollar and fifty-five cents; except that for the first fifteen days' duty each year prescribed by section two hundred and thirty-nine, enlisted men of the naval militia, except bandsmen, stewards, cooks, bakers and officers' mess attendants, certified as actually performing the duty of their rating, shall receive the same per diem pay as is received by enlisted men of like rank or rating in the navy of the United States.

(c) For all other duty under orders of the commander-in-chief, unless it is otherwise specially provided, or as a witness or defendant under summons, as provided in this act, there shall be allowed and paid per diem to all officers above the rank of lieutenant, four dollars; to every other commissioned officer, two dollars and fifty cents; to every member of a band, three dollars and fifty-five cents, and, if with troops, one dollar additional; and to every other enlisted man, one dollar and fifty-five cents.

Of officers and enlisted men for certain duties.

(d) In addition to the pay herein specified, each member of a band and each enlisted man shall receive forty-five cents per diem, in lieu of subsistence, except as provided in section two hundred and fifty-one.

Payment in lieu of subsistence.

SECTION 247. All sums specified as pay for officers and enlisted men under the preceding section shall be paid from the appropriation for pay and allowances for the militia.

To be paid from appropriation. 1914, 350, § 1.

SECTION 248. (a) If any duty is performed by the naval militia under such circumstances that any of the officers and enlisted men thereof are by order of the commander-in-chief authorized to be mounted, or if by order of the commander-in-chief draft animals are employed, the owner of a riding or draft animal which is killed or injured while in the custody of a member of the naval militia, or other person, in the performance of duty under the provisions of this act, shall be entitled to receive compensation for the loss sustained by such death or injury.

Compensation for killing or injury of riding or draft animal. 1910, 227, § 1.

(b) There shall be allowed for each horse actually used by officers and enlisted men authorized to be mounted and for each draft animal, a sum not exceeding four dollars a day,

Allowance for horses and draft animals. R. L. 16, § 150. 1905, 465, § 156.

1906, 504, § 11.
1908, 604, § 173.
1913, 532.
1917, 105 (G),
§ 1.

For motor
vehicles.
1911, 514, § 1.

Excess of state
pay over
United States
pay to be
given, when.
1910, 283, § 1.

Allowance for
travel.
R. L. 16, § 151.
1904, 361, § 1.
1905, 465, § 157.
1905, 468, §§ 1, 2.
1906, 504, § 12.
1908, 371, § 1.
1908, 604, § 174.
1911, 642, § 2.
1912, 399, § 1.
1916, 221 (G),
§ 1.
1917, 105 (G),
§ 3.

Annual allow-
ance to com-
missioned
officer.

which shall be in full for keeping and forage, except that when forage is furnished in kind, as provided in section two hundred and fifty-one, the cost of the same shall be deducted from this allowance.

(c) There may be allowed, upon approval of the department of naval militia, for motor vehicles actually used in lieu of horses, to each officer and enlisted man authorized to be mounted, but using such vehicle in lieu of a horse, a sum not exceeding four dollars per day; but the commonwealth shall not be liable for any injury to or depreciation of motor vehicles so used, or for any damage to persons or property resulting from such use.

SECTION 249. When the naval militia, or any part thereof, engages in any cruise, encampment, maneuvers or field instruction under the provisions of laws of the United States, and receives from the United States government any pay, subsistence, forage and transportation or other allowance on account of such service, the allowance for pay, subsistence, forage and transportation provided for by this act shall be reduced by the amounts so received from the United States government.

SECTION 250. (a) There shall be allowed and paid to each officer and enlisted man required to travel on duty, as follows: under sections seventeen, twenty-five, twenty-six and two hundred and thirty-nine, two and one quarter cents per mile each way, computed by the most direct railroad communication from the place in which the headquarters of the various commands and the armories of the companies, divisions or detachments are situated, or by such route as may be approved by the commander-in-chief; and when upon duty as a member or judge advocate of any court or board provided for by this act, or as a witness before such court or board, when appearing before the board of examiners provided for in section two hundred and thirteen, when attending meetings of officers and petty officers as provided in section two hundred and forty-two, when acting as the presiding officer at an election, as an elector at the election of a brigade or battalion commander, or in any case when obliged to travel without troops, four cents a mile each way, computed by the most direct railroad communication from the residence of the officer or enlisted man, or by such route as may be approved by the commander-in-chief.

(b) There shall annually be allowed and paid out of the treasury of the commonwealth to every commissioned officer

of the naval forces, who has held a commission in the Massachusetts volunteer militia and who has served the whole of the year preceding the first day of April of each year, the sum of thirty-five dollars, upon the approval of the chief of department of naval militia and of the brigade or battalion commanding officer, and upon their certification that such persons during the said period of service have complied with the provisions of section two hundred and thirty of this act; and every commissioned officer who has not held his office during the whole of said year shall, upon the approval and certification by the officers specified in this section and in the manner aforesaid, be allowed and paid such sum as may equitably be due him for that part of the year during which he actually served.

1904, 361, § 1.
1905, 468, §§ 1, 2.

(c) There shall annually be allowed and paid to an officer of the naval militia detailed or assigned to duty as accounting officer the sum of two hundred and fifty dollars; and to an officer of the naval militia detailed or assigned to duty as disbursing officer the sum of one hundred dollars.

Annual allowance to accounting and disbursing officers.

(d) Inspecting officers, when on duty in armories under orders of the commander-in-chief, shall receive the pay and allowances provided for officers on special duty.

Pay and allowances to inspecting officers.
R. L. 16, § 151.

1905, 465, § 157. 1906, 504, § 12. 1908, 604, § 174. 1912, 399, § 1.

SECTION 251. Subsistence for enlisted men and bandsmen shall be furnished in kind, unless it is otherwise directed by the commander-in-chief, when organizations are on duty under sections seventeen, twenty-five, twenty-six and two hundred and thirty-nine, and the necessary cost thereof shall be paid from the appropriation for pay and allowances. The pay officer is authorized to make sales of commissary stores for cash, at cost price, to officers and enlisted men, and to civilian employees of the state or of the United States assigned to or employed at the station or on a ship, and the money so received by him shall be paid into the treasury of the commonwealth and shall be credited to the appropriation for pay and allowances for that year. Forage and transportation may be furnished in kind in lieu of money allowances when it is so directed by the commander-in-chief.

Subsistence.
R. L. 16, § 154.
1905, 465, § 160.
1908, 604, § 176.
1912, 568, § 1.

SECTION 252. (a) There shall annually be allowed and paid for postage, printing, stationery, office incidentals, and as an allowance: to each brigade headquarters, one hundred and fifty dollars; to each administrative battalion headquarters, one hundred dollars, and fifty dollars for each division or company therein; to each division or company,

Allowance to headquarters, etc., for certain expenses.
1917, 105 (G), § 2.

five hundred dollars, and, in addition, five dollars per enlisted man therein, not exceeding the maximum enlisted strength allowed by law; and to each aeronautic section not attached to a division, and to each marine section not attached to a company, two hundred and fifty dollars, and five dollars per enlisted man therein, not exceeding the maximum enlisted strength allowed by law.

Allowance for repair, etc., of uniforms.

(b) There shall annually be allowed and paid to each headquarters, division, company, detachment or section, the sum of two dollars for each enlisted man, excepting bandsmen not mustered, attached thereto or enrolled therein, not exceeding the maximum enlisted strength allowed by law, the amount so paid to be expended in the care, repair and alteration of uniforms and other equipment.

Allowance for armorer.

(c) There shall annually be allowed and paid to each battalion headquarters, division and company for the services of a company armorer, or armorer for battalion headquarters, who shall devote all necessary attention to the care of the arms, equipment, uniforms and quarters of the headquarters, division or company, the sum of one hundred and twenty-five dollars; and to detachments and sections there shall annually be allowed and paid for the services of an armorer, for like duties, the sum of sixty-two dollars and fifty cents.

Advances to acting paymaster general from treasury for pay, etc.
1903, 431, *sec.* 1.
1914, 370, *sec.* 2.

SECTION 253. Such officer as may be designated in orders of the commander-in-chief to act as paymaster general for the naval militia may have advanced to him, from the treasury of the commonwealth, under such rules and regulations as the auditor may prescribe, one hundred per cent of the pay and mileage for duty to be performed under section two hundred and thirty-nine, and he shall return the unexpended balance so advanced as soon as possible, or at such time as the auditor may require.

Pay officers' vouchers and accounts.
R. L. 16, § 177.
1905, 465, § 184.
1908, 604, § 200.
1912, 58, § 1.

SECTION 254. Pay officers shall take proper vouchers for all payments, and, immediately after the payment of officers and men of the naval militia, shall file with the auditor of the commonwealth an account of their payments, with their vouchers; and such accounts shall be audited by said auditor, and the several pay officers held to account for any discrepancies.

Naval militia in service of the United States to receive pay and allowances of regular naval forces of the United States.
R. L. 16, § 134.

SECTION 255. The naval militia, when in the service of the United States, if paid by the commonwealth, shall receive the same pay and allowances as the regular naval forces of the United States; and the rations when commuted shall be valued at the rate fixed by the regulations of the United

States navy in force at the time. When the naval militia are discharged from such service they shall be allowed pay and rations to their respective homes.

1905, 465, § 192.
1908, 604, § 207.

SECTION 256. When military property loaned by the United States government to the commonwealth has suffered loss or injury, the amount of such loss or injury shall be paid to the United States government out of the treasury of the commonwealth upon the approval of the department of naval militia, and the amounts so paid shall be deducted from allowances hereby made payable to officers of the naval militia or from sums paid into the treasury of the commonwealth by the department of naval militia on account of such loss or injury and collected from officers of the naval militia responsible therefor, or from their bondsmen.

Reimbursement to United States for injury to its property, etc. 1908, 371, § 1.

12. *Courts-martial — Courts of Inquiry — Special Boards.*

SECTION 257. (a) Courts-martial in the naval forces shall consist of general courts-martial, summary courts-martial, and deck courts. Courts-martial shall, except as is otherwise provided herein, be constituted like similar courts provided for in the navy of the United States, and shall have cognizance of the same subjects as those courts and possess like powers with them, except as to punishments. The proceedings of courts-martial of the naval forces shall follow the forms and modes of procedure prescribed for such courts in the navy of the United States.

Courts-martial.

(b) Courts of inquiry in the naval forces shall be instituted, constituted and conducted in the same manner and shall have like powers and duties as similar courts in the navy of the United States, except that such courts shall be ordered by the commander-in-chief or by the commanding officer of a naval brigade or independent administrative battalion.

Courts of inquiry.
R. L. 16.
§§ 157, 158.
1905, 465,
§§ 163, 164.
1908, 604,
§§ 179, 180.

SECTION 258. (a) General courts-martial shall consist of not less than three nor more than thirteen officers and may be convened by order of the commander-in-chief.

General courts-martial.

(b) Summary courts-martial may be ordered by the commander-in-chief, or by the commanding officer of a naval militia battalion or brigade.

Summary courts-martial.

(c) Deck courts may be ordered by the commanding officer of a naval militia battalion or brigade, or by a naval militia officer in command of naval militia forces on shore or on any vessel loaned to the commonwealth, or on any vessel on which said forces may be serving.

Deck courts.

Place of sitting of courts.

(d) The precept or order for the convening of any court in the naval forces may order the court to sit at any place or on any vessel that may be convenient or desirable for the purpose of such court-martial.

Powers of courts.

R. L. 16, §§ 159, 160, 161.
1905, 465, §§ 165, 166, 167.
1908, 604, §§ 181, 182, 183.
1912, 519, § 1.

SECTION 259. (a) General courts-martial may impose one or more of the following punishments or sentences for each offence: (1) Fine, not exceeding two hundred dollars. (2) Forfeiture of pay and allowances. (3) Reprimand. (4) Dismissal or dishonorable discharge from the service. (5) Reduction in rank or rating.

Of summary courts.

(b) Summary courts-martial shall have the same powers of punishment of enlisted men as general courts-martial, except that fines imposed by summary courts-martial shall not exceed one hundred dollars.

Of deck courts.

(c) Deck courts may impose fines not exceeding fifty dollars for any single offence, may sentence enlisted men to reduction in rank or rating, to forfeiture of pay and allowances, to a reprimand, to discharge, other than a dishonorable discharge, or to a fine in addition to any one of the other sentences specified.

Sentence to confinement in lieu of fines.

(d) Any court-martial in the naval forces provided for herein, including deck courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed, not exceeding one day for each dollar of fine authorized.

Approval of commander-in-chief for dismissal or dishonorable discharge.

(e) No sentence of dismissal or dishonorable discharge from the naval forces shall be executed without the approval of the commander-in-chief.

Power to issue warrants, compel attendance of witnesses, etc.

R. L. 16, §§ 163, 164.
1905, 465, §§ 169, 170.
1908, 604, §§ 185, 186.

SECTION 260. (a) Presidents of general courts-martial, senior members of summary courts-martial and deck court officers of the naval forces shall have power to issue warrants to arrest accused persons and to bring an accused person before the court for trial, whenever he shall have disobeyed an order in writing from the convening authority, delivered to the accused with a copy of the charge or charges, and directing him to appear before the court. The said officers shall also have authority to issue subpoenas and subpoenas duces tecum, and to enforce the attendance of witnesses and the production of books and documents, and to sentence for refusal to be sworn or to answer, all as authorized for similar proceedings for courts-martial in the navy of the United States.

Process, etc., how executed.

(b) Processes and sentences of courts-martial and deck courts provided for in this act shall be executed as provided by the laws of the United States. The necessary charges shall

be paid by the commonwealth on duplicate vouchers to be submitted to the department of naval militia.

SECTION 261. The commanding officer of a naval militia battalion or brigade, and the naval militia officer in command of naval militia forces on shore or on any vessel of the navy loaned to the commonwealth, or on any vessel on which naval militia forces are training, shall have power, without trial by court-martial, to impose upon members of the naval militia the punishments which the commanding officer of a vessel of the navy is authorized by law to impose.

Commanding officer given power to impose punishments which commanding officer in navy is authorized to impose.

SECTION 262. All fines assessed under the provisions of the foregoing sections and collected or withheld shall be paid to the commanding officer of the naval militia of the Massachusetts volunteer militia, to be used by him to replace lost or damaged property, or for such other purposes of the naval militia as he may determine, subject to such regulations as may be prescribed by the commander-in-chief or by the secretary of the navy of the United States. Upon receipt of a certificate from the authority convening the court as to any fine assessed by it, the pay officer concerned shall pay over any funds due to the person fined, not exceeding the amount of the fine, to the commanding officer upon his sole receipt.

Fines, how collected.

SECTION 263. An officer of the naval militia who, in the opinion of the commander-in-chief or his commanding officer, is incompetent, or is impairing the efficiency of the organization to which he is attached by unfitness, mismanagement, neglect or misconduct in civil life for which he is not amenable to court-martial, or who refuses, neglects or fails to qualify for his grade under the requirements of the navy department, may, at the discretion of the commander-in-chief or upon the request of his commanding officer, be ordered to appear before a special board of examiners consisting of not less than three nor more than seven officers, none of whom shall, if practicable, be of lower rank than the officer under investigation. The members of the board may, for cause, be challenged by the accused as provided by the regulations as to courts-martial, and vacancies thus created shall be filled in the manner prescribed for general courts-martial. Said board shall without delay inquire into the charges preferred against the accused, and may examine him as to his mental and professional qualifications; but the accused may produce any competent evidence by witnesses or otherwise, and may be represented by counsel. The president of the board may administer oaths to witnesses, and may issue summonses as

Special board of examiners as to efficiency, etc., of officers. R. L. 16, § 63. 1905, 465, § 68. 1908, 604, § 72.

provided by law in the case of courts-martial; and officers or enlisted men failing to serve any such summons or failing to appear when so summoned, without a sufficient excuse, shall be liable to trial by court-martial as for disobedience of orders, or may, as well as other witnesses failing to appear, be compelled to appear, as provided by section ten of chapter one hundred and seventy-five of the Revised Laws. The board may, with the approval of the commander-in-chief, require a judge advocate to attend its sittings, when taking testimony or investigating any complaint. It shall report the facts, with the evidence and its recommendations, to the commander-in-chief, who may, if the board so recommends, discharge the officer accused. An officer failing to appear, as ordered, before such a special board shall be discharged by the commander-in-chief.

Allowance to witness.
R. L. 16, § 156.
1905, 465, § 162.
1908, 601, § 178.

SECTION 264. There shall be allowed to each person, not in the volunteer militia, appearing before courts of inquiry or courts-martial upon summons of the presiding officer or judge advocate thereof, one dollar and fifty cents for each day's attendance, and four cents for each mile necessarily traveled in obedience to such summons.

13. General Provisions.

Service medals.
R. L. 16, § 75.
1905, 465, § 80.
1906, 501, § 5.
1908, 315, § 1.
1908, 601, § 90.

SECTION 265. To each officer or enlisted man who completes nine years of honorable service, continuous or otherwise, there shall be issued a medal, and for each additional five years of like service, a clasp to be affixed thereto. Active, retired or honorably discharged officers and enlisted men who have served in the military or naval service of the United States in time of war and have been honorably discharged therefrom, shall receive an additional clasp indicative of such service, to be affixed to the medal herein provided for.

Administration of oaths.
R. L. 16, § 181.
1905, 165, § 189.
1908, 601, § 204.

SECTION 266. Officers of or above the rank of lieutenant-commander, pay officers, and any officer serving as judge advocate or as a member of a court or board, may administer the oaths required by this act, and also oaths required by the regulations for the government of the militia.

Delegates to conventions of naval militia association.

SECTION 267. The governor is hereby authorized to order officers to represent the naval militia of the commonwealth at the annual conventions of the naval militia association of the United States. The necessary expenses of the delegates so ordered shall be paid in like manner as the expenses of officers ordered on military duty.

PART IV.

Acts Repealed. Taking Effect of This Act.

SECTION 268. Chapter six hundred and four of the acts of the year nineteen hundred and eight; chapters one hundred and eighteen, one hundred and sixty-seven, one hundred and seventy, two hundred and eighty, two hundred and ninety-eight, three hundred, and three hundred and twenty-three of the acts of the year nineteen hundred and nine; chapters two hundred and twenty-five, two hundred and twenty-seven, two hundred and twenty-eight, two hundred and eighty-three, two hundred and ninety-nine, three hundred and forty-eight, and five hundred and thirteen of the acts of the year nineteen hundred and ten; chapters one hundred and forty-five, two hundred and ninety-eight, three hundred and twenty-six, four hundred and forty-nine, five hundred and fourteen, five hundred and fifty-four, five hundred and ninety-four, six hundred and thirty-three, six hundred and forty-two, six hundred and seventy, and seven hundred and forty-seven of the acts of the year nineteen hundred and eleven; chapters fifty-eight, sixty-seven, eighty-seven, one hundred and sixteen, one hundred and seventeen, one hundred and thirty-eight, one hundred and forty-two, one hundred and forty-seven, two hundred and sixty-eight, three hundred and fifty-eight, three hundred and sixty-five, three hundred and ninety-nine, four hundred and forty-one, four hundred and forty-four, four hundred and sixty-four, five hundred and six, five hundred and nineteen, five hundred and sixty-eight, five hundred and ninety-three, six hundred and sixty-five, and seven hundred and twenty-two of the acts of the year nineteen hundred and twelve; chapters two hundred and sixty-eight, three hundred and twenty-one, four hundred and sixty-eight, five hundred and twenty-four, five hundred and thirty-two, six hundred and sixty-four, seven hundred and ten, seven hundred and thirty-three, and eight hundred and twelve of the acts of the year nineteen hundred and thirteen; chapters one hundred and sixty-one, one hundred and ninety-six, three hundred and forty-two, three hundred and fifty, three hundred and sixty-two, three hundred and seventy-six, three hundred and eighty, four hundred and sixty, four hundred and eighty-one, seven hundred and fifteen, seven hundred and eighteen, seven hundred and fifty-one, seven hundred and fifty-two, and seven hun-

Repeal of
certain acts.

dred and fifty-eight of the acts of the year nineteen hundred and fourteen; chapters thirty-one, forty, seventy-one, one hundred and twenty-six, two hundred and three, and two hundred and eighty-nine of the General Acts of the year nineteen hundred and fifteen; chapters one, eight, ten, eighty-six, one hundred and twenty-three, one hundred and twenty-six, one hundred and twenty-seven, one hundred and seventy, two hundred and nine, two hundred and twenty-one, and two hundred and eighty-four of the General Acts of the year nineteen hundred and sixteen; chapters ninety-two, ninety-three, and one hundred and five of the General Acts of the year nineteen hundred and seventeen, are hereby repealed. The provisions of this act, so far as they are the same as those of existing laws, shall be construed as a continuation of such laws, and not as new enactments, and the repeal by this act of any provisions of law shall not revive any law heretofore repealed or superseded, nor shall it affect any act done, liability incurred, or any right accrued or established, or any suit or prosecution, civil or criminal, pending or to be instituted, to enforce any right or penalty or to punish any offence under the authority of the repealed laws.

SECTION 269. This act shall take effect upon its passage.

Approved May 25, 1917.

Chap.328 AN ACT TO ESTABLISH THE SALARY OF THE JUSTICE OF THE THIRD DISTRICT COURT OF ESSEX.

Be it enacted, etc., as follows:

Justice, third district court of Essex, salary established.

The salary of the justice of the third district court of Essex shall be twelve hundred dollars a year.

Approved May 25, 1917.

Chap.329 AN ACT RELATIVE TO THE CONSTRUCTION OF DITCHES AND DRAINS BY OFFICIALS HAVING CHARGE OF HIGHWAYS.

Be it enacted, etc., as follows:

Construction of ditches and drains in highways, etc.

SECTION 1. The Massachusetts highway commission, county commissioners, and the officials having charge of highways in any city or town may construct or cause to be constructed ditches or drains for the purpose of properly draining any highway, and may carry water away from any highway and over or through any lands of any person or corporation, as they may deem necessary for public con-

venience or for the proper care or construction of such highway or way. Such ditches and drains shall be under the control of said officials, who shall have the right to enter upon the land of any person or corporation for the purpose of constructing, repairing or maintaining the same, but they shall not enter upon or construct any ditches, drains or other works or lay any conduits or pipes or discharge any water within the location of any railroad corporation, except at such time and in such manner as they may agree upon with such corporation, or in case of failure so to agree, as may be approved by the public service commission. Any person owning or occupying land through which any ditch or drain has been constructed under the provisions of this section may, after securing a permit from the officials having control of the ditch or drain, lawfully construct and maintain a bridge over the same.

Bridges over ditches and drains.

SECTION 2. The officials named in section one, may, after giving notice in the manner prescribed for the laying out of town ways, as provided in section sixty-seven of chapter forty-eight of the Revised Laws, take or purchase on behalf of the commonwealth, county, city or town, as the case may be, such land, or any interest therein, as may be necessary for the purposes set forth in section one. No taking shall be effective until a description of the land, or interest therein, with a plan thereof, has been filed in the proper registry of deeds, and in the office of the clerk of the city or town wherein the same is situated, but registered land shall not be deemed to have been taken until the provisions of section eighty-nine of chapter one hundred and twenty-eight of the Revised Laws have been complied with.

Purchase of land, etc.

SECTION 3. Damages for all takings or other acts herein authorized may be recovered in the same manner and by the same remedies as where land is taken for, or injured by the alteration or construction of, public ways, but the right to recover damages for any taking shall not accrue, nor shall any purchase price be paid, until the land affected is actually entered upon for the purpose of construction. The commission or other authority which takes easements as aforesaid, may, by filing for record in the registry of deeds a suitable instrument, discontinue or abandon the same.

Damages, how recovered.

SECTION 4. No person, by himself, his agents or servants, shall deposit in or along any ditch or drain constructed under the provisions of this act, any material which will obstruct the flow of water in such ditch or drain. Whoever

Obstruction of ditch, etc., forbidden.

Penalty.

violates the provisions of this section shall be punished by a fine of ten dollars for each offense, and shall be liable, in an action of tort, to the commonwealth, the county, the city or town controlling the ditch or drain, for all damages caused by him and for the cost and expense of removing the obstructing material, and of restoring the ditch or drain to its former condition. *Approved May 25, 1917.*

Chap. 330 AN ACT TO ESTABLISH THE SALARIES OF THE JUSTICE AND FIRST ASSISTANT CLERK OF THE MUNICIPAL COURT OF THE CHARLESTOWN DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Justice, municipal court of Charlestown district of Boston, salary established.
First assistant clerk, salary established.
To be submitted to city council, etc.

SECTION 1. The annual salary of the justice of the municipal court of the Charlestown district of the city of Boston shall be three thousand two hundred dollars.

SECTION 2. The annual salary of the first assistant clerk of said court shall be one thousand four hundred dollars.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor. *Approved May 25, 1917.*

Chap. 331 AN ACT TO PROVIDE FOR EXPENSES OF THE STATE GUARD, SO-CALLED.

Be it enacted, etc., as follows:

State guard expenses.

SECTION 1. The governor as commander-in-chief is hereby authorized to incur expenses, not exceeding two hundred and fifty thousand dollars for the maintenance of the state guard, so-called, when said guard is called for active duty.

May issue bonds, etc.

SECTION 2. For the purpose of defraying the expenses which may be incurred in carrying out the provisions of this act, the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue, in behalf of the commonwealth and under its seal, bonds or certificates of indebtedness, either registered or with interest coupons attached, to an amount not exceeding two hundred and fifty thousand dollars, for a term not exceeding ten years. Such bonds or certificates of indebtedness shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually. They shall be designated on their face, Massachusetts Emergency War Loan, Act of 1917, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the com-

Massachusetts Emergency War Loan, Act of 1917.

monwealth; and the principal and interest thereof shall be paid at the time specified therein, in gold coin of the United States or its equivalent. The said bonds or certificates of indebtedness shall be issued upon the serial payment plan, in accordance with the provisions of chapter three of the acts of the year nineteen hundred and twelve.

SECTION 3. This act shall take effect upon its passage.
Approved May 25, 1917.

AN ACT RELATIVE TO STATE PAY AND OTHER BENEFITS FOR Chap.332
CERTAIN SOLDIERS AND SAILORS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of authorizing state pay for soldiers and sailors in the federal service as provided by chapter two hundred and eleven of the General Acts of the year nineteen hundred and seventeen, and aid for their dependents under the provisions of chapter one hundred and seventy-nine of the General Acts of the year nineteen hundred and seventeen, the war with the German Empire is defined as having begun February third, nineteen hundred and seventeen, and any non-commissioned officer or enlisted man having a residence of at least six months within this state and serving to the credit of this commonwealth in the regular or volunteer forces of the United States army, navy or marine corps, whose federal service began subsequent to said February third, nineteen hundred and seventeen, is eligible under the provisions of the above acts.

For certain purposes, war with German Empire began February 3, 1917.

SECTION 2. This act shall take effect upon its passage.
Approved May 25, 1917.

AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE Chap.333
DISTRICT COURT OF WESTERN HAMPDEN.

Be it enacted, etc., as follows:

SECTION 1. The annual salary of the justice of the district court of western Hampden shall be two thousand dollars.

Justice, district court of Western Hampden, salary established.

SECTION 2. This act shall take effect upon its passage.
Approved May 25, 1917.

Chap.334 AN ACT TO ESTABLISH THE SALARY OF THE SURGEON
GENERAL OF THE MILITIA.

Be it enacted, etc., as follows:

1908, 604, § 36,
amended.

Surgeon gen-
eral of militia,
salary
established.

SECTION 1. Section thirty-six of chapter six hundred and four of the acts of the year nineteen hundred and eight, is hereby amended by striking out the word "twelve", in the second line, and inserting in place thereof the word:— fifteen, — so as to read as follows:— *Section 36.* The surgeon general shall receive a salary of fifteen hundred dollars a year; and, subject to the orders of the commander-in-chief, shall have general supervision and control of all matters pertaining to the medical department of the militia, and shall prescribe the physical and mental disabilities exempting from military duty. He shall purchase and issue all medical and hospital supplies, and shall perform such other official duties as the commander-in-chief shall direct.

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

Approved May 25, 1917.

Chap.335 AN ACT TO ESTABLISH THE SALARIES OF THE COURT OFFICERS
IN ATTENDANCE UPON THE SESSIONS OF THE SUPREME
JUDICIAL COURT AND THE SUPERIOR COURT.

Be it enacted, etc., as follows:

R. L. 165, § 69,
amended.

Court officers
in attendance
upon supreme
judicial court,
etc., salaries
established.

SECTION 1. Chapter one hundred and sixty-five of the Revised Laws is hereby amended by striking out section sixty-nine and inserting in place thereof the following:— *Section 69.* Each officer in attendance upon the supreme judicial court in the county of Suffolk, not exceeding six officers, shall receive in full for all services performed by him nineteen hundred dollars a year, of which fifteen hundred dollars shall be paid by said county and four hundred dollars by the commonwealth.

R. L. 165, § 76,
amended.

Court officers
in attendance
upon superior
court, etc.,
salaries
established.

SECTION 2. Said chapter one hundred and sixty-five is hereby amended by striking out section seventy-six and inserting in place thereof the following:— *Section 76.* Each officer in attendance upon the sessions of the superior court in the counties of Suffolk and Worcester and each officer in attendance upon the courts in the county of Middlesex who is appointed by the sheriff of said county shall receive in full for all services performed by him an annual salary of nineteen hundred dollars, which shall be paid monthly by said

counties, respectively; and said officers in the counties of Middlesex and Worcester shall, in addition, receive ten cents a mile for travel out and home once a week during such attendance, if the distance exceeds five miles in one direction. Any additional officers whose attendance may be required in said court in the county of Suffolk; as provided by sections seventy and seventy-one, shall be allowed five dollars for each day of service actually rendered, which shall be paid by said county.

Mileage.

SECTION 3. Section two of chapter three hundred and twenty-two of the acts of the year nineteen hundred and eleven is hereby repealed.

Repeal.

SECTION 4. This act shall take effect upon its acceptance by the county commissioners of the county wherein the said officers hereinbefore described are respectively employed, or in the county of Suffolk by the mayor and city council of the city of Boston, but not earlier than the first day of January, nineteen hundred and eighteen.

To be submitted to county commissioners of certain counties, etc.

Approved May 25, 1917.

AN ACT TO ESTABLISH MINIMUM SALARIES FOR JUDGES AND REGISTERS OF PROBATE AND INSOLVENCY. Chap. 336

Be it enacted, etc., as follows:

The minimum annual salary of a judge of probate and insolvency for any county other than Dukes County and Nantucket shall be two thousand dollars, and the minimum annual salary of a register of probate and insolvency for any county other than Dukes County and Nantucket shall be eighteen hundred dollars. In the counties of Dukes and Nantucket, the minimum annual salary of a judge of probate shall be fifteen hundred dollars, and the minimum annual salary of a register of probate shall be twelve hundred dollars.

Judge of probate and insolvency for certain counties, minimum salary established.

Judge of probate, counties of Dukes County and Nantucket, minimum salary established.

Approved May 25, 1917.

AN ACT TO APPORTION AND ASSESS A STATE TAX OF ELEVEN MILLION DOLLARS. Chap. 337

Be it enacted, etc., as follows:

SECTION 1. Each city and town in this commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say:—

State tax apportioned and assessed.

Abington, ten thousand five hundred and sixty dollars,	\$10,560 00
Acton, sixty-one hundred and sixty dollars,	6,160 00

State tax
apportioned
and assessed.

Acushnet, thirty-four hundred and ten dollars, . . .	\$3,410 00
Adams, twenty thousand three hundred and fifty dollars, . . .	20,350 00
Agawam, seventy-nine hundred and twenty dollars, . .	7,920 00
Alford, five hundred and fifty dollars, . . .	550 00
Amesbury, seventeen thousand two hundred and seventy dollars, . . .	17,270 00
Amherst, sixteen thousand two hundred and eighty dollars, . . .	16,280 00
Andover, twenty-two thousand dollars, . . .	22,000 00
Arlington, forty thousand seven hundred dollars, . .	40,700 00
Ashburnham, thirty-six hundred and thirty dollars, . .	3,630 00
Ashby, twenty-four hundred and twenty dollars, . . .	2,420 00
Ashfield, twenty-two hundred dollars, . . .	2,200 00
Ashland, thirty-five hundred and twenty dollars, . . .	3,520 00
Athol, sixteen thousand six hundred and ten dollars, . .	16,610 00
Attleboro, forty-nine thousand and sixty dollars, . . .	49,060 00
Auburn, forty-six hundred and twenty dollars, . . .	4,620 00
Avon, twenty-eight hundred and sixty dollars, . . .	2,860 00
Ayer, fifty-six hundred and ten dollars, . . .	5,610 00
Barnstable, nineteen thousand three hundred and sixty dollars, . . .	19,360 00
Barre, sixty-eight hundred and twenty dollars, . . .	6,820 00
Becket, eighteen hundred and seventy dollars, . . .	1,870 00
Bedford, forty-five hundred and ten dollars, . . .	4,510 00
Belchertown, twenty-six hundred and forty dollars, . .	2,640 00
Bellingham, twenty-seven hundred and fifty dollars, . .	2,750 00
Belmont, twenty-seven thousand one hundred and seventy dollars, . . .	27,170 00
Berkley, fifteen hundred and forty dollars, . . .	1,540 00
Berlin, seventeen hundred and sixty dollars, . . .	1,760 00
Bernardston, fourteen hundred and thirty dollars, . . .	1,430 00
Beverly, ninety-eight thousand six hundred and seventy dollars, . . .	98,670 00
Billerica, eleven thousand eight hundred and eighty dollars, . . .	11,880 00
Blackstone, sixty-four hundred and ninety dollars, . . .	6,490 00
Blandford, sixteen hundred and fifty dollars, . . .	1,650 00
Bolton, seventeen hundred and sixty dollars, . . .	1,760 00
Boston, three million five hundred two thousand nine hundred and fifty dollars, . . .	3,502,950 00
Bourne, fourteen thousand eight hundred and fifty dollars, . . .	14,850 00
Boxborough, six hundred and sixty dollars, . . .	660 00
Boxford, three thousand and eighty dollars, . . .	3,080 00
Boylston, fourteen hundred and thirty dollars, . . .	1,430 00
Braintree, twenty-one thousand six hundred and seventy dollars, . . .	21,670 00
Brewster, twenty-seven hundred and fifty dollars, . . .	2,750 00
Bridgewater, eleven thousand dollars, . . .	11,000 00
Brimfield, eighteen hundred and seventy dollars, . . .	1,870 00
Brockton, one hundred thirty-eight thousand nine hundred and thirty dollars, . . .	138,930 00

Brookfield, thirty-seven hundred and forty dollars, . . .	\$3,740 00	State tax apportioned and assessed.
Brookline, three hundred twenty-four thousand nine hundred and forty dollars,	324,940 00	
Buckland, forty-six hundred and twenty dollars,	4,620 00	
Burlington, two thousand and ninety dollars,	2,090 00	
Cambridge, two hundred ninety-nine thousand three hundred and ten dollars,	299,310 00	
Canton, sixteen thousand seven hundred and twenty dollars,	16,720 00	
Carlisle, sixteen hundred and fifty dollars,	1,650 00	
Carver, forty-six hundred and twenty dollars,	4,620 00	
Charlemont, fifteen hundred and forty dollars,	1,540 00	
Charlton, thirty-seven hundred and forty dollars,	3,740 00	
Chatham, forty-four hundred dollars,	4,400 00	
Chelmsford, ten thousand eight hundred and ninety dollars,	10,890 00	
Chelsea, seventy-three thousand two hundred and sixty dollars,	73,260 00	
Cheshire, twenty-five hundred and thirty dollars,	2,530 00	
Chester, twenty-three hundred and ten dollars,	2,310 00	
Chesterfield, nine hundred and ninety dollars,	990 00	
Chicopee, fifty-two thousand two hundred and fifty dollars,	52,250 00	
Chilmark, eight hundred and eighty dollars,	880 00	
Clarksburg, nine hundred and ninety dollars,	990 00	
Clinton, twenty-three thousand two hundred and ten dollars,	23,210 00	
Cohasset, twenty-one thousand one hundred and twenty dollars,	21,120 00	
Colrain, twenty-five hundred and thirty dollars,	2,530 00	
Concord, twenty thousand five hundred and seventy dollars,	20,570 00	
Conway, two thousand and ninety dollars,	2,090 00	
Cummington, nine hundred and ninety dollars,	990 00	
Dalton, fourteen thousand four hundred and ten dollars,	14,410 00	
Dana, twelve hundred and ten dollars,	1,210 00	
Danvers, twenty thousand four hundred and sixty dollars,	20,460 00	
Dartmouth, thirteen thousand six hundred and forty dollars,	13,640 00	
Dedham, thirty-four thousand eight hundred and seventy dollars,	34,870 00	
Deerfield, six thousand and fifty dollars,	6,050 00	
Dennis, thirty-seven hundred and forty dollars,	3,740 00	
Dighton, forty-four hundred dollars,	4,400 00	
Douglas, four thousand and seventy dollars,	4,070 00	
Dover, seventeen thousand two hundred and seventy dollars,	17,270 00	
Dracut, sixty-three hundred and eighty dollars,	6,380 00	
Dudley, sixty-eight hundred and twenty dollars,	6,820 00	
Dunstable, thirteen hundred and twenty dollars,	1,320 00	
Duxbury, eighty-five hundred and eighty dollars,	8,580 00	

State tax
apportioned
and assessed.

East Bridgewater, seventy-eight hundred and ten dollars,	\$7,810 00
East Longmeadow, thirty-four hundred and ten dollars,	3,410 09
Eastham, twelve hundred and ten dollars,	1,210 00
Easthampton, nineteen thousand six hundred and ninety dollars,	19,690 00
Easton, twenty-two thousand six hundred and sixty dollars,	22,660 00
Edgartown, thirty-three hundred dollars,	3,300 00
Egremont, fourteen hundred and thirty dollars,	1,430 00
Enfield, eighteen hundred and seventy dollars,	1,870 00
Erving, thirty-one hundred and ninety dollars,	3,190 00
Essex, thirty-three hundred dollars,	3,300 00
Everett, seventy-six thousand one hundred and twenty dollars,	76,120 00
Fairhaven, ten thousand eight hundred and ninety dollars,	10,890 00
Fall River, two hundred fifty-two thousand three hundred and forty dollars,	252,340 00
Falmouth, thirty-three thousand dollars,	33,000 00
Fitchburg, ninety-six thousand nine hundred and ten dollars,	96,910 00
Florida, twelve hundred and ten dollars,	1,210 00
Foxborough, sixty-eight hundred and twenty dollars,	6,820 00
Framingham, forty-one thousand six hundred and ninety dollars,	41,690 00
Franklin, twelve thousand four hundred and thirty dollars,	12,430 00
Freetown, three thousand and eighty dollars,	3,080 00
Gardner, thirty thousand five hundred and eighty dollars,	30,580 00
Gay Head, one hundred and ten dollars,	110 00
Georgetown, thirty-three hundred dollars,	3,300 00
Gill, thirteen hundred and twenty dollars,	1,320 00
Gloucester, fifty-nine thousand six hundred and twenty dollars,	59,620 00
Goshen, five hundred and fifty dollars,	550 00
Gosnold, sixteen hundred and fifty dollars,	1,650 00
Grafton, ninety-four hundred and sixty dollars,	9,460 00
Granby, seventeen hundred and sixty dollars,	1,760 00
Granville, fourteen hundred and thirty dollars,	1,430 00
Great Barrington, seventeen thousand and fifty dollars,	17,050 00
Greenfield, thirty-three thousand eight hundred and eighty dollars,	33,880 00
Greenwich, seven hundred and seventy dollars,	770 00
Groton, ten thousand four hundred and fifty dollars,	10,450 00
Groveland, thirty-three hundred dollars,	3,300 00
Hadley, fifty-two hundred and eighty dollars,	5,280 00
Halifax, fifteen hundred and forty dollars,	1,540 00
Hamilton, thirteen thousand seven hundred and fifty dollars,	13,750 00

Hampden, twelve hundred and ten dollars,	\$1,210 00	State tax apportioned and assessed.
Hancock, eleven hundred dollars,	1,100 00	
Hanover, fifty-eight hundred and thirty dollars,	5,830 00	
Hanson, four thousand and seventy dollars,	4,070 00	
Hardwick, twelve thousand one hundred dollars,	12,100 00	
Harvard, forty-six hundred and twenty dollars,	4,620 00	
Harwich, forty-one hundred and eighty dollars,	4,180 00	
Hatfield, forty-nine hundred and fifty dollars,	4,950 00	
Haverhill, one hundred five thousand six hundred dollars,	105,600 00	
Hawley, six hundred and sixty dollars,	660 00	
Heath, seven hundred and seventy dollars,	770 00	
Hingham, eighteen thousand seven hundred dollars,	18,700 00	
Hinsdale, two thousand and ninety dollars,	2,090 00	
Hoibrook, forty-seven hundred and thirty dollars,	4,730 00	
Holden, forty-eight hundred and forty dollars,	4,840 00	
Holland, three hundred and thirty dollars,	330 00	
Holliston, forty-nine hundred and fifty dollars,	4,950 00	
Holyoke, one hundred fifty thousand seven hundred dollars,	150,700 00	
Hopedale, twenty-three thousand five hundred and forty dollars,	23,540 00	
Hopkinton, forty-six hundred and twenty dollars,	4,620 00	
Hubbardston, nineteen hundred and eighty dollars,	1,980 00	
Hudson, eleven thousand seven hundred and seventy dollars,	11,770 00	
Hull, eighteen thousand seven hundred dollars,	18,700 00	
Huntington, twenty-two hundred dollars,	2,200 00	
Ipswich, twelve thousand eight hundred and seventy dollars,	12,870 00	
Kingston, forty-four hundred dollars,	4,400 00	
Lakeville, three thousand and eighty dollars,	3,080 00	
Lancaster, twenty-five thousand three hundred dollars,	25,300 00	
Lanesborough, eighteen hundred and seventy dollars,	1,870 00	
Lawrence, one hundred ninety-eight thousand one hundred and ten dollars,	198,110 00	
Lee, eighty-five hundred and eighty dollars,	8,580 00	
Leicester, sixty-three hundred and eighty dollars,	6,380 00	
Lenox, twenty thousand five hundred and seventy dollars,	20,570 00	
Leominster, thirty-three thousand five hundred and fifty dollars,	33,550 00	
Leverett, eleven hundred dollars,	1,100 00	
Lexington, twenty-two thousand one hundred and ten dollars,	22,110 00	
Leyden, six hundred and sixty dollars,	660 00	
Lincoln, ten thousand three hundred and forty dollars,	10,340 00	
Littleton, twenty-nine hundred and seventy dollars,	2,970 00	
Longmeadow, seventy-seven hundred dollars,	7,700 00	
Lowell, two hundred eleven thousand eight hundred and sixty dollars,	211,860 00	

State tax apportioned and assessed.	Ludlow, twelve thousand four hundred and thirty dollars,	\$12,430 00
	Lunenburg, thirty-eight hundred and fifty dollars,	3,850 00
	Lynn, two hundred thirteen thousand five hundred and ten dollars,	213,510 00
	Lynnfield, three thousand and eighty dollars,	3,080 00
	Malden, one hundred one thousand six hundred and forty dollars,	101,640 00
	Manchester, forty-one thousand nine hundred and ten dollars,	41,910 00
	Mansfield, eleven thousand nine hundred and ninety dollars,	11,990 00
	Marblehead, twenty-four thousand two hundred dollars,	24,200 00
	Marion, fourteen thousand nine hundred and sixty dollars,	14,960 00
	Marlborough, twenty-seven thousand five hundred dollars,	27,500 00
	Marshfield, fifty-eight hundred and thirty dollars,	5,830 00
	Mashpee, seven hundred and seventy dollars,	770 00
	Mattapoissett, fifty-seven hundred and twenty dollars,	5,720 00
	Maynard, eleven thousand two hundred and twenty dollars,	11,220 00
	Medfield, fifty-two hundred and eighty dollars,	5,280 00
	Medford, sixty-nine thousand nine hundred and sixty dollars,	69,960 00
	Medway, forty-six hundred and twenty dollars,	4,620 00
	Melrose, forty-three thousand four hundred and fifty dollars,	43,450 00
	Mendon, eighteen hundred and seventy dollars,	1,870 00
	Merrimac, thirty-five hundred and twenty dollars,	3,520 00
	Methuen, twenty-four thousand five hundred and thirty dollars,	24,530 00
	Middleborough, thirteen thousand six hundred and forty dollars,	13,640 00
	Middlefield, five hundred and fifty dollars,	550 00
	Middleton, twenty-two hundred dollars,	2,200 00
	Milford, twenty-four thousand three hundred and ten dollars,	24,310 00
	Millbury, eighty-eight hundred dollars,	8,800 00
	Millis, thirty-six hundred and thirty dollars,	3,630 00
	Milton, sixty-nine thousand four hundred and ten dollars,	69,410 00
	Monroe, eight hundred and eighty dollars,	880 00
	Monson, sixty-two hundred and seventy dollars,	6,270 00
	Montague, fourteen thousand and eighty dollars,	14,080 00
	Monterey, nine hundred and ninety dollars,	990 00
	Montgomery, four hundred and forty dollars,	440 00
	Mount Washington, three hundred and thirty dollars,	330 00
	Nahant, twenty thousand and twenty dollars,	20,020 00
	Nantucket, ninety-nine hundred dollars,	9,900 00
	Natick, twenty-two thousand dollars,	22,000 00
	Needham, twenty thousand two hundred and forty dollars,	20,240 00

New Ashford, two hundred and twenty dollars, . . .	\$220 00	State tax apportioned and assessed.
New Bedford, two hundred sixty-six thousand seven hundred and fifty dollars, . . .	266,750 00	
New Braintree, eleven hundred dollars, . . .	1,100 00	
New Marlborough, twenty-two hundred dollars, . . .	2,200 00	
New Salem, nine hundred and ninety dollars, . . .	990 00	
Newbury, five thousand and sixty dollars, . . .	5,060 00	
Newburyport, twenty-nine thousand seven hundred dollars, . . .	29,700 00	
Newton, one hundred eighty-nine thousand four hun- dred and twenty dollars, . . .	189,420 00	
Norfolk, twenty-nine hundred and seventy dollars, . .	2,970 00	
North Adams, thirty-nine thousand seven hundred and ten dollars, . . .	39,710 00	
North Andover, fourteen thousand nine hundred and sixty dollars, . . .	14,960 00	
North Attleborough, twenty-two thousand five hun- dred and fifty dollars, . . .	22,550 00	
North Brookfield, fifty-one hundred and seventy dollars, . . .	5,170 00	
North Reading, twenty-four hundred and twenty dollars, . . .	2,420 00	
Northampton, forty-four thousand eight hundred and eighty dollars, . . .	44,880 00	
Northborough, forty-five hundred and ten dollars, . .	4,510 00	
Northbridge, eighteen thousand seven hundred dollars, . . .	18,700 00	
Northfield, thirty-eight hundred and fifty dollars, . .	3,850 00	
Norton, forty-two hundred and ninety dollars, . . .	4,290 00	
Norwell, thirty-three hundred dollars, . . .	3,300 00	
Norwood, thirty-eight thousand nine hundred and forty dollars, . . .	38,940 00	
Oak Bluffs, forty-one hundred and eighty dollars, . .	4,180 00	
Oakham, nine hundred and ninety dollars, . . .	990 00	
Orange, eleven thousand four hundred and forty dollars, . . .	11,440 00	
Orleans, seventeen thousand three hundred and eighty dollars, . . .	17,380 00	
Otis, seven hundred and seventy dollars, . . .	770 00	
Oxford, sixty-two hundred and seventy dollars, . . .	6,270 00	
Palmer, fourteen thousand one hundred and ninety dollars, . . .	14,190 00	
Paxton, eleven hundred dollars, . . .	1,100 00	
Peabody, thirty-seven thousand two hundred and ninety dollars, . . .	37,290 00	
Pelham, eleven hundred dollars, . . .	1,100 00	
Pembroke, twenty-nine hundred and seventy dollars, .	2,970 00	
Pepperell, fifty-nine hundred and forty dollars, . . .	5,940 00	
Peru, four hundred and forty dollars, . . .	440 00	
Petersham, twenty-five hundred and thirty dollars, . .	2,530 00	
Phillipston, eight hundred and eighty dollars, . . .	880 00	
Pittsfield, ninety-five thousand and forty dollars, . .	95,040 00	
Plainfield, five hundred and fifty dollars, . . .	550 00	
Plainville, twenty-five hundred and thirty dollars, . .	2,530 00	

State tax
apportioned
and assessed.

Plymouth, thirty-three thousand four hundred and forty dollars,	\$33,440 00
Plympton, twelve hundred and ten dollars,	1,210 00
Prescott, six hundred and sixty dollars,	660 00
Princeton, thirty-one hundred and ninety dollars,	3,190 00
Provincetown, sixty-one hundred and sixty dollars,	6,160 00
Quincy, ninety-seven thousand and twenty dollars,	97,020 00
Randolph, eight thousand and thirty dollars,	8,030 00
Raynham, twenty-seven hundred and fifty dollars,	2,750 00
Reading, eighteen thousand one hundred and fifty dollars,	18,150 00
Rehoboth, twenty-eight hundred and sixty dollars,	2,860 00
Revere, fifty-one thousand seven hundred dollars,	51,700 00
Richmond, seventeen hundred and sixty dollars,	1,760 00
Rochester, twenty-four hundred and twenty dollars,	2,420 00
Rockland, thirteen thousand nine hundred and seventy dollars,	13,970 00
Rockport, ninety-three hundred and fifty dollars,	9,350 00
Rowe, seven hundred and seventy dollars,	770 00
Rowley, forty-eight hundred and forty dollars,	4,840 00
Royalston, eighteen hundred and seventy dollars,	1,870 00
Russell, fifty-two hundred and eighty dollars,	5,280 00
Rutland, twenty-three hundred and ten dollars,	2,310 00
Salem, ninety-seven thousand seven hundred and ninety dollars,	97,790 00
Salisbury, thirty-nine hundred and sixty dollars,	3,960 00
Sandisfield, eleven hundred dollars,	1,100 00
Sandwich, thirty-four hundred and ten dollars,	3,410 00
Saugus, sixteen thousand six hundred and ten dollars,	16,610 00
Savoy, six hundred and sixty dollars,	660 00
Scituate, twelve thousand six hundred and fifty dollars,	12,650 00
Seekonk, forty-six hundred and twenty dollars,	4,620 00
Sharon, eighty-four hundred and seventy dollars,	8,470 00
Sheffield, thirty-four hundred and ten dollars,	3,410 00
Shelburne, forty-four hundred dollars,	4,400 00
Sherborn, fifty-six hundred and ten dollars,	5,610 00
Shirley, thirty-seven hundred and forty dollars,	3,740 00
Shrewsbury, sixty-nine hundred and thirty dollars,	6,930 00
Shutesbury, eight hundred and eighty dollars,	880 00
Somerset, forty-six hundred and twenty dollars,	4,620 00
Somerville, one hundred seventy-five thousand five hundred and sixty dollars,	175,560 00
South Hadley, eighty-eight hundred dollars,	8,800 00
Southampton, fifteen hundred and forty dollars,	1,540 00
Southborough, seventy-one hundred and fifty dollars,	7,150 00
Southbridge, twenty thousand seven hundred and ninety dollars,	20,790 00
Southwick, twenty-three hundred and ten dollars,	2,310 00
Spencer, ninety-nine hundred dollars,	9,900 00
Springfield, four hundred nine thousand seven hundred and fifty dollars,	409,750 00
Sterling, thirty-three hundred dollars,	3,300 00

Stockbridge, eleven thousand seven hundred and seventy dollars,	\$11,770 00	State tax apportioned and assessed.
Stoneham, fourteen thousand and eighty dollars,	14,080 00	
Stoughton, eleven thousand two hundred and twenty dollars,	11,220 00	
Stow, thirty-one hundred and ninety dollars,	3,190 00	
Sturbridge, twenty-four hundred and twenty dollars,	2,420 00	
Sudbury, thirty-five hundred and twenty dollars,	3,520 00	
Sunderland, two thousand and ninety dollars,	2,090 00	
Sutton, thirty-seven hundred and forty dollars,	3,740 00	
Swampscott, thirty-four thousand seven hundred and sixty dollars,	34,760 00	
Swansea, forty-seven hundred and thirty dollars,	4,730 00	
Taunton, sixty-eight thousand and ninety dollars,	68,090 00	
Templeton, fifty-five hundred dollars,	5,500 00	
Tewksbury, forty-five hundred and ten dollars,	4,510 00	
Tisbury, forty-six hundred and twenty dollars,	4,620 00	
Tolland, six hundred and sixty dollars,	660 00	
Topsfield, ninety-one hundred and thirty dollars,	9,130 00	
Townsend, thirty-four hundred and ten dollars,	3,410 00	
Truro, twelve hundred and ten dollars,	1,210 00	
Tyngsborough, eighteen hundred and seventy dollars,	1,870 00	
Tyringham, nine hundred and ninety dollars,	990 00	
Upton, thirty-three hundred dollars,	3,300 00	
Uxbridge, ten thousand six hundred and seventy dollars,	10,670 00	
Wakefield, twenty-eight thousand three hundred and eighty dollars,	28,380 00	
Wales, seven hundred and seventy dollars,	770 00	
Walpole, seventeen thousand eight hundred and twenty dollars,	17,820 00	
Waltham, seventy-one thousand three hundred and ninety dollars,	71,390 00	
Ware, fourteen thousand six hundred and thirty dollars,	14,630 00	
Wareham, fourteen thousand eight hundred and fifty dollars,	14,850 00	
Warren, sixty-eight hundred and twenty dollars,	6,820 00	
Warwick, eleven hundred dollars,	1,100 00	
Washington, seven hundred and seventy dollars,	770 00	
Watertown, forty-eight thousand five hundred and ten dollars,	48,510 00	
Wayland, seventy-one hundred and fifty dollars,	7,150 00	
Webster, twenty-four thousand two hundred dollars,	24,200 00	
Wellesley, forty-one thousand eight hundred dollars,	41,800 00	
Wellfleet, nineteen hundred and eighty dollars,	1,980 00	
Wendell, sixteen hundred and fifty dollars,	1,650 00	
Wenham, seventy-four hundred and eighty dollars,	7,480 00	
West Boylston, twenty-six hundred and forty dollars,	2,640 00	
West Bridgewater, forty-five hundred and ten dollars,	4,510 00	
West Brookfield, twenty-six hundred and forty dollars,	2,640 00	
West Newbury, twenty-eight hundred and sixty dollars,	2,860 00	

State tax
apportioned
and assessed.

West Springfield, twenty-four thousand three hundred and ten dollars,	\$24,310 00
West Stockbridge, sixteen hundred and fifty dollars,	1,650 00
West Tisbury, fifteen hundred and forty dollars,	1,540 00
Westborough, eighty-two hundred and fifty dollars,	8,250 00
Westfield, thirty-one thousand nine hundred dollars,	31,900 00
Westford, sixty-six hundred dollars,	6,600 00
Westhampton, seven hundred and seventy dollars,	770 00
Westminster, twenty-six hundred and forty dollars,	2,640 00
Weston, nineteen thousand nine hundred and ten dollars,	19,910 00
Westport, six thousand and fifty dollars,	6,050 00
Westwood, ninety-five hundred and seventy dollars,	9,570 00
Weymouth, thirty thousand and thirty dollars,	30,030 00
Whately, nineteen hundred and eighty dollars,	1,980 00
Whitman, thirteen thousand eight hundred and sixty dollars,	13,860 00
Wilbraham, forty-nine hundred and fifty dollars,	4,950 00
Williamsburg, thirty-three hundred dollars,	3,300 00
Williamstown, twelve thousand five hundred and forty dollars,	12,540 00
Wilmington, fifty-one hundred and seventy dollars,	5,170 00
Winchendon, ten thousand eight hundred and ninety dollars,	10,890 00
Winchester, thirty-nine thousand four hundred and ninety dollars,	39,490 00
Windsor, eight hundred and eighty dollars,	880 00
Wintthrop, thirty-six thousand and eighty dollars,	36,080 00
Woburn, thirty-three thousand six hundred and sixty dollars,	33,660 00
Worcester, four hundred nineteen thousand two hundred and ten dollars,	419,210 00
Worthington, eleven hundred dollars,	1,100 00
Wrentham, thirty-seven hundred and forty dollars,	3,740 00
Yarmouth, fifty-seven hundred and twenty dollars,	5,720 00
	<hr/>
	\$11,000,000 00

Treasurer to
issue warrant.

SECTION 2. The treasurer of the commonwealth shall forthwith send his warrant, according to the provisions of section thirty-four of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town.

Payment of
assessments.

SECTION 3. The treasurer of the commonwealth in his warrant shall require the said selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay to the

treasurer of the commonwealth, on or before the fifteenth day of November in the year nineteen hundred and seventeen, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the treasurer of the commonwealth at some time before the first day of September in the year nineteen hundred and seventeen.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the treasurer of the commonwealth within the time specified, then the said treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after the fifteenth day of November in the year nineteen hundred and seventeen; and if the same remains unpaid after the first day of December in the year nineteen hundred and seventeen, an information may be filed by the treasurer of the commonwealth in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as said court or the justice thereof before whom the hearing is had shall order. Nothing herein contained shall be construed to prevent the treasurer and receiver general from deducting at any time the whole or any part of said tax with the interest accrued thereon which shall remain unpaid from any moneys which may be due from the commonwealth to such city or town.

Notice to treasurers of delinquent cities and towns.

Warrant of distress to issue, when.

SECTION 5. This act shall take effect upon its passage.

Approved May 25, 1917.

AN ACT TO ESTABLISH THE SALARY OF WILLIAM H. SANGER AS ASSISTANT CLERK OF THE SENATE AND THE SALARY OF FRANK E. BRIDGMAN AS ASSISTANT CLERK OF THE HOUSE OF REPRESENTATIVES.

Chap. 338

Be it enacted, etc., as follows:

SECTION 1. The salary of William H. Sanger as assistant clerk of the senate and the salary of Frank E. Bridgman as assistant clerk of the house of representatives shall each be

Assistant clerks of the senate and house of representatives,

salaries
established.

twenty seven hundred and fifty dollars a year, to be so allowed from the first day of January in the year nineteen hundred and seventeen.

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

Approved May 25, 1917.

*Chap.*339 AN ACT RELATIVE TO THE DISTRIBUTION OF THE PROCEEDS OF THE TAX ON INCOMES.

Be it enacted, etc., as follows:

1916, 269 (G),
§ 23, amended.

SECTION 1. Section twenty-three of chapter two hundred and sixty-nine of the General Acts of the year nineteen hundred and sixteen is hereby amended by inserting after the word "fifteen", in the eleventh line, the following:— The treasurer and receiver general shall also pay to each fire, water, improvement, light and watch district having the power of taxation an amount equal to the difference between the amount of the tax levied upon personal property in such district in the year nineteen hundred and sixteen and the amount, computed by the tax commissioner, that would be produced by a tax upon the personal property actually assessed in such district for the year nineteen hundred and seventeen at the same rate of taxation as prevailed therein in the year nineteen hundred and sixteen, — so as to read as follows:— *Section 23.* On or before the fifteenth day of November in the year nineteen hundred and seventeen the treasurer and receiver general shall pay to each city or town an amount equal to the difference between the amount of the tax levied upon personal property in such city or town in the year nineteen hundred and fifteen and the amount, computed by the tax commissioner, that would be produced by a tax upon the personal property actually assessed in such city or town for the year nineteen hundred and seventeen at the same rate of taxation as prevailed therein in the year nineteen hundred and fifteen. The treasurer and receiver general shall also pay to each fire, water, improvement, light and watch district having the power of taxation an amount equal to the difference between the amount of the tax levied upon personal property in such district in the year nineteen hundred and sixteen and the amount, computed by the tax commissioner, that would be produced by a tax upon the personal property actually assessed in such district for the year nineteen hundred and seventeen at the same rate of taxation as prevailed therein in the year nineteen hundred and sixteen. If the amount of

Distribution
of tax, etc., in
1917, to each
city or town.

Distribution of
tax, etc., in
1917, to each
fire, water,
improvement,
light and
watch district.

taxes collected from incomes shall exceed the sum necessary to make such payments, the balance shall be distributed among the several cities and towns in proportion to the amount of the state tax imposed upon each of them in the year nineteen hundred and seventeen: *provided*, that of the aforesaid excess the commonwealth shall retain a sum sufficient to reimburse it for the expenses incurred under this act during the year nineteen hundred and seventeen, and abated taxes repaid hereunder during said year. In years subsequent to nineteen hundred and seventeen, the taxes collected under this act shall be distributed as the general court may determine.

Proviso.

Distribution of tax subsequent to 1917.

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

Approved May 25, 1917.

AN ACT TO ESTABLISH THE SALARIES OF THE CLERKS OF CERTAIN POLICE, DISTRICT AND MUNICIPAL COURTS. Chap.340

Be it enacted, etc., as follows:

SECTION 1. The salaries of the clerks of police, district and municipal courts, except the municipal court of the city of Boston and the first and second district courts of Barnstable, shall be equal to three fourths of the salaries received by the justices of their respective courts.

Clerks of certain police, district and municipal courts, salaries established.

SECTION 2. The salary of the clerk of the first district court of Barnstable and of the clerk of the second district court of Barnstable shall be nine hundred dollars a year each.

Clerks, first and second district courts of Barnstable, salaries established.

SECTION 3. So much of section sixty-seven of chapter one hundred and sixty of the Revised Laws and acts in amendment thereof as is inconsistent herewith is hereby repealed.

Repeal.

SECTION 4. This act shall take effect in each county upon its acceptance by the county commissioners of such county, and in the county of Suffolk upon its acceptance by the mayor and city council of the city of Boston.

Act to be submitted to the county commissioners, except, etc.

Approved May 25, 1917.

AN ACT TO ESTABLISH THE SALARY OF THE SECRETARY OF THE STATE BOARD OF CONCILIATION AND ARBITRATION. Chap.341

Be it enacted, etc., as follows:

The annual salary of the secretary of the state board of conciliation and arbitration shall be two thousand dollars.

Secretary, state board of conciliation and arbitration, salary established.

Approved May 25, 1917.

Chap. 342 AN ACT TO PROVIDE FOR THE BETTER DEFENCE OF THE COMMONWEALTH IN TIME OF WAR.

Be it enacted, etc., as follows:

Act to remain in force during existing state of war, etc.

SECTION 1. During the continuance of the existing state of war between the United States and any foreign country in order to provide for the safety, defence and welfare of the commonwealth and for the discharge of its duties toward the national defence as one of the United States the provisions of this act shall be and remain of full force and effect, but except as herein otherwise expressly provided shall cease to operate on the termination of the said state of war.

Registration of aliens and others, etc.

SECTION 2. The governor with the advice and consent of the council may by proclamation require subjects or citizens above the age of eighteen years of any country with which the United States is at war, or if in his opinion the public safety so demands, of all foreign countries, to appear before such public authorities within such time as he may designate and personally register with such public authorities his or her name, residence, business, past and intended stay within the commonwealth, and such other information as the governor may prescribe.

Regulations to issue governing registration, etc.

SECTION 3. The governor with the advice and consent of the council may from time to time issue regulations (a) governing the manner of registration and the procedure in connection therewith, and the keeping and custody of records and access thereto, but such records shall only be open to inspection by public officials acting under official authority and not to any private person, corporation, organization or agency, (b) requiring further information from time to time by persons registered in accordance with the provisions of section two of this act and requiring such reports as he may deem advisable by keepers of hotels, inns or lodging-houses and other persons furnishing lodging to or harboring persons, and (c) imposing conditions or restrictions on the movements of persons registered or required to be registered: *provided, however*, that nothing herein contained shall be deemed to authorize any restriction or infringement of rights granted them by the constitution of the United States or by federal authority.

Proviso.

Declination to testify when prosecuted, etc., how treated.

SECTION 4. Any person against whom a prosecution has been brought under this act who shall decline to testify as to whether he is a citizen or a subject of any foreign state,

the citizens or subjects of which are required to register by proclamation of the governor under this act, may be required to register and to observe such other regulations as the governor with the advice and consent of the council may prescribe.

SECTION 5. Any person failing to register or to give information in compliance with the terms of any proclamation or regulations issued by the governor in pursuance of sections two, three and four of this act, or otherwise failing to comply with the terms of such proclamation or regulations shall upon conviction be punished by a fine not exceeding one thousand dollars, or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment.

Penalty for failure to register, etc.

SECTION 6. Whenever the governor shall believe it necessary or expedient for the purpose of better securing the public safety or the defence or welfare of the commonwealth, he may with the approval of the council take possession: (a) Of any land or buildings, machinery or equipment. (b) Of any horses, vehicles, motor vehicles, aeroplanes, ships, boats, or any other means of conveyance, rolling stock of steam or electric railroads or of street railways. (c) Of any cattle, poultry and any provisions for man or beast, and any fuel, gasoline or other means of propulsion which may be necessary or convenient for (the use of the military or naval forces of the commonwealth or of the United States, or for the better protection or welfare of the commonwealth or its inhabitants. He may use and employ all property so taken possession of for the service of the commonwealth or of the United States, for such times and in such manner as he shall deem for the interests of the commonwealth or its inhabitants, and may in particular, when in his opinion the public exigency so requires, sell or distribute gratuitously to or among any or all of the inhabitants of the commonwealth anything taken under clause (c) of this section and may fix minimum and maximum prices therefor. He shall, with the approval of the council, award reasonable compensation to the owners of any property of which he may take possession under the provisions of this section and for its use, and for any injury thereto or destruction thereof caused by such use.

Governor may take possession of certain property for public use, etc., when expedient.

May sell, etc., certain commodities, fix prices and award reasonable compensation therefor.

SECTION 7. Any owner of property of which possession has been taken under section six of this act, to whom no award has been made, or who is dissatisfied with the amount awarded him by the governor and council as compensation,

Damages to dissatisfied owner, how determined.

may file a petition in the superior court to have the amount to which he is entitled by way of damages determined. Either the petitioner or the commonwealth shall have the right to have the amount of such damages fixed by a jury in the said court upon making claim in such manner as the court may have provided or shall provide by its rules.

Petition for damages, where filed.

To be brought within one year, etc.

SECTION 8. The petition provided for by section seven of this act may be filed either in the county in which the petitioner lives or has his usual place of business, if the petitioner either lives or has a usual place of business in the commonwealth, or otherwise in the county of Suffolk. The petition shall be brought within one year after the date when possession of the property was taken under section six of this act, and except as is otherwise provided herein, shall be heard and determined in accordance with the provisions of chapter two hundred and one of the Revised Laws and all acts in amendment thereof or in addition thereto.

Hearing on petition may be continued, etc.

SECTION 9. Upon such petition full damages shall be awarded whether or not the same had fully accrued at the time of the filing of the petition, and, whenever necessary, the hearing on the petition shall on the application of either the petitioner or the commonwealth be continued for assessment of damages until the same are fully ascertained.

Home guard, status of.

SECTION 10. Any members of the home guard as established by chapter one hundred and forty-eight of the General Acts of the year nineteen hundred and seventeen, shall with respect to their powers and liabilities be deemed to be a part of the military forces of the commonwealth.

Power and authority of the governor defined, in matter of the common defence.

SECTION 11. The governor shall have full power and authority to co-operate with the federal authorities and with the governors of other states in matters pertaining to the common defence, and with the military and naval forces of the United States and of the other states. In particular the governor is hereby authorized upon request evidenced by duly authenticated vote of the Council of National Defence to provide for the taking of a census of the men and resources of the commonwealth, and generally to take any such measures as he may deem proper to carry into effect any request of the said Council of National Defence evidenced as aforesaid.

Governor may, in writing, confer the said powers, etc., upon certain officials, etc.

SECTION 12. Whenever the governor shall determine that circumstances warrant the exercise by him of all or any of the powers conferred on him by this act, he may, with the approval of the council, by writings signed by him,

confer upon such officials of the commonwealth or any political division thereof, or such officer of the military or naval forces of the commonwealth, or such other person or persons as he may select, full power and authority to do in his name whatever may be necessary to carry the said powers into effect. He may revoke such written authority at any time.

SECTION 13. Affidavits and commissions to take the deposition of any person without this commonwealth engaged in the military service of the United States, may be executed before and by any officer in the said service above the rank of lieutenant; and of any person engaged in the naval service of the United States, before any officer in that service above the rank of ensign; and affidavits and depositions of such persons so taken, if otherwise taken in accordance with law, shall be received and may be used in evidence, or for any other purpose, in the same manner as if taken before a commissioner of this commonwealth appointed to take depositions in other states.

Depositions of persons in the army and navy, how executed.

May be used in evidence, etc.

SECTION 14. The deed of any person without this commonwealth for the conveyance of real estate within this commonwealth, or for any other purpose, powers of attorney and other instruments may, if such person is engaged in the military service of the United States, be acknowledged before any officer in that service above the rank of lieutenant; and if such person is engaged in the naval service of the United States, before any officer in that service above the rank of ensign; and deeds, powers of attorney and other instruments so acknowledged may be used and recorded in this commonwealth in the same manner as if taken before a commissioner of this commonwealth.

Deeds and other legal instruments of persons in the army and navy, how acknowledged.

May be recorded, etc.

SECTION 15. For the purposes aforesaid the officers above named shall have the same power and authority as commissioners of this commonwealth, to administer oaths and take the depositions, affidavits and acknowledgments of persons in the military or naval service of the United States, in accordance with the provisions of sections fourteen and fifteen of this act.

Certain officers empowered to administer oaths, etc.

SECTION 16. Sections thirteen, fourteen and fifteen of this act shall remain in force while the United States is at war and six months thereafter.

Sections 13, 14 and 15, length of time to remain in force.

SECTION 17. The time of the absence from the commonwealth of any person engaged in the military or naval service of the United States, shall not be taken as part of the period

Prosecution of actions, period of, how reckoned.

Proviso.

limited for the prosecution of actions by such person: *provided*, that nothing herein contained shall have the effect of extending said period more than six months after the discharge of such person from the service of the United States, or after the termination of the war, whichever shall first occur.

Writ of review, when judgment is rendered upon default of defendant, etc.

SECTION 18. When judgment shall have been rendered upon the default of any defendant absent from the commonwealth in the military or naval service of the United States as aforesaid, such defendant may, within six months after his discharge from that service, or after the termination of the war, whichever shall first occur, as of right and without any petition therefor, take a writ of review out of the court in which the judgment was rendered, in manner and form as provided by law.

When court may suspend proceedings in any suit, etc.

SECTION 19. Whenever in any suit it shall be made to appear to the court that any defendant is absent from the commonwealth in the military or naval service of the United States, as aforesaid, the court may in its discretion, order the suit to be continued as to such defendant without costs to either party; and if in such suit any person be summoned as trustee of such defendant, so absent as aforesaid, or a person summoned in any suit as trustee be so absent as aforesaid, the court may also in its discretion suspend the proceedings against such alleged trustee without costs to either party: *provided*, that no such continuance shall be allowed beyond the period of six months after the discharge of such principal defendant or alleged trustee from the service of the United States, or after the termination of the war, whichever shall first occur.

Proviso.

Certain provisions are not deemed to apply to certain cases.

SECTION 20. None of the provisions of sections seventeen to nineteen, inclusive, of this act shall be deemed to apply to any case in which an executor or administrator is party, either plaintiff or defendant.

Court may refuse bail to defendant, in criminal cases, etc.

SECTION 21. In any criminal case the court having jurisdiction thereof may in its discretion and if, in the opinion of the court, the public safety and defence of the commonwealth so require, refuse to admit the defendant to bail; and all laws inconsistent herewith are hereby suspended during the continuance of the state of war: *provided, however*, that this section shall not apply to any defendant who is engaged in the military or naval service of the United States.

Proviso.

SECTION 22. Whoever constructs, assembles, puts together, places or plants, or causes to be constructed, assembled, put together, placed or planted, any substances or objects in imitation of any explosive, bomb, or shell, or whoever with intent to intimidate any person or persons, or with intent to place or plant the same has any such substances or objects in imitation of any explosive, bomb, or shell, in his possession, or whoever with intent to intimidate or frighten any person or persons falsely states or in any way causes it to be stated or rumored falsely that any explosive, bomb, or shell, is to be or may be exploded unlawfully, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment.

Penalty for placing, etc., explosives, bombs, shells, etc.

SECTION 23. Whenever the governor, with the advice and consent of the council, shall determine that an emergency has arisen in regard to the cost, supply, production, or distribution of food or other necessities of life in this commonwealth, he may ascertain the amount of food, or other necessities of life within the commonwealth; the amount of land and labor available for the production of food; the means of producing within or of obtaining without the commonwealth food or other necessities of life as the situation demands; and the facilities for the distribution of the same, and may publish any data obtained relating to the cost or supply of such food or other necessities, and the means of producing or of obtaining or distributing the same. In making the said investigation he may compel the attendance of witnesses and the production of documents, and may examine the books and papers of individuals, firms, associations and corporations producing or dealing in food or other necessities of life, and he may compel the cooperation of all officers, boards, commissions and departments of the commonwealth having information that may assist him in making the said investigation.

Governor to determine emergency in regard to cost, etc., of food, etc.

Witnesses may be summoned, documents produced, etc.

SECTION 24. A. The state board of labor and industries shall immediately upon the passage of this act appoint a committee of five persons, none of whom shall be members of said board who shall be approved by the governor; of whom one shall be the commissioner of labor, who shall be chairman, two shall be representatives of employers of labor, and two shall be representatives of wage earners; to which committee all petitions, applications and matters arising

Committee of five persons to be appointed, etc.

Commissioner of labor to serve on committee, etc.

War emergency industrial commission, name selected, removal, etc.

Application for suspending labor laws, etc.

Hearing, and if emergency exists, permit may be granted.

Permit to be revocable, etc.

Attendance at hearings, etc.

under this section shall be forthwith referred. The commissioner of labor shall serve thereon without additional compensation and the other members shall receive such compensation and allowances for expenses as the governor with the consent of the council may determine. Such committee shall be given whatever name the state board of labor and industries may select. Any action taken and all permits granted by said committee shall have the same effect as though taken or granted by said board, which may at any time revoke the authority of said committee, remove any of its members except the commissioner of labor, and may fill any vacancies in said committee, and in the temporary absence of any member thereof, the committee or the commissioner of labor may fill such vacancy temporarily.

B. Any employer of labor may make application to the state board of labor and industries or to the committee created by clause A of this section, setting forth that a law or laws of the commonwealth licensing or regulating labor, or the employment of labor, or any law or laws of the commonwealth in any manner affecting conditions of labor, interfere with the prosecution of work which said employer is doing or is about to do, which work is required by an emergency arising out of the existing state of war, and asking that a permit be granted to him suspending the operation of such law or laws, or any part thereof, as applicable to his work or establishment. The committee shall convene and give a hearing upon such application as soon after its receipt as possible, and if in its opinion such emergency exists, it may grant to the applicant such a permit. The permit shall contain such limitations and restrictions as the committee may deem proper to impose, in respect to the length of time during which, and the particular work or establishment in connection with which, such permit shall be effective. The permit shall be revocable at any time by the aforesaid committee and shall in any event become void sixty days after the termination of the existing state of war. The operation of any law or laws or parts thereof, shall be suspended only to the extent provided for in such permit.

C. At the hearing the committee shall permit the attendance of representatives of the interested parties and of such other persons as it may deem proper, and shall give notice of the hearing to the interested parties and to such others, as it may determine.

D. Whenever it appears or is represented to the commissioner of labor that a situation exists which requires immediate action or decision before said committee can be called together, he is hereby authorized to grant such permit or take such action as he deems proper, which action so taken or permit so granted by him shall remain in force and effect only until the committee can assemble and give the hearing as heretofore provided and render its decision: *provided*, that in no case shall said temporary action taken or permit granted by the commissioner of labor be valid for a longer period than seventy-two hours.

Commissioner of labor may grant permit under certain circumstances.

Proviso.

E. The entire office force and office equipment of the state board of labor and industries shall be at the disposal of the said committee and shall be subject to its orders in any matters arising under this section; and the advice, assistance, and co-operation of any other department, board or commission of the commonwealth shall, upon request, be immediately extended to said committee.

Committee to have certain assistance, etc.

SECTION 25. The governor, with the advice and consent of the council, shall have power by proclamation to prohibit or regulate the use of fireworks and firecrackers throughout the commonwealth at such times as he may deem the public interest may require. Such prohibition or regulation shall continue until revoked by the governor. Subject to such prohibition or regulation as may be proclaimed by the governor, the authority of cities, towns and officials under existing law to prohibit or regulate the use of fireworks and firecrackers shall not be abridged or affected by the provisions of this section.

Governor may prohibit, etc., use of fireworks, etc. ✓

Certain authority of municipal officers not to be abridged, etc., hereby.

SECTION 26. If any part, sub-division or section of this act shall be declared unconstitutional the validity of the remaining parts of this act shall not be affected thereby.

Unconstitutionality, how act is to be affected.

SECTION 27. For the purpose of carrying out the provisions of this act, the governor, with the advice and consent of the council, is authorized to use any funds appropriated by chapter two hundred and two of the Special Acts of the year nineteen hundred and seventeen, and any other funds made available for this purpose.

Funds available.

SECTION 28. The provisions of this act and the powers granted hereunder shall take effect and be exercised only in so far as they do not contravene any law of the United States or the exercise of any lawful power by the president.

Act, etc., not to contravene United States law, etc.

Common-
wealth Defence
Act of 1917.

SECTION 29. This act shall take effect upon its passage, and may be cited as the Commonwealth Defence Act of 1917.

Approved May 26, 1917.

Chap. 343 AN ACT MAKING APPROPRIATIONS FOR TEMPORARY INCREASES IN THE COMPENSATION OF CERTAIN EMPLOYEES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations, temporary increases in compensation of certain commonwealth employees.

SECTION 1. The sums hereinafter mentioned are hereby appropriated for temporary increases in the compensation of certain employees of the commonwealth as authorized by chapter three hundred and twenty-three of the General Acts of the present year, as follows:

From the ordinary revenue, a sum not exceeding two hundred and fifty thousand dollars, to be transferred to the appropriations of the several departments, boards, commissions and institutions, upon the approval of the governor and council, after the certification by the auditor of the commonwealth of the amounts required.

From the Metropolitan Parks Maintenance Fund, a sum not exceeding twenty-nine hundred dollars.

From the Metropolitan Parks Maintenance Fund, Boulevards, a sum not exceeding fifteen hundred dollars.

From the Metropolitan Parks Maintenance Fund, Nantasket, a sum not exceeding two hundred dollars.

From the Charles River Maintenance Fund, a sum not exceeding five hundred dollars.

From the Metropolitan Parks Maintenance Fund, Wellington Bridge, a sum not exceeding two hundred dollars.

From the Metropolitan Water Maintenance Fund, a sum not exceeding four thousand dollars.

From the Metropolitan Sewerage Maintenance Fund, South System, a sum not exceeding twenty-five hundred dollars.

From the Metropolitan Sewerage Maintenance Fund, North System, a sum not exceeding twenty-five hundred dollars.

From the Gas and Electric Light Commissioners' Fund, a sum not exceeding two hundred dollars.

From the Fire Prevention Commissioner's Fund, a sum not exceeding seven hundred dollars.

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

Approved May 26, 1917.

AN ACT TO CODIFY AND REVISE THE LAWS RELATING TO *Chap. 344*
HIGHWAYS AND BRIDGES.

Be it enacted, etc., as follows:

PART 1. — State Highways.

PART 2. — Of the Laying Out and Discontinuance of Ways, and Damages caused by the Taking of Land for Public Uses.

PART 3. — Of Betterments and Other Assessments on Account of the Cost of Public Improvements.

PART 4. — Of the Repair of Ways and Bridges.

PART 5. — Of Regulations and By-Laws relative to Ways and Bridges.

PART 6. — Of the Boundaries of Highways and Other Public Places and Encroachments thereon.

PART 7. — Of the Law of the Road.

PART 8. — Miscellaneous Provisions and Repeals.

PART 1.

STATE HIGHWAYS.

SECTION 1. There shall be a Massachusetts highway commission consisting of three persons, one of whom shall annually be appointed by the governor, with the advice and consent of the council, for a term of three years. The chairman shall be designated by the governor and shall receive an annual salary of five thousand dollars. Each of the other members shall receive an annual salary of four thousand dollars. Each member of the commission shall be allowed his travelling expenses, and shall devote his time to the business of the commission. The commission may expend annually for a secretary, clerk hire, engineers and for incidental expense such amount as the general court may appropriate. It shall be provided with an office in the state house or some other suitable place in the city of Boston, in which the records of its office, maps, plans and statistics collected and compiled under its direction shall be kept.

Massachusetts
highway com-
mission.
R. L. 47, § 1.
1906, 433, § 1.
1913, 784, § 3.

SECTION 2. It shall compile statistics relative to the public ways of counties, cities and towns, and make such investigations relative thereto as it shall consider expedient. It may be consulted by, and shall, without charge, advise officers of counties, cities or towns having the care of and authority over public ways, as to their construction, maintenance, alteration or repair; but such advice shall not impair the legal duties and obligations of any county, city or town. It shall prepare maps of the commonwealth on which shall be shown county, city and town boundaries, the public ways and the state highways, with their names if practicable. It shall give

Duties, etc.,
R. L. 47, § 2.

suitable names to state highways and may change the name of any way which becomes a part of a state highway. It may erect suitable guide posts and markers at convenient points on state highways or on ways leading thereto. It shall collect and collate information relative to the geological formation of the commonwealth so far as it relates to the materials suitable for road building, the location of which it shall, so far as practicable, designate on said maps, which shall be open to the inspection of officers of counties, cities and towns having the care of and authority over public ways. It shall give public notice of and hold at least one public meeting annually in each county for the open discussion of questions relative to the public ways.

Annual report.
R. L. 47, § 3.

SECTION 3. It shall make an annual report to the general court of its doings and the expenditures of its office, with such statements relative to the construction and maintenance of public ways and such recommendations as to the general policy of the commonwealth relative thereto as it considers appropriate. The report shall be transmitted to the secretary of the commonwealth on or before the first Wednesday in January.

Officers to
furnish com-
missioners with
information.
R. L. 47, § 4.

SECTION 4. County commissioners and city and town officers who have the care of and authority over public ways and bridges shall, on request, furnish the commission with any information required by it concerning such ways and bridges.

Petition for
state highway.
R. L. 47, § 5.
1909, 464, § 1.

SECTION 5. If the county commissioners of a county, the mayor and aldermen of a city or the selectmen of a town adjudge that the public necessity and convenience require that the commonwealth lay out and take charge of a new or an existing way as a highway in whole or in part, in their county, city or town, they may apply by a petition in writing to the commission, requesting that said way be laid out and taken charge of by the commonwealth.

Location of
state highway.
R. L. 47, § 6.
1904, 108, § 1.
1909, 464, § 2.

SECTION 6. If said commission determines that public necessity and convenience require that such way should be laid out or be taken charge of by the commonwealth, it shall file a certified copy of a plan thereof, a copy of the petition therefor and a certified copy of a certificate that it has laid out and taken charge of said highway in accordance with said plan, in the office of the county commissioners for the county in which the way is situated, and shall file a copy of the plan showing the location of the portion lying in each city or town in the office of the clerk of such city or town,

and a copy of the certificate that it has laid out and taken charge of said highway in accordance with said plan, and thereafter it shall be a state highway, and shall be constructed and kept in good repair and condition by the commission, at the expense of the commonwealth. In laying out and taking charge of a way as a state highway the commission may adopt the boundary or location lines of the way theretofore existing, or it may lay out such state highway at a width greater or less than that of the existing way, and if a state highway be laid out where no way existed previously, the width of such state highway shall be as the commission shall deem necessary. If the width of a state highway be less than that of the way previously existing, that portion of the way which lies between the boundary or location lines of the state highway and the boundary or location lines of the way previously existing shall remain a public way unless the commission shall determine that it should be abandoned: *provided, however*, that the county commissioners of the county or the city or town in which the way is situated, whichever has jurisdiction of the way, may abandon at any time said portion in the manner provided by law for the alteration, relocation or discontinuance of public ways.

Proviso.

SECTION 7. Said commission may, with the concurrence of the mayor and aldermen of a city or the selectmen of a town, alter the location of a state highway in such city or town by filing a plan thereof and a certificate that said commission has laid out and taken charge of said state highway, as altered in accordance with said plan, in the office of the county commissioners for the county in which said highway is situated, and by filing a copy of the plan or location as altered in the office of the clerk of such city or town.

Alteration of location.
R. L. 47, § 7.

SECTION 8. Said commission may, with the concurrence of the mayor and aldermen of a city or the selectmen of a town, abandon any land or part thereof, or rights in land which have been taken or acquired by it in such city or town by executing, acknowledging and recording a deed thereof accompanied by a plan of survey which shall be recorded therewith. Said abandonment shall revert the title to the land or rights abandoned in the persons in whom it was vested at the time of the taking, or their heirs and assigns, and may be pleaded in reduction of damages in any suit therefor on account of such taking.

Abandonment of location.
R. L. 47, § 8.

SECTION 9. The damages sustained by any person whose property has been taken for or has been injured by the con-

Damages, how determined.
R. L. 47, § 9.

struction or alteration of such highway shall be determined by said commission and shall be paid by the commonwealth. A person who is aggrieved by such determination may, upon a petition filed in the superior court for the county in which the land lies, within one year after the completion of said highway or alteration thereof, have his damages determined by a jury in the same manner as damages which have been sustained by the taking of land for other highways. The mayor of a city, if so authorized by a vote of the board of aldermen, or body having like powers or the selectmen of a town, if so authorized by a vote of the town, may stipulate in writing in behalf of the city or town to indemnify and save harmless the commonwealth against all claims and demands for damages which may be sustained by any person whose property has been taken for, or has been injured by the construction or alteration of, any highway which the Massachusetts highway commission proposes to lay out and construct or alter as a state highway, and thereupon such city or town shall be liable ultimately for the amount of any verdict against the commonwealth for such damages, and for costs, the amount thereof to be recoverable by the commonwealth in an action of contract.

Construction of
state highways
by cities and
towns.
R. L. 47, § 10.

SECTION 10. Said commission shall, when about to construct a highway, give to each city and town in which it lies a copy of the plans and specifications therefor and a notice that said commission is ready for its construction; and said city or town may, without advertisement, contract with said commission for the construction of so much of such highway as lies within its limits, in accordance with the plans and specifications and under the supervision and subject to the approval of the commission, at a price agreed upon between said commission and said city or town. If, within ten days, said city or town does not elect so to contract, or if it has waived the right to contract, said commission shall advertise in two or more newspapers published in each county in which the highway lies, and in three or more daily newspapers published in Boston, for sealed proposals for the construction of such highway, stating the time and place for opening said proposals, and reserving the right to reject any and all proposals. Said commission may reject any and all proposals or, if a proposal is satisfactory, it shall, with the approval of the governor and council, make a contract in writing on behalf of the commonwealth for such construction. After the proposals have been accepted or rejected they shall be kept by

the commission, and shall be open to public inspection for the term of three years, and may then be destroyed or caused to be destroyed by the commission. The commission may, in the same manner and under the same conditions, contract with a city or town, or, if a city or town shall not elect so to contract, with a person for the grading of a state highway or for furnishing labor, materials or any other element in its construction. The construction of all state highways shall be under the supervision and subject to the approval of the commission and in accordance with plans and specifications furnished by it, shall be fairly apportioned by the commission among the different counties, and not more than ten miles of state highway shall be constructed, on petition as aforesaid, in any one county in any one year, without the previous written approval of the governor and council.

SECTION 11. Said commission shall keep all state highways reasonably clear of brush, shall cause suitable shade trees to be planted thereon if practicable, and may establish and maintain watering troughs upon said highways.

Maintenance of
state highways.
R. L. 47, § 11.

SECTION 12. The commission, with the consent of the owner, is directed to remove the trees, limbs of trees, shrubbery or any structure or other obstacle from lands bordering upon state highways, which in the opinion of the commission obstruct the view of persons travelling upon the highway or make travelling thereon dangerous. In case the owner does not desire the material which has been so removed, the said commission may sell or otherwise dispose of the same, and if it is sold the amount so received shall be used toward defraying the expense of removing such material. Said commission shall cause all debris resulting from any cutting or trimming done along the state highway, under authority of this or of any other act, to be disposed of in such manner that it will not constitute a fire menace to adjoining property.

Clearing land
for state
highways.
1914, 304.

SECTION 13. One fourth of any money which may be expended under the provisions of the eight preceding sections for a highway in any county, with interest thereon at the rate of three per cent per annum, shall be repaid by said county to the commonwealth in such instalments and at such times within six years thereafter as said commission, with the approval of the auditor of accounts, having regard to the financial condition of the county, shall determine. The treasurer and receiver general shall apply the money so repaid to the appropriation to be expended by said commission.

Reimburse-
ment of com-
monwealth.
R. L. 47, § 12.

Advances of money to commission. 1910, 488.

SECTION 14. To carry out the provisions of law requiring weekly payments, and to secure cash discounts wherever possible, the commission may receive such advances of money from the treasury of the commonwealth as in the judgment of the auditor of the commonwealth are required for said purposes.

Cities and towns may pay part of the expense of state highways within their limits. 1904, 125, § 1.

SECTION 15. The mayor or the board or officer having charge of the maintenance and care of highways, of a city, if so authorized by a vote of the city council, or other governing body, or the selectmen or road commissioners of a town, or officer having charge of the maintenance and care of highways in a town, if so authorized by a vote of the town, may agree in writing, in behalf of such city or town, to contribute money, labor or materials toward the cost of any state highway which the Massachusetts highway commission proposes to lay out and construct within the limits of such city or town.

Commonwealth primarily liable for defective highways. R. L. 47, § 13.

SECTION 16. The commonwealth shall be liable for injuries sustained by persons while travelling on state highways, if the same are caused by defects within the limits of the constructed travelled roadway, in the manner and subject to the limitations, conditions, and restrictions specified in sections twenty-four, twenty-six and twenty-seven of Part 4 of this act, except that the commonwealth shall not be liable for injury or damage sustained by any persons because of the want of a railing in or upon any state highway, nor unless that notice of the injury as required by law is given to a member of the commission or to its secretary. The commonwealth shall not be liable for an injury which may be sustained upon the sidewalk of a state highway or during the construction, reconstruction or repair of such highway. The amount which may be recovered for any such injury shall not exceed one fifth of one per cent of the state valuation, last preceding the commencement of the action, of the city or town in which the injury was received, nor shall it exceed four thousand dollars.

State highway to be kept clear of snow and ice. R. L. 47, § 14.

SECTION 17. A city or town in which a state highway lies shall at its own expense keep such highway sufficiently clear of snow and ice to be reasonably safe for travel. It shall have police jurisdiction over all state highways within its limits, and shall forthwith give notice in writing to the commission or its employees of any defect or want of repair in such highways; but it may make necessary temporary repairs of a state highway without the approval of the commission.

SECTION 18. The Massachusetts highway commission shall have the same power as the mayor and aldermen of cities and the selectmen and road commissioners of towns in relation to the purchase or taking of land from which may be taken materials necessary for the construction, repair or improvement of state, county, city or town highways in the manner provided in section seventy-six of Part 2 of this act: *provided, however*, that all contracts for such purchase and all takings by said commission shall first be approved by the governor and council. Such purchases or taking shall not operate in any way to interfere with the control of the police departments of the various municipalities within the land so taken. Land taken under the provisions of this section shall be held and used for no other purpose than as specified herein; *provided, however*, that said commission may allow county, city or town officers to use materials from said land for the above specified purposes upon such terms as may be agreed upon. For this purpose the commission may expend a sum not exceeding five thousand dollars in any one year. Said sum may be taken from the money applicable to the construction or maintenance of state highways or from the Motor Vehicle Fees Fund, as the governor and council may from time to time determine. Any person sustaining injury or damage by any taking of land or rights of land under the provisions of this section shall have the same remedy therefor as in the case of the taking of land for highways.

Relative to road materials. 1910, 487. 1910, 511.

Provisos.

SECTION 19. Said commission may contract with the city or town in which a state highway lies or with a private person or may make other provision for the maintenance and repair thereof in accordance with the regulations of said commission, and subject to its supervision and approval. Such contracts may be made without previous advertisement.

Maintenance and repair. R. L. 47, § 15.

SECTION 20. Whenever a grade crossing is abolished upon a state highway, county way, or way which has been petitioned for as a state highway, the said highway or way shall be so constructed that there shall be a clear view in each direction for at least one hundred and fifty feet from the center of the said highway or other way where the same passes over or under the railroad or railway, unless the proposed plan for the abolition of the grade crossing is approved by the Massachusetts highway commission.

Grade crossings on state highways. 1910, 498.

SECTION 21. Said commission shall annually, in January, certify to the treasurer and receiver general the amount of expenditures for repair of state highways in each city and

Expense of repairs, payment and reimbursement of. R. L. 47, § 16.

1913, 773.
1914, 514, § 1.

town during the preceding year. One half the amount of such expenditures, not exceeding fifty dollars a mile in towns with a valuation of less than one million dollars, and not exceeding one hundred dollars a mile in towns with a valuation of one million dollars and less than two million dollars, not exceeding two hundred dollars a mile in towns with a valuation of two million dollars and less than five million dollars, and in cities and towns with a valuation of over five million dollars the said one half of such expenditures, not exceeding two thousand dollars a mile in the aggregate and not exceeding five hundred dollars a mile in any one year, shall be made a part of the state tax for such cities and towns, respectively, and any balance due may be made a part of the state tax in the succeeding three years; but when such expenditures exceed one thousand dollars a mile in any one year on any particular mile of road, the amount to be collected on account of such expenditures shall be computed only for the number of miles actually so improved. Said expenditures shall include all moneys expended for the above purpose from whatever source received, and when collected shall be available for use for repair and maintenance of state highways in addition to any other money that may be available therefor. If a city or town elects to make such repairs upon terms and prices agreed upon by it and said commission and under the direction of said commission, the commission shall repay to it, from the annual appropriation for state highways, the amount expended therefor in excess of the amount which such city or town is required to repay under this section.

To relieve certain towns from payment of cost of repair of state highways.
1909, 454.

SECTION 22. The commission, upon application of the selectmen of any town, in which there is a state highway, that such town may be relieved from the payment of any part of the expenditures for the repair of state highways, may, if satisfied that such application should be granted, certify to the treasurer and receiver general that such town should not be required to pay any part of the expenditures for repair of state highways; and thereupon there shall not be included as a part of the state tax for such town, for the year in which the certificate is made, any part of the expenditures for the repair of state highways.

Construction and repair of ways in certain towns.
R. L. 47, § 17.
1908, 279.

SECTION 23. The commission shall allot for and expend in such towns the valuation of which does not exceed one million dollars, and in such amounts as it determines, five per cent of the amount appropriated each year for the construction of state highways, to be used in constructing and

repairing ways in such towns; and it shall not be a condition precedent that such towns shall make any appropriation or contribution in excess of the usual annual appropriations for highway purposes to become eligible for an expenditure under this section. Said commission may also allot for and expend in such towns for like purposes, in addition to any expenditure hereinbefore provided for, a further amount of five per cent of said amount appropriated, if such towns appropriate or contribute, to be expended under the provisions of this section, an amount equal to the amount allotted by the commission. Said commission may also allot and expend a further amount of not more than five per cent of said amount appropriated each year for the construction of state highways in towns the valuation of which exceeds one million dollars, in such amounts as it determines, if such towns appropriate or contribute, to be expended under the provisions of this section, an amount, in addition to the average annual appropriations for repairs of highways in such towns for the preceding five years, exclusive of appropriations or contributions under this section, equal to the amount allotted by said commission. No town the valuation of which is less than one million dollars, and which makes no appropriation or contribution under the provisions of this section, shall receive in any one year more than forty per cent of its average annual appropriations for highway purposes for the preceding five years: *provided, however*, that said commission may allot in any year a sum not exceeding four hundred dollars to any such town, the said average annual appropriation of which does not exceed one thousand dollars. Such allotments and expenditures shall be made only upon the petition of the selectmen of the towns and the provisions of section thirteen of Part 1 of this act shall apply thereto, but a way constructed or repaired under the provisions of this section shall not thereby become a state highway.

Proviso.

SECTION 24. The commission may, whenever any money is appropriated by the general court for the use of said commission in the construction or improvement of any particular road or roads, expend such money in constructing or improving the whole or such part or parts of said road or roads as it shall deem best, either upon the location of the existing roads or upon any new routes or relocations that may be laid out by the county commissioners of the county or the selectmen of the town in which said road or roads are situated, and no part of the road or roads so improved shall thereby become a state

Improvements
of certain
highways.
1915, 8.

highway or be maintained as such. The commission may, however, in its discretion lay out the whole or any part of any such road as a state highway.

Maintenance
of certain ways
improved by
state funds.
1913, 774.

SECTION 25. When any county, city or town way has been constructed or improved in whole, or in part, with money furnished by the commonwealth, and the way is not laid out as a state highway, it shall thereafter be the duty of the county, city or town in which the way lies to keep and maintain that part of the way which has been so improved at all times in good repair and condition. The commission shall notify the county commissioners of the county, the mayor of the city or the selectmen of the town (whichever has charge of the repairs of said way) in which any such way is situated whenever, in its opinion, such way is not being maintained in proper condition, and shall specify in said notice what repairs or improvements are necessary, and the county or municipal officials in charge of the way shall forthwith proceed to make the specified repairs and improvements. If said officials do not make said repairs or improvements within sixty days, or within such further time as the commission may allow, the commission may proceed to have the repairs or improvements made, and may pay for the same from any money which may be available for the repair or maintenance of state highways or from the Motor Vehicle Fees Fund available for through routes in towns, and shall certify the amount of such expenditures to the treasurer and receiver general, to be collected by him in the same manner in which the expenses of repairs on state highways are collected under the provisions of section twenty-one of Part 1 of this act. The money so collected may be used by said commission from time to time for the same purposes for which the money so expended was available, or for the repair and maintenance of state highways: *provided, however,* that in towns whose valuation is less than one million dollars, not more than fifty dollars a mile, and in towns of over one million dollars but under two million dollars valuation, not more than one hundred dollars a mile, and in towns of over two million dollars valuation, not more than two hundred dollars a mile shall be collected in any one year, but any balance due may be certified and collected in succeeding years, but not exceeding three years on any one improvement, the maximum amount collectible in any one year being as above stated. The commission may, upon petition, exempt any county, city or town from the whole or

Proviso.

any part of said payment, if in its judgment said payment would prove an undue burden.

SECTION 26. Said commission shall construct and maintain such portion of a state highway as lies between the lines of the sidewalks nearest to the center of the way. The sidewalks of said way may be constructed and maintained in accordance with the provisions of sections forty-two and forty-three of chapter forty-nine of the Revised Laws.

Construction of state highways.
R. L. 47, § 18.

SECTION 27. (Steam road rollers and other road machinery, purchased by the commission and owned by the commonwealth shall be managed and maintained under the direction of said commission, which may engage competent engineers and mechanics to operate and keep said machines in repair, may purchase all needed materials and supplies, and may incur such other expenses as may be necessary to operate, maintain and transport said machines.) Upon the application of the selectmen or road commissioners of a town of not more than twelve thousand inhabitants, said commission may furnish such road machinery for use by the town in building or repairing ways therein. The expenses incurred under the provisions of this section shall be paid by the towns using said machines, as apportioned and directed by the commission.

Road machines to be provided.
R. L. 47, § 19.

SECTION 28. No length of possession, or occupancy of land within the limits of a state highway, by an owner or occupant of adjoining land shall give him any title thereto, and any fences, buildings or other obstructions encroaching upon a state highway shall, upon written notice by said commission, be removed forthwith by the owner or occupant of adjoining land, and if not so removed, said commission may cause the same to be removed upon said adjoining land.

Rights of adjoining owner or occupant, etc.
R. L. 47, § 20.

SECTION 29. No state highway shall be dug up, nor opening made therein for the laying or placing of pipes, sewers, poles, wires or railways or for other purposes, and no tree shall be planted or removed or obstruction or structure placed thereon or removed therefrom or changed without the written permit of the highway commission, and then only in accordance with the regulations of the commission; and the work shall be done under the supervision and to the satisfaction of the commission, and the entire expense of replacing the highway in as good condition as before shall be paid by the persons to whom the permit was given or by whom the work was done; but a city or town may dig up a state highway

Laying pipes, planting trees, etc., regulated.
R. L. 47, §§ 11 and 21.

without the approval of the highway commission in case of immediate necessity; but in such cases it shall forthwith be replaced in as good condition as before at the expense of the city or town.

PART 2.

OF THE LAYING OUT AND DISCONTINUANCE OF WAYS, AND DAMAGES CAUSED BY THE TAKING OF LAND FOR PUBLIC USES.

Highways,
how laid out.
R. L. 48, § 1.
1912, 554, § 1.

SECTION 1. If common convenience and necessity require a new highway from town to town or from place to place within the same town, or the alteration, specific repairs or discontinuance of an existing highway, application therefor shall be made, by petition in writing, to the county commissioners having jurisdiction thereof.

Recognizance
for costs, etc.
R. L. 48, § 2.

SECTION 2. The petitioners shall, if so required by the county commissioners, before any action is taken upon such petition, cause a sufficient recognizance to be given to the county, with surety to the satisfaction of the commissioners, for the payment of all costs and expenses to the county which shall arise by reason of the proceedings on such petition, if the petitioners do not prevail.

Notice to
towns, etc.
R. L. 48, § 3.
1912, 554, § 2.

SECTION 3. The commissioners shall, thirty days at least before the time appointed for a view or hearing, cause notice of the time and place appointed therefor and a copy of such petition to be served upon the clerk of every town within which such new highway, alteration, specific repairs or discontinuance is prayed for. They shall also cause copies of the petition, or abstracts thereof and of the notice, to be posted in two public places in each of said towns and to be published three weeks successively in such newspaper as they shall order; the posting and the last publication to be fourteen days at least before any view, hearing or adjudication on such petition.

View and
adjudication.
R. L. 48, § 4.
1912, 554, § 3.

SECTION 4. They shall view the premises if they consider it expedient or if requested by any party interested; and shall hear the parties, either at the time of the view, at a regular or special meeting or at an adjournment thereof, as they determine; and as soon as may be after the hearing, they shall adjudicate upon the common convenience and necessity of laying out, altering, specifically repairing or discontinuing such highway.

Notice before
highway is
laid.

SECTION 5. If they adjudicate that the common convenience and necessity require the laying out, alteration, or

discontinuance of a highway or specific repairs thereon, they shall forthwith lay out, alter, discontinue or order specific repairs thereon; first giving such notice thereof as is required before a view, except that an abstract of the petition may be served and published.

R. L. 48, § 5.
1912, 554, § 4.

SECTION 6. They may make such changes between the termini of the highway described in the petition, relative to the direction, alteration, specific repairs or discontinuance thereof, as in their opinion the public convenience requires.

Alterations between termini.
R. L. 48, § 6.
1912, 554, § 5.

SECTION 7. If, at the time of a view upon a petition for laying out, specifically repairing or altering a highway, no person interested objects, the commissioners may, within six months thereafter, lay out, order specific repairs or alter the same without further notice. If, at the time of a view upon a petition for discontinuing a highway, the commissioners decide that it ought to be discontinued, they may at the same time adjudge and determine that it be discontinued, without a further or subsequent meeting therefor, and may estimate the damages caused to any person thereby; and if a return of said proceedings and adjudication is made and accepted at the next regular meeting of the commissioners, it shall be a discontinuance of such highway.

Commissioners may lay out, etc., highways, at view, when.
R. L. 48, § 7.
1912, 554, § 6.

SECTION 8. The commissioners shall, in their return, determine and specify the manner in which a new highway shall be laid out or an existing one altered, relocated or specifically repaired, and shall specify in sufficient detail the work required so that the same may be completed in accordance with the commissioners' directions, and the time within which it shall be completed. The selectmen of towns and the mayors of cities shall give notice to said commissioners of the time when the work ordered is begun, and the commissioners or their agents appointed for the purpose, shall from time to time, as often as may be necessary, examine the work during its progress to ascertain that it is well done according to the direction of the commissioners, and in case the town or city does not perform the work to the acceptance of said commissioners, the provisions of sections thirty-two and thirty-three of Part 2 of this act shall apply. The commissioners shall transmit to the clerks of the towns in which the highway lies a description and plan of the location and bounds thereof within the limits of such towns respectively, which description shall, within ten days, be recorded by the clerk in a book kept for that purpose. They shall also specify in their return a reasonable time within

Time for making highways and removing trees, etc.
R. L. 48, § 8.
1912, 554, § 7.

which the owner of the land may take off his timber, wood or trees. If he fails after reasonable notice in writing, to remove the same within the time allowed, he shall be held to have relinquished his right thereto for the benefit of the town.

Culverts, etc.

Culverts,
cattle passes,
etc.
R. L. 48, § 57.

SECTION 9. If the commissioners require a culvert, cattle pass or other passageway to be made under a highway, they may order the town to construct the same as a part of the highway, and may order the whole or any part of the expense to be paid by the county.

Specific Repairs.

Upon petition
for laying out,
etc., highway,
commissioners
may order
specific repairs
of existing
ways.
R. L. 48, § 9.

SECTION 10. If, upon a petition for the laying out or alteration of a highway, the commissioners, after a view and hearing, are of opinion that the existing highway between the termini mentioned in the petition can be so far amended as to supersede the necessity of laying out a new highway or of altering the location of existing ways, they may, after notice to the towns interested, direct specific repairs to be made in the existing ways in such manner as the public convenience may require; and may apportion the expense thereof upon the county and towns respectively as in laying out highways.

Highway may
be temporarily
closed.
R. L. 48, § 10.

SECTION 11. At the time of ordering specific repairs upon a highway, they may direct it to be closed to the public travel for such time as they consider reasonable.

Towns to make
certain repairs.
R. L. 48, § 11.
1912, 554, § 8.

SECTION 12. Towns in which specific repairs are ordered to be made shall be liable to make the same. Nothing in this act with regard to the commissioners' orders for specific repairs shall be construed to relieve cities and towns from their duties and liabilities with respect to keeping public ways in repair.

Relocation.

Existing high-
ways may be
relocated.
R. L. 48, § 12.
1912, 554, § 9.

SECTION 13. If application is made to the commissioners by a town, or by five inhabitants thereof, to relocate or order specific repairs on a way within such town, whether it was laid out by authority of the town or otherwise, they may, either for the purpose of establishing the boundary lines of such way or of making alterations in the course or width thereof, or of making specific repairs thereon, relocate it,

after giving notice and proceeding in the manner prescribed in laying out highways. The expense shall be assessed upon the abutters, upon the petitioners or upon the county or town, as the commissioners may order. The commissioners may, without petition, after giving notice as in the case of laying out highways, proceed to relocate any public way for the purpose of establishing its boundaries, or of making specific repairs thereon, in which case the expense shall be borne by the county.

Assessment of Damages and Indemnity.

SECTION 14. The commissioners shall estimate the damages, if any, sustained by persons in their property by the laying out, relocation, alteration or discontinuance of a highway, and shall, in their return, state the share of each separately; but such damages shall not be payable until the land over which the highway or alteration is located has been entered upon and possession taken for the purpose of constructing it. But if no entry is made upon the land or if the location has for any other cause become void, a person who has suffered loss or been put to expense by the proceedings shall be indemnified therefor by the commissioners.

Estimate of
damages.
Indemnity.
R. L. 48, § 13.

SECTION 15. They shall estimate the damages sustained by any person in his property by specific repairs which are ordered to be made in a highway, and make return thereof; and at their first meeting after the repairs have been completed, they shall order the damages to be paid. But if the order for repairs does not go into effect or is rescinded or altered, they shall order only so much of the damage to be paid as in their opinion has been actually sustained.

Damages
caused by
specific repairs.
Indemnity.
R. L. 48, § 14.

SECTION 16. In estimating the damage to property of a person by the laying out, relocation, alteration or discontinuance of a highway, or by an order for specific repairs, regard shall be had to all the damage done to him, whether by taking his property or by injuring it in any manner and there shall be deducted the benefit accruing to such property thereby.

Set-off of
benefits.
R. L. 48, § 15.

SECTION 17. If the owner of buildings or materials on land which has been taken refuses or neglects to take care of or remove them, after reasonable notice in writing from the commissioners, the commissioners may take such care of them as their preservation or public safety requires, or may remove them upon the adjoining land of such owner, or elsewhere, or sell them at public auction, after five days' notice of such

Removal of
buildings.
R. L. 48, § 16.

sale, and hold the proceeds for the benefit of such owner. The expense so incurred, or the value thereof to the owner, shall be allowed in reduction of damages.

Damages and Indemnity of Different or Contingent Estates.

Damages of claimants having different interests.
R. L. 48, § 17.

SECTION 18. If a tenant for life or for years and the remainderman or reversioner sustain damages in their property by the laying out, relocation, alteration or discontinuance of, or by specific repairs on, a highway, or if the property is encumbered by a contingent remainder, executory devise or power of appointment, entire damages, or an entire amount as indemnity, shall be assessed without apportionment thereof; and shall be paid to, or be recoverable by, any person whom the parties may appoint, and be held in trust by him for their benefit according to their respective interests. The trustee shall, from the income thereof, pay to the reversioner or remainderman the value of any annual rent or other payment which would, but for such damages, have been payable by the tenant, and the balance thereof to such tenant during the period for which his estate was limited, and upon its termination, he shall pay the principal to the reversioner or remainderman.

Certain damages to be awarded separately.
R. L. 48, § 18.

SECTION 19. The amount so to be placed in trust shall include only the damages assessed to the whole property when the value thereof is ascertained; and any damage special to a separate estate therein, and all interest or other earnings which accrue between the taking and the receipt by the trustee of the damages to the whole property, shall be awarded in the same proceedings separately.

Trustee in certain cases to be appointed by probate court.
R. L. 48, § 19.

SECTION 20. If a person having an interest in such property is, by reason of legal disability, incapable of choosing a trustee, or is unascertained or not in being, or if the parties cannot agree upon a choice, the probate court of the county in which the property is situated shall, upon application of the county commissioners or of any persons interested or of any other person, in behalf of such persons, whether in being or not, as may, by any possibility be or become interested in said property, appoint a trustee, who shall give to the judge of probate a bond with such sureties and in such sum as the judge may order, conditioned for the faithful performance of his duties.

Several parties may go to the same jury.
R. L. 48, § 20.

SECTION 21. If there are several parties, who have several estates in the same property at the same time, other than

the estates and interests for which provision is made in section eighteen, and the property is taken or damaged, in whole or in part by laying out, relocating, altering or discontinuing a highway, or by making specific repairs thereon, and one of such parties petitions the superior court for a jury to ascertain his damages, the other parties may become parties to the proceedings under such petition, and the damages of all of them may be determined by the same jury, in the manner provided in the three following sections.

SECTION 22. Upon such petition, the court may order the petitioner to give notice thereof to all the other parties interested, by serving each of them with an attested copy of such petition and the order thereon fourteen days before the next return day in order that the other parties may appear and become parties to the proceedings under the petition.

Notice to persons interested to become parties.
R. L. 48, § 21.

SECTION 23. If, on such petition, the jury find any of the parties entitled to damages, they shall first find and set forth in their verdict the total amount of damages sustained by the owners of such property, estimating the same as an entire estate and as if it were the sole property of one owner in fee simple; and they shall then apportion such damages among the several parties whom they find to be entitled thereto, in proportion to their several interests and to the damages sustained by them, respectively, and set forth such apportionment in their verdict; and if they find that any party has not sustained damage, they shall set forth in their verdict that they award him no damages.

Verdict to apportion damages.
R. L. 48, § 22.

SECTION 24. The verdict shall be conclusive upon all parties interested who have become parties to the petition.

Verdict conclusive on all who have notice.

R. L. 48, § 23.

SECTION 25. If it appears in any proceedings under the seven preceding sections that an interest in such property is unrepresented by reason of a contingency or other cause by which the owner thereof is unknown or cannot then be ascertained, a guardian ad litem may be appointed to represent such interest by the tribunal in which such proceedings are pending; or the judge of probate for the county in which such proceedings are pending may upon petition of any party in interest, after such notice as he may order to all persons who, or whose issue unborn, may be or may become interested in such apportionment, appoint a trustee, who, upon giving such bond as the judge of probate requires, shall represent such interest; and shall receive, manage and invest any money receivable on account thereof, for the benefit of the parties

When an interest is unrepresented, guardian ad litem may be appointed.
R. L. 48, § 25.

entitled thereto, and shall pay the principal and interest thereof to such parties when entitled thereto. Such guardian ad litem or trustee may be allowed such costs, including counsel fees, as may be ordered by the court in which such proceedings are finally determined, to be paid from the damages apportioned to the interest which he represents.

Tenant in possession may apply for a jury; or the trustees.
R. L. 48, § 26.

SECTION 26. The tenant in possession of land which is encumbered by a contingent remainder, executory devise or power of appointment may, subject to the provisions of section twenty-eight, apply for a jury to revise the judgment of the commissioners in the assessment of damages; and if he fails so to apply within the first six months of such year, said trustees may within the remaining six months thereof apply for such jury.

Application for a Jury to revise Assessment.

Jury may revise assessment.
R. L. 48, § 27.

SECTION 27. A person aggrieved by the doings of the commissioners in the estimation of his damages, caused either by laying out, relocating, altering, widening or discontinuing a highway, or by specific repairs thereon, or in the sum awarded him as indemnity therefor, may, upon petition in writing to the commissioners, agree with the parties adversely interested to have the matter determined by a committee which shall be appointed under the direction of the commissioners; or he may apply by petition to the superior court for a jury as provided in section seventy-nine of Part 2 of this act.

Application for jury.
R. L. 48, § 28.

SECTION 28. Such petition to the superior court for a jury may be made at any time before the expiration of one year, in the case of the taking of land, from the day when the highway is entered upon and possession taken for the purpose of constructing the same, in the case of specific repairs, from the day when the work is actually commenced on the way, and in all other cases, from the date of the order providing for the same; but if before the expiration of the year a suit is instituted wherein the legal effect of the proceedings of the commissioners is drawn in question, such application may be made within one year after the final determination of the suit.

Recognizance for costs.
R. L. 48, § 30.

SECTION 29. A committee shall not be appointed, until the petitioners have given a recognizance to the county for the payment of all the costs and expenses if the committee does not increase the damages or indemnity allowed by the commissioners.

Payment of Expenses, Damages and Cost of Construction.

SECTION 30. When a highway has been finally laid out and established, relocated, altered or discontinued, or when specific repairs are ordered on an existing highway, the expenses of the proceeding, the damages allowed therefor and the amounts awarded as indemnity shall be paid by the county, or by the town or towns in which the part or parts of the highway affected are respectively located, as the commissioners may order, except as herein otherwise provided.

Expenses, damages, etc., paid by county.
R. L. 48, § 52.
1903, 243, § 1.

SECTION 31. If a highway is not finally laid out and established, relocated, altered or discontinued, or if specific repairs are not ordered, said expenses shall be paid by the persons who have recognized therefor. If they refuse or neglect, when required by the commissioners, to pay such expenses, or to pay the costs incurred by reason of an application for a committee, such expenses or costs shall be paid by the county; and thereupon the commissioners may, after notice to the persons who so recognized, issue a warrant against them or some of them, unless sufficient cause is shown to the contrary, for the amount ordered to be paid by them, with the further costs of the notice and warrant, and the money shall be collected and paid into the county treasury.

Expenses paid by petitioners.
R. L. 48, § 53.

SECTION 32. If, after a highway has been established by the commissioners, a town whose duty it is to make such highway, or a part thereof, does not make and complete the same within the time and in the manner prescribed and to the acceptance of the commissioners, they may forthwith cause such highway to be completed as aforesaid, and shall direct the expenses and charges of completing the same to be paid by the county, and shall order notice thereof to be given to each delinquent town, stating the proportion which it is to pay.

Highways, how made, when towns neglect.
R. L. 48, § 54.
1908, 431, § 4.

SECTION 33. If a delinquent town does not pay its proportion of such expenses and charges within sixty days after the date of said notice, with interest thereon at the rate of ten per cent a year from the time when the same is paid by the county, the commissioners may, after a hearing, issue a warrant against such town for the amount which it was ordered to pay, with the interest and the further costs of such notice and warrant, which shall be collected and paid into the county treasury.

Warrants against delinquent towns.
R. L. 48, § 55.
1908, 431, § 5.

Expenses payable by county.
R. L. 48, § 56.
1912, 554, § 10.

SECTION 34. When a highway which has been laid out, specifically repaired, relocated, or altered, is completed, in whole or in part, the commissioners shall view and carefully examine it throughout, and if they find that it has been well made according to their directions, they may order the whole or any part of the expense, including damages incurred by any town in making or altering it to be paid by the county. Said commissioners, before work ordered by them is wholly completed, may pay to the town such proportion of the county's share of the expense as they determine, having regard to the amount of work done and the proportion of the expense which they determine the county shall pay.

Jurisdiction of Cities and Towns over Highways and County Bridges.

Cities and towns to have jurisdiction over highways, etc., within their limits, etc.
R. L. 48, § 58.
1913, 546, § 1.

SECTION 35. The city council or other governing body of a city and the selectmen or road commissioners of a town may exercise original jurisdiction, and concurrent jurisdiction with the county commissioners, of petitions for altering, widening, fixing grades, relocating or making specific repairs upon a highway, county road, or county bridge, within the city or town limits, but except as to such parts thereof as, by such action, become unnecessary for public use, a city or town shall not discontinue any highway, county road, or county bridge, or diminish the width thereof, nor shall it assess any part of the expense of altering, widening, fixing grades, relocating or repairing, upon the county. The proceedings of cities and towns and their officers under the provisions of this section, and the remedies of persons whose rights are affected thereby, shall be the same as in the case of the laying out of streets, highways or town ways.

Copy of record of final action to be sent to county commissioners.
R. L. 48, § 59.
1913, 546, § 2.

SECTION 36. Within two weeks after a city council or other governing body of a city or the selectmen or road commissioners of a town have taken final action relative to the alteration, relocation, fixing grades, widening, or making specific repairs upon a highway, county road, or county bridge, under the provisions of the preceding section, the city or town clerk shall send a certified copy of the record of such final action to the county commissioners, who shall cause it to be recorded in the same manner in which their proceedings relative to highways and county bridges are recorded.

Public hearing to be given, etc.
R. L. 48, § 60.
1913, 546, § 3.

SECTION 37. On an appeal to the county commissioners from the action of a city council or other governing body of a

city, or the selectmen or road commissioners of a town from the action of a city or town under the provisions of the two preceding sections, they shall give a public hearing, and not less than fourteen days' notice thereof, in the same manner and to the same persons as is requisite in the laying out of streets, highways, or town ways and also by causing a copy of the notice to be published in a newspaper designated by them, not less than seven days before the hearing.

SECTION 38. The provisions of the three preceding sections shall not affect the provisions of sections twenty-three to forty-five, inclusive, of Part I, and of sections one hundred and five to one hundred and twenty-five, inclusive, of Part II, of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, and of acts in amendment thereof and in addition thereto, relative to railroad corporations and street railway companies.

Not to affect certain provisions of law. 1913, 546, § 5.

Town Ways and Private Ways.

SECTION 39. The selectmen or road commissioners of a town may lay out, relocate or alter town ways, for the use of the town and private ways for the use of one or more of the inhabitants thereof; or they may order specific repairs to be made upon such ways.

Town ways, etc., how laid out. R. L. 48, § 65.

SECTION 40. A town, at a meeting called for the purpose, may discontinue a town way or private way.

Town ways, etc., how discontinued.

SECTION 41. No town way or private way shall be laid out, relocated, or altered unless, seven days at least previous to the laying out, relocation or alteration, a written notice of the intention of the selectmen or road commissioners of the town to lay out, relocate or alter the same is left by them, or by their order, at the usual place of abode of the owners of the land over which such way is proposed to be laid out, relocated or altered, or unless such notice is delivered to such owner in person or to his tenant or authorized agent. If the owner has no such place of abode in the town and no tenant or authorized agent therein known to the selectmen or if, being a resident in the town, he is not known as such to the selectmen or road commissioners, such notice shall be posted in a public place in the town seven days at least before the laying out or alteration of such way.

Notice before laying out, etc. R. L. 48, § 67.

SECTION 42. The selectmen or road commissioners shall assess the damages sustained by a person in his property by the laying out, relocation, alteration or discontinuance of a

Damages from lay out, etc., how determined. R. L. 48, § 68.

town way or private way or by specific repairs thereon, in the manner provided for the assessment and award of damages by county commissioners in laying out highways, which damages, if it is a town way, shall be paid by the town or, if it is a private way, by the person for whose use or benefit it is laid out, relocated, altered or specific repairs are ordered, or, if it is discontinued, by the person on whose application it is discontinued, unless the selectmen or road commissioners order a part thereof to be paid by the town.

Damages, when paid. Indemnity.
R. L. 48, § 69.

SECTION 43. Such damages shall not be paid until the land has been entered upon and possession taken for the purpose of constructing, relocating or altering the way, or until such specific repairs have been commenced. If possession is not taken, or if the specific repairs are not made, such person shall be entitled to indemnity for loss or expense incurred by the proceedings, which shall be assessed by the selectmen or road commissioners in the same manner as indemnity is awarded by county commissioners in like cases.

Damages to separate, etc., interests.
R. L. 48, § 70.

SECTION 44. If there are separate, different or contingent interests in land or buildings which have been so taken or injured, of the character mentioned in sections eighteen to twenty-six, inclusive, of Part 2 of this act, the damages shall be assessed by the selectmen or road commissioners in the manner therein provided for an assessment by the county commissioners.

Location, etc., to be filed, etc., before lay out.
R. L. 48, § 71.

SECTION 45. No town way or private way which has been laid out, relocated or altered by the selectmen or road commissioners shall, except as hereinafter provided, be established until such laying out, relocation or alteration, with the boundaries and measurements of the way, is filed in the office of the town clerk and, not less than seven days thereafter, is reported to, and accepted and allowed by, the town at a meeting called for the purpose.

Laying of sewers, etc., in unaccepted ways.
R. L. 48, § 72.

SECTION 46. In a town which accepts the provisions of this section or has accepted the corresponding provisions of earlier laws, the selectmen, road commissioners or sewer commissioners may, when a town way is laid out, relocated, altered or widened, enter and lay sewers and water pipes therein before possession is taken for the purpose of constructing such way, in like manner as if it had been actually constructed. Such entry shall not be deemed an entry for the purpose of constructing the way, and until such way has been constructed, sewer assessments shall be levied only upon the estates of persons connecting their drains with such sewers.

If such laying out, relocation, alteration or widening becomes void under the provisions of section sixty-three of Part 2 of this act, all sewers or water pipes so laid therein shall be deemed to have been legally laid and placed therein; and damages may be recovered therefor in the manner provided in the case of laying of sewers or water pipes in private lands; and the right to recover the same shall accrue when such laying out, alteration or widening becomes void.

SECTION 47. If the location, relocation or alteration of a private way is desired in a town for the use of one or more persons who are not inhabitants thereof, or if the location, relocation or alteration of a private way lying partly in one town and partly in another is desired, the county commissioners may cause such way to be located, relocated or altered, in the manner provided when the selectmen or road commissioners refuse to lay out a private way.

Commissioners may lay out, when.
R. L. 48, § 73.

SECTION 48. If the selectmen or road commissioners unreasonably refuse or neglect to lay out, relocate or alter a town way or private way when requested in writing by one or more of the inhabitants of a town, the county commissioners, on the petition in writing of a person aggrieved, filed within one year after such request, may lay out, relocate or alter such way, and may determine its boundaries and measurements and estimate the damages sustained by any person by reason thereof. Such damages, with costs of the proceedings, shall be paid by the town, if it is a town way. If it is a private way, the damages and costs, or such part thereof as the county commissioners consider reasonable, shall be paid by the persons for whose use it was laid out, relocated or altered, and the residue, if any, by the town.

Proceedings when selectmen unreasonably refuse.
R. L. 48, § 74.

SECTION 49. If a town unreasonably refuses or delays to approve and allow a town way or private way laid out, relocated or altered by the selectmen or road commissioners, and to put the same on record, any person aggrieved thereby may within one year thereafter apply by petition in writing to the county commissioners, who, unless sufficient cause is shown against such application, may approve and allow the way as laid out, relocated or altered by the selectmen or road commissioners, and may direct the laying out, relocation or alteration and acceptance to be recorded by the clerk of such town, which shall have like effect as if accepted by the town.

Appeal if towns refuse to accept ways.
R. L. 48, § 75.

SECTION 50. If a town in which a town way or private way has been laid out, relocated, altered or approved in pursuance of the provisions of the three preceding sections does not

Commissioners may complete town ways laid out by them, when.
R. L. 48, § 76.

make and complete the same in the manner prescribed by the county commissioners, and to their acceptance, within six months after it has been laid out, relocated, altered or approved, or within the time directed by them, they shall, forthwith, cause such way to be completed, and the expenses, interest and charges thereof shall be determined and paid in the manner provided in sections thirty-two and thirty-three of Part 2 of this act.

Refusal to
discontinue.
R. L. 48, § 77.

SECTION 51. Upon the application in writing of a person aggrieved by the refusal of a town to discontinue a town way or private way, the county commissioners may order such way to be discontinued.

When towns
cannot lay out.
R. L. 48, § 78.

SECTION 52. If a town way has been laid out, relocated or altered by the county commissioners, it shall not within two years thereafter be discontinued, relocated or altered by the town; and if such way has been discontinued by the county commissioners, the town shall not within two years thereafter lay out the same again.

Recognizance
for costs.
Notice.
R. L. 48, § 79.

SECTION 53. If an application is made to the county commissioners in consequence of the refusal or neglect of selectmen or road commissioners to lay out, relocate or alter a town way or private way, or in consequence of the refusal or neglect of the town to accept and allow such way when laid out, relocated or altered by the selectmen or road commissioners, or if such application is made for the discontinuance of a town way or private way, they may cause a like recognizance to be given to the county as is required in applications for highways; and like proceedings may be had on such recognizance. They shall also cause notice to be given, before they proceed to view or to hear the parties, as in the case of highways.

Jury or
committee to
ascertain
damages.
Costs.
R. L. 48, § 80.

SECTION 54. A person aggrieved by the assessment of his damages occasioned either by the laying out, relocation, widening, alteration or discontinuance of a town way or private way, or by an order for specific repairs, or of the amount awarded him as indemnity therefor, may petition the superior court to have his damages determined by a jury, within such time as is specified for such purpose in section twenty-eight of Part 2 of this act. Upon application to the county commissioners, by agreement of the parties, the matter may be determined by a committee to be appointed by the county commissioners; and the committee shall have the same powers, and the proceedings in all respects shall be conducted in the same manner, as before provided in like cases relative to high-

ways. If the damages are increased, the damages and all charges shall be paid by the town; otherwise the charges arising on such application shall be paid by the petitioner or recognizer as aforesaid.

SECTION 55. When a town way or private way is laid out, relocated or altered by the selectmen or road commissioners or by the county commissioners, they shall in their report or return thereof specify the manner in which such way is laid out, relocated or altered and shall transmit to the clerk a description of the location and bounds thereof, which shall, within ten days, be recorded by him in a book kept for that purpose; and they shall allow the owner of the land through which the way passes a reasonable time to take off his trees, fences and other property which may obstruct the building of such way. If he neglects, after reasonable notice in writing, to remove the same within the time allowed, he shall be deemed to have relinquished his right thereto for the benefit of the town, if the way is a town way; and if it is a private way, for the benefit of such person as the selectmen, road commissioners or county commissioners may determine; but any buildings or materials upon the land shall be disposed of in the manner required by section seventeen of Part 2 of this act.

Contents and record of report to lay out; removal of trees, etc.
R. L. 48, § 81.

SECTION 56. No town shall contest the legality of a way laid out by it and accepted and recorded as provided in this act.

Towns not to contest legality of ways.
R. L. 48, § 83.

Footways.

SECTION 57. No defect or insufficiency in any notice required under the provisions of this act shall in any way affect the validity of any taking of land or rights in land, taken under the provisions of this act: *provided*, the persons whose land was taken or injured had actual notice of such taking.

Defect in notice not to affect legality of taking.
Proviso.

SECTION 58. Cities and towns may lay out footways for the use of the public in the manner provided for the laying out of town ways.

Footways.
R. L. 48, § 84.

Reserved Spaces in Public Ways.

SECTION 59. If the city council or other governing body of a city or town accepts the provisions of this section or has accepted the corresponding provisions of earlier laws, the board or officers authorized to lay out streets, highways or town ways may, whether any such street or way is laid out under the provisions of law authorizing the assessment of

Reserved spaces in public ways.
R. L. 48, § 85.

betterments or otherwise, reserve spaces between the side lines thereof for the use of horseback riders, for bicycle paths or for street railways, except such as may be operated by steam, for drains, sewers and electric wires, for trees and grass, and for planting.

Bicycle Paths.

Bicycle paths,
R. L. 48, § 86.

SECTION 60. The board or officers authorized to lay out streets, highways or town ways in cities and towns may, subject to the provisions of law relative to the laying out, construction and maintenance of streets or ways, lay out, construct and maintain bicycle paths.

Bicycle paths,
penalty for
trespassing
thereon.
R. L. 48, § 87.

SECTION 61. Whoever trespasses upon bicycle paths named in the two preceding sections by driving thereon with a horse or other animal, except to cross the same, shall be punished by a fine of not more than twenty dollars for each offence; but the aldermen or other body having like powers in cities and selectmen in towns may prescribe limits within which the provisions of this section shall not apply.

Certain Ways in the County of Suffolk.

Commissioners
of Middlesex,
powers of, in
Suffolk.
R. L. 48, § 91.

SECTION 62. The county commissioners of Middlesex shall have the same powers and duties in the city of Revere and town of Winthrop in the county of Suffolk, relative to highways and other ways, as they have in the cities and towns in the county of Middlesex; and the proceedings for the assessment and award of damages and indemnity shall be the same as are hereinbefore provided.

Rights of Land Owner if Possession is not taken or Actual Notice given.

Laying out
way, etc., when
to be void.
R. L. 48, § 92.

SECTION 63. The laying out, relocation or alteration of any way under the provisions of Part 2 of this act shall be void as against the owner of any land over which the same is located, unless possession is taken of such land, for the purpose of constructing, relocating or altering such way, within two years after the right to take such possession first accrues; or, if a different time is agreed upon by the authorities laying out such new way or making such alteration or relocation and all the owners of the land over which such way is laid out, relocated or altered extends, such time shall be specified in the return or report of such laying out, relocation or alteration, which shall become void, as before provided, only in

case possession is not taken for the purpose of constructing such way within the time thus agreed and specified; but an entry for the purpose of constructing any part of the laying out, relocation or alteration shall be deemed a taking of possession of all the lands included in the laying out, relocation or alterations.

SECTION 64. A person aggrieved by the indemnity awarded to him, or by the assessment of his damages, who omits to file his petition for a jury within one year, and who has not received, at least sixty days before the expiration of such year, actual notice of the proceedings whereby he is entitled to such damage or indemnity, may, within six months after his land has been actually entered upon for the construction, relocation or alteration of a way or after the actual closing of a way upon discontinuance, file a petition in the superior court for the assessment of his damages by a jury, and the order of notice on such petition shall be returnable on the return day occurring next after thirty days therefrom.

Extension of time for petition for jury.
R. L. 48, § 93.

Ways in Cities.

SECTION 65. The provisions of the preceding sections, so far as applicable, shall apply to cities, except as may be otherwise provided by their charters or by special laws; but every application for a jury to assess damages may, notwithstanding any other provision in such charters or laws, be made within the time specified in section twenty-eight of Part 2 of this act.

Provisions of chapter extend to cities, except, etc.
R. L. 48, § 94.

Ways deemed to be laid out under this Act, unless otherwise expressly declared.

SECTION 66. Ways may be laid out, constructed, relocated, altered, widened, graded or discontinued under the provisions of Part 2 of this act, notwithstanding the acceptance by a city or town of any statute authorizing the assessment upon estates benefited of a portion of the cost of such ways.

Lay out of ways under this chapter.
R. L. 48, § 95.

SECTION 67. Every highway or town way shall be deemed to be laid out under the provisions of Part 2 of this act, unless the order laying out the same expressly declares it to be laid out under the provisions of law authorizing the assessment of betterments.

Ways deemed to be so laid out, unless order otherwise declares.
R. L. 48, § 96.

Record of Land taken for Highway Purposes.

Record of land taken.
R. L. 48, § 97.

SECTION 68. The boards, officers or other authority which purchases or takes land for street or highway purposes shall, within sixty days after the passage of its order or vote to take or purchase such land, cause a description and plan thereof to be filed for record in the registry of deeds for the county or district in which the land lies.

Dedication of Ways.

Ways not chargeable unless, etc.
R. L. 48, § 98.

SECTION 69. Ways opened and dedicated to the public use, which have not become public ways, shall not, except as provided in the following section, be chargeable upon a city or town as a highway or town way unless laid out and established in the manner prescribed by statute.

Selectmen, etc., to close dedicated ways, etc.
R. L. 48, § 99.

SECTION 70. The mayor and aldermen or other governing body in cities and selectmen or road commissioners in towns shall, if the public safety so requires, cause such ways to be closed where they enter upon and unite with an existing public way or may by other sufficient means caution the public against entering thereon; otherwise the city or town shall be liable for damages arising from defects therein as in the case of ways duly laid out and established.

Abutters on streets dedicated to the public, to keep same in safe condition.
R. L. 48, § 100.

SECTION 71. If the owner of a lot abutting upon a street or way in a city dedicates to the public or permits it to use a portion of his land laying between said street or way and a building fronting on the same, he shall keep such portion in such condition as, in the opinion of the board of aldermen or other governing body, the safety and convenience of the public requires; and if he, after reasonable notice given by the board of aldermen or other governing body or the mayor, neglects or refuses to make the specific repairs or improvements so required, or to close the same to public use by a substantial railing or guard, said board may put said land into such condition and assess the expense thereof upon the owner; and all assessments so made shall be a lien upon such abutting lots in the same manner as taxes are a lien upon real estate.

Ascertainment of common landing place.
R. L. 48, § 102.

SECTION 72. Upon the representation of ten or more inhabitants in any county to the county commissioners that the exact location of a common landing place in such county cannot be readily ascertained, they shall, after giving the notice required in laying out highways, ascertain the correct

location of such landing place, erect the necessary bounds thereof and make a record thereof in the manner provided in the case of laying out highways.

Building Line.

SECTION 73. If the city by its city council or other governing body or a town accepts the provisions of this section or has accepted the corresponding provisions of earlier laws, a building line not more than forty feet distant from the exterior line of a highway or town way may be established in the manner provided for laying out ways, and thereafter no structures shall be erected or maintained between such building line and such way, except steps, windows, porticos and other usual projections appurtenant to the front wall of a building, to the extent prescribed in the vote establishing such building line, and except that buildings or parts of buildings, embankments, steps, walls, fences and gates existing at the time of the establishment of the building line may be permitted to remain and to be maintained to such extent and under such conditions as may be prescribed in the vote establishing such building line. Whoever sustains damage thereby shall have the same remedies therefor as for damages sustained by the laying out of a town way. A building line established under the provisions of this section may be discontinued in the manner provided for the discontinuance of a highway or town way. Whoever sustains damages by the discontinuance of a building line shall have the same remedies therefor as for damages sustained by the discontinuance of a town way.

Building line.
R. L. 48, § 103.
1913, 572, § 1.

SECTION 74. No length of possession, or occupancy of land within the limits of a highway, county or town way, by the owner or occupant of adjoining land shall give him any title thereto, unless title thereto has been acquired prior to the passage of this act and any fences, buildings or other obstructions encroaching upon such way shall upon written notice from the county commissioners or board or officer having authority over streets and ways in cities and towns, be forthwith removed by the owner or occupant of adjoining land, and if not so removed said commissioners, board or officer may cause the same to be removed upon said adjoining land.

Rights of adjoining owner or occupant.

Erection of Monuments.

Erection of monuments.
R. L. 48, § 104.
1912, 24, § 1.

SECTION 75. The county commissioners, mayor and aldermen or other governing body in cities, selectmen or road commissioners in towns, shall cause permanent bounds to be erected at the termini and angles of all ways laid out by them. Such bounds shall be of stone, Portland cement or other concrete not less than three feet long, two feet of which at least shall be set in the ground, or of stone not less than three feet long with holes drilled therein and filled with lead placed a few inches below the travelled part of the way, or if stone, Portland cement or other concrete bounds are impracticable, a heap of stones, a living tree, a permanent rock, or the corner of an edifice, or such other permanent bounds as said officers may determine. If they neglect to establish such monuments after being notified so to do by an owner of land abutting on such way, the county or city, if it is a highway or street, or the town if it is a town way, shall forfeit to him fifty dollars for each month during which such neglect continues.

Taking of Materials for Ways.

Taking of road material.
R. L. 48, § 105.
1910, 511, § 1.

SECTION 76. The county commissioners, mayor and aldermen or other governing body in cities, and the selectmen or road commissioners of towns, may purchase or select and lay out land within their respective counties, cities or towns, not appropriated to public uses or owned by any other city or town from which may be taken materials necessary for the construction, repair or improvement of streets or ways; and may lay out such ways as they consider necessary for convenient access thereto. All proceedings relative to such land and ways shall be the same as are provided in the laying out of other ways. A person aggrieved in the assessment of his damages for land so taken may, on application within one year, have a jury in the manner provided by law in the case of highways.

Damages caused by taking Land for Public Uses.

Assessment of damages for taking water, etc., to be subject to certain provisions.
R. L. 48, § 107.

SECTION 77. Except as otherwise provided by statute, the provisions of sections eighteen to twenty-five, inclusive, of Part 2 of this act shall apply to all proceedings for the assessment of damages sustained by the taking of any water, land, rights of way, water rights or easements, or by the erec-

tion of a dam or the construction of an aqueduct, reservoir, water-way or of any other works for the purpose of supplying water to a city or town, and any party in interest may apply for the assessment of such damages.

SECTION 78. The provisions of sections eighteen, nineteen and twenty-six of Part 2 of this act shall apply to all cases in which provision is made that damages shall be assessed in the manner provided in the laying out of highways; but the limitation as to the time within which proceedings shall be commenced shall be the same as are provided in the various cases of the exercise of the right of eminent domain; and the right of the trustees named in said sections to petition shall not accrue until the tenant in possession neglects so to petition for one half of the period limited.

Certain sections to apply to all cases of exercise of right of eminent domain, etc.
R. L. 48, § 108.

SECTION 79. The superior court shall have jurisdiction to hear and determine all petitions which may be filed therein for the assessment by a jury of damages sustained by any person by reason of any taking of property in the exercise of the right of eminent domain, although no application to, nor award by, county commissioners shall be made prior to the filing of such petition. If such petition is filed after an award has been made by the county commissioners and the damages are increased, or if no award by them has been made and damages are awarded by the jury, the petitioner shall, unless otherwise expressly provided, recover costs; otherwise he shall pay costs. Upon such petition to the superior court the court may appoint an auditor as in other civil cases.

Assessment of damages by superior court.
R. L. 48, § 109.

SECTION 80. If land or any interest therein is taken by the town in the county of Dukes County, or of Nantucket, or by either of said counties, any person who is aggrieved by the award of damages therefor, may apply for a jury by petition to the superior court in the county in which the land lies or to the superior court for the county of Bristol.

Land damages in Dukes County and Nantucket.
R. L. 48, § 110.

SECTION 81. Petitions to the county commissioners relative to highways and town ways or for the assessment of damages for the taking of land for other public purposes, or for a committee, may be filed with and the recognizance taken by the clerk of said commissioners at any time, and such filing shall be the commencement of proceedings.

Petitions for land damages may be filed with clerk.
R. L. 48, § 111.

SECTION 82. No petition, suit, appeal or other proceeding in the supreme judicial court or in the superior court taken or instituted by any party aggrieved by the award of damages caused by laying out, making and maintaining a railroad or by taking land or materials therefor, or by the laying out, alter-

Discontinuance of proceedings to recover land damages regulated.
R. L. 48, § 112.

ation or discontinuance of a highway, town way or private way, or by taking land or materials therefor, shall be discontinued except by leave of court or by agreement of all the parties thereto; and any party thereto may prosecute the same as if it had been begun by him.

Jury for party liable for damages awarded by commissioners.
R. L. 48, § 113.

SECTION 83. Any party liable to pay damages which have been assessed by county commissioners for land or for any interest therein taken under authority of law, if dissatisfied with such assessment, shall have the same right to have the matter determined by a jury as the party to whom said damages are payable.

Proceedings when mortgaged land is taken.
R. L. 48, § 114.

SECTION 84. If mortgaged land is taken for public uses under authority of law, both mortgagors and mortgagees, in addition to their rights under the mortgage, shall have the same powers, rights and privileges and be subject to the same liabilities and duties as are provided by sections one hundred and twelve and one hundred and thirteen of chapter one hundred and eleven of the Revised Laws or acts in amendment thereof, or in addition thereto, in the case of mortgaged lands so taken by railroad corporations.

PART 3.

OF BETTERMENTS AND OTHER ASSESSMENTS ON ACCOUNT OF THE COST OF PUBLIC IMPROVEMENTS.

Betterments.

Assessments for betterments.
R. L. 50, § 1.

SECTION 1. In a town which accepts the provisions of this section and the eight following sections or has accepted the corresponding provisions of earlier laws, or in any city except Boston, the board of city or town officers which is authorized to lay out ways therein may, at any time within two years after the passage of an order laying out, relocating, altering, widening, grading or discontinuing a way and after the work has been completed or the way has been discontinued, if such order declares that such action has been taken under the provisions of law authorizing the assessments of betterments, and if in its opinion any land receives a benefit or advantage therefrom beyond the general advantage to all land in the city or town, determine the value of such benefit or advantage to such land and assess upon the same a proportional share of the cost of such laying out, relocation, alteration, widening, grading or discontinuance; but no such assessment shall

exceed one half of the amount of such adjudged benefit or advantage.

SECTION 2. If such assessment is invalid and has not been paid or has been recovered back, it may be reassessed by such board, to the amount for which the original assessment ought to have been made, and it shall be a lien upon the land, and shall be collected in the same manner as re-assessed taxes.

Reassessments.
R. L. 50, § 2.

SECTION 3. The cost so assessed shall include all damages for land and buildings taken. The damages for land taken shall be fixed at the value thereof before such laying out, relocation, alteration, widening, grading or discontinuance, and shall also include the value of all buildings on the land a part of which is taken, deducting therefrom the value of materials removed and of all buildings or parts of buildings remaining thereon and shall be paid in the manner and upon the conditions required in like proceedings.

Expenses and damages.
R. L. 50, § 3.

SECTION 4. An owner of land abutting on any such way and liable to such assessment may give notice in writing to such board, before the estimate of damages is made, that he elects to surrender his land; and if said board adjudges that the public convenience and necessity require the taking of such abutting estate for the improvements named, they may take the whole thereof, and shall thereupon estimate its value, excluding the benefit or advantage accruing from such improvements; and such owner shall convey the estate to such city or town and may recover therefrom in an action of contract the value so estimated. The city or town may sell any portion of said land which is not needed for such improvements.

Surrender of estate.
R. L. 50, § 4.

SECTION 5. If such owner at any time before demand gives notice to such board to apportion such assessment, it shall apportion the assessment into three equal parts and certify its apportionment to the assessors, who shall add one of said parts, with interest from the date of the apportionment, to the annual tax of such land for each of the three years next ensuing; and all such assessments which remain unpaid after they become due shall bear interest until the payment thereof.

Apportionment of betterments.
R. L. 50, § 5.

SECTION 6. A person who is aggrieved by the doings of such board may within one year file a petition in the superior court for the county in which the land is situated and after notice to the city or town shall have a trial by a jury therein, and upon request of either party the jury shall take a view.

Appeal.
R. L. 50, § 6.

Proceedings on
appeal.
R. L. 50, § 7.

SECTION 7. If the jury does not reduce the assessment, the respondent shall recover costs, which shall be a lien upon the land, and shall be collected in the same manner as the assessment; but if the jury reduces the assessment, the petitioner shall recover costs.

Assessments
on leased
estates.
R. L. 50, § 8.

SECTION 8. If an assessment is made upon land the whole or part of which is leased, the owner shall pay the assessment, and may collect of the lessee an additional rent for the portion so leased, equal to ten per cent per annum on that proportion of the amount paid which the leased portion bears to the whole estate, after deducting from the whole amount any money received for damages to such land in excess of what he has necessarily expended thereon by reason of such damages.

Mayor and
aldermen to
constitute the
board of
assessment.
R. L. 50, § 9.

SECTION 9. In a city in which the mayor and aldermen or other governing body are part of the board authorized to lay out streets or ways, such mayor and aldermen shall constitute the board named in this chapter.

Provisions relative to Public Improvements.

Assessments
to be a lien;
interest.
R. L. 50, § 10.

SECTION 10. Assessments for betterments and other public improvements shall constitute a lien upon the land assessed and shall be enforced in the manner provided for the collection of taxes. They shall bear interest from the thirtieth day after the assessment until paid. If the validity or amount of such assessment is drawn in question in an action or other proceeding the lien shall continue for one year after final judgment and may be enforced in the same manner as the original assessment.

Assessments
for public
works.
R. L. 50, § 11.
1902, 503, § 1.

SECTION 11. Whenever any land shall have been taken for a city or town by a board or other authority by purchase or otherwise, for any public improvement, such as laying out, relocating, altering, widening, or constructing a public way, park, sewer, public alley or sidewalk, such board or other authority, after the taking, may make a new award or new awards of the damages to be paid by the city or town to the owner on account of such taking, and may agree in writing with the owner that the city or town shall assume the betterments assessed or that may be assessed upon the residue, or upon a portion of the residue, of the land of such owner if, upon terms to be agreed upon by him with said board or other authority, he shall release the city or town from all

claims for damages growing out of the proceedings in respect of which the betterments are assessed.

SECTION 12. Petitions for the abatement of assessments for betterments, main drains, common sewers, sidewalks and other public purposes which are required to be filed with the county commissioners, may be filed with their clerk when they are not in session. The filing of the petition shall in all cases be the commencement of proceedings.

Filing of petitions for abatement.
R. L. 50, § 12.

SECTION 13. If land is sold for payment of an assessment of a portion of the cost of any public improvement, such land may be redeemed in the same manner, by the same persons and on the same terms as if sold for payment of taxes.

Redemption of land sold.
R. L. 50, § 13.

SECTION 14. The provisions of this act shall apply to any alteration of a highway, town way, bridge or its approaches, which are made in pursuance of sections sixty-seven to sixty-nine of Part III of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six.

Chapter applicable to railroad crossings.
R. L. 50, § 14.

Special Apportionment of Betterment Assessments.

SECTION 15. If the owner of land upon which an assessment for betterments has been laid at any time before demand gives notice to said board to apportion such assessment, the board shall apportion the same into such number of equal parts, not exceeding ten, as the owner shall in his notice request and shall certify said apportionment to the assessors, who shall add one of said parts to the annual tax upon said land for each of the years next ensuing until all the parts have been so added; and all such assessments remaining unpaid after they become due shall bear interest until payment thereof.

Apportionment of betterments.
R. L. 50, § 15.

SECTION 16. If in any other case such owner petitions such board to apportion the assessments, the board may, in its discretion, apportion and certify the same as provided in the preceding section and the assessors shall proceed as therein required. Interest from the date of apportionment shall be added to each part and also as provided in the preceding section.

Apportionment in other cases.
R. L. 50, § 16.

SECTION 17. If in any city or town the owner of land, within thirty days after receiving notice of a sidewalk assessment thereon or of any charges made for widening or otherwise improving any sidewalk, notifies in writing the board of assessors to apportion the same, the assessors shall apportion

Apportionment of sidewalk assessments, 1908, 216, § 1.

it into such number of equal parts, not exceeding ten, as the owner shall request in said notice, but no one of said parts shall be less than the sum of five dollars; and the assessors may, in their discretion, without said notice to them, make such an apportionment at any time before proceedings to enforce the collection of the assessment or other charge. The assessors shall add one of said parts, with interest on the principal sum from the date of apportionment, to the tax on said land for the year in which the assessment or other charge is made; and annually thereafter they shall add to said annual tax another of said parts with interest on the unpaid balance of the principal from the date of the last annual assessment, until all the parts have so been added.

Limitation of
lien.

R. L. 50, § 17.

SECTION 18. The lien shall continue until the expiration of two years after the time when the last instalment is committed to the collector. Any unpaid balance of said assessments may be paid at any time, notwithstanding a prior apportionment.

Application of
certain sec-
tions.

R. L. 50, § 18.

SECTION 19. The provisions of the four preceding sections shall not be in force unless they or the corresponding provisions of earlier laws have been accepted by the city council or other governing body or by a town.

Parks.

Park better-
ments

R. L. 50, § 19.

SECTION 20. Boards of park commissioners of cities and towns may respectively determine the value of land and assess upon it the amount of betterments accruing thereon by the locating and laying out of parks under the provisions of chapter twenty-eight of the Revised Laws and acts in addition thereto and in amendment thereof, in the same manner as city or town officers who are authorized to lay out ways, and the provisions of this chapter so far as they may be applicable shall apply to such assessments. No assessment shall be laid upon any land except such as abuts upon the park or upon a way bounded by such park.

Proceedings by County Commissioners.

County com-
missioners may
lay out high-
ways under
betterment
acts.

R. L. 50, § 20.

SECTION 21. If the county commissioners lay out, relocate, alter, widen, grade or discontinue a highway from town to town or from place to place within the same town, they may declare the same to be done under the provisions of law authorizing the assessment of betterments with regard to so

much of said highway as lies within a city or within a town which has accepted the provisions of this act or the corresponding provisions of earlier laws.

SECTION 22. If in such case the county commissioners have ordered any damages to be paid by the county for any land or buildings taken in a city, or in such town, the amount of such damages which have finally been paid shall be included in the cost of laying out, relocating, altering, widening, grading or discontinuance; and the board assessing the betterments shall reimburse the county the proportion of such betterments received which the damages so paid bear to the whole amount of betterments assessed and paid. Such reimbursement shall not be made until all the betterments shall have been paid or finally settled.

Damages.
Reimbursement of betterments.
R. L. 50, § 21.

SECTION 23. The provisions of this act shall, so far as they are applicable, apply to proceedings under the two preceding sections.

Application of certain provisions.
R. L. 50, § 22.

Special Provisions for Cities.

SECTION 24. If a board of public officers in a city passes an order to lay out, relocate, alter, widen, grade or discontinue a street, to establish, grade and construct a sidewalk or to complete a partially constructed sidewalk, or to lay, make and maintain or repair a main drain or common sewer, or to make any other public improvement, for a portion of the cost of which assessments may be made upon land, the clerk of such board shall within ten days thereafter file a statement thereof in the registry of deeds of the county or district in which such city is situated, and shall within three months thereafter give notice to each person to be charged thereby, or to his agent, tenant or lessee.

In cities, statement of betterments, etc., to be filed in registry of deeds.
R. L. 50, § 23.

SECTION 25. Such statement shall express in general terms the action of the board and its intention to make such assessment, and shall specify the streets or parts of streets upon which the land to be assessed is situated. The register of deeds shall record such statement in a book kept for the purpose and index it according to the streets specified therein.

Contents of statement of betterments, etc.
R. L. 50, § 24.

SECTION 26. No such assessment shall be laid upon any land which does not abut upon streets so specified; and such assessments shall not create a lien upon the land unless such statement has been so filed.

No assessment, when.
R. L. 50, § 25.

SECTION 27. The term "street", for the purposes of the three preceding sections shall include highways, town ways, footways, private ways, courts, lanes, alleys and passageways.

"Street," how construed.
R. L. 50, § 26.

Limitation of
four preceding
sections.
R. L. 50, § 27.

SECTION 28. The provisions of the four preceding sections shall not be in force in a city unless they or the corresponding provisions of earlier laws have been accepted by its city council.

PART 4.

OF THE REPAIR OF WAYS AND BRIDGES.

Ways and
bridges to be
repaired by
towns.
R. L. 51, § 1.

SECTION 1. Highways, town ways, causeways and bridges shall, unless otherwise provided, be kept in repair at the expense of the city or town in which they are situated, so that they may be reasonably safe and convenient for travellers, with their horses, teams and carriages at all seasons.

Repair of
bridges by
several towns.
R. L. 51, § 2.

SECTION 2. If two or more towns within the same county which are required by law to maintain or keep in repair a bridge upon a highway or town way, differ as to the mode or time of doing the same, the county commissioners upon application of either of said towns, may, after notice to all parties interested and a hearing, pass such orders relative to the maintenance and repair of such bridge as in their opinion the public good may require.

Procedure in
case towns do
not comply
with orders.

SECTION 3. If any town or towns do not comply with any orders passed by the county commissioners under the provisions of the preceding section, within the time and in the manner prescribed in such orders and to the acceptance of the commissioners, the commissioners shall forthwith cause such bridge to be completed in accordance with such orders and shall direct the expenses and charges of completing the same to be paid in the first instance by the county, and shall order notice thereof to be given to each delinquent town, stating the proportion which it is to pay.

Warrants
against delin-
quent towns.

SECTION 4. If a delinquent town does not pay its proportion of such expenses and charges within sixty days after the date of such notice, with interest thereon at a rate not exceeding ten per cent a year from the time when the same was paid by the county commissioners, the commissioners may, after a hearing, issue a warrant against such town for the amount which it was ordered to pay, with interest and further costs of such notice and warrant, which shall be collected and paid into the county treasury.

Joint repair
of certain
highways.
1907, 196.

SECTION 5. In cases where a highway runs through two or more cities or towns such cities or towns may appropriate money for the construction, repair, maintenance or improvement of such highway in common, and may purchase road

machinery in common for such purpose, the money to be expended by such persons and in such manner as the cities or towns concerned shall agree.

SECTION 6. Any city or town may sprinkle or spread upon its public ways, or parts thereof, water or any liquid or material suitable for laying or preventing dust and preserving the surface of said way, and for sanitary purposes, and all statutes providing for watering such public ways shall apply to the use of such liquids and materials, including the appropriation of money, the expenditure thereof at the expense of the city or of the abutters, the assessment upon abutting estates, and the collection of such assessments and proceedings therefor.

Streets, etc., may be sprinkled with water and other liquids, etc.
1909, 289.

SECTION 7. Any public way spread with tar, oil or similar substance, shall, within three hours thereafter, be covered with sand, gravel, peastone or other similar material in such manner as to render the way safe for travel. But such way may be so treated without being so covered if the tar, oil or other similar substance is first applied to not more than one half of the travelled width of the way, and that half becomes safe for travel before the remaining part of the way is similarly treated.

Ways covered with slippery substance.
1916, 124, § 1.

SECTION 8. A public way spread with tar, oil or similar substance need not be covered as provided in the preceding section, if there be a good alternate route or detour which has not been spread with tar, oil or similar substance, or which, if so spread, has been rendered safe for travel as provided in the preceding section.

Alternate route or detour.
1916, 124, § 2.

SECTION 9. Violation of any of the provisions of the two preceding sections shall be punishable by a fine of not less than ten dollars or more than one hundred dollars for each offence.

Penalties.
1916, 124, § 3.

Road Officials in Towns.

SECTION 10. If a surveyor of highways is chosen in a town, he shall have the exclusive control of the ordinary repair of highways, town ways, streets and bridges in said town without being subject to the authority of the selectmen.

Duties of surveyors of highways.
R. L. 25, § 81.

SECTION 11. The selectmen of a town having more than one surveyor of highways shall annually, before the first day of May, assign in writing to each surveyor the limits and divisions of the ways to be kept in repair by him.

Surveyor's limits.
R. L. 51, § 4.

Road Commissioners.

Road commissioners, powers, duties, etc.
R. L. 25, § 83.

SECTION 12. If road commissioners are chosen in a town, they shall exclusively have the powers, perform the duties and be subject to the liabilities and penalties of selectmen and surveyors of highways relative to streets, ways, bridges, monuments at the termini and angles of streets, guide posts, sidewalks, and shade trees, and, if sewer commissioners are not chosen, relative to sewers and drains.

Superintendent of Streets.

Superintendent of streets, in certain towns.
R. L. 25, § 85.

SECTION 13. In a town which has not authorized the election of road commissioners or surveyor of highways, the selectmen shall, as soon after the annual town meeting as may be, in writing appoint a superintendent of streets, who shall receive such compensation as they or the town determine and shall be removable by them when the public interest requires.

Appointment by two or more towns.

He shall be sworn to the faithful performance of his duties, and shall hold office until the next annual town meeting or until his successor is appointed and qualified. Or the selectmen of two or more towns may unitedly, subject to the approval of the Massachusetts highway commission, appoint, and fix the compensation of, a superintendent of streets who shall exercise the same powers and duties and be otherwise subject to the same provisions of law as if solely appointed in any of such towns. His compensation shall be paid by said towns in such proportions as the selectmen may unitedly determine.

Superintendent of streets, powers and duties, etc.
R. L. 25, § 86.

SECTION 14. He shall, under the direction of the selectmen, have full charge of all repairs and labor upon streets, ways, bridges and sidewalks and, if no other provision is made, of repairs upon sewers and drains; and in relation to such matters he shall have the powers, perform the duties and be subject to the liabilities and penalties of surveyors of highways and road commissioners.

Surveyor, etc., may repair at town's expense, when.
R. L. 51, § 6.

SECTION 15. If a town neglects to vote a sufficient amount for the proper repair of ways therein, or does not otherwise effectually provide therefor, each surveyor, in his district, or the road commissioners, may employ persons to make such repairs, who shall be paid therefor by the town.

Removal of obstructions.
R. L. 51, § 10.

SECTION 16. The surveyors and road commissioners shall cause whatever obstructs such ways, or endangers, hinders or incommodes persons travelling thereon to be removed; and

shall forthwith cause snow to be removed from such ways or to be so trodden down as to make them reasonably safe and convenient.

SECTION 17. No surveyor, road commissioner or other person shall, without an order from the board of health, remove or take down fences, gates or bars which have been placed on a way for the purpose of preventing the spread of a disease dangerous to the public health.

Fences, etc., to prevent spread of disease, not to be removed.
R. L. 51, § 11.

SECTION 18. A surveyor or road commissioner may cause a watercourse occasioned by the wash of a way to be conveyed by the side of the way; but the mayor and aldermen or selectmen, upon complaint of a person whose building has been incommoed or whose business has been obstructed thereby may, after a view, order the surveyor or road commissioner to make alterations in such work.

Surveyors not to turn water courses so as to incommoed.
R. L. 51, § 12.

SECTION 19. Towns may authorize their surveyors or road commissioners or any other person to enter into contracts for making or repairing the ways therein.

Surveyors may contract for repairing ways.
R. L. 51, § 13.

SECTION 20. The selectmen or road commissioners may enter upon, use or survey or take any land for the purpose of securing or protecting a public way or bridge; and all damages sustained thereby shall be recovered in the same manner as damages caused by the laying out of town ways.

Towns may enter upon lands, etc., for protection of ways, etc.
R. L. 51, § 12.

SECTION 21. If an owner of land adjoining a way who sustained damage in his property by an act done for the purpose of repairing the way, files his petition for compensation with the mayor and aldermen or selectmen or road commissioners, after the commencement and within one year after the completion of the work, they shall, within thirty days after the filing of said petition, unless the parties otherwise agree in writing, determine the amount of his damages and deduct therefrom the benefit, if any, to the complainant for such repair.

Towns to pay damages caused by repairs.
R. L. 51, § 15.

SECTION 22. If the petitioner is aggrieved, either by the estimate of his damages or by a refusal or neglect to estimate the same, he may, within one year after the expiration of said thirty days, apply for a jury, and have his damages ascertained in the manner provided when land is taken in laying out highways, or he may, by agreement with the adverse party and upon application made within the same time, have them ascertained by a committee which shall be appointed by the county commissioners in their respective jurisdictions.

Petitioner aggrieved may apply for jury, etc.
R. L. 51, § 16.

Damages for Defects in Ways.

Damages for
loss of life
from a de-
fective way.
R. L. 51, § 17.

SECTION 23. If the life of a person is lost by reason of a defect or a want of repair of or a want of a sufficient railing in or upon a way, causeway or bridge, the county, city or town or person by law obliged to repair the same shall, if it or he had previous reasonable notice of the defect or want of repair or want of railing, be liable in damages not exceeding one thousand dollars, which shall be assessed with reference to the degree of culpability of the defendant and recovered in an action of tort, commenced within one year after the injury causing the death by the executor or administrator of the deceased person, for the use of the widow and children of the deceased in equal moieties, or, if there are no children, to the use of the widow, or, if there is no widow, to the use of the next of kin.

Damages for
defect of ways.
R. L. 51, § 18.

SECTION 24. If a person sustains bodily injury or damage in his property by reason of a defect or a want of repair or a want of a sufficient railing in or upon a way, causeway or bridge, and such injury or damage might have been prevented, or such defect or want of repair or want of railing might have been remedied by reasonable care and diligence on the part of the county, city, town or person by law obliged to repair the same, he may, if such county, city, town or person had or, by the exercise of proper care and diligence, might have had reasonable notice of the defect or want of repair or want of a sufficient railing, recover damages therefor from such county, city, town or person; but he shall not recover from a county, city or town more than one fifth of one per cent of its state valuation last preceding the commencement of the action nor more than four thousand dollars, and no action therefor shall be maintained by a person whose carriage and the load thereon exceeds the weight of six tons.

Counties, etc.,
not liable for
injuries from
ice or snow.
R. L. 51, § 19.

SECTION 25. A county, city or town shall not be liable for an injury or damage sustained upon a way, causeway or bridge by reason of snow or ice thereon, if the place at which the injury or damage was sustained was at the time of the accident otherwise reasonably safe and convenient for travellers.

Notice of
injury.
Limitation of
action.
R. L. 51, § 20.

SECTION 26. A person so injured shall, within ten days thereafter, if such defect or want of repair is caused by or consists in part of snow or ice, or both, and in all other cases, within thirty days thereafter, give to the county, city, town

or person by law obliged to keep said way, causeway or bridge in repair, notice of the time, place and cause of the said injury or damage; and if the said county, city, town or person does not pay the amount thereof, he may within two years after the date of said injury or damage recover the same in an action of tort. Such notice shall not be invalid or insufficient solely by reason of any inaccuracy in stating the time, place or cause of the injury, if it is shown that there was no intention to mislead and that the party entitled to notice was not in fact misled thereby.

SECTION 27. Such notice shall be in writing, signed by the person injured or by some one in his behalf, and may be given, in the case of a county, to one of the county commissioners or the county treasurer; in the case of a city, to the mayor, the city clerk or treasurer; in the case of a town, to one of the selectmen or to the town clerk or treasurer. If the person injured dies within the time required for giving the notice, his executor or administrator may give such notice within thirty days after his appointment. If by reason of physical or mental incapacity it is impossible for the person injured to give the notice within the time required, he may give it within ten days after such incapacity has been removed, and if he dies within said ten days his executor or administrator may give the notice within thirty days after his appointment. Any form of written communication signed by the person so injured, or by some person in his behalf, or by his executor or administrator, or by some person in behalf of such executor or administrator, which contains the information that the person was so injured, giving the time, place and cause of the injury or damage, shall be considered a sufficient notice.

SECTION 28. A defendant shall not avail himself in defence of any omission to state in such notice the time, place or cause of the injury or damage, unless, within five days after receipt of a notice, given within the time required by law and by an authorized person referring to the injuries sustained and claiming damages therefor, the person receiving such notice, or some person in his behalf, notifies in writing the person injured, his executor or administrator, or the person giving or serving such notice in his behalf, that his notice is insufficient and requests forthwith a written notice in compliance with law. If the person authorized to give such notice, within five days after the receipt of such request, gives a written notice complying with the law as to the time, place

To whom notice of injury shall be given, etc.
R. L. 51, § 21.
1910, 196, § 1.
1912, 221, § 1.

Correction of defective notices.
R. L. 51, § 22.

and cause of the injury or damage, such notice shall have the effect of the original notice, and shall be considered a part thereof.

Penalty on towns for neglect, etc.
R. L. 51, § 23.

SECTION 29. If a city or town neglects to repair any way or bridge which it is obliged to keep in repair, or neglects to make the same reasonably safe and convenient when encumbered with snow, it shall pay such fine as the court may impose.

Location not to be denied, when.
R. L. 51, § 24.

SECTION 30. If, upon the trial of an indictment or action brought to recover damages for an injury received by reason of a defect or want of repair or want of sufficient railing in any way, causeway or bridge, it appears that the defendant has, within six years before such injury, made repairs on such way or bridge, it or he shall not deny the location thereof.

Private Ways and Bridges.

Four or more proprietors may call meeting.
R. L. 51, § 25.

SECTION 31. If four or more persons are the proprietors and rightful occupants of a private way or bridge, and three of them make application in writing to a justice of the peace to call a proprietors' meeting, the justice may issue his warrant therefor, stating the time, place and purpose of the meeting. The warrant shall be posted in a public place of the town in which such way or bridge is situated, seven days at least before the time appointed for the meeting.

Powers and duties of proprietors and surveyors.
R. L. 51, § 26.

SECTION 32. The proprietors and occupants so assembled shall choose a clerk and surveyor, who shall be sworn. They may determine the manner of calling future meetings, what repairs of the way or bridge are necessary and the proportion of money and of labor and materials to be furnished by each proprietor and occupant for such repairs. The surveyor shall have the like powers with respect to such way or bridge as are exercised by surveyors of highways.

Penalty on proprietor neglecting to comply with votes.
R. L. 51, § 27.

SECTION 33. A proprietor or occupant who refuses or neglects to comply with such vote, when required by the surveyor, shall be liable to him in an action of contract for the amount of his proportion, with ten per cent interest thereon.

Penalty for refusing to serve as surveyor.
R. L. 51, § 28.

SECTION 34. If a person so chosen refuses or neglects to accept that trust and take the oath, he shall forfeit five dollars.

Forfeitures, how applied.
R. L. 51, § 29.

SECTION 35. Damages and forfeitures recovered under the provisions of the two preceding sections shall be applied to the use of the proprietors for repairing said way or bridge.

Proprietors may contract for repairs, etc.
R. L. 51, § 30.

SECTION 36. The proprietors and occupants may, at a meeting for that purpose, authorize any person to contract

by the year, or for a longer or shorter time, for making and keeping in repair such private way or bridge, may vote to raise such amount of money as they consider necessary for carrying such contracts into effect; and may choose assessors, who shall assess each proprietor and occupant for his proportion of such amount according to his interest in such way or bridge, and shall deliver the lists of such assessments to the surveyor, with proper warrants of distress, in substance as is prescribed by law for collection of town taxes.

SECTION 37. The surveyor may levy and collect such taxes in the same manner as collectors of taxes are empowered to collect taxes. Surveyors may collect taxes. R. L. 51, § 31.

SECTION 38. If a surveyor neglects or refuses to pay over according to the direction of his warrant the moneys so collected, he shall be liable to such proprietors or occupants in an action of contract for the amount collected, together with twenty per cent interest in addition thereto. Penalty on surveyor for neglect. R. L. 51, § 32.

PART 5.

OF REGULATIONS AND BY-LAWS RELATIVE TO WAYS AND BRIDGES.

Guide Posts.

SECTION 1. Every city and town shall erect and maintain guide posts on the ways therein, at such places as are convenient for the direction of travellers and at such forks or intersections of ways which lead to adjoining cities or towns. Towns to maintain guide posts. R. L. 52, § 1.

SECTION 2. Upon such guide posts shall be stated the name of the city or town or place to which each road leads and the distance to the same. Words on guide posts. R. L. 52, § 2.

SECTION 3. Every city or town which neglects to erect and maintain such guide posts, or a suitable substitute therefor, shall annually forfeit five dollars for every guide post which it so neglects to maintain. Penalty for neglect to erect posts. R. L. 52, § 3.

SECTION 4. In case of an alteration or change in the name of any public way, place or section, or of any public park, where the name altered or changed has been in use for twenty-five years or more, there shall be a right of appeal from any such alteration or change to the Massachusetts highway commission. Said appeal shall be taken within thirty days after any such alteration or change, and shall be by petition of at least twenty-five legal residents of the city or town in which such alteration or change has been made, requesting Change of name of public ways, etc. 1909, 134.

the reversal of such action. Notice of the filing of such petition shall forthwith be filed by the commission in the office of the clerk of the city or town in which the change has been made, and upon the filing of such petition, a public hearing shall be given by said commission, after such public notice as the commission shall determine, and unless the commission shall approve of such alteration or change, the same shall be of no effect.

Sidewalks.

Sidewalks,
penalty for
riding, etc.,
over.
Surveyors'
authority.
R. L. 52, § 4.

SECTION 5. A person owning or occupying land adjoining a way in a town may construct a sidewalk within such way and along the line of such land, indicating the width of such sidewalk by trees, posts or curbstones set at reasonable distances apart, or by a railing; and if a sidewalk is so constructed, whoever rides or drives a horse or team upon and along the same shall forfeit one dollar, to be recovered by such owner or occupant in an action of tort. But the provisions of this section shall not affect the authority of surveyors of highways or of road commissioners, or any other authority which can legally be exercised over ways or diminish the liability of any person for unreasonably obstructing ways, nor shall it apply to cities.

By-Laws and Regulations.

Sidewalks,
removal of
snow and ice
from.
R. L. 52, § 5.

SECTION 6. Cities by ordinance and towns by by-laws may provide for the removal of snow and ice from sidewalks within such portions of the city or town as they consider expedient, which ordinances and by-laws shall determine the time and manner of removal and shall affix penalties, not exceeding fifty dollars in the case of a city or ten dollars in the case of a town, for each violation thereof by an owner or tenant of land abutting upon such sidewalk.

Removal of
snow and ice
from sidewalks
in towns.
1902, 205.

SECTION 7. Any town which accepts the provisions of this section or has accepted the corresponding provisions of earlier laws, may annually appropriate and expend money for the removal of snow and ice from its permanent sidewalks constructed of brick, stone, cement, concrete or asphalt, and may provide that the board of assessors may assess upon the estates abutting on said sidewalks, from which snow or ice has thus been removed, the whole or any part of the cost of such removal; and the amount of such assessment upon each estate, unless previously paid, shall be certified by the board

of assessors to the collector of taxes of the town, who shall include the same in the next tax bill issued for an annual tax upon such estate, and the same shall be a lien upon such estate, and shall be considered as part of, and shall be levied, collected and paid or abated in the same manner as, the town taxes on real estate.

SECTION 8. Any person, or the agent of any person, owning an estate abutting on any sidewalk as aforesaid, may, on or before the first day of November in any year, procure the exemption of such estate from the assessment aforesaid for the following year by a stipulation in writing with the selectmen that he will remove snow and ice from the sidewalk on which the estate abuts, at such time and in such manner as the selectmen or road commissioners shall direct; and if he fails to fulfil his stipulation the assessment above provided for shall be made and collected as if no such stipulation had been made.

Agreement of owners to remove.
1902, 205, § 2.

SECTION 9. The municipal officer, board, commission or other municipal authority having charge of the laying out of public ways in cities and towns, is hereby authorized to grant permits and fix the fees therefor, not exceeding one dollar for any one permit, for the placing and maintaining of signs, advertising devices, clocks, marquees, permanent awnings and other like structures projecting into, or placed on or over the public highways, and to make rules and regulations relating thereto, and to prescribe the penalties for a breach of any such rules and regulations, not exceeding five dollars for each day during which any sign, advertising device, clock, marquee, permanent awning or other structure is placed or maintained contrary to the rules and regulations so made, after five days' notice to remove the same has been given by the said officer, board, commission or other authority or by a police officer of the city or town.

Cities and towns may grant permits for signs, awnings, etc.
1915, 176.

SECTION 10. All signs, advertising devices, clocks, marquees, permanent awnings and other like structures for which permits shall be granted after the passage of this act, shall be constructed, and, when attached to a building, shall be connected therewith in accordance with the requirements of the inspector of buildings, building commissioner or other officer, board or commission having like authority in the city or town.

Regulation, etc.
1915, 176.

SECTION 11. The two preceding sections shall not apply to signs or other structures projecting into or over the highway a distance of less than six inches, nor to poles, wires, conduits, and appurtenances of steam railroad, street railway,

Not to apply to certain signs, etc.
1915, 176.

telegraph and telephone, water, gas, electric light, heat and power companies.

Use of ways.
R. L. 52, § 6.

SECTION 12. Cities and towns may make ordinances and by-laws to prevent the pasturing of cattle or other animals, either with or without a keeper; relative to the passage and driving of sheep, swine and neat cattle; prohibiting persons from riding or driving beasts of burden, carriage or draught, at a rate of speed inconsistent with public safety or convenience; regulating the passage of carriages, sleighs, street cars, or other vehicles, or the use of sleds for coasting; regulating and controlling persons who frequent public places playing on hand organs, drums, trumpets or other musical instruments, upon or through any way or bridge, and may affix penalties of not more than twenty dollars for each violation thereof. They may, by ordinance or by-laws, regulate the transportation of the offal of slaughtered animals upon or through any way or bridge and affix a penalty of not more than one hundred dollars for each violation thereof.

Fast driving,
arrests for.
R. L. 52, § 8.

SECTION 13. Whoever violates an ordinance or by-law prohibiting persons from riding or driving at a rate of speed inconsistent with public safety or convenience may be arrested without a warrant by an officer authorized to make arrests and kept in custody not more than twenty-four hours, Sunday excepted; at or before the expiration of which time he shall be brought before a proper magistrate and proceeded against according to law.

Regulation of
bicycles, etc.
R. L. 52, § 9.

SECTION 14. Cities and towns shall not make any ordinance, by-law or regulation relative to the use of bicycles or tricycles except that the city council or other governing body of a city or the selectmen of a town may by general regulations authorize the use of velocipedes or similar machines by children on the sidewalks of a public way, square or park; but the mayor of a city or the selectmen of a town may, in their discretion, upon special occasions and subject to reasonable conditions, grant permits to persons to ride bicycles or tricycles during a specified time and upon specified portions of the public ways at any rate of speed.

Same subject.
Penalty.
R. L. 52, § 10.

SECTION 15. Whoever, without the permit provided for in the preceding section rides a bicycle or tricycle in or upon a way, square or park or land or driveway appurtenant to a public reservoir, at a rate of speed exceeding ten miles an hour, or, in a city, rides without a suitable alarm bell adapted for use by the rider, or after sunset in a city or town, without such alarm bell, or rides it on a sidewalk, shall be punished

by a fine of not more than twenty dollars for each offence, and shall be further liable for all damages occasioned to any persons thereby.

SECTION 16. Proceedings for the enforcement of such penalties shall be commenced within sixty days after the offence is committed. Limitation of prosecutions.
R. L. 52, § 11.

SECTION 17. The term "sidewalk", as used in the preceding sections, shall mean a sidewalk laid out as such by a city, town or district, and any walk in a city or town which is reserved by custom or specially prepared for the use of pedestrians. It shall not include crosswalks nor footpaths on ways lying outside of the thickly settled parts of cities and towns which are worn only by travel and are not improved by such cities or towns or by abutters. The terms "bicycle" and "tricycle", as used in said sections, shall include all vehicles propelled by foot or hand power of the person riding them. The terms "park" and "square", as used in said sections, shall not include any spaces under the control of park commissioners, or of a park board or a park department of a city or town having power to make regulations relative to such spaces, and the said sections shall not abridge the powers of such commissioners, board or department, except that they or it shall make no regulations requiring the display of a lamp or lantern upon a bicycle, and such regulation whenever made shall be void. Terms defined.
R. L. 52, § 12.

SECTION 18. Every vehicle, whether stationary or in motion, on any public highway or bridge, shall have attached to it a light or lights which shall be so displayed as to be visible from the front and the rear during the period from one half an hour after sunset to one half an hour before sunrise: *provided, however*, that this act shall not apply to any vehicle which is designed to be propelled by hand, or to any vehicle designed for the transportation, as its principal freight, of hay or straw while loaded with such freight. Lights on vehicles.
1911, 578, § 1.
1914, 182.
1916 (G), 30.

SECTION 19. Upon the written application and presentation of reasons therefor by the owner of a vehicle, the Massachusetts highway commission may, in writing, in such form and subject to such requirements as it may elect, and without expense to the applicant, exempt said vehicle from the provisions of the preceding section for such period of time as said commission may elect. Proviso.

Exemptions.
1911, 578, § 2.

SECTION 20. Any person who, while driving or in charge of or occupying a vehicle during the period from one hour after sunset to one hour before sunrise, shall refuse, when Penalty in certain cases.
1911, 578, § 3.

requested by a police officer, to give correctly his name and address, shall be punished as provided in section twenty-two of Part 5 of this act.

Driver, etc., to be deemed responsible.
1911, 578, § 5.

SECTION 21. The driver or custodian of a vehicle shall be deemed to be the responsible party and liable to the penalty provided for the violation thereof in the following section.

Penalty.
1911, 578, § 6.

SECTION 22. Any person violating any of the provisions of the four preceding sections shall be subject to a fine not exceeding five dollars.

Not to affect provisions of existing statutes.
1911, 578, § 4.

SECTION 23. Nothing contained in this or any of the five preceding sections shall be construed to affect the provisions of any existing statutes, rule or regulation requiring lighted lamps on motor vehicles and the obligation of occupants or operators thereof.

Moving of buildings in ways regulated.
R. L. 52, § 13.

SECTION 24. No person shall move a building in a way in a town without written permission from the selectmen or road commissioners, to be granted upon such terms as in their opinion the public safety may require; and the superior court shall have jurisdiction in equity to enforce the provisions of this section.

Regulation of wild animals in streets.
R. L. 52, § 16.

SECTION 25. Whoever leads or drives a bear or other dangerous wild animal or causes it to travel upon or be conveyed over a public way unless properly secured in some covered vehicle or cage shall be punished by a fine of not less than five nor more than twenty dollars.

Animals to be killed, when.
R. L. 52, § 17.

SECTION 26. Any such animal which is found upon a public way not so secured or caged may be killed by a sheriff, constable or police officer.

By-laws to regulate speed over certain county bridges.
R. L. 52, § 18.

SECTION 27. The county commissioners may establish by-laws regulating the speed at which persons may ride or drive over any bridge in their county which has cost not less than one thousand dollars and which was constructed or is maintained in whole or in part by said county, except bridges controlled by the commonwealth, and may affix penalties not exceeding two dollars for a breach thereof.

By-laws to regulate travel over certain town bridges.
R. L. 52, § 19.

SECTION 28. A city or town may establish ordinances or by-laws to prohibit persons from riding or driving horses at a rate faster than a walk over any bridge within its limits which has cost not less than five hundred dollars, and may affix penalties not exceeding one dollar for a breach thereof.

By-laws to regulate travel over incorporated bridges.
R. L. 52, § 20.

SECTION 29. The proprietors of an incorporated bridge may make by-laws to prohibit persons from riding or driving horses over such bridge at a rate faster than a walk; and may

affix penalties not exceeding two dollars for each offence, to be recovered to the use of the corporation.

SECTION 30. The governor, with the advice and consent of the council, may make by-laws for the regulation of travel on roads and bridges belonging to the commonwealth. Whoever violates any such by-law shall be punished by fine of not more than fifty dollars.

By-laws to regulate travel on roads and bridges of the commonwealth.
R. L. 52, § 21.

SECTION 31. No person shall be liable to penalty under the provisions of the four preceding sections, unless a white board containing in black letters the substance of said by-laws is kept posted in a conspicuous place at each end of the bridge.

By-laws to be posted.
R. L. 52, § 22.

SECTION 32. Police, district and municipal courts and trial justices, in the cities and towns in which the bridge terminates, shall have jurisdiction of complaints for the violation, on such bridges, of the provisions of the five preceding sections, as if the offence were committed within such city or town.

By-laws, jurisdiction over cases of.
R. L. 52, § 23.

SECTION 33. The Massachusetts highway commission, county commissioners and any city or town in which a draw for the passage of vessels through a bridge used as a way and maintained at the public expense is situated, whichever has control of said bridge, may make ordinances or by-laws regulating the passage of vessels through such draw, not inconsistent with the regulations of the United States government on tide water bridges, and may affix penalties not exceeding fifty dollars for each violation thereof; but no such ordinance or by-law shall take effect until approved by the commission on waterways and public lands.

Regulation of passage of vessels through drawbridges, etc.
R. L. 52, § 26.

SECTION 34. When such ordinances or by-laws have been approved, said commission, county commissioners or the city or town shall place said draw under the direction of a suitable draw tender, and shall post a copy of such ordinances or by-laws in some conspicuous place near by.

Draw tenders appointed, and ordinances posted.
R. L. 52, § 27.

SECTION 35. Such draw tender shall have full control of the passing of vessels through the draw, shall furnish all facilities for such passing, shall allow no detention, having due regard for the public travel, and shall enforce the ordinances or by-laws aforesaid.

Draw tenders to have control of passage of vessels, and enforce ordinance, etc.
R. L. 52, § 28.

SECTION 36. If a vessel, through the negligence of the persons having charge of her, or through their neglect to comply with such ordinances or by-laws, or disregard of the directions of such draw tender, injures a bridge or draw, or a pier or

Owners of vessels liable for injury to bridge.
R. L. 52, § 29.

wharf connected therewith, the owner of such vessel shall be liable to the commonwealth, county, city, town, individual or corporation whichever has control of said bridge, for the damage to be recovered in an action of tort.

Draw tender
may remove
vessel
obstructing
draw, etc.
R. L. 52, § 30.

SECTION 37. Such draw tender may remove a vessel which obstructs such draw, or interferes with the passage of other vessels through the same, or is made fast, without his consent, to such draw or bridge or to a pier or wharf connected therewith, or which wilfully violates any such ordinance or by-law; and the expense of such removal may be recovered of the owner by the commonwealth, county, city or town.

Weight of load
on certain
ways.
R. L. 52, § 31.

SECTION 38. If a person, without the consent of the person or corporation required by law to keep a bridge in repair or his or its agent, permits more than twenty neat cattle or horses to be upon a bridge which is more than fifty feet from one abutment, pier or trestle part to another, or drives or transports over such bridge a vehicle with a load exceeding forty-five hundred pounds in weight exclusive of the team and vehicle, and thereby breaks or injures the bridge, such person or corporation shall not be liable to such person for any damage caused thereby. No such person or corporation shall be liable for a defect in a bridge to a person the weight of whose carriage and load thereon exceeds six tons.

Weight of load
and vehicle.
1913, 803, § 1.

SECTION 39. No traction engine, trailer, motor vehicle, draft wagon, cart or other vehicle shall be operated upon or over a highway or bridge in any city or town in this commonwealth, nor shall any object be moved over or upon any such highway or bridge, upon wheels, rollers or otherwise, in excess of a total weight of fourteen tons, including vehicle, object or contrivance and load, without first obtaining the permit mentioned in section forty-one of Part 5 of this act from the authority or authorities therein mentioned; nor shall any vehicle be operated or contrivance moved upon or over said highways or bridges which has any flange, ribs, clamps or other object attached to its wheels or made a part thereof, which will injure, cut into or destroy the surface of the highway or bridge for any considerable depth; and in the towns of the commonwealth outside of the metropolitan parks or sewerage districts no such engine, vehicle, object or contrivance for moving heavy loads shall be operated or moved upon or over any such highway or bridge the weight of which resting upon the surface of said highway or bridge exceeds eight hundred pounds upon any inch in width of the tire, roller,

wheel or other object, without first obtaining said permit, unless such highway or bridge is paved with brick, block, sheet asphalt, concrete pavement or surface. The owner, driver, operator or mover of any such engine, vehicle, object or contrivance over said highway or bridge shall, unless relieved from liability by said permit, be responsible for all damages which said highway or bridge may sustain as a result of said action on his part, and the amount thereof may be recovered in an action of tort by the authority or authorities in charge of the maintenance or care of said highway or bridge; or by the authorities of the town, the Massachusetts highway commission, or the county commissioners, whichever has charge of the highway or bridge which is injured.

SECTION 40. No steam traction engine, with or without trailers, and no motor truck carrying a weight in excess of four tons, including the vehicle, shall be operated upon any highway or bridge in this commonwealth at a speed greater than fifteen miles an hour; and no such vehicle carrying a weight in excess of six tons, including the vehicle, shall be operated upon any such highway or bridge at a speed greater than six miles an hour when such vehicle is equipped with iron or steel tires, nor greater than twelve miles an hour when the vehicle is equipped with tires of hard rubber or other similar substance.

Speed
limitations.
1913, 803, § 2.

SECTION 41. The Massachusetts highway commission, county commissioners, superintendents of streets, selectmen, or road authorities having charge of the repair and maintenance of any highway or bridge in any of the towns in this commonwealth are hereby authorized upon proper application in writing, to grant permits for the moving of heavy vehicles, loads, objects or structures in excess of a total weight of fourteen tons, over said highways or bridges, and for operating or moving over any highway or bridge in any town in the commonwealth outside of the metropolitan parks or sewerage districts, any engine, vehicle, object or contrivance, the weight of which resting upon the surface of said highway or bridge exceeds eight hundred pounds upon any inch in width of tire, roller, wheel, or other object, which permits when duly granted shall authorize such movement. Said permits may be general or may limit the time and the particular roads and bridges which may be used, and may contain any special conditions or provisions which in the opinion of the authorities granting the same are necessary for the pro-

Permits to be
granted.
1913, 803, § 3.

tection of said highways or bridges from injury. The authorities that have charge of any such bridge are hereby authorized to make regulations limiting the speed of any of the vehicles mentioned in this act passing over said bridge to a speed not exceeding six miles an hour, provided that notice is conspicuously posted at each end of the bridge affected by such regulation and the load capacity of the bridge is stated therein.

Penalty.
1913, 803, § 4.

SECTION 42. Any person violating any provision of the three preceding sections or the regulations made or permits granted under authority thereof shall be liable to a fine of not more than one hundred dollars for each offence, and said fines shall be paid into the treasury of the commonwealth for use on state highways or bridges when state highways or bridges are injured, and into the treasury of the city, town or county when any highway or bridge is injured which is under the care of said city, town or county, for use on the highways of said city, town or county in addition to any other moneys that may be available for that purpose.

Scope of
preceding
sections.
1913, 803, § 5.

SECTION 43. Nothing in the four preceding sections shall authorize the passage of heavier vehicles or loads over bridges and highways than are now authorized by law, or in any way change or increase the liability of the commonwealth or of any county, city or town to pay for any damage or injury to any person or property.

Fencing
dangerous
canals.
R. L. 52, § 32.

SECTION 44. The city council of a city or the selectmen of a town may, for the purpose of determining whether a canal or waterway within the limits of the city or town is dangerous to the public, give a public hearing thereon, after notice in writing, to the person or persons owning, operating or controlling said canal or waterway, and if after such hearing the council or selectmen shall adjudge said canal or waterway to be dangerous to the public, they shall order that a suitable fence be erected along said canal or waterway or any portion thereof. The person so ordered to erect the fence may within thirty days after written notice of said order, appeal therefrom to the commission on waterways and public lands of the commonwealth, which shall thereupon give due notice and hear all parties interested, and its decision thereon shall be final.

Collection of
cost and
penalty.
R. L. 52, § 33.

SECTION 45. If such order of the city council or selectmen is not complied with within sixty days after written notice of it has been given, or in the event of an appeal to said commission, within sixty days after written notice of its decision affirming such order, the city council or selectmen shall cause

a suitable fence to be erected and shall collect the cost thereof in an action of contract from the person required to erect it, who, for such neglect, shall also be liable to a fine of not less than fifty nor more than one hundred dollars.

PART 6.

OF THE BOUNDARIES OF HIGHWAYS AND OTHER PUBLIC PLACES AND ENCROACHMENTS THEREON.

SECTION 1. If buildings or fences have been erected and continued for more than twenty years, fronting upon or against a highway, town way, private way, training-field, burying-place, landing-place, street, lane or alley, or other land appropriated for the general use or convenience of the inhabitants of the commonwealth, or of a county, city, town or parish, and from the length of time or otherwise the boundaries thereof are not known and cannot be made certain by the records or by monuments, such buildings or fences shall be taken to be the true boundaries thereof.

Fences, etc., when boundaries of ways, etc.
R. L. 53, § 1.

SECTION 2. If such building, fence or other encumbrance is adjudged a nuisance and ordered to be abated, the materials may be sold at auction and the proceeds applied to the payment of the expenses of the prosecution and removal, and, if insufficient, the court may order the remainder to be raised and levied upon the property of the defendant.

Removal of building adjudged a nuisance.
Costs.
R. L. 53, § 2.

SECTION 3. Any person may remove gates, rails, bars or fences which are upon or across a highway, town way or private way legally laid out, or they may be removed by the order of a justice of the peace, unless they have been placed there to prevent the spread of disease dangerous to the public health, or unless they have been erected or continued by the license of the county commissioners or of the selectmen or road commissioners or of the person for whose use such private way was laid out. A person aggrieved by such removal may apply to the county commissioners, selectmen or road commissioners, respectively, and if upon examination it appears that such gates, rails, bars or fences were erected or continued by such license, they shall order the same to be replaced.

Removal of gates, rails, etc., on ways.
R. L. 53, § 3.

SECTION 4. Whoever builds or maintains a barbed wire fence within six feet above the ground along a sidewalk located on a public way shall be punished by a fine of not less than twenty nor more than fifty dollars.

Barbed wire fences restricted.
R. L. 53, § 4.

Removal of
unused
telephone
poles, etc.
R. L. 53, § 5.

SECTION 5. The aldermen or other governing body in cities and the selectmen in towns may cause the removal from public ways and places of unused poles, wires, structures or other appliances, at the expense of the owners thereof.

Arbor and
Bird Day.
R. L. 53, 16.
1917, 74 (G), § 1.

SECTION 6. The governor shall annually issue a proclamation setting apart the last Saturday in April as Arbor and Bird Day, recommending its observance by the public in the planting of trees, shrubs and vines, particularly those attractive to birds, in the promoting of forest grounds, places and ways, and in such other efforts and undertakings as will harmonize with the general character of the day. He shall further recommend that the Friday preceding be observed in the rural and suburban schools of the commonwealth by exercises appropriate to Arbor and Bird Day.

Streets, etc.,
not to be laid
out over a
common, etc.
R. L. 53, § 17.

SECTION 7. No highway, town way, street, turnpike, canal, railroad or street railway shall be laid out or constructed over a common or park dedicated to the use of the public, or appropriated to such use without interruption for a period of twenty years; nor shall any part of such common or park be taken for widening or altering a highway, town way or street, except with the consent of the inhabitants of the city or town, after public notice, given in the manner provided in cases of the location and alteration of highways, stating the extent and limits of the portion thereof proposed to be taken. Such consent shall be expressed by a vote of the inhabitants, if ten or more voters file a request in writing to that effect with the selectmen or the mayor and aldermen or other governing body within thirty days after the publication of the notice; in the absence of such request, consent shall be presumed.

In cities,
consent, how
expressed.
R. L. 53, § 18.

SECTION 8. In a city, such vote shall be taken by ballot, "yes" or "no", in answer to the question of giving such consent, at meetings in the several wards on a day appointed for the purpose by the mayor and aldermen. Such meetings shall be notified and warned by the mayor and aldermen fourteen days at least before the day appointed therefor, and may be held on the same day with any election, if so appointed. The votes shall be received, sorted and counted, and declaration and return thereof made, and the returns from the several wards examined and the result ascertained in the same manner as at elections. All provisions of law relative to elections shall be applicable to such meetings, and a certificate of the result shall be recorded by the city clerk.

SECTION 9. Land of a public institution belonging to the commonwealth shall not be taken for a highway, town way, street, turnpike, canal, railroad or street railway without leave of the general court.

Taking of land of a public institution regulated.
R. L. 53, § 19.

SECTION 10. No building, except as provided in section eleven of chapter twenty-eight of the Revised Laws as amended, which exceeds six hundred square feet in area upon the ground shall be erected in or upon a common or park dedicated to the use of the public without leave of the general court. The superior court shall have jurisdiction in equity, upon petition of not less than ten taxable inhabitants of the city or town in which such common or park is located, to restrain any violation of the provisions of this section.

Buildings on public parks regulated.
R. L. 53, § 20.

PART 7.

OF THE LAW OF THE ROAD.

SECTION 1. When persons meet on a bridge or way, travelling with carriages, wagons, carts, sleds, sleighs, bicycles or other vehicles, each shall seasonably drive his carriage or other vehicle to the right of the middle of the travelled part of such bridge or way, so that their respective carriages or other vehicles may pass without interference.

Persons meeting to turn to right.
R. L. 54, § 1.

SECTION 2. The driver of a carriage or other vehicle passing a carriage or other vehicle travelling in the same direction shall drive to the left of the middle of the travelled part of a bridge or way; and if it is of sufficient width for the two vehicles to pass, the driver of the leading one shall not wilfully obstruct the other.

Persons passing in same direction to turn to left.
R. L. 54, § 2.

SECTION 3. No person shall travel on a bridge or way with a sleigh or sled drawn by a horse, unless there are at least three bells attached to some part of the harness.

Bells to be used with sleighs.
R. L. 54, § 3.

SECTION 4. Whenever on any bridge or way, public or private, there is not an unobstructed view of the road for at least one hundred yards, the driver of every vehicle shall keep his vehicle on the right of the middle of the travelled part of the bridge or way, whenever it is safe and practicable so to do.

Vehicles to keep to the right.
1908, 512, § 1.

SECTION 5. Whoever violates the provisions of the four preceding sections shall, upon complaint made within three months after the commission of the offence, forfeit not more than twenty dollars, and be liable in an action commenced within twelve months after the date of such violation for all damage caused thereby.

Penalties.
R. L. 54, § 4.

Limitation of
chapter.
1913, 223.

SECTION 6. In construing rules, by-laws and regulations concerning the use and operation of vehicles on the streets and ways in this commonwealth, street railway cars or other cars moving upon rails shall not be considered to be vehicles within the provisions of the five preceding sections unless it is otherwise expressly so provided.

PART 8.

MISCELLANEOUS PROVISIONS AND REPEALS.

Repeal of Certain Statutes.

Repeal.

SECTION 1. Chapter forty-seven of the Revised Laws, as amended by section one of chapter one hundred and eight of the acts of the year nineteen hundred and four, chapter two hundred and seventy-nine of the acts of the year nineteen hundred and eight, chapter four hundred and sixty-four of the acts of the year nineteen hundred and nine, chapter seven hundred and seventy-three of the acts of the year nineteen hundred and thirteen, chapter five hundred and fourteen of the acts of the year nineteen hundred and fourteen; and chapter one hundred and twenty-five of the acts of the year nineteen hundred and four, chapter four hundred and fifty-four of the acts of the year nineteen hundred and nine, chapters four hundred and eighty-seven and four hundred and ninety-eight of the acts of the year nineteen hundred and ten, chapter seven hundred and seventy-four of the acts of the year nineteen hundred and thirteen, chapter three hundred and four of the acts of the year nineteen hundred and fourteen, and chapter eight of the General Acts of the year nineteen hundred and fifteen are hereby repealed.

Chapter forty-eight of the Revised Laws, as amended by chapter two hundred and forty-three of the acts of the year nineteen hundred and three, sections four and five of chapter four hundred and thirty-one of the acts of the year nineteen hundred and eight, chapter five hundred and eleven of the acts of the year nineteen hundred and ten, chapter twenty-four of the acts of the year nineteen hundred and twelve, chapter five hundred and fifty-four of the acts of the year nineteen hundred and twelve, chapter fifty-six of the General Acts of the year nineteen hundred and seventeen; and chapters five hundred and forty-six and five hundred and seventy-two of the acts of the year nineteen hundred and thirteen are hereby repealed.

Chapter fifty of the Revised Laws, as amended by chapter five hundred and three of the acts of the year nineteen hundred and two, and chapter two hundred and sixteen of the acts of the year nineteen hundred and eight are hereby repealed. Repeal.

Chapter fifty-one of the Revised Laws, as amended by section one of chapter one hundred and sixty-six of the acts of the year nineteen hundred and ten and by chapter two hundred and twenty-one of the acts of the year nineteen hundred and twelve; and chapters one hundred and ninety-six of the acts of the year nineteen hundred and seven, one hundred and thirty-four and two hundred and eighty-nine of the acts of the year nineteen hundred and nine, one hundred and twenty-four of the General Acts of the year nineteen hundred and sixteen, and sections eighty-one, eighty-two, eighty-three, eighty-five and eighty-six of chapter twenty-five of the Revised Laws and chapter thirty-four of the General Acts of the year nineteen hundred and seventeen are hereby repealed.

Chapter fifty-two of the Revised Laws and chapters two hundred and five of the acts of the year nineteen hundred and two, one hundred and thirty-four of the acts of the year nineteen hundred and nine, five hundred and seventy-eight of the acts of the year nineteen hundred and eleven, eight hundred and three of the acts of the year nineteen hundred and thirteen, one hundred and eighty-two of the acts of the year nineteen hundred and fourteen, one hundred and seventy-six of the General Acts of the year nineteen hundred and fifteen, and chapter thirty of the General Acts of the year nineteen hundred and sixteen and chapter one hundred and eighty-three of the General Acts of the year nineteen hundred and seventeen are hereby repealed.

Chapter fifty-three of the Revised Laws and section one of chapter seventy-four of the General Acts of the year nineteen hundred and seventeen are hereby repealed.

Chapter fifty-four of the Revised Laws and chapters five hundred and twelve of the acts of the year nineteen hundred and eight and two hundred and twenty-three of the acts of the year nineteen hundred and thirteen are hereby repealed.

Certain Provisions to be construed as Continuation of Existing Statutes.

SECTION 2. The provisions of this act, so far as they are the same as existing statutes, shall be construed as a continuation thereof and not as new enactments, and a reference in

Certain provisions to be construed as a continuation of existing statutes, etc.

a statute which has not been repealed to provisions of law which have been revised and re-enacted herein shall be construed as applying to such provisions as so incorporated in this act. The repeal of a law by this act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action, suit or proceeding begun under any of the laws repealed before the repeal took effect, but the proceedings in such case shall thereafter, so far as practicable, conform to the provisions of this act.

SECTION 3. This act shall take effect upon its passage.

Approved May 26, 1917.

Chap. 345 AN ACT RELATIVE TO THE REPORTING OF CASES TO THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

R. L. 173, § 105,
etc., amended.

Section one hundred and five of chapter one hundred and seventy-three of the Revised Laws as amended by section five of chapter five hundred and fifty-five of the acts of the year nineteen hundred and ten, is hereby further amended by adding at the end thereof the following:— A justice of the supreme judicial court or of the superior court may, upon request of the parties, in any case where there is agreement as to all the material facts, report the case to the full court for determination without making any decision thereon, — so as to read as follows:— *Section 105.* A justice of the supreme judicial court or of the superior court, after verdict, or after a finding of the facts by the court, may report the case for determination by the full court. If the justice is of opinion that an interlocutory finding or order made by him ought to be determined by the full court before any further proceedings in the trial court, he may report the case for that purpose and stay all further proceedings except such as are necessary to preserve the rights of the parties. A justice of the supreme judicial court or of the superior court may, upon request of the parties, in any case where there is agreement as to all the material facts, report the case to the full court for determination without making any decision thereon.

Report, etc.,
for determina-
tion by full
court.

Decision need
not be made
by single
justice when
reporting.

Approved May 26, 1917.

The general court of 1917, during its annual session, passed 337 General Acts, 371 Special Acts and 134 Resolves which received executive approval.

Eight (8) General Acts entitled, respectively, "An Act relative to the appointment of assistant clerks of courts for the county of Hampden, and to authorize the appointment of an additional clerk", (Chapter 44); "An Act to authorize the county of Plymouth to rebuild Union bridge over North river between the towns of Marshfield and Norwell", (Chapter 68); "An Act to authorize fraternal benefit societies to pay death or annuity benefits upon the lives of certain children", (Chapter 128); "An Act relative to medical services in industrial accident cases", (Chapter 198); "An Act to exempt from taxation the personal property of certain fraternal societies, orders and associations", (Chapter 204); "An Act to establish the salary of John W. Locke as deputy tax commissioner", (Chapter 261); "An Act to establish the salaries of the justices of the municipal court of the city of Boston", (Chapter 262); and "An Act to equalize the compensation of certain deputy sheriffs when attending court", (Chapter 298); and five (5) Special Acts entitled, respectively, "An Act to authorize the American Baptist Foreign Mission Society to make contracts to pay annuities", (Chapter 70); "An Act to authorize the Woman's American Baptist Foreign Mission Society to make contracts to pay annuities", (Chapter 71); "An Act relative to the status of Daniel P. Keogh as a member of the Boston fire department", (Chapter 90); "An Act to establish street railway service in Pleasant street in the city of Boston", (Chapter 186); and "An Act to authorize the city of Quincy to incur indebtedness for the purpose of refunding abatements on account of taxes of the year nineteen hundred and sixteen", (Chapter 280); and one (1) Resolve entitled, "A Resolve in favor of certain state employees who served in the national guard on the Mexican Border", (Chapter 43), were passed, but failed to receive executive approval; as, however, they were not returned, with objections thereto, within five days after they had been received in the executive department, the general court not having been prorogued in the meantime, said acts and resolve have the force of laws, under the provisions of the constitution governing such cases, and have been so certified.

Five (5) General Acts entitled, respectively, "An Act relating to trusts", "An Act relative to preferences because of military or naval service", "An Act to authorize the granting of permits for special exhibitions of motion pictures in certain classes of buildings", "An Act to provide for the improvement of the Merrimack river from the sea to Hunt's Falls in the city of Lowell, in cooperation with the government of the United States", and "An Act to prohibit combinations and monopolies to control prices of commodities in common use", and three (3) Special Acts entitled, respectively, "An Act relative to masonry walls in tenement houses in the city of Boston", "An Act relative to roofing materials permissible for use on buildings in the city of Boston", and "An Act authorizing the Pilgrim tercentenary commission to acquire land and make improvements for the preservation of historic places in

the town of Plymouth and vicinity", were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

The general court was prorogued on Saturday, May 26, at 2.24 A.M., the session having occupied 144 days.

RETURNS OF VOTES

ON

QUESTIONS OF ACCEPTANCE OR REJECTION OF CERTAIN
ACTS REFERRED TO THE PEOPLE

IN ACCORDANCE WITH ARTICLE XLII OF THE
AMENDMENTS TO THE CONSTITUTION,
NOVEMBER 7, 1916.

Chapter 449, Acts of 1914.

Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 98 of the General Acts of 1916, being "An Act to ascertain and carry out the Will of the People relative to the Calling and Holding of a Constitutional Convention," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916.

County of Barnstable.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Barnstable,	284	271	Orleans,	57	60
Bourne,	114	133	Provincetown,	89	74
Brewster,	37	35	Sandwich,	83	79
Chatham,	62	62	Truro,	21	16
Dennis,	61	53	Wellfleet,	35	55
Eastham,	19	29	Yarmouth,	64	81
Falmouth,	186	136	Totals,	1,198	1,183
Harwich,	76	90			
Mashpee,	10	9			

County of Berkshire.

Adams,	623	272	New Marlborough,	40	25
Alford,	9	21	NORTH ADAMS,	1,247	654
Becket,	54	35	Otis,	19	30
Cheshire,	73	39	Peru,	13	9
Clarksburg,	55	25	PITTSFIELD,	2,574	1,495
Dalton,	196	155	Richmond,	19	27
Egremont,	20	47	Sandisfield,	14	22
Florida,	11	5	Savoy,	17	23
Great Barrington,	313	215	Sheffield,	71	70
Hancock,	12	25	Stockbridge,	140	92
Hinsdale,	62	34	Tyringham,	16	10
Lanesborough,	45	41	Washington,	11	14
Lee,	240	141	West Stockbridge,	65	32
Lenox,	221	92	Williamstown,	180	140
Monterey,	14	18	Windsor,	9	15
Mount Washington,	7	4	Totals,	6,394	3,832
New Ashford,	4	5			

County of Bristol.

Acushnet,	59	54	North Attleborough,	699	247
ATTLEBORO,	1,080	515	Norton,	117	86
Berkley,	47	36	Raynham,	55	57
Dartmouth,	135	158	Rehoboth,	66	27
Dighton,	68	67	Seekonk,	131	127
Easton,	333	195	Somerset,	127	156
Fairhaven,	192	220	Swansea,	66	98
FALL RIVER,	4,521	3,559	TAUNTON,	1,832	1,275
Freetown,	21	68	Westport,	58	92
Mansfield,	349	200	Totals,	14,681	10,543
NEW BEDFORD,	4,725	3,306			

County of Dukes County.

Chilmark,	8	15	Tisbury,	53	36
Edgartown,	34	54	West Tisbury,	15	21
Gay Head,	4	3	Totals,	181	179
Gosnold,	7	13			
Oak Bluffs,	60	37			

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County of Essex.

CITY OR TOWN.		Yes.	No.	CITY OR TOWN.		Yes.	No.
Amesbury,		381	629	Methuen,		808	403
Andover,		495	339	Middleton,		79	45
BEVERLY,		1,532	888	Nahant,		144	75
Boxford,		23	46	Newbury,		61	112
Danvers,		605	472	NEWBURYPORT,		850	801
Essex,		107	91	North Andover,		394	236
Georgetown,		122	81	PEABODY,		894	612
GLOUCESTER,		982	853	Rockport,		202	177
Groveland,		127	119	Rowley,		62	76
Hamilton,		100	89	SALEM,		2,296	1,534
HAVERRHILL,		2,460	2,390	Salisbury,		81	83
Ipswich,		221	216	Swampscott,		661	310
LAWRENCE,		4,861	1,974	Swampscott,		508	409
LYNN,		6,609	4,070	Topsfield,		54	72
Lynnfield,		103	70	Wenham,		51	68
Manchester,		172	128	West Newbury,		55	113
Marblehead,		582	433				
Merrimac,		115	131	Totals,		26,797	18,145

County of Franklin.

Ashfield,	16	41	Monroe,	6	6
Barnardston,	25	59	Montague,	354	188
Buckland,	47	63	New Salem,	16	27
Charlemont,	27	35	Northfield,	57	73
Colrain,	45	75	Orange,	385	198
Conway,	40	55	Rowe,	6	18
Deerfield,	75	90	Shelburne,	57	84
Erving,	47	31	Shutesbury,	5	5
Gill,	52	43	Sunderland,	21	59
Greenfield,	736	512	Warwick,	24	11
Hawley,	5	18	Wendell,	10	18
Heath,	5	29	Whately,	15	21
Leverett,	20	14			
Leyden,	10	17	Totals,	2,106	1,793

County of Hampden.

Agawam,	163	150	Montgomery,	2	13
Blandford,	16	25	Palmer,	407	243
Brimfield,	44	37	Russell,	56	33
Chester,	43	36	Southwick,	53	50
CHICOPEE,	1,255	629	SPRINGFIELD,	5,929	4,176
East Longmeadow,	86	77	Tolland,	9	3
Granville,	20	26	Wales,	19	21
Hampden,	18	46	West Springfield,	603	469
Holland,	4	9	Westfield,	902	601
HOLYOKE,	3,038	2,138	Wilbraham,	69	68
Longmeadow,	145	105			
Ludlow,	170	119	Totals,	13,213	9,228
Monson,	162	154			

Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 98 of the General Acts of 1916, being "An Act to ascertain and carry out the Will of the People relative to the Calling and Holding of a Constitutional Convention," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Hampshire.

CITY OR TOWN.		Yes.	No.	CITY OR TOWN.		Yes.	No.
Amherst,		357	328	NORTHAMPTON,		950	971
Belchertown,		84	79	Pelham,		18	33
Chesterfield,		9	40	Plainfield,		7	22
Cummington,		22	45	Prescott,		5	27
Easthampton,		364	381	South Hadley,		251	212
Enfield,		30	52	Southampton,		29	51
Goshen,		4	12	Ware,		470	184
Granby,		26	36	Westhampton,		8	26
Greenwich,		20	24	Williamsburg,		71	106
Hadley,		52	91	Worthington,		16	25
Hatfield,		59	55				
Huntington,		40	60	Totals,		2,898	2,872
Middlefield,		6	12				

County of Middlesex.

Acton,	120	109	Maynard,	341	153
Arlington,	1,288	643	MEDFORD,	2,797	1,192
Ashby,	21	41	MELROSE,	1,307	1,089
Ashland,	151	89	Natick,	893	362
Ayer,	215	73	NEWTON,	2,965	2,569
Bedford,	98	69	North Reading,	70	63
Belmont,	672	351	Pepperell,	623	276
Billerica,	244	188	Reading,	613	49
Boxborough,	18	16	Sherborn,	63	49
Burlington,	35	16	Shirley,	87	64
CAMBRIDGE,	6,214	3,186	SOMERVILLE,	5,777	2,920
Carlisle,	22	32	Stoneham,	613	270
Chelmsford,	319	311	Stow,	58	43
Concord,	411	271	Sulbury,	64	46
Dracut,	169	153	Tewksbury,	107	117
Dunstable,	11	29	Townsend,	77	74
EVERETT,	2,513	1,052	Tyngsborough,	46	54
Framingham,	1,135	521	Wakefield,	922	464
Groton,	151	80	WALTHAM,	2,115	1,217
Holliston,	214	116	Watertown,	1,238	604
Hopkinton,	183	87	Wayland,	211	90
Hudson,	469	165	Westford,	97	130
Lexington,	430	281	Weston,	197	102
Lincoln,	69	56	Wilmington,	136	90
Littleton,	63	44	Winchester,	781	445
LOWELL,	5,526	4,042	WOBURN,	1,276	442
MALDEN,	2,942	1,967			
MARLBOROUGH,	1,293	400	Totals,	48,086	27,402

County of Nantucket.

Nantucket,				158	104
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Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 98 of the General Acts of 1916, being "An Act to ascertain and carry out the Will of the People relative to the Calling and Holding of a Constitutional Convention," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Norfolk.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Avon,	186	60	Needham,	488	211
Bellingham,	94	49	Norfolk,	97	47
Braintree,	699	410	Norwood,	703	269
Brookline,	2,530	1,672	Plainville,	111	61
Canton,	335	179	Quincy,	2,575	1,506
Cohasset,	145	158	Randolph,	355	128
Dedham,	809	222	Sharon,	177	127
Dover,	45	61	Stoughton,	484	232
Foxborough,	189	116	Walpole,	337	129
Franklin,	311	198	Wellesley,	347	351
Holbrook,	235	117	Westwood,	85	56
Medfield,	99	96	Weymouth,	985	611
Medway,	151	100	Wrentham,	94	75
Millis,	100	63			
Milton,	682	506	Totals,	13,450	7,810

County of Plymouth.

Abington,	408	227	Mattapoisett,	40	65
Bridgewater,	292	218	Middleborough,	471	293
Brookron,	4,867	2,420	Norwell,	82	81
Carver,	35	28	Pembroke,	67	43
Duxbury,	94	92	Plymouth,	608	367
East Bridgewater,	230	105	Plympton,	14	29
Halifax,	24	19	Rochester,	23	35
Hanover,	169	91	Rockland,	632	310
Hanson,	92	75	Scituate,	171	147
Hingham,	352	306	Wareham,	256	89
Hull,	116	40	West Bridgewater,	179	109
Kingston,	109	69	Whitman,	576	297
Lakeville,	45	49			
Marion,	65	55	Totals,	10,116	5,739
Marshfield,	89	80			

County of Suffolk.

BOSTON,	50,935	17,319	Winthrop,	1,200	488
CHELSEA,	2,113	839			
REVERE,	2,033	541	Totals,	56,281	19,187

County of Worcester.

Ashburnham,	96	56	Brookfield,	114	72
Athol,	453	288	Charlton,	86	58
Auburn,	155	111	Clinton,	706	290
Barre,	125	66	Dana,	17	39
Berlin,	38	52	Douglas,	94	63
Blackstone,	199	72	Dudley,	160	60
Bolton,	41	47	FITCHBURG,	1,958	1,674
Boylston,	42	39	Gardner,	694	304

Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 98 of the General Acts of 1916, being "An Act to ascertain and carry out the Will of the People relative to the Calling and Holding of a Constitutional Convention," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Concluded.

County of Worcester — Concluded.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Grafton,	250	132	Princeton,	32	29
Hardwick,	105	77	Royalston,	33	38
Harvard,	32	72	Rutland,	55	40
Holden,	95	88	Shrewsbury,	122	106
Hopedale,	139	119	Southborough,	130	94
Hubbardston,	55	42	Southbridge,	727	253
Lancaster,	105	76	Spencer,	311	141
Leicester,	157	114	Sterling,	74	59
LEOMINSTER,	818	686	Sturbridge,	66	55
Lunenburg,	54	79	Sutton,	64	76
Mendon,	36	46	Templeton,	104	165
Milford,	777	336	Upton,	76	98
Millbury,	219	139	Uxbridge,	244	141
Millville,	108	46	Warren,	155	93
New Braintree,	13	21	Webster,	670	185
North Brookfield,	151	74	West Boylston,	54	62
Northborough,	107	66	West Brookfield,	56	51
Northbridge,	374	292	Westborough,	325	155
Oakham,	16	16	Westminster,	45	74
Oxford,	127	98	Winchendon,	231	225
Paxton,	15	17	WORCESTER,	9,356	4,834
Petersham,	25	45			
Phillipston,	15	16	Totals,	21,734	12,962

Aggregate of Votes cast upon the Question of the Acceptance or Rejection of Chapter 98 of the General Acts of 1916, being "An Act to ascertain and carry out the Will of the People relative to the Calling and Holding of a Constitutional Convention," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916.

COUNTIES.	Yes.	No.	COUNTIES.	Yes.	No.
BARNSTABLE,	1,198	1,183	MIDDLESEX,	48,086	27,402
BERKSHIRE,	6,394	3,832	NANTUCKET,	158	104
BRISTOL,	14,681	10,543	NORFOLK,	13,450	7,810
DUKES COUNTY,	181	179	PLYMOUTH,	10,116	5,739
ESSEX,	26,797	18,145	SUFFOLK,	56,281	19,187
FRANKLIN,	2,106	1,793	WORCESTER,	21,734	12,962
HAMPDEN,	13,213	9,228			
HAMPSHIRE,	2,898	2,872	Totals,	217,293	120,979

Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 104 of the General Acts of 1916, being "An Act to make the First Day of January, known as New Year's Day, a Legal Holiday," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916.

County of Barnstable.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Barnstable,	432	218	Orleans,	99	43
Bourne,	204	80	Provincetown,	158	54
Brewster,	63	25	Sandwich,	142	55
Chatham,	99	48	Truro,	29	16
Dennis,	104	35	Wellfleet,	62	45
Eastham,	36	27	Yarmouth,	127	53
Falmouth,	289	184	Totals,	2,008	938
Harwich,	146	48			
Mashpee,	18	7			

County of Berkshire.

Adams,	1,131	203	New Marlborough,	67	45
Alford,	20	19	NORTH ADAMS,	2,003	558
Becket,	80	42	Otis,	38	20
Cheshire,	98	55	Peru,	22	4
Clarksburg,	93	22	PITTSFIELD,	4,082	1,409
Dalton,	306	197	Richmond,	40	26
Egremont,	43	34	Sandisfield,	38	12
Florida,	19	5	Savoy,	44	10
Great Barrington,	556	254	Sheffield,	133	63
Hancock,	24	27	Stockbridge,	192	94
Hinsdale,	92	38	Tyringham,	22	12
Lanesborough,	94	41	Washington,	22	9
Lee,	367	155	West Stockbridge,	89	31
Lenox,	331	79	Williamstown,	346	115
Monterey,	27	19	Windsor,	19	13
Mount Washington,	10	5	Totals,	10,456	3,620
New Ashford,	8	4			

County of Bristol.

Acushnet,	99	53	North Attleborough,	787	406
ATTLEBORO,	1,370	769	Norton,	149	98
Berkley,	70	39	Raynham,	64	64
Dartmouth,	254	143	Rehoboth,	79	34
Dighton,	127	59	Seekonk,	197	58
Easton,	471	217	Somerset,	266	105
Fairhaven,	401	160	Swansea,	141	81
FALL RIVER,	9,069	1,954	TAUNTON,	2,894	1,134
Freetown,	50	57	Westport,	132	89
Mansfield,	470	231	Totals,	25,268	8,229
NEW BEDFORD,	8,178	2,478			

County of Dukes County.

Chilmark,	17	13	Tisbury,	101	30
Edgartown,	64	54	West Tisbury,	23	14
Gay Head,	11	3	Totals,	329	153
Gosnold,	18	5			
Oak Bluffs,	95	34			

Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 104 of the General Acts of 1916, being "An Act to make the First Day of January, known as New Year's Day, a Legal Holiday," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Essex.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Amesbury,	729	456	Methuen,	1,136	463
Andover,	667	357	Middleton,	95	42
BEVERLY,	2,115	889	Nahant,	216	52
Boxford,	32	50	Newbury,	86	120
Danvers,	938	430	NEWBURYPORT,	1,201	847
Essex,	132	99	North Andover,	600	249
Georgetown,	151	104	PEABODY,	1,508	579
GLOUCESTER,	1,765	776	Rockport,	326	145
Groveland,	205	115	Rowley,	85	92
Hamilton,	151	80	SALEM,	3,778	1,353
HAVERHILL,	3,329	2,038	Salisbury,	118	91
Ipswich,	356	169	Saugus,	867	334
LAWRENCE,	6,713	2,043	Swampscott,	750	376
LYNN,	9,010	4,004	Topsfield,	83	68
Lynnfield,	164	57	Wenham,	83	57
Manchester,	272	137	West Newbury,	91	107
Marblehead,	926	356			
Merrimac,	156	122	Totals,	39,494	17,317

County of Franklin.

Ashfield,	35	48	Monroe,	18	3
Bernardston,	46	58	Montague,	482	223
Buckland,	109	61	New Salem,	28	30
Charlemont,	56	35	Northfield,	112	58
Colrain,	112	65	Orange,	403	360
Conway,	67	66	Rowe,	18	17
Deerfield,	142	105	Shelburne,	99	109
Erving,	50	51	Shutesbury,	5	9
Gill,	48	50	Sunderland,	44	57
Greenfield,	1,101	548	Warwick,	31	11
Hawley,	10	20	Wendell,	25	16
Heath,	10	26	Whately,	25	31
Leverett,	27	20			
Leyden,	21	14	Totals,	3,124	2,091

County of Hampden.

Agawam,	289	141	Montgomery,	10	12
Blandford,	29	29	Palmer,	674	228
Brimfield,	62	42	Russell,	90	35
Chester,	79	37	Southwick,	80	52
CHICOPEE,	2,041	479	SPRINGFIELD,	9,299	3,868
East Longmeadow,	137	70	Tolland,	9	6
Granville,	34	28	Wales,	32	17
Hampden,	36	45	West Springfield,	994	407
Holland,	11	8	Westfield,	1,347	624
HOLYOKE,	4,909	1,584	Wilbraham,	92	77
Longmeadow,	208	102			
Ludlow,	304	87	Totals,	21,058	8,127
Monson,	292	149			

Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 104 of the General Acts of 1916, being "An Act to make the First Day of January, known as New Year's Day, a Legal Holiday," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Hampshire.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Amherst,	487	364	NORTHAMPTON,	1,634	962
Belchertown,	132	86	Pelham,	20	33
Chesterfield,	31	29	Plainfield,	24	22
Cummington,	43	42	Prescott,	10	30
Easthampton,	742	299	South Hadley,	437	190
Enfield,	54	45	Southampton,	43	63
Goshen,	13	15	Ware,	691	181
Granby,	27	44	Westhampton,	20	27
Greenwich,	40	23	Williamsburg,	132	103
Hadley,	92	95	Worthington,	44	22
Hatfield,	102	67			
Huntington,	100	56	Totals,	4,930	2,313
Middlefield,	12	15			

County of Middlesex.

Acton,	172	135	Maynard,	510	182
Arlington,	1,784	591	MEDFORD,	3,839	1,002
Ashby,	41	47	MELROSE,	2,021	806
Ashland,	205	87	Natick,	1,362	365
Ayer,	275	94	NEWTON,	4,477	1,937
Bedford,	160	59	North Reading,	112	60
Belmont,	938	315	Pepperell,	259	89
Billerica,	326	214	Reading,	898	266
Boxborough,	23	18	Sherborn,	98	51
Burlington,	55	20	Shirley,	121	65
CAMBRIDGE,	9,255	2,670	SOMERVILLE,	8,308	2,266
Carlisle,	39	31	Stoneham,	829	291
Chelmsford,	348	339	Stow,	64	54
Concord,	545	252	Sudbury,	105	55
Dracut,	215	129	Tewksbury,	159	124
Dunstable,	13	35	Townsend,	121	87
EVERETT,	3,477	864	Tyngsborough,	60	66
Frammingham,	1,687	538	Wakefield,	1,244	497
Groton,	198	84	WALTHAM,	2,495	1,699
Holliston,	288	114	Watertown,	1,818	523
Hopkinton,	233	93	Wayland,	265	86
Hudson,	294	253	Westford,	162	133
Lexington,	627	229	Weston,	202	137
Lincoln,	111	63	Wilmington,	204	68
Littleton,	86	66	Winchester,	1,077	410
LOWELL,	6,856	5,047	WOBURN,	1,762	407
MALDEN,	4,353	1,557			
MARLBOROUGH,	1,817	533	Totals,	66,993	26,203

County of Nantucket.

Nantucket,				290	60
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Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 104 of the General Acts of 1916, being "An Act to make the First Day of January, known as New Year's Day, a Legal Holiday," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Norfolk.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Avon,	225	100	Needham,	666	212
Bellingham,	128	48	Norfolk,	123	57
Braintree,	866	381	Norwood,	878	323
Brookline,	3,755	1,296	Plainville,	127	77
Canton,	517	146	QUINCY,	4,045	999
Cohasset,	315	75	Randolph,	460	156
Dedham,	1,163	302	Sharon,	259	109
Dover,	91	36	Stoughton,	646	264
Foxborough,	276	133	Walpole,	442	157
Franklin,	461	215	Wellesley,	652	185
Hollbrook,	269	156	Westwood,	136	49
Medfield,	160	69	Weymouth,	1,554	497
Medway,	209	105	Wrentham,	143	67
Millis,	146	49			
Milton,	1,103	284	Totals,	19,815	6,547

County of Plymouth.

Abington,	484	270	Mattapoisett,	89	52
Bridgewater,	425	235	Middleborough,	629	337
BROCKTON,	5,739	2,951	Norwell,	128	58
Carver,	43	31	Pembroke,	98	43
Duxbury,	161	65	Plymouth,	900	399
East Bridgewater,	278	161	Plympton,	32	26
Halifax,	30	20	Rochester,	35	35
Hanover,	209	110	Rockland,	808	380
Hanson,	122	99	Scituate,	306	85
Hingham,	586	201	Wareham,	318	113
Hull,	160	39	West Bridgewater,	207	155
Kingston,	159	71	Whitman,	665	418
Lakeville,	70	40			
Marion,	123	46	Totals,	12,955	6,499
Marshfield,	150	59			

County of Suffolk.

BOSTON,	65,579	14,938	Winthrop,	1,741	368
CHELSEA,	2,989	804			
REVERE,	2,670	501	Totals,	72,979	16,611

County of Worcester.

Ashburnham,	118	77	Charlton,	131	69
Athol,	645	458	Clinton,	1,083	362
Auburn,	276	112	Dana,	34	38
Barre,	164	86	Douglas,	174	48
Berlin,	64	54	Dudley,	217	72
Blackstone,	291	70	FITCHBURG,	3,298	1,436
Bolton,	56	49	Gardner,	1,220	356
Boylston,	77	35	Grafton,	432	135
Brookfield,	183	68	Hardwick,	166	70

Returns of Votes cast upon the Question of the Acceptance or Rejection of Chapter 104 of the General Acts of 1916, being "An Act to make the First Day of January, known as New Year's Day, a Legal Holiday," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Concluded.

County of Worcester — Concluded.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Harvard,	63	75	Royalston,	36	44
Holden,	165	98	Rutland,	92	47
Hopedale,	206	141	Shrewsbury,	190	126
Hubbardston,	88	36	Southborough,	193	71
Lancaster,	167	66	Southbridge,	1,174	220
Leicester,	304	123	Spencer,	557	153
LEOMINSTER,	1,327	742	Sterling,	113	65
Lunenburg,	83	85	Sturbridge,	124	49
Mendon,	55	49	Sutton,	76	75
Millford,	1,079	405	Templeton,	208	153
Millbury,	378	127	Upton,	144	97
Millville,	148	61	Uxbridge,	363	166
New Braintree,	25	21	Warren,	249	115
North Brookfield,	193	106	Webster,	942	201
Northborough,	164	82	West Boylston,	95	63
Northbridge,	602	313	West Brookfield,	109	50
Oakham,	23	21	Westborough,	445	201
Oxford,	237	102	Westminster,	70	84
Paxton,	37	13	Winchendon,	379	220
Petersham,	60	46	WORCESTER,	13,319	5,371
Phillipston,	20	13			
Princeton,	48	33	Totals,	32,979	13,934

Aggregate of Votes cast upon the Question of the Acceptance or Rejection of Chapter 104, of the General Acts of 1916, being "An Act to make the First Day of January, known as New Year's Day, a Legal Holiday," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916.

COUNTIES.	Yes.	No.	COUNTIES.	Yes.	No.
BARNSTABLE,	2,008	938	MIDDLESEX,	66,993	26,203
BERKSHIRE,	10,456	3,620	NANTUCKET,	290	60
BRISTOL,	25,268	8,229	NORFOLK,	19,815	6,547
DUKES COUNTY,	329	153	PLYMOUTH,	12,355	6,499
ESSEX,	39,494	17,317	SUFFOLK,	72,979	16,611
FRANKLIN,	3,124	2,091	WORCESTER,	32,979	13,934
HAMPDEN,	21,058	8,127			
HAMPSHIRE,	4,930	2,813	Totals,	312,678	113,142

RETURNS OF VOTES, ETC.

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Returns of Votes cast upon the Question of Acceptance or Rejection of Chapter 179 of the General Acts of 1916, being "An Act to prevent the Voters of One Political Party from Voting in the Primaries of Another Political Party," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916.

County of Barnstable.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Barnstable,	298	267	Orleans,	62	55
Bourne,	117	122	Provincetown,	99	74
Brewster,	38	33	Sandwich,	89	73
Chatham,	70	58	Truro,	22	16
Dennis,	66	49	Wellfleet,	53	31
Eastham,	21	27	Yarmouth,	70	90
Falmouth,	200	130	Totals,	1,310	1,123
Harwich,	97	84			
Mashpee,	8	11			

County of Berkshire.

Adams,	496	534	New Marlborough,	52	32
Alford,	14	16	NORTH ADAMS,	1,320	824
Becket,	53	45	Otis,	22	22
Cheshire,	78	55	Peru,	16	11
Clarksburg,	62	29	PITTSFIELD,	2,598	2,102
Dalton,	222	208	Richmond,	33	21
Egremont,	27	30	Sandisfield,	17	19
Florida,	12	8	Savoy,	17	26
Great Barrington,	352	279	Sheffield,	103	69
Hancock,	20	23	Stockbridge,	150	104
Hinsdale,	67	43	Tyringham,	24	8
Lanesborough,	61	42	Washington,	13	8
Lee,	272	165	West Stockbridge,	78	33
Lenox,	216	134	Williamstown,	197	147
Monterey,	23	20	Windsor,	14	8
Mount Washington,	3	7	Totals,	6,640	5,075
New Ashford,	8	3			

County of Bristol.

Acushnet,	66	51	North Attleborough,	647	407
ATTLEBORO,	996	799	Norton,	115	90
Berkley,	39	39	Raynham,	66	41
Dartmouth,	181	133	Rehoboth,	74	21
Dighton,	72	63	Seekonk,	155	63
Easton,	314	246	Somerset,	184	114
Fairhaven,	261	191	Swansea,	99	83
FALL RIVER,	4,939	4,127	TAUNTON,	1,691	1,591
Freetown,	45	45	Westport,	99	82
Mansfield,	383	235	Totals,	15,332	12,339
NEW BEDFORD,	4,936	3,913			

County of Dukes County.

Chilmark,	12	14	Tisbury,	54	45
Edgartown,	59	48	West Tisbury,	18	7
Gay Head,	6	4	Totals,	225	166
Gosnold,	12	5			
Oak Bluffs,	64	43			

Returns of Votes cast upon the Question of Acceptance or Rejection of Chapter 179 of the General Acts of 1916, being "An Act to prevent the Voters of One Political Party from Voting in the Primaries of Another Political Party," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Essex.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Amesbury,	518	450	Methuen,	686	581
Andover,	523	357	Middleton,	71	51
BEVERLY,	1,369	1,155	Nahant,	142	88
Boxford,	38	33	Newbury,	109	61
Danvers,	693	485	NEWBURYPORT,	900	801
Essex,	96	106	North Andover,	400	300
Georgetown,	108	98	PEABODY,	1,020	682
GLOUCESTER,	969	973	Rockport,	186	189
Groveland,	97	182	Rowley,	74	78
Hamilton,	118	76	SALEM,	2,279	1,837
HAVERHILL,	1,906	3,523	Salisbury,	83	80
Ipswich,	241	192	Saugus,	612	369
LAWRENCE,	3,889	3,379	Swampscott,	675	297
LYNN,	6,029	5,068	Topsfield,	75	46
Lynnfield,	119	72	Wenham,	69	58
Manchester,	199	105	West Newbury,	85	92
Marblehead,	633	383			
Merrimac,	101	142	Totals,	25,112	22,389

County of Franklin.

Ashfield,	26	37	Monroe,	11	7
Bernardston,	52	45	Montague,	324	259
Buckland,	64	69	New Salem,	22	24
Charlemont,	51	34	Northfield,	81	63
Colrain,	73	70	Orange,	321	263
Conway,	52	45	Rowe,	19	9
Deerfield,	102	96	Shelburne,	77	83
Erving,	44	38	Shutesbury,	2	6
Gill,	47	50	Sunderland,	45	37
Greenfield,	747	590	Warwick,	18	16
Hawley,	10	15	Wendell,	8	25
Heath,	14	20	Whately,	20	19
Leverett,	21	16			
Leyden,	15	13	Totals,	2,266	1,949

County of Hampden.

Agawam,	219	132	Montgomery,	10	10
Blandford,	24	28	Palmer,	434	303
Brimfield,	47	44	Russell,	66	39
Chester,	41	41	Southwick,	72	48
CHICOPEE,	1,242	833	SPRINGFIELD,	7,082	4,357
East Longmeadow,	117	63	Tolland,	10	3
Granville,	33	15	Wales,	26	14
Hampden,	43	31	West Springfield,	723	455
Holland,	6	7	Westfield,	924	721
HOLYOKE,	2,754	2,891	Wilbraham,	99	47
Longmeadow,	194	65			
Ludlow,	161	160	Totals,	14,581	10,432
Monson,	254	125			

Returns of Votes cast upon the Question of Acceptance or Rejection of Chapter 179 of the General Acts of 1916, being "An Act to prevent the Voters of One Political Party from Voting in the Primaries of Another Political Party," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Hampshire.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Amherst,	451	279	NORTHAMPTON,	1,260	935
Belchertown,	99	82	Pelham,	26	22
Chesterfield,	25	23	Plainfield,	21	13
Cummington,	41	34	Prescott,	16	16
Easthampton,	506	347	South Hadley,	291	213
Enfield,	39	47	Southampton,	50	35
Goshen,	13	10	Ware,	470	184
Granby,	27	32	Westhampton,	21	14
Greenwich,	31	29	Williamsburg,	127	70
Hadley,	81	89	Worthington,	32	17
Hatfield,	91	43			
Huntington,	68	54	Totals,	3,791	2,601
Middlefield,	5	13			

County of Middlesex.

Acton,	169	83	Maynard,	337	231
Arlington,	1,377	670	MEDFORD,	2,423	1,669
Ashby,	35	45	MELROSE,	1,432	1,065
Ashland,	159	93	Natick,	925	520
Ayer,	177	119	NEWTON,	3,666	2,168
Bedford,	124	64	North Reading,	74	64
Belmont,	709	364	Pepperell,	172	104
Billerica,	302	173	Reading,	625	305
Boxborough,	24	14	Sherborn,	75	45
Burlington,	37	20	Shirley,	97	57
CAMBRIDGE,	5,705	4,145	SOMERVILLE,	5,546	3,592
Carlisle,	35	21	Stoneham,	578	357
Chelmsford,	308	282	Stow,	60	41
Concord,	440	223	Sudbury,	81	47
Dracut,	239	180	Tewksbury,	137	99
Dunstable,	21	20	Townsend,	117	60
EVERETT,	2,190	1,525	Tyngsborough,	47	53
Frammingham,	1,216	654	Wakefield,	845	585
Groton,	142	92	WALTHAM,	2,354	1,417
Holliston,	228	124	Watertown,	1,318	674
Hopkinton,	186	100	Wayland,	173	121
Hudson,	443	222	Westford,	165	89
Lexington,	506	229	Weston,	204	96
Lincoln,	77	53	Wilmington,	133	88
Littleton,	73	49	Winechester,	926	362
LOWELL,	5,190	4,878	WOBURN,	1,198	660
MALDEN,	2,868	2,125			
MARLBOROUGH,	1,110	745	Totals,	47,798	31,881

County of Nantucket.

Nantucket,			180	107
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Returns of Votes cast upon the Question of Acceptance or Rejection of Chapter 179 of the General Acts of 1916, being "An Act to prevent the Voters of One Political Party from Voting in the Primaries of Another Political Party," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Continued.

County of Norfolk.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Avon,	166	92	Needham,	514	230
Bellingham,	68	77	Norfolk,	93	60
Braintree,	641	427	Norwood,	641	319
Brookline,	3,218	1,203	Plainville,	106	64
Canton,	339	179	QUINCY,	2,799	1,644
Cohasset,	233	85	Randolph,	334	178
Dedham,	746	457	Sharon,	199	118
Dover,	71	34	Stoughton,	499	260
Foxborough,	202	126	Walpole,	302	158
Franklin,	301	240	Wellesley,	512	225
Holbrook,	218	128	Westwood,	91	58
Medfield,	114	72	Weymouth,	1,061	624
Medway,	131	122	Wrentham,	100	73
Millis,	99	73			
Milton,	764	440	Totals,	14,592	7,766

County of Plymouth.

Abington,	440	284	Mattapoisett,	58	55
Bridgewater,	326	196	Middleborough,	397	402
BROCKTON,	4,656	3,006	Norwell,	102	61
Carver,	27	34	Pembroke,	62	55
Duxbury,	119	74	Plymouth,	663	359
East Bridgewater,	212	156	Plympton,	25	23
Halifax,	29	22	Rochester,	37	19
Hanover,	160	96	Rockland,	604	357
Hanson,	193	66	Scituate,	217	120
Hingham,	475	190	Wareham,	223	133
Hull,	118	39	West Bridgewater,	183	122
Kingston,	117	73	Whitman,	610	322
Lakeville,	47	47			
Marion,	77	46	Totals,	10,289	6,422
Marshfield,	112	65			

County of Suffolk.

BOSTON,	41,317	27,494	Winthrop,	1,255	547
CHELSEA,	1,661	1,386			
REVERE,	1,608	1,077	Totals,	45,841	30,504

County of Worcester.

Ashburnham,	82	55	Charlton,	122	51
Athol,	437	400	Clinton,	820	356
Auburn,	153	160	Dana,	15	43
Barre,	126	81	Douglas,	104	55
Berlin,	59	46	Dudley,	148	90
Blackstone,	198	104	FIRCHBURG,	1,846	2,322
Bolton,	52	39	Gardner,	601	528
Boylston,	58	34	Grafton,	269	143
Brookfield,	125	86	Hardwick,	86	89

Returns of Votes cast upon the Question of Acceptance or Rejection of Chapter 179 of the General Acts of 1916, being "An Act to prevent the Voters of One Political Party from Voting in the Primaries of Another Political Party," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916 — Concluded.

County of Worcester — Concluded.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Harvard,	73	45	Royalston,	36	44
Holden,	136	87	Rutland,	69	41
Hopedale,	189	95	Shrewsbury,	148	105
Hubbardston,	59	46	Southborough,	147	84
Lancaster,	127	70	Southbridge,	695	390
Leicester,	191	127	Spencer,	308	218
LEOMINSTER,	781	780	Sterling,	89	62
Lunenburg,	66	78	Sturbridge,	89	39
Mendon,	57	39	Sutton,	142	63
Milford,	643	608	Templeton,	149	145
Millbury,	270	142	Upton,	130	67
Millville,	113	71	Uxbridge,	349	177
New Braintree,	18	18	Warren,	155	104
North Brookfield,	151	112	Webster,	618	300
Northborough,	120	78	West Boylston,	75	51
Northbridge,	408	295	West Brookfield,	61	56
Oakham,	19	18	Westborough,	347	191
Oxford,	139	128	Westminster,	59	66
Paxton,	21	18	Winchendon,	232	259
Petersham,	37	34	WORCESTER,	8,761	7,229
Phillipston,	15	12			
Princeton,	44	22	Totals,	21,637	17,296

Aggregate of Votes cast upon the Question of Acceptance or Rejection of Chapter 179 of the General Acts of 1916, being "An Act to prevent the Voters of One Political Party from Voting in the Primaries of Another Political Party," submitted to the Voters of the Commonwealth at the State Election held Nov. 7, 1916.

COUNTIES.	Yes.	No.	COUNTIES.	Yes.	No.
BARNSTABLE,	1,310	1,123	MIDDLESEX,	47,798	31,881
BERKSHIRE,	6,640	5,075	NANTUCKET,	180	107
BRISTOL,	15,362	12,339	NORFOLK,	14,592	7,766
DUKES COUNTY,	225	166	PLYMOUTH,	10,289	6,422
ESSEX,	25,112	22,389	SUFFOLK,	45,851	30,504
FRANKLIN,	2,266	1,949	WORCESTER,	21,637	17,296
HAMPDEN,	14,581	16,432			
HAMPSHIRE,	3,791	2,601	Totals,	209,624	150,050

THE
CIVIL GOVERNMENT

OF

The Commonwealth of Massachusetts,

AND NAMES OF OFFICERS IMMEDIATELY CONNECTED THEREWITH
FOR THE POLITICAL YEAR

1917.

EXECUTIVE DEPARTMENT.

HIS EXCELLENCY

SAMUEL W. McCALL,
GOVERNOR.

STANLEY R. MILLER *Private Secretary.*
HENRY F. LONG *Assistant Private Secretary.*
EDWARD F. HAMLIN *Executive Secretary.*

HIS HONOR

CALVIN COOLIDGE,
LIEUTENANT GOVERNOR.

COUNCIL—(BY DISTRICTS).

I.—DAVID L. PARKER New Bedford.
II.—RICHARD F. ANDREWS Boston.
III.—TIMOTHY J. BUCKLEY Boston.
IV.—HERBERT P. WASGATT Everett.
V.—FREDERICK H. TARR Rockport.
VI.—JAMES G. HARRIS Medford.
VII.—CHANNING SMITH Leicester.
VIII.—CHARLES H. WRIGHT Pittsfield.

ALBERT P. LANGTRY,
SECRETARY OF THE COMMONWEALTH.

HERBERT H. BOYNTON, *Deputy Secretary.* PETER F. J. CARNEY, *2d Deputy.*

CHARLES L. BURRILL,
TREASURER AND RECEIVER GENERAL.

GEORGE B. WILLARD, *Deputy.* JAMES C. BOND, *Paying Teller.*

ALONZO B. COOK,
AUDITOR OF THE COMMONWEALTH.

WILLIAM D. HAWLEY, *Deputy Auditor.* ARTHUR E. HOYT, *2d Deputy.*
JAMES POPE, *1st Clerk.* CHARLES F. GRAY, *Accountant.*

HENRY C. ATTWILL,
ATTORNEY-GENERAL.

NELSON P. BROWN, H. WARE BARNUM,
WILLIAM HAROLD HITCHCOCK, ARTHUR E. SEAGRAVE,
JOHN W. CORCORAN,
ASSISTANT ATTORNEYS-GENERAL.
LOUIS H. FREESE, *Chief Clerk.*

LEGISLATIVE DEPARTMENT.

GENERAL COURT.

ARRANGED IN ACCORDANCE WITH THE DISTRICT REVISION OF 1916.

SENATE.

President—HENRY G. WELLS.

District.	Name of Senator.	Residence.
First Suffolk,	John E. Beck,	Chelsea.
Second Suffolk,	John I. Fitzgerald,	Boston.
Third Suffolk,	Edward G. Morris,	Boston.
Fourth Suffolk,	Edward F. McLaughlin,	Boston.
Fifth Suffolk,	Malcolm E. Nichols,	Boston.
Sixth Suffolk,	James P. Timilty,	Boston.
Seventh Suffolk,	Charles S. Lawler,	Boston.
Eighth Suffolk,	Herman Hormel,	Boston.
Ninth Suffolk,	Alpheus Sanford,	Boston.
First Essex,	George H. Jackson,	Lynn.
Second Essex,	E. Howard Perley,	Salem.
Third Essex,	Charles D. Brown,	Gloucester.
Fourth Essex,	Henry G. Wells,	Haverhill.
Fifth Essex,	James R. Tetler,	Lawrence.
First Middlesex,	James E. MacPherson,	Framingham.
Second Middlesex,	James W. Bean,	Cambridge.
Third Middlesex,	Charles W. Eldridge,	Somerville.
Fourth Middlesex,	James F. Cavanagh,	Everett.

District.	Name of Senator.	Residence.
Fifth Middlesex,	Charles Sumner Smith,	Lincoln.
Sixth Middlesex,	Edwin T. McKnight,	Medford.
Seventh Middlesex,	Charles A. Kimball,	Littleton.
Eighth Middlesex,	Arthur W. Colburn,	Dracut.
First Worcester,	James L. Harrop,	Worcester.
Second Worcester,	Clarence W. Hobbs, Jr.,	Worcester.
Third Worcester,	Fred W. Cross,	Royalston.
Fourth Worcester,	George Fred Hart,	Webster.
Worcester and Hampden,	Ernest E. Hobson,	Palmer.
First Hampden,	George D. Chamberlain,	Springfield.
Second Hampden,	Daniel J. Buckley,	Chicopee.
Franklin and Hampshire,	George B. Churchill,	Amherst.
Berkshire,	George A. Hastings,	North Adams.
Berkshire, Hampshire and Hampden,	John B. Hull,	Great Barrington.
Norfolk and Plymouth,	Kenneth L. Nash,	Weymouth.
Norfolk,	Orion T. Mason,	Medway.
Norfolk and Suffolk,	Herbert A. Wilson,	Boston.
Plymouth,	Edward N. Dahlborg,	Brockton.
First Bristol,	Joseph William Martin, Jr.,	North Attleborough.
Second Bristol,	Walter E. McLane,	Fall River.
Third Bristol,	Richard Knowles,	New Bedford.
Cape and Plymouth,	Charles L. Gifford,	Barnstable.

HENRY D. COOLIDGE, *Clerk.*

EDWARD A. HORTON, *Chaplain.*

THOMAS F. PEDRICK, *Sergeant-at-Arms.*

HOUSE OF REPRESENTATIVES.

Speaker — CHANNING H. COX.

COUNTY OF SUFFOLK.

District.	Town or Ward.	Name of Representative.	Residence.
1st.	Boston, Ward 1. . . .	Edward J. Cox, . . .	Boston.
		Thomas A. Winston, . . .	Boston.
2d,	Boston, Ward 2,	Manassah E. Bradley, . . .	Boston.
		John J. Kearney,	Boston.
3d.	Boston, Ward 3.	Michael J. McNamee, . . .	Boston.
		Charles J. McNulty, . . .	Boston.
4th.	Boston, Ward 4.	Henry J. McLaughlin, . . .	Boston.
		John P. Mahoney,	Boston.
5th,	Boston, Ward 5.	Vincent Brogna,	Boston.
		John L. Donovan,	Boston.
		Martin M. Lomasney, . . .	Boston.
6th,	Boston, Ward 6,	John W. Craig,	Boston.
		Thomas F. Donovan,	Boston.
		James W. Hayes,	Boston.
7th.	Boston, Ward 7,	Channing H. Cox,	Boston.
		Henry A. Savage,	Boston.
		Joseph W. Wharton,	Boston.
8th,	Boston, Ward 8,	Arthur E. Burr,	Boston.
		Fitz-Henry Smith, Jr., . . .	Boston.
9th.	Boston, Ward 9,	William J. Foley,	Boston.
		William J. Manning,	Boston.
10th,	Boston, Ward 10.	Daniel W. Casey,	Boston.
		Charles S. O'Connor,	Boston.

COUNTY OF SUFFOLK — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
11th,	Boston, Ward 11,	{ William J. Holland, . Daniel J. Young, . .	Boston. Boston.
12th,	Boston, Ward 12,	{ Thomas M. Joyce, . . Joseph Oakhem, . .	Boston. Boston.
13th,	Boston, Ward 13,	{ Frank J. Burke, . . George E. Curran, . .	Boston. Boston.
14th,	Boston, Ward 14,	{ James McInerney, . . Dennis F. Reardon, . .	Boston. Boston.
15th,	Boston, Ward 15,	{ John P. Englert, . . Alfred J. Moore, . .	Boston. Boston.
16th,	Boston, Ward 16,	{ Addison P. Beardsley, . . Simon Swig, . .	Boston. Boston.
17th,	Boston, Ward 17,	{ Joseph McGrath, . . Daniel C. Murphy, . .	Boston. Boston.
18th,	Boston, Ward 18,	{ Lewis R. Sullivan, . . Charles A. Winchester, . .	Boston. Boston.
19th,	Boston, Wards 19 and 20,	{ Harrison H. Atwood, . . Thomas Leavitt, . . Jacob Wasserman, . .	Boston. Boston. Boston.
20th,	{ Chelsea, Wards 4, 5, . . Revere, Ward 4. . . }	David J. Maloney, . .	Chelsea.
21st,	Winthrop,	Winthrop Magee, . .	Winthrop.
22d,	Boston, Wards 22, 23, . .	{ George W. P. Babb, . . Horace E. Dunkle, . . George Penshorn, . .	Boston. Boston. Boston.
23d,	Chelsea, Wards 1, 2, 3,	Lawrence F. Quigley, . .	Chelsea.
24th,	Boston, Wards 21, 24, . .	{ Henry S. Clark, . . Leo S. Hamburger, . . Robert B. Martin, . .	Boston. Boston. Boston.
25th,	Boston, Ward 25,	Martin Hays,	Boston.

COUNTY OF SUFFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
26th,	Boston, Ward 26,	Francis B. McKinney,	Boston.
27th,	Revere, Wards 1, 2, 3, 5,	Ralph N. Butterworth,	Revere.

COUNTY OF ESSEX.

1st,	{ Amesbury, . . . } { Merrimac, . . . } { Salisbury, . . . }	Samuel I. Collins, . . .	Amesbury.
2d,	Haverhill, Wds 1, 2, 3,	William F. French, . . .	Haverhill.
3d,	Haverhill, Wards 4, 6,	Essex S. Abbott, . . .	Haverhill.
4th,	{ Boxford, . . . } { Georgetown, . . . } { Groveland, . . . } { Haverhill, Wards 5, 7, }	Charles H. Morrill, . . . Arthur L. Nason, . . .	Haverhill. Haverhill.
5th,	{ Lawrence, Wards 1, 2, } { Methuen, . . . }	Arthur Bower, . . . George Bunting, . . .	Lawrence. Methuen.
6th,	Lawrence, Wards 3, 4,	Michael H. Jordan, . . .	Lawrence.
7th,	Lawrence, Ward 5, . . .	Frederick Butler, . . .	Lawrence.
8th,	Lawrence, Ward 6, . . .	Michael A. Flanagan, . . .	Lawrence.
9th,	{ Andover, . . . } { Middleton, . . . } { North Andover, . . . }	Nesbit G. Gleason, . . .	Andover.
10th,	{ Danvers, . . . } { Hamilton, . . . } { Topsfield, . . . } { Wenham, . . . }	George D. Morse, . . .	Danvers.
11th,	Peabody,	William H. Mahoney, . . .	Peabody.
12th,	Lynn, Wards 2, 5, . . . {	George C. F. Allen, . . . Charles B. Frothingham,	Lynn. Lynn.
13th,	{ Lynn, Wards 1, 6, 7, . . . } { Lynnfield, . . . } { Saugus, . . . }	Ernest W. Allen, . . . Thomas W. Baxter, . . . Francis M. Hill, . . .	Lynn. Lynn. Saugus.

COUNTY OF ESSEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
14th,	{ Lynn, Wards 3, 4, . . . } { Nahant, }	Charles H. Annis, . . . Joseph L. Barry, . . . James E. Odlin, . . .	Lynn. Lynn. Lynn.
15th,	{ Salem, Ward 3. . . . }	James D. Bentley, . . .	Swampscott.
16th,	Marblehead,	John N. Osborne, . . .	Marblehead.
17th,	Salem, Wards 1, 5, . .	Chauncey Pepin, . . .	Salem.
18th,	Salem, Wards 2, 4, 6. .	Denis J. Sullivan, . . .	Salem.
19th,	{ Beverly, Wards 1, 2, } { 3, 5, }	Martin R. Lane, . . .	Beverly.
20th,	{ Beverley, Wards 4, 6, } { Essex, }	Frank E. Raymond, . . .	Essex.
21st,	{ Gloucester, Wards 3, 4, } { 5, 6, 8, }	James E. Tolman, . . .	Gloucester.
22d,	{ Gloucester, Wards 1, 2, } { 7, }	James M. Lyle, . . .	Gloucester.
23d,	{ Ipswich, }	William F. Runnells, . . .	Newburyport.
	{ Newbury, }		
	{ Newburyport, Ward 6, }		
	{ Rowley, }		
	{ West Newbury, . . . }		
24th,	{ Newburyport, Wards 1, } { 2, 3, 4, 5, }	Carl C. Emery, . . .	Newburyport.

COUNTY OF MIDDLESEX.

1st,	{ Cambridge, Wards 1, } { 2, 3, }	John H. Lynch, . . .	Cambridge.
2d,	{ Cambridge, Wards 4, } { 5, 6, 7, }	Albert M. Chandler, . . . Frederic F. Clauss, . . . Julius Meyers, . . .	Cambridge. Cambridge. Cambridge.

COUNTY OF MIDDLESEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
3d.	{ Cambridge, Wards 8, 9, 10, 11, . . . }	Philip R. Ammidon, . George H. Carrick, . Kenneth Page Hill, .	Cambridge. Cambridge. Cambridge.
4th.	Newton,	{ J. Weston Allen, . . Henry W. Jarvis, . . Thomas Weston, Jr., .	Newton. Newton. Newton.
5th.	Waltham,	{ John M. Gibbs, . . . John R. Hudson, . . .	Waltham. Waltham.
6th.	Natick,	Thomas H. Brennan, . .	Natick.
7th.	Framingham,	Bernard F. Merriam, . .	Framingham.
8th.	{ Ashland, Holliston, Hopkinton, Sherborn, }	Edward Carr,	Hopkinton.
9th.	Marlborough,	John H. Parker,	Marlborough.
10th.	{ Boxborough, Hudson, Maynard, Stow, }	Rowland P. Harriman, . .	Stow.
11th.	{ Acton, Bedford, Carlisle, Chelmsford, Littleton, Tyngsborough, Westford, }	Walter Perham,	Chelmsford.
12th.	{ Ashby, Ayer, Dunstable, Groton, Pepperell, Shirley, Townsend, }	Joseph A. Saunders, . . .	Pepperell.
13th.	{ Concord, Lincoln, Sudbury, Wayland, Weston, }	Benjamin Loring Young, .	Weston.

COUNTY OF MIDDLESEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
14th,	Lowell, Wards 1, 2, 9, {	Dennis A. Murphy, . Charles H. Slowey, .	Lowell. Lowell.
15th,	{ Lowell, Wards 3, 6, 7, { 8, }	Henry Achin, Jr., . Victor Francis Jewett, . Frank H. Putnam, .	Lowell. Lowell. Lowell.
16th,	Lowell, Wards 4, 5, .	Thomas J. Corbett, .	Lowell.
17th,	{ Billerica, } { Burlington, } { Dracont, } { North Reading, } { Tewksbury, } { Wilmington, }	Jeremiah K. Chandler, .	Tewksbury.
18th,	{ Reading, } { Stoneham, } { Woburn, }	Fred J. Brown, . Edward B. Eames, .	Woburn. Reading.
19th,	Wakefield,	Eden K. Bowser,	Wakefield.
20th,	Everett, {	Howard F. Furness, . Fred P. Greenwood, .	Everett. Everett.
21st,	Malden, {	Alvin E. Bliss, Lloyd Makepeace, George Louis Richards,	Malden. Malden. Malden.
22d,	Melrose,	Harry C. Woodill,	Melrose.
23d,	{ Somerville, Wards 1, { 3, 4, 5, }	William Fleming, Harvey E. Frost, William W. Kennard,	Somerville. Somerville. Somerville.
24th,	{ Somerville, Wards 2, { 6, 7, }	William P. French, Joseph O. Knox, Joseph H. Perry,	Somerville. Somerville. Somerville.
25th,	{ Medford, Ward 3, . . } { Winchester, }	William A. Kneeland,	Winchester.
26th,	{ Medford, Wards 1, 2, } { 4, 5, 6, 7, }	Fred J. Burrell, James Morrison,	Medford. Medford.

COUNTY OF MIDDLESEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
27th,	Arlington,	Jacob Bitzer,	Arlington.
28th,	{ Belmont, Lexington, }	Jay R. Benton,	Belmont.
29th,	Watertown,	Wesley E. Monk,	Watertown.

COUNTY OF WORCESTER.

1st,	{ Athol, Barre, Dana, Petersham, Phillipston, }	William G. Lord,	Athol.
2d,	{ Gardner, Hubbardston, Royalston, Rutland, Templeton, Winchendon, }	Charles H. Hartshorn, . . J. Warren Moulton, . .	Gardner. Rutland.
3d,	{ Hardwick, New Braintree, North Brookfield, Oakham, Spencer, West Brookfield, }	Myron A. Young,	Spencer.
4th,	{ Brookfield, Charlton, Leicester, Paxton, Sturbridge, Warren, }	Warren E. Tarbell,	Brookfield.
5th,	{ Dudley, Southbridge, }	Daniel T. Morrill,	Southbridge.

COUNTY OF WORCESTER—CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
6th,	{ Auburn, . . . } { Oxford, . . . } { Webster, . . . }	George J. Brunell,	Webster.
7th,	{ Douglas, . . . } { Millbury, . . . } { Millville, . . . } { Sutton, . . . } { Uxbridge, . . . }	William L. Johnson,	Uxbridge.
8th,	{ Blackstone, . . . } { Hopedale, . . . } { Mendon, . . . } { Northbridge, . . . }	James R. Ferry,	Northbridge.
9th,	{ Grafton, . . . } { Milford, . . . } { Shrewsbury, . . . } { Southborough, . . . } { Upton, . . . } { Westborough, . . . }	Arthur W. Frail, William A. Murray,	Upton. Milford.
10th,	{ Berlin, . . . } { Bolton, . . . } { Boylston, . . . } { Clinton, . . . } { Harvard, . . . } { Holden, . . . } { Lancaster, . . . } { Northborough, . . . } { Princeton, . . . } { Sterling, . . . } { West Boylston, . . . }	George A. Whitney, Waterman L. Williams,	Clinton. Holden.
11th,	{ Ashburnham, . . . } { Fitchburg, Ward 1, . . . } { Leominster, . . . } { Westminster, . . . }	Walter A. Hardy, John C. Hull,	Fitchburg. Leominster.
12th,	{ Fitchburg, Wards 2, 3, } { 4, 5, 6, . . . } { Lunenburg, . . . }	Henry E. Cowdrey, John Wooldredge,	Fitchburg. Lunenburg.
13th,	Worcester, Ward 1,	John G. Johnson,	Worcester.
14th,	Worcester, Ward 2,	G. Oscar Russell,	Worcester.

COUNTY OF WORCESTER — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
15th,	Worcester, Ward 3, .	Michael F. Malone, .	Worcester.
16th,	Worcester, Ward 4, .	Charles A. Kelley, .	Worcester.
17th,	Worcester, Ward 5, .	Thomas E. Dowd, .	Worcester.
18th,	Worcester, Ward 6, .	George A. Lindberg, .	Worcester.
19th,	Worcester, Ward 7, .	Clarence M. Hall, .	Worcester.
20th,	Worcester, Ward 8, .	Walter L. Mellen, .	Worcester.
21st,	Worcester, Ward 9, .	Harry E. Dean, .	Worcester.
22d,	Worcester, Ward 10, .	Daniel W. Lincoln, .	Worcester.

COUNTY OF HAMPSHIRE.

1st,	Northampton, . . .	Michael J. FitzGerald, .	Northampton.
2d,	{ Chesterfield, . . . }	Frank E. Lyman, . . .	Easthampton.
	{ Cummington, . . . }		
	{ Easthampton, . . . }		
	{ Goshen, . . . }		
	{ Huntington, . . . }		
	{ Middlefield, . . . }		
	{ Plainfield, . . . }		
	{ Southampton, . . . }		
3d,	{ Westhampton, . . . }	Alvin R. Wilson, . . .	South Hadley.
	{ Williamsburg, . . . }		
	{ Worthington, . . . }		
	{ Amherst, . . . }		
4th,	{ Hadley, . . . }	Roland D. Sawyer, . . .	Ware.
	{ Hatfield, . . . }		
	{ South Hadley, . . . }		
	{ Belchertown, . . . }		
	{ Enfield, . . . }		
	{ Granby, . . . }		
{ Greenwich, . . . }			
	{ Pelham, . . . }		
	{ Prescott, . . . }		
	{ Ware, . . . }		

COUNTY OF HAMPDEN.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Brimfield, Holland, Monson, Palmer, Wales, }	Fred E. Cady, . . .	Monson.
2d,	{ Agawam, Blandford, Chester, East Longmeadow, Granville, Hampden, Longmeadow, Ludlow, Montgomery, Russell, Southwick, Tolland, West Springfield, Wilbraham, }	Clarence H. Granger, . . . George W. Love, . . .	Agawam. W. Springfield.
3d,	Springfield, Wards 1, 2, {	William J. Grantfield, . . . John Mitchell, . . .	Springfield. Springfield.
4th,	{ Springfield, Wards 3, } 6, 7, }	Channey A. Bennett, . . . George W. Bowman, . . .	Springfield. Springfield.
5th,	Springfield, Ward 4, .	William Foster, . . .	Springfield.
6th,	Springfield, Ward 5, .	Arthur E. Marsh, . . .	Springfield.
7th,	Springfield, Ward 8, .	Merrill E. Streeter, . . .	Springfield.
8th,	Chicopee,	John W. Williams, . . .	Chicopee.
9th,	Holyoke, Wards 1, 2, 4, .	John J. Murphy, . . .	Holyoke.
10th,	Holyoke, Wards 3, 6, .	John Cronin,	Holyoke.
11th,	Holyoke, Wards 5, 7, .	Eugene A. Lynch, . . .	Holyoke.
12th,	Westfield,	Park W. Allen,	Westfield.

COUNTY OF FRANKLIN.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Ashtfield, Buckland, Charlemont, Colrain, Conway, Hawley, Heath, Monroe, Rowe, Shelburne, Whately, }	Albert C. Bray, . . .	Buckland.
2d,	Greenfield,	Frederick E. Pierce, .	Greenfield.
3d,	{ Bernardston, Deerfield, Gill, Leverett, Leyden, Montagne, Sunderland, }	Charles H. Beaman, .	Leverett.
4th,	{ Erving, New Salem, Northfield, Orange, Shutesbury, Warwick, Wendell, }	William A. Moore, . .	New Salem.

COUNTY OF BERKSHIRE.

1st,	{ Clarksburg, Florida, North Adams, Wards 3, 4, 5, 6, Savoy, }	James Tracy Potter, .	North Adams.
2d,	{ Hancock, New Ashford, North Adams, Wards 1, 2, 7, Williamstown, }	George B. Waterman, .	Williamstown.

COUNTY OF BERKSHIRE — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
3d,	{ Adams, . . . } { Cheshire, . . . } { Hinsdale, . . . } { Peru, . . . } { Windsor, . . . }	Cornelius Boothman, . . .	Adams.
4th,	{ Lanesborough, . . . } { Pittsfield, . . . }	Frank Bartlett, . . . Robert T. Kent, . . . John Glenn Orr, . . .	Pittsfield. Pittsfield. Pittsfield.
5th,	{ Becket, . . . } { Dalton, . . . } { Lee, . . . } { Lenox, . . . } { Monterey, . . . } { Otis, . . . } { Richmond, . . . } { Tyringham, . . . } { Washington, . . . }	John H. McAllister, . . .	Lee.
6th,	{ Alford, . . . } { Egremont, . . . } { Great Barrington, . . . } { Mount Washington, . . . } { New Marlborough, . . . } { Sandisfield, . . . } { Sheffield, . . . } { Stockbridge, . . . } { West Stockbridge, . . . }	Peter I. Adams, . . .	Stockbridge.

COUNTY OF NORFOLK.

1st,	{ Dedham, . . . } { Needham, . . . }	John A. Hirsch, . . .	Dedham.
2d,	Brookline, . . .	Charles F. Rowley, . . . John H. Sherburne, . . .	Brookline. Brookline.
3d,	Quincy, . . .	Russell T. Bates, . . . David S. McIntosh, . . . Albert L. Whitman, . . .	Quincy. Quincy. Quincy.
4th,	{ Canton, . . . } { Milton, . . . } { Westwood, . . . }	Roger Wolcott, . . .	Milton.

COUNTY OF NORFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
5th,	Weymouth, . . .	Burgess H. Spinney, . . .	Weymouth.
6th,	{ Avon, . . . Braintree, . . . Holbrook, . . . }	Arthur W. Paine, . . .	Holbrook.
7th,	{ Randolph, . . . Sharon, . . . Stoughton, . . . }	George Albert Wales, . . .	Stoughton.
8th,	{ Norwood, . . . Walpole, . . . }	Julius Guild, . . .	Walpole.
9th,	{ Dover, . . . Medfield, . . . Medway, . . . Millis, . . . Norfolk, . . . Wellesley, . . . }	Harold L. Perrin, . . .	Wellesley.
10th,	{ Bellingham, . . . Foxborough, . . . Franklin, . . . Plainville, . . . Wrentham, . . . }	Horace W. Hosie, . . .	Franklin.

COUNTY OF PLYMOUTH.

1st,	Plymouth, . . .	Elmer L. Briggs, . . .	Plymouth.
2d,	{ Duxbury, . . . Marshfield, . . . Norwell, . . . Pembroke, . . . Scituate, . . . }	Walter Haynes, . . .	Scituate.
3d,	{ Cohasset, . . . Hingham, . . . Hull, . . . }	George S. Marsh, . . .	Hingham.
4th,	{ Hanover, . . . Hanson, . . . Rockland, . . . }	Edwin H. Gibson, . . .	Hanover.

COUNTY OF PLYMOUTH—CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
5th,	{ Abington, . . . } { Whitman, . . . }	John T. Crowley, . . .	Abington.
6th,	{ Carver, . . . } { Lakeville, . . . } { Marion, . . . } { Mattapoisett, . . . } { Rochester, . . . } { Wareham, . . . }	James F. Kiernan, . . .	Wareham.
7th,	{ Halifax, . . . } { Kingston, . . . } { Middleborough, . . . } { Plympton, . . . }	William M. Haskins, . . .	Middleborough.
8th,	{ Bridgewater, . . . } { East Bridgewater, . . . } { West Bridgewater, . . . }	Eddy P. Dunbar, . . .	West Bridge- water.
9th,	Brockton, Wards 3, 4,	Walter T. Packard, . . .	Brockton.
10th,	{ Brockton, Wards 1, 2, } { 5, . . . }	William B. Baldwin, . . . J. Edwin Maybury, . . .	Brockton. Brockton.
11th,	Brockton, Wards 6, 7, .	Frank A. Manning, . . .	Brockton.

COUNTY OF BRISTOL.

1st,	{ Attleboro, . . . } { North Attleborough, . . . }	William A. Bartlett, . . . George M. Worrall, . . .	No. Attleboro'. Attleboro.
2d,	{ Easton, . . . } { Mansfield, . . . } { Norton, . . . }	James G. Moran, . . .	Mansfield.
3d,	Taunton, Wards 5, 7, 8.	Matthew A. Higgins, . . .	Taunton.
4th,	{ Raynham, . . . } { Taunton, Wards 2, 3, 4, }	Joseph E. Warner, . . .	Taunton.
5th,	{ Berkley, . . . } { Dighton, . . . } { Rehoboth, . . . } { Seekonk, . . . } { Taunton, Wards 1, 6, . }	Clarence Alton Briggs, . . .	Taunton.

COUNTY OF BRISTOL — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
6th,	{ Acushnet, . . . } { Dartmouth, . . . } { Fairhaven, . . . } { Freetown, . . . }	David L. Kelley, . . .	Fairhaven.
7th,	{ New Bedford, Wards } { 1, 2, 3, . . . }	Alfred M. Bessette, . . . George E. Lilley, . . .	New Bedford. New Bedford.
8th,	{ New Bedford, Wards } { 4, 5, 6, . . . }	John Halliwell, . . . Ward M. Parker, . . . Gilbert G. Southworth, . . .	New Bedford. New Bedford. New Bedford.
9th,	{ Fall River, Wards 1, 2, } { Westport, . . . }	Joseph E. Freeling, . . . Isaac U. Wood, . . .	Fall River. Fall River.
10th,	{ Fall River, Wards 3, 4, } { 5, . . . }	William S. Conroy, . . . Edward F. Harrington, . . .	Fall River. Fall River.
11th,	{ Fall River, Wards 6, 7, } { 8, 9, . . . } { Somerset, . . . } { Swansea, . . . }	James T. Bagshaw, . . . Ernest A. Larocque, . . . Frank Mulveny, . . .	Fall River. Fall River. Fall River.

COUNTY OF BARNSTABLE.

1st,	{ Barnstable, . . . } { Bourne, . . . } { Falmouth, . . . } { Mashpee, . . . } { Sandwich, . . . }	George F. Dennis, . . .	Sandwich.
2d,	{ Chatham, . . . } { Dennis, . . . } { Harwich, . . . } { Yarmouth, . . . }	William N. Stetson, . . .	Yarmouth.
3d,	{ Brewster, . . . } { Eastham, . . . } { Orleans, . . . } { Provincetown, . . . } { Truro, . . . } { Wellfleet, . . . }	Jerome Sands Smith, . . .	Provincetown.

COUNTY OF DUKES COUNTY.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Chilmark, . . . } Edgartown, . . . Gay Head, . . . Gosnold, . . . Oak Bluffs, . . . Tisbury, . . . West Tisbury, . . . }	Benjamin G. Collins, . . .	Edgartown.

COUNTY OF NANTUCKET.

1st,	Nantucket,	Edward H. Perry,	Nantucket.
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JAMES W. KIMBALL, *Clerk.*
 DANIEL W. WALDRON, *Chaplain.*
 THOMAS F. PEDRICK, *Sergeant-at-Arms.*

JUDICIAL DEPARTMENT.

SUPREME JUDICIAL COURT.

CHIEF JUSTICE.

ARTHUR PRENTICE RUGG, *of Worcester.*

ASSOCIATE JUSTICES.

WILLIAM CALEB LORING, *of Boston.*
 HENRY KING BRALEY, *of Boston.*
 CHARLES AMBROSE DE COURCY, *of Lawrence.*
 JOHN CRAWFORD CROSBY, *of Pittsfield.*
 EDWARD PETER PIERCE, *of Brookline.*
 JAMES BERNARD CARROLL, *of Springfield.*

SUPERIOR COURT.

CHIEF JUSTICE.

JOHN ADAMS AIKEN, *of Greenfield.*

ASSOCIATE JUSTICES.

FRANKLIN G. FESSENDEN, *of Greenfield.*
 JOHN H. HARDY, *of Arlington.*
 CHARLES U. BELL, *of Andover.*
 FREDERICK LAWTON, *of Boston.*
 JABEZ FOX, *of Cambridge.*
 WILLIAM C. WAIT, *of Medford.*
 LLOYD E. WHITE, *of Taunton.*
 LORANUS E. HITCHCOCK, *of Cambridge.*
 WILLIAM F. DANA, *of Newton.*
 JOHN F. BROWN, *of Milton.*
 HENRY A. KING, *of Springfield.*
 GEORGE A. SANDERSON, *of Ayer.*
 ROBERT F. RAYMOND, *of New Bedford.*
 MARCUS MORTON, *of Newton.*
 CHARLES F. JENNEY, *of Boston.*
 JOSEPH F. QUINN, *of Salem.*
 JOHN D. McLAUGHLIN, *of Boston.*
 WALTER PERLEY HALL, *of Fitchburg.*
 HUGO A. DUBUQUE, *of Fall River.*

PATRICK M. KEATING,	<i>of Boston.</i>
FREDERIC H. CHASE,	<i>of Boston.</i>
RICHARD W. IRWIN,	<i>of Northampton.</i>
WILLIAM HAMILTON,	<i>of Springfield.</i>
CHRISTOPHER T. CALLAHAN,	<i>of Holyoke.</i>
JAMES H. SISK,	<i>of Lynn.</i>
PHILIP J. O'CONNELL,	<i>of Worcester.</i>
WEBSTER THAYER,*	<i>of Worcester.</i>

LAND COURT.

JUDGE.

CHARLES T. DAVIS,	<i>of Brookline.</i>
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ASSOCIATE JUDGE.

JOSEPH J. CORBETT,	<i>of Boston.</i>
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RECORDER.

CLARENCE C. SMITH,	<i>of Newton.</i>
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JUDGES OF PROBATE AND INSOLVENCY.

ROBERT GRANT, Boston,	SUFFOLK.
ELIJAH GEORGE, Boston,	SUFFOLK.
ROLLIN E. HARMON,† Lynn,	ESSEX.
HARRY R. DOW, North Andover,	ESSEX.
CHARLES J. McINTIRE, Cambridge,	MIDDLESEX.
GEORGE FIELD LAWTON, Cambridge,	MIDDLESEX.
WILLIAM T. FORBES, Westborough,	WORCESTER.
FREDERICK H. CHAMBERLAIN, Worcester,	WORCESTER.
WILLIAM G. BASSETT, Northampton,	HAMPSHIRE.
CHARLES L. LONG, Springfield,	HAMPDEN.
FRANCIS NIMS THOMPSON, Greenfield,	FRANKLIN.
EDWARD T. SLOCUM, Pittsfield,	BERKSHIRE.
JAMES H. FLINT, Weymouth,	NORFOLK.
LOYED E. CHAMBERLAIN, Brockton,	PLYMOUTH.
ARTHUR M. ALGER, Taunton,	BRISTOL.
RAYMOND A. HOPKINS, Barnstable,	BARNSTABLE.
EVERETT ALLEN DAVIS, West Tisbury,	DUKES.
HENRY RIDDELL, Nantucket,	NANTUCKET.

* Appointed in place of William B. Stevens of Stoneham, who resigned, to take effect March 5, 1917.

† Resigned October 1, 1917.

SPECIAL JUDGES OF PROBATE AND INSOLVENCY.

HENRY P. FIELD, Northampton,	HAMPSHIRE.
CHARLES H. BECKWITH, Springfield,	HAMPDEN.
LYMAN W. GRISWOLD, Greenfield,	FRANKLIN.
WILLIAM A. BURNS, Pittsfield,	BERKSHIRE.

REGISTERS OF PROBATE AND INSOLVENCY.

ARTHUR W. DOLAN, Boston,	SUFFOLK.
HORACE H. ATHERTON, JR., Saugus,	ESSEX.
FREDERICK M. ESTY, Framingham,	MIDDLESEX.
HARRY H. ATWOOD, Worcester,	WORCESTER.
HUBBARD M. ABBOTT, Northampton,	HAMPSHIRE.
FRANK G. HODSKINS, Longmeadow,	HAMPDEN.
JOHN C. LEE, Greenfield,	FRANKLIN.
ARTHUR M. ROBINSON, North Adams,	BERKSHIRE.
J. RAPHAEL McCOOLE, Dedham,	NORFOLK.
SUMNER A. CHAPMAN, Plymouth,	PLYMOUTH.
GUILFORD C. HATHAWAY, Fall River,	BRISTOL.
CLARENDON A. FREEMAN, Chatham,	BARNSTABLE.
BERIAH T. HILLMAN, Edgartown,	DUKES.
ROBERT MACK, Nantucket,	NANTUCKET.

DISTRICT ATTORNEYS.

JOSEPH C. PELLETIER, Boston,	SUFFOLK.
NATHAN A. TUFTS, Waltham,	NORTHERN.
LOUIS S. COX, Lawrence,	EASTERN.
JOSEPH T. KENNEY, New Bedford,	SOUTHERN.
FREDERICK G. KATZMANN, Walpole,	SOUTHEASTERN.
EDWARD T. ESTY, Worcester,	MIDDLE.
JOSEPH B. ELY, Westfield,	WESTERN.
JOHN H. SCHOONMAKER, Ware,	NORTHWESTERN.

SHERIFFS.

JOHN A. KELIHER,* Boston,	SUFFOLK.
SAMUEL A. JOHNSON, Salem,	ESSEX.
JOHN R. FAIRBAIRN, Cambridge,	MIDDLESEX.

* Appointed May 2, 1917, to fill a vacancy caused by the decease of John Quinn, Jr., the duly elected sheriff of Suffolk County, who died April 11, 1917.

ALBERT F. RICHARDSON, Worcester,	. . . . .	WORCESTER.
MAURICE FITZGERALD, Northampton,	. . . . .	HAMPSHIRE.
EMBURY P. CLARK, Springfield,	. . . . .	HAMPDEN.
JAMES B. BRIDGES, Deerfield,	. . . . .	FRANKLIN.
JOHN NICHOLSON, Pittsfield,	. . . . .	BERKSHIRE.
SAMUEL H. CAPEN, Dedham,	. . . . .	NORFOLK.
HENRY S. PORTER, Plymouth,	. . . . .	PLYMOUTH.
EDWIN H. EVANS, Taunton,	. . . . .	BRISTOL.
HENRY M. PERCIVAL, Orleans,	. . . . .	BARNSTABLE.
WALTER H. RENEAR, Tisbury,	. . . . .	DUKES.
JOSIAH F. BARRETT, Nantucket,	. . . . .	NANTUCKET.

CLERKS OF COURTS.

CLARENCE H. COOPER, Boston, Clerk of the Supreme Judicial Court for the Commonwealth.

JOHN F. CRONIN, Boston, Supreme Judicial Court,	. . . . .	SUFFOLK.
FRANCIS A. CAMPBELL, Boston, Sup. Court, Civil Business,	}	SUFFOLK.
JOHN P. MANNING, Boston, Sup. Court, Criminal Business,		
ARCHIE N. FROST,* Lawrence,	. . . . .	ESSEX.
WILLIAM C. DILLINGHAM, Malden,	. . . . .	MIDDLESEX.
THEODORE S. JOHNSON, Worcester,	. . . . .	WORCESTER.
HAYNES H. CHILSON, Northampton,	. . . . .	HAMPSHIRE.
ROBERT O. MORRIS, Springfield,	. . . . .	HAMPDEN.
CLIFTON L. FIELD, Greenfield,	. . . . .	FRANKLIN.
IRVING H. GAMWELL, Pittsfield,	. . . . .	BERKSHIRE.
LOUIS A. COOK, Weymouth,	. . . . .	NORFOLK.
EDWARD E. HOBART, Plymouth,	. . . . .	PLYMOUTH.
SIMEON BORDEN, Fall River,	. . . . .	BRISTOL.
ALFRED CROCKER, Barnstable,	. . . . .	BARNSTABLE.
ARTHUR W. DAVIS, Edgartown,	. . . . .	DUKES.
JOHN C. JONES, Nantucket,	. . . . .	NANTUCKET.

* Appointed May 28, 1917, to fill a vacancy caused by the decease of Edward B. George, the duly elected clerk of courts of Essex County, who died May 9, 1917.

MEMBERS OF THE SIXTY-FIFTH CONGRESS.

[Congressional Districts established by Chap. 674, Acts of 1912, as amended by Chap. 226, General Acts of 1916.]

SENATORS.

HENRY CABOT LODGE, of *Nahant*.
 JOHN WINGATE WEEKS, of *Newton*.

REPRESENTATIVES.

DISTRICT I.—ALLEN T. TREADWAY, of *Stockbridge*.
 II.—FREDERICK H. GILLETT, of *Springfield*.
 III.—CALVIN D. PAIGE, of *Southbridge*.
 IV.—SAMUEL E. WINSLOW, of *Worcester*.
 V.—JOHN JACOB ROGERS, of *Lowell*.
 VI.—AUGUSTUS P. GARDNER,* of *Hamilton*.
 VII.—MICHAEL F. PHELAN, of *Lynn*.
 VIII.—FREDERICK W. DALLINGER, of *Cambridge*.
 IX.—ALVAN T. FULLER, of *Malden*.
 X.—PETER F. TAGUE, of *Boston*.
 XI.—GEORGE HOLDEN TINKHAM, of *Boston*.
 XII.—JAMES A. GALLIVAN, of *Boston*.
 XIII.—WILLIAM H. CARTER, of *Needham*.
 XIV.—RICHARD OLNEY, 2D, of *Dedham*.
 XV.—WILLIAM S. GREENE, of *Fall River*.
 XVI.—JOSEPH WALSH, of *New Bedford*.

* Resigned May 16, 1917.

APPENDIX

The following tables, from 1902 to 1913, inclusive, were prepared by FISHER AMES, Esq. The tables for the years 1914 and 1915 and the index to the General and Special Acts and Resolves of 1915 were prepared by NELSON B. VANDERHOOF, Esq. The tables for the years 1916 and 1917 and the index to the General and Special Acts and Resolves of 1916 and 1917 have been prepared by FRANKLIN F. PHILLIPS, Jr., Esq., appointed to that duty under Revised Laws, chapter 9, section 1, as amended by Acts of 1914, chapter 449, section 1, which directs the governor to appoint a skilled person to prepare a table of changes in the general laws, and an index.

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SECTS. 1-4 affected, 1902, 374 § 4; 1909, 440 § 2, 490 I §§ 1-4, 516; 1914, 198 § 2; 1916, 269 §§ 11, 21. (See also 1904, 403; 1906, 523; 1913, 636.)

SECT. 5 amended, 1906, 315, 493; 1907, 367; 1908, 464 § 1, 594; 1909, 223, 490 I § 5, 516 § 1; 1910, 333, 559 § 3; 1912, 189; 1913, 578; 1914, 83, 518, 523, 761; 1915, 135; 1916, 144, 269 §§ 1, 4, 11, 21; 1917, 136, 257, 270. Real and personal property of militia, 1915, 40. (See 1906, 481; 1913, 832 § 8.) Personal property of certain fraternal societies, 1917, 204 § 1. Clause 3. See 1911, 400, 634 § 7; 1913, 82, 155. Clause 8. See 1913, 578. Clauses 13, 14. See 1916, 299 §§ 3, 4, 5. Provisions for reimbursing cities and towns for loss of taxes on land used for public institutions, 1910, 607; 1911, 478, 1914, 648. For loss of taxes by soldiers' and sailors' exemptions, 1915, 299 §§ 3, 4, 5.

SECT. 6 amended, 1908, 120; 1909, 187, 490 I § 6; 1914, 598 § 26. (See 1914, 720 § 5.)

SECTS. 7-9 repealed and new provisions made, 1902, 374 §§ 1-3, 375; 1909, 440 § 2, 490 I § 7.

SECTS. 10-12. See 1903, 161; 1909, 243, 490 I §§ 8-11; 1911, 135; 1914, 629.

SECTS. 13, 14 amended, 1909, 440 § 2, 490 I §§ 13, 14; 1914, 198 § 2. (See 1904, 385; 1911, 75; 1913, 401; 1916, 269 § 12.)

SECT. 15 amended, 1902, 113; 1909, 440 § 2, 490 I § 15; 1914, 198 § 2; 1915, 237 § 23.

SECT. 16. See 1909, 490 I § 16.

SECT. 17 amended, 1902, 112; 1909, 490 I § 17.

SECTS. 18-22. See 1909, 490 I §§ 18-22.

SECT. 23 amended, 1902, 342 § 1; 1909, 439 § 1, 440 § 2, 490 I § 23; 1911, 383 § 2; 1913, 458; 1914, 198 § 2; 1916, 271. Affected, 1915, 137. (See 1906, 463 III § 126; 1909, 516, § 2.)

SECTS. 24-41. See 1909, 440 § 2, 490 I §§ 24-41; 1910, 260; 1913, 676; 1914, 198 §§ 2, 5.

SECT. 32. See 1916, 269 §§ 12, 13.

SECT. 34 *et seq.* See 1916, 269 §§ 14-18; 1917, 264, § 3.

SECT. 41 revised, 1903, 157 § 1; 1909, 440 §§ 2, 3. (See 1916, 269 § 12.)

SECTS. 42-48. See 1909, 490 I §§ 42-48; 1912, 621; 1916, 130.

SECT. 43 revised, 1916, 294 § 1.

SECT. 49 repealed, 1902, 111. (See 1909, 490 I § 49.)

SECTS. 50-58. See 1909, 490 I §§ 49-57; 1913, 649; 1917, 171.

SECT. 51 *et seq.* See 1913, 564 § 6.

SECT. 54 amended, 1908, 589 § 5.

SECT. 57 amended, 1908, 387 § 1.

SECT. 58 amended, 1907, 181; 1908, 314, 387 § 2; 1909, 440 § 2; 1914, 198 § 2.

SECTS. 59-72. See 1909, 490 I §§ 58-71; 1913, 688; 1915, 237.

SECTS. 60, 61, 63. See 1908, 314; 1909, 490 I §§ 60-63; 1912, 222, 312; 1913, 694.

SECT. 72 superseded, 1909, 490 I § 71; 1913, 688 § 1; 1915, 237 § 21.

SECTS. 73-84. See 1905, 381 § 7; 1906, 268 § 5; 1907, 521 § 3; 1909, 490 I §§ 72-83; 1911, 242; 1913, 226; 1916, 269 § 19.

New section added, 1904, 442 § 1; 1909, 490 I § 84.

SECT. 84 amended, 1902, 91; 1909, 490 I § 83; 1913, 226.

SECTS. 85-101. See 1909, 490 I §§ 65-101; 1911, 89, 366; 1913, 453, 599 § 1; 1914, 198 § 5, 689; 1915, 237 § 17.

SECT. 86 superseded, 1909, 490 I § 86; 1915, 237 § 17.

SECT. 92 *et seq.* See 1916, 299 § 3.

SECT. 93 amended, 1904, 181; 1906, 271 § 11; 1909, 440 § 2, 490 I § 93; 1913, 453; 1914, 198 § 5.

SECT. 94 amended, 1909, 440 § 2, 490 I § 94; 1914, 198 § 2. (See 1908, 314.)

SECT. 100. Apportionment of state tax, 1916, 171; 1917, 288. (See 1909, 490 I § 101; 1914, 198 § 5, 689.)

SECT. 101. See 1909, 449, 490 I § 101; 1911, 366; 1914, 198 § 5, 689.

Chapter 13. — Of the Collection of Taxes.

This chapter is superseded in part by 1909, 490 II; 1911, 370; 1912, 390; 1913, 237, 255, 599 § 2; 1915, 56, 237; 1916, 20, 269 §§ 15-21. (See 1912, 360.)

Act relative to collection of poll taxes, 1913, 679. (See 1907, 560 § 15; 1909, 344 § 1.)

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Act relative to the classification and taxation of wild or forest land, 1914, 598.

Act relative to the taxation of foreign corporations, 1914, 724.

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Act relative to sale of lands purchased or taken by cities and towns for non-payment of taxes, 1915, 56.

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SECT. 13 amended, 1907, 378 § 2, 427; 1909, 490 II § 13, 512; 1915, 237 § 22.

Acts to provide for authoritative ascertainment of municipal liens on real estate, 1907, 378 § 1; 1908, 299; 1909, 490 II § 20. (See 1911, 75.)

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SECT. 26. See 1909, 490 I § 3; 1913, 636.

SECT. 31 amended, 1908, 99 § 1; 1909, 490 II § 32.

SECT. 35 amended, 1909, 440 § 2, 490 II 36; 1914, 198 § 2.

SECTS. 36-49. See 1909, 490 II §§ 37-50; 1913, 255.

SECT. 38 *et seq.* See 1912, 360, 390.

SECT. 43 amended, 1902, 423; 1905, 193; 1909, 490 II § 44; 1911, 370; 1915, 237 § 1.

SECT. 44 amended, 1909, 259, 490 II § 45; 1912, 390.

SECTS. 49, 50. See 1909, 440 § 2, 490 II §§ 50, 51; 1914, 198 § 2.

SECT. 51 superseded, 1915, 237 § 24. (See 1909, 490 II § 52.)

SECTS. 51-69. See 1909, 490 II §§ 52-70.

SECT. 54 superseded, 1915, 237 § 2. (See 1909, 490 II § 55.)

SECT. 58 amended, 1905, 325 § 1; 1909, 490 II § 59; 1915, 237 § 16.

SECTS. 58-69. See 1915, 237 §§ 3-15 inclusive.

SECTS. 60, 61 superseded, 1902, 443; 1909, 490 II §§ 61, 62.

SECT. 61 amended, 1905, 325 § 2.

SECT. 66 superseded, 1915, 237 § 19. (See 1909, 490 II § 67.)

SECT. 67 superseded, 1915, 237 § 20. (See 1909, 490 II § 68.)

SECT. 69. See 1915, 237 § 18.

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SECT. 75 amended, 1905, 325 § 3; 1908, 226; 1909, 490 II § 76; 1915, 237 § 26. (See 1906, 372.)

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SECT. 80 amended, 1908, 247; 1909, 490 II § 82.

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Chapter 14. — Of the Taxation of Corporations.

The law as to the taxation of corporations is revised, 1903, 437 §§ 45-48, 71-87; 1909, 342, 490 III; 1910, 216, 270, 456, 650; 1911, 337, 379, 383, 618; 1912, 457, 491; 1913, 473 § 1; 1914, 198 § 6, 724, 770; 1915, 34, 135, 137, 167, 217, 231 § 21, 233, 238; 1916, 83, 227, 281; 1917, 89, 97, 104 § 1, 268.

Act relative to taxation of corporations formed for the purpose of owning wild or forest lands, 1914, 598.

Act to regulate distribution of corporate franchise tax of domestic corporations, 1910, 456.

Act to provide for the exemption from taxation of certain bonds upon payment of a registration fee, 1914, 761; 1915, 135.

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Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Act to regulate the sale of stocks, etc., by corporations, etc., engaged in the business of publishing or selling school or text books, or conducting correspondence schools, 1914, 658.

Property, bonds, etc., of farmland banks to be exempt from taxation, 1915, 231 § 21.

SECT. 1 amended, 1907, 564 § 1; 1909, 490 III § 1.

SECT. 2 amended, 1904, 99; 1906, 322; 1907, 564 § 2; 1909, 430, 490 III § 2; 1912, 543; 1913, 792; 1917, 261. (See 1908, 550 § 1.)

Act to establish grades for salaries of clerks and stenographers, 1914, 605.

Provision for supervisors of assessors, 1908, 550; 1909, 490 III § 2.

SECTS. 3-5. See 1909, 490 III §§ 3-5; 1911, 370; 1912, 272.

SECT. 4 amended, 1906, 271 § 1; 1908, 468; 1909, 440 § 2. Provision for order by commission as to method of keeping records, 1909, 490 III § 7. And revision of valuation, 1910, 260. (See 1910, 607; 1911, 478; 1914, 648.) Date of assessment changed to April first, 1914, 198 § 2.

SECT. 5 amended, 1908, 433 § 1. (See 1908, 433 § 2.)

SECTS. 6, 7 repealed, 1908, 468. (See 1911, 184.)

SECTS. 8, 9. See 1909, 490 III §§ 8, 11; 1914, 198 § 2.

Assessment of salaries and expenses of railroad and gas and electric light commissions and of vessels engaged in foreign carrying trade, 1909, 490 III §§ 9, 10.

SECTS. 10-18. See 1909, 490 III §§ 12-20; 1914, 198 § 2.

SECT. 17 amended, 1906, 271 § 2.

SECT. 19 amended, 1906, 271 § 3; 1907, 246; 1909, 342 § 1, 490 III § 21; 1911, 337; 1912, 189.

SECTS. 19-36. See 1909, 490 III §§ 21-38; 1910, 216; 1911, 383.

SECT. 20 amended, 1906, 271 § 4; 1909, 342 § 2.

SECT. 22 amended, 1906, 271 § 5.

SECT. 23. See 1909, 419 § 25; 1915, 268 § 8.

SECT. 24 amended, 1903, 307 § 1; 1909, 490 III § 26; 1915, 217 § 1. (See 1914, 724.)

SECTS. 24-34 amended. See 1909, 490 III §§ 26-32; 1910, 235; 1914, 724; 1915, 217; 1916, 227; 1917, 97.

SECT. 32 amended, 1906, 271 § 6; 1909, 440 § 1. (See 1914, 724.)

SECT. 33 amended, 1906, 271 § 8. (See 1914, 724.)

SECT. 34. See 1911, 339; 1914, 724.

SECT. 35 amended, 1908, 520 § 12; 1909, 440 § 2.

SECTS. 35, 36. See 1909, 490 III §§ 37, 38; 1910, 216.

SECTS. 37-40 in part repealed, 1903, 437 §§ 48, 95; 1906, 463 II §§ 125 *et seq.*, 211, 217, 258; 1912, 695. (See 1902, 342 §§ 2-4.)

SECT. 37 amended, 1909, 267 § 1, 440 § 2, 490 III § 40; 1914, 198 § 6; 1915, 34. (See 1910, 650; 1911, 184; 1915, 137; 1917, 268.)

SECT. 38 amended, 1909, 267 § 2, 439 § 2, 440 § 2. (See 1902, 342 § 3; 1903, 437 §§ 71, 95; 1909, 490 III § 41; 1910, 270; 1911, 379; 1914, 198 § 6; 1915, 34, 137; 1917, 268.)

SECT. 39 amended, 1902, 342 § 3; 1906, 463 II § 258; 1909, 439 § 3, 490, III § 42; 1914, 198 § 6. (See 1915, 137.)

SECT. 40 amended, 1906, 271 § 9; 1909, 490 III § 43; 1914, 198 § 6.

SECTS. 41, 43-47 repealed, 1906, 463 III § 158. (See 1906, 463 III §§ 130, 133; 1909, 440 § 3, 490 III §§ 44, 47-51.)

SECT. 42 amended, 1902, 342 § 5. In part repealed, 1903, 437 § 95; 1909, 439 § 4, 490 III § 45; 1914, 198 § 6. (See 1906, 463 III § 129; 1915, 137.)

Assessment in case of abatement of corporation tax, 1904, 442 § 2; 1909, 490 III § 46.

SECT. 48. See 1909, 490 III § 52; 1914, 724; 1915, 137.

SECTS. 49-52 repealed, 1903, 437 § 95. (See 1904, 261 § 1; 1914, 724.)

SECT. 53. See 1909, 490 III § 53.

SECTS. 54-63 in part repealed, 1903, 437 § 95. (See 1906, 349, 516; 1908, 614; 1909, 440 § 2, 490 III §§ 58-63; 1914, 198 § 6; 1915, 34.)

Taxation of foreign corporations, 1903, 437 § 75; 1907, 578; 1909, 490 III §§ 54-56; 1915, 167; 1916, 83; 1917, 89. (See 1914, 761, 770; 1915, 135, 238.)

SECTS. 54-58. Penalties for non-payment of corporation taxes. See 1909, 490 III §§ 58-63; 1914, 198 § 2.

SECT. 54 amended, 1906, 271 § 10; 1909, 490 III § 57.

SECT. 55 amended, 1908, 318; 1909, 490 III § 59, 528; 1914, 198 § 6. (See 1911, 339.)

SECTS. 58, 61 amended, 1909, 440.

SECT. 59. See 1909, 490 III § 59; 1911, 339; 1914, 198 § 6; 1915, 34.

SECT. 61 amended, 1903, 437 § 86; 1906, 516 § 20; 1908, 614 § 1; 1909, 490 III § 64; 1914, 198 § 6; 1916, 299 §§ 1, 2.

SECTS. 62-64. See 1909, 490 III §§ 65-67.

SECT. 65 amended, 1909, 490 III § 68. (See 1903, 437 § 77; 1907, 329, 586 § 6; 1908, 220; 1914, 724; 1915, 137 § 1.)

SECTS. 66-68 in part repealed, 1903, 437 § 95. (See 1914, 724.)

SECT. 67 amended, 1906, 349; 1909, 490 III § 70.

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Chapter 15. — Of the Taxation of Collateral Legacies and Successions.

This chapter is repealed and superseded by 1907, 563; 1908, 268, 624; 1909, 266, 268, 490 IV, 527; 1910, 440, 481; 1911, 191, 359, 502, 551; 1912, 234, 678; 1913, 498, 689; 1914, 462, 563; 1915, 64, 152; 1916, 268. (See 1902, 473; 1903, 248, 251, 276; 1904, 421; 1905, 367, 470; 1906, 436.)

As to bequest or devise free of tax, see 1907, 452, 563 § 11; 1909, 490 IV §§ 10, 11.

SECT. 8. See 1912, 360.

Chapter 16. — Of the Militia.

This chapter is repealed by 1905, 465 § 194, and superseded by 1917, 327. (See 1902, 158, 336, 493; 1903, 151, 247, 377, 457, 481; 1904, 226, 231, 361, 371, 439; 1905, 202, 298, 391, 465, 468; 1906, 198, 212, 273, 373, 423, 469, 504; 1907, 232, § 4, 305, 356, 526; 1908, 315, 317, 344, 354, 371, 434, 604; 1909, 118, 167, 170, 280, 298, 300, 323; 1910, 225, 227, 228, 283, 299, 348, 513; 1911, 145, 298, 326, 449, 514, 554, 594, 663, 642, 670, 747; 1912, 58, 67, 71, 87, 116, 117, 138, 142, 147, 268, 358, 365, 399, 441, 444, 464, 506, 519, 568, 593, 665, 720; 1913, 268, 321, 468, 524, 532, 664, 710, 733, 812; 1914, 161, 196, 342, 350, 362, 376, 380, 460, 481, 715, 718, 751, 752, 758; 1915, 31, 40, 71, 126, 203, 289; 1916, 1, 8, 10, 86, 123, 126, 127, 165, 170, 207, 209, 221, 279, 284; 1917, 92, 93, 105, 147, 148, 197, 211, 239, 254, 300, 301, 334, 342 § 10.)

Acts relative to state and military aid and to the burial of indigent soldiers and sailors, 1909, 468; 1910, 467, 470.

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Act to authorize the commonwealth, counties, cities and towns to petition for assessment of damages by a jury for taking land for armories, etc., 1914, 33.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act to authorize the transfer of a part of the state camp ground to the town of Framingham for the erection thereon of a military monument, 1916, 207.

Act to provide for the organization of a home guard in time of war, 1917, 148, 342 § 10.

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Act to authorize cities and towns to pay to their employees who enlist in the service of the United States the difference between their military and their municipal compensation, 1917, 254.

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Chapter 17. — Of Notaries Public and Commissioners.

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SECTS. 5-11. See 1917, 342 §§ 13-16.

Chapter 18. — General Provisions relative to State Officers.

Retirement system for state employees, 1911, 532; 1912, 363; 1913, 310, 711; 1914, 419, 568, 582; 1915, 197, 198; 1916, 54, 164. (See 1913, 807; 1915, 244.) Retirement of veterans in the service of the commonwealth, 1907, 458; 1915, 95.

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Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

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SECT. 13 revised, 1903, 229 § 1. (See 1910, 473.) Treasurers and disbursing officers of state institutions shall keep an office and books, 1908, 195. (See 1905, 330; 1908, 269; 1909, 504 § 22; 1912, 442.)

SECT. 14 repealed, 1903, 229 § 2.

No public officer or body, or member thereof, shall interfere with employment in public service corporations, 1903, 320; 1908, 228; 1909, 514 §§ 25, 26.

SECT. 16 amended, 1904, 295; 1916, 196.

Chapter 19. — Of the Civil Service.

Extensions of the provisions of this chapter, 1903, 102; 1904, 143; 1907, 292; 1909, 382; 1910, 624 § 1; 1911, 468; 1912, 78, 504, 579, 597; 1913, 484, 548, 672; 1914, 486, 692 § 2; 1916, 296, § 2, 297. (See 1915, Sp. Acts 100, 116, 219.) Limitations, 1902, 413; 1904, 430; 1908, 185; 1909, 311, 432, 453 § 2; 1911, 550 § 19; Res. 1911, 142; 1912, 212, 614; 1913, 344, 816; 1914, 440, 479; 1917, 118.

Act relative to employees of the bureau of statistics employed in connection with the taking of the decennial census, 1914, 692 § 2.

Removals and suspensions regulated, 1904, 314; 1905, 243; 1906, 210; 1907, 272; 1911, 624; 1915, 251; 1916, 113. (See 1900, 69 § 3; 1904, 288; 1907, 245, 458; 1909, 405 § 1; 1912, 550.)

Retirement system for state employees, 1911, 532; 1912, 363; 1913, 310, 711; 1914, 419, 568, 582; 1915, 198; 1916, 54, 75, 164. (See 1915, 197 §§ 1, 2.) Retirement of veterans in the employ of the state, 1907, 458; 1915, 95.

Acts to establish pension systems, 1910, 619; 1911, 113, 338, 413, 532, 634; 1912, 363; 1913, 63, 310, 313, 367, 642, 671; 1914, 419; 1915, 47, 234; 1916, 75. (See 1911, 673, 675; 1913, 657.)

Act relative to posting notices of examinations, 1906, 277.

Act relative to promotion of laborers and mechanics in the public service, 1914, 479.

Act to authorize the giving of preference in appointment and employment to citizens, 1914, 600.

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A board of publication is established, 1902, 438. A board of labor and industries, 1912, 726.

Act to establish grades for salaries of clerks and stenographers employed in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

SECT. 1 amended, 1906, 159; 1907, 344; 1910, 608; 1916, 297 § 1. (See 1915, 296 § 2.)

SECT. 2 amended, 1907, 454; 1914, 664, 665. (See 1916, 297 § 2.) Additional employees, 1906, 465 § 1; 1910, 184, 204. (See 1908, 195.)

SECT. 4 *et seq.* See 1906, 277; 1916, 297 § 5.

SECT. 5 amended, 1902, 308; 1915, 6. (See 1916, 297 §§ 3, 4.)

SECT. 6 *et seq.* Acts relative to civil service rules and regulations, 1904, 198; 1909, 382; 1914, 600; 1916, 297 § 4. (See also 1904, 194; 1911, 352.)

SECT. 7. See 1914, 486, 600.

SECT. 9. Exemptions, 1907, 245; 1916, 220 § 3.

SECTS. 10, 11. See 1908, 210; 1909, 332.

SECT. 12 amended, 1911, 119.

SECT. 13 amended, 1911, 63. (See 1911, 119.)

SECT. 15. See 1914, 600 § 2.

SECT. 16 amended, 1912, 212; 1915, 76.

SECTS. 21, 22 limited, 1902, 413; 1904, 430; 1908, 185; 1909, 311, 432; 1912, 614; 1913, 344, 816; 1914, 440. (See 1914, 577 § 2.)

SECT. 23 extended, 1904, 314. Amended, 1905, 150; 1910, 500. Limited, 1909, 311, 453 § 2; 1916, 56. Retirement pension of veterans, 1907, 458; 1909, 398; 1910, 459; 1911, 113, 725; 1912, 55, 395, 447; 1913, 313, 545, 671, 681; 1915, 95.

SECT. 30 *et seq.* See 1907, 581; 1910, 55.

SECT. 33 amended, 1917, 17.

SECT. 34 revised, 1910, 359.

SECT. 36 amended, 1902, 544 § 3.

SECT. 37. See 1903, 102; 1904, 143, 288; 1914, 138.

Chapter 20. — Of Counties and County Commissioners.

Act to authorize certain counties to aid corporations organized to promote agriculture and to improve country life, 1914, 707.

Retirement system for county employees, 1911, 634; 1913, 817; 1915, 234. (See 1916, 75, 88.) Payment for injuries while employed, 1911, 751; 1912, 571, 666, 684; 1913, 807; 1915, 123, 132, 236, 244, 275, Sp. Act 314.

Act relative to hours of labor of certain employees of counties, 1914, 623.

Act to give to cities original and concurrent jurisdiction over highways, county roads and bridges, 1913, 546.

Act relative to the payment by counties of fees and expenses incurred in the prosecution of certain offenders in respect to railroad property, 1914, 745.

County commissioners authorized to kill sheep-worrying dogs in certain cases, 1902, 226; 1904, 127. To provide bacteriological facilities, 1913, 328. Provision for bounty for killing a wild-cat or Canada lynx, 1903, 344. Damages caused by deer, 1903, 407; 1912, 438. (See 1908, 379; 1909, 396; 1910, 545.)

County commissioners authorized to expend certain amounts for additional clerical assistance in municipal, police or district courts within their respective counties, 1914, 690.

Act relative to wages of mechanics employed in the construction of public works, 1914, 474.

Act authorizing the commonwealth, counties, cities and towns to petition for assessment of damages by a jury for taking or injuring real estate, 1914, 33.

Act to fix the salaries of scrubwomen employed by the county of Suffolk, 1914, 413; 1917, 272.

Act relative to the appointment of interpreters for the superior court and their payment by the counties, 1914, 673.

Act to provide for the making of copies of certain records in the registry of deeds for the middle district of Berkshire county, 1914, 478. (See 1916, 9.)

Act to prohibit the pledge, mortgage, sale, assignment or transfer of pensions granted by counties, 1916, 75.

Act to prohibit payment to pensioners and annuitants for services rendered to municipalities and counties, 1916, 88.

Act to provide for the construction by counties of tuberculosis hospitals for cities and towns having less than fifty thousand inhabitants, 1916, 286; 1917, 103.

SECT. 7. See 1909, 271.

SECTS. 8, 9 in part repealed, 1911, 581 § 4. (See 1904, 165; 1911, 587; 1914, 553.)

SECT. 14. Salaries classified and established, 1904, 451; 1905, 179; 1906, 290; 1910, 537; 1911, 299; 1913, 603, 651; 1915, 272. (See 1902, 411, 544 § 4.) Last sentence amended, 1911, 162.

SECT. 16 amended, 1908, 431 § 1.

SECT. 17 revised, 1908, 431 § 2.

SECT. 19 revised, 1908, 431 § 3.

SECT. 20 limited, 1908, 640 § 6; 1913, 778 § 12. (See 1915, 66 § 1.)

SECT. 24 *et seq.* See 1902, 226; 1903, 243, 344; 1906, 463 I § 23, II §§ 117, 122; 1908, 542, 552, 606 §§ 5-7; 1909, 47 § 1, 213, 398; 1910, 459; 1913, 633 § 2, 803, 835 §§ 391, 392; 1914, 180, 707, 1915, 177; 1916, 286. (See 1914, 530, 581; 1915, 189, 225; 1916, 132, 286; 1917, 57, 64, 68, 103, 114, 120, 127, 145, 174, 175, 236, 241, 246, 251, 258, 276, 315, 329.)

SECT. 27. Provision to secure persons furnishing materials or labor on public works, 1904, 349; 1909, 514 § 23. (See 1907, 188.)

SECT. 30. See 1904, 317, 443 §§ 2, 6.

Chapter 21. — Of County Treasurers, the Controller of County Accounts and County Finances.

Retirement system for county employees, 1911, 634; 1913, 817; 1915, 234. (See 1912, 723.) Payment for injuries, 1911, 751; 1912, 571, 666, 684; 1913, 807; 1915, 123, 132, 236, 244, 275, Sp. Act 314.

Act relative to examination of accounts of county officers and others, 1914, 216.

Counties may invest sinking funds in bonds of farmland banks, 1915, 231 § 16.

Act relative to disposition of treasurer of county of Berkshire, of certain unclaimed awards for damage done by dogs, 1917, 30.

SECT. 1. See 1904, 451 § 4; 1908, 391; 1913, 835 §§ 391, 392.

SECT. 2 amended. Salaries classified and established, 1904, 451; 1905, 179; 1910, 537; 1911, 299. Essex, 1913, 423. Middlesex, 1906, 290.

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SECT. 4 amended, 1915, 51.

- SECT. 8 *et seq.* See 1916, 269 § 26. Certain advances authorized, 1912, 77; 1914, 542. (See 1913, 191.)
- SECTS. 9-13. See 1909, 271; 1912, 387.
- SECT. 11. See 1909, 136; 1912, 377.
- SECT. 20. See 1904, 277 § 2.
- SECT. 21. See 1908, 464, 594; 1909, 136, 148; 1910, 137; 1912, 377.
- SECT. 22 amended, 1911, 36; 1913, 121. (See 1913, 120.)
- SECTS. 25-28. See 1911, 634.
- SECT. 27 amended, 1911, 447. (See 1915, 189 § 6, 225 § 4.)
- SECT. 39 amended, 1914, 386.
- SECTS. 39, 40. Non-interest-bearing notes may be issued and sold at a discount, 1904, 153. (See 1908, 464 § 1, 594; 1909, 136, 148; 1910, 137.) Bonds to be exempt from taxation in Massachusetts, if so stated on face, 1908, 461 § 1; 1909, 490 I § 5.
- Act to provide for the registration of bonds, etc., held in sinking funds, 1912, 377; 1916, 152; 1917, 116. (See 1909, 136.) Act relative to filing of official letters, 1913, 702.
- SECT. 44. See 1909, 271.
- SECT. 46 amended, 1912, 406; 1914, 546.
- SECT. 48 amended, 1911, 35; 1914, 216.

Chapter 22. — Of Registers of Deeds.

Provision for registers *pro tempore*, 1909, 213.

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SECT. 9. See 1907, 225; 1912, 64.

SECT. 12 amended, 1906, 67. (See 1907, 225.)

SECT. 13. See 1909, 271; 1910, 373, 473; 1911, 136; 1912, 635 §§ 87, 88.

SECT. 14. See 1910, 376.

SECT. 18. See 1907, 225.

SECT. 21 *et seq.* See 1909, 271.

SECTS. 22, 23 affected, 1909, 160.

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SECT. 30. Suffolk added, 1909, 291; 1910, 373.

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Act to authorize the appointment of a court officer of the superior court for the county of Middlesex to act as chief deputy sheriff, 1916, 133; 1917, 320.

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SECT. 14 revised, 1912, 496; 1917, 94.

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Chapter 25. — Of Towns and Town Officers.

Acts relative to municipal indebtedness, 1913, 719, 727; 1914, 55, 143, 317, 587 § 2, 740; 1915, 2, 18, 83, 115, 138, 285; 1916, 62, § 1, 101, 111, 309, 314 §§ 1, 6; 1917, 179 §§ 1, 7. (See 1914, 742 § 98; 1915, 85, 285; 1917, 264 § 2.)

Act relative to the incurring of debt by cities, towns and districts under special acts, 1914, 740.

Towns may invest sinking funds in bonds of farmland banks, 1915, 231, § 16.

Towns may regulate town meetings and elections, 1902, 346; 1907, 560 §§ 359, 360; 1909, 149; 1912, 252, 308, 473; 1913, 835 V § 393 *et seq.*; 1915, 284; 1916, 59. Pensions and pension systems, 1907, 186; 1908, 498; 1910, 619; 1911, 338; 1912, 503; 1915, 47. (See 1913, 657, 671; 1914,

352 §§ 2, 3; 1916, 75, 88.) Provision for payment for injuries received by employees, 1911, 751 II §§ 6-8; 1912, 571, 666, 684; 1913, 807; 1914, 618; 1915, 123, 132, 236, 244, 275, Sp. Act 314; 1916, 307.

Act to establish the financial year of towns, 1913, 692.

Act relative to the filing of official letters, 1913, 702.

Provision for treatment or purification of sewage, 1909, 433.

Provision for boards of survey, 1907, 191. For planning boards in certain towns, 1913, 494; 1914, 283; 1915, 165. (See 1911, 607; 1913, 595, 655 § 14.)

Acts relative to establishing homesteads for workmen in suburbs of cities and towns, 1911, 607; 1912, 714; 1913, 494 § 3, 595; 1914, 283 § 2; 1915, 129; 1917, 310.

Act to determine disposition of premiums on municipal bonds, 1910, 379; 1914, 742 § 98.

Certain towns must establish and maintain isolation hospitals for dangerous diseases, 1911, 613. (See 1906, 365; 1909, 391.) And tuberculosis dispensaries, 1911, 576; 1914, 408. (See 1911, 597; 1912, 637.) Act for encouraging and promoting the building and use of tuberculosis hospitals, 1911, 597; 1912, 637; 1916, 57, 197, 286; 1917, 103, 251, 290.

Towns not maintaining hospitals may appropriate money for free beds in hospitals, 1915, 44.

Act to prohibit the charging of fees by town clerks, etc., for certificates relating to minors, 1914, 316.

Town may provide for appointment of a town accountant, 1910, 624; 1916, 252. (See 1910, 598; 1911, 207; 1912, 387; 1913, 669, 706 § 2; 1916, 13; 1917, 24, 159, 192.) Inspector of petroleum, 1911, 204. May provide industrial schools, 1911, 471 § 4. (See 1906, 505; 1908, 572; 1909, 457, 540; 1912, 106; 1915, 266.) For an advisory or finance committee, 1910, 130 § 1. May establish a rifle range, 1908, 256. Public gymnasiums, baths, etc., 1908, 392. (See 1915, 25.) An art commission, 1911, 146. Town may appropriate money for observance of "old home week or day," 1902, 109; 1907, 311. And, not exceeding \$500, for band concerts, 1904, 152; 1908, 290. For propagation and cultivation of shellfish, 1904, 282 § 1; 1909, 469; 1913, 549; 1914, 597; 1916, 35. Employment of nurses, 1911, 72. Removal of snow and ice from sidewalks in certain cases and assess cost on abutting estates, 1902, 205. Monuments to soldiers and sailors of the revolution, 1903, 116. (See 1910, 90.) Grand Army posts, 1913, 62. Maintenance of highways, with neighboring city or town, 1907, 196. Improvement of harbors, etc., 1909, 481 § 3. Towns may regulate and license junk collectors, 1902, 187. May grant permits in certain cases for transportation of intoxicating liquors, 1906, 421 § 2; 1911, 423. May contribute toward expenses of state highways, 1904, 125. May regulate speed of automobiles and motor cycles and use thereof in certain ways, 1909, 534 § 17; 1913, 803; 1914, 190; 1916, 293. (See 1903, 473 § 14; 1905, 311, 366; 1906, 353, 412; 1907, 203, 494, 580; 1908, 263, 467; 1912, 400; 1917, 246.) May license lunch wagons, 1908, 360. May establish hours of labor of fire department, 1904, 315; 1909, 514 § 44. (See 1909, 514 § 42; 1911, 494; 1913, 822.) Promotion of call men in fire department, 1913, 487 § 1;

1914, 138; 1916, 119. May provide for care of neglected burial grounds, 1902, 389; 1915, 156. For care of graves of soldiers and sailors, 1914, 122. May restrict catching of pickerel, 1905, 417. (See 1912, 110; 1913, 573.) And lobsters, 1909, 265. May regulate renting of boats or bathing suits for use on great ponds, 1910, 400. Selectmen may authorize street railway companies to take land for certain purposes, 1903, 476 § 1. Towns having no electric light may contract therefor with street railway companies, 1902, 449; 1906, 218; 1914, 742 § 109. (See 1906, 463 III § 60; 1915, 191.) May repair streets and bridges disturbed by street railway construction in certain cases and be reimbursed therefor, 1916, 302 §§ 1, 2. Provision for suppressing elm leaf beetles and gypsy and brown-tail moths, 1902, 57; 1905, 381; 1906, 268; 1907, 475, 521; 1908, 591; 1910, 150; 1911, 474; 1913, 585, 600, 605; 1914, 404; 1915, 80, 124, 171. (See 1909, 263; 1911, 242; 1912, 112.) Bounty to be paid for killing a wild-cat, Canada lynx or loup-cervier, 1903, 344. As to damages caused by wild deer, see 1903, 407; 1905, 419; 1908, 377; 1909, 396; 1912, 438. Act for protection of forest or sprout land from fire, 1908, 209. (See 1907, 475; 1909, 394 § 2, 422.) Provision for repayment to certain towns of part of cost of apparatus to prevent or extinguish forest fires, 1910, 398; 1914, 262. For protection of sources of water supply, 1908, 499. Provision for public playgrounds in certain cities and towns. 1908, 513; 1910, 508; 1912, 223; 1915, 25. Free meals for school children, 1913, 575. Suitable conveyances for children taken to courts and asylums, 1914, 272. Maintenance of dental dispensaries for children, 1914, 667. For sanitary stations in certain towns, 1911, 596. Disposition of certain disabled horses, 1908, 133. Regulation of construction and use of buildings, 1912, 334; 1913, 655; 1917, 156. Act relative to tenement houses in towns, 1912, 635; 1913, 441, 614. May acquire real estate and appropriate money for agricultural demonstration work, 1914, 707 § 9. May establish classes for training teachers for continuation and vocational schools, 1914, 174. (See 1914, 391.)

Provision for reimbursing towns for loss of taxes on land used for public institutions, 1910, 607; 1911, 478; 1914, 648.

No town or town official shall publish names of persons aided by poor department, 1910, 412. (See 1912, 231.)

Acts relative to the supervision of the business of plumbing, 1909, 536; 1910, 597; 1912, 518, 635 § 34; 1913, 786 § 32.

Act relative to the taking of land by cities and towns for municipal purposes, 1915, 263.

Acts relative to taking land in certain cases by right of eminent domain, 1904, 317, 443; 1905, 390; 1913, 401; 1915, 263. (See 1902, 521 § 1; 1905, 266; 1913, 68, 148.)

Act relative to common landing places, 1908, 606.

Act to provide for registration of bonds, etc., in sinking funds, 1909, 136 § 1; 1912, 377; 1916, 152; 1917, 116.

Towns may make agreements with railroads relative to the maintenance of surfaces and approaches of bridges, 1914, 200.

Act relative to vacations of laborers employed by cities and towns, 1914, 217. Hours of labor, 1911, 494; 1916, 240.

Act relative to disposal of slash or brush following lumber operations, 1914, 101.

Act to provide for better prevention of fires in the metropolitan district, 1914, 795; 1916, 138. (See 1915, 296 § 2; 1916, 291; 1917, 140.)

Act providing that citizens of the commonwealth shall be given preference in appointment and employment by towns and cities, 1914, 600.

Cities and towns authorized to establish municipal building insurance funds, 1905, 191; 1907, 576 § 102. And contingent and reserve funds, 1912, 347; 1913, 645.

Act relative to the appointment of sealers and deputy sealers of weights and measures, 1914, 452.

Towns and cities may raise money to procure privilege of borrowing books, etc., from other cities and towns, 1914, 118.

Act relative to the giving of bonds to towns in blasting operations, 1911, 325; 1914, 155.

Provision for the compiling of the general laws relative to towns, Res. 1914, 86.

Regulation of the production, inspection and sale of milk in cities and towns, 1909, 405, 443; 1914, 744; 1916, 134, 151, 228; 1917, 112, 256. (See 1911, 278; 1915, 109; 1917, 259.)

Act to authorize the appointment of women as special police officers, 1914, 510.

Act relative to the classification and taxation of wild or forest lands in towns and cities, 1914, 598.

Act to provide for aiding free public libraries in small towns, 1914, 373.

Act relative to injuring water meters and the unlawful use of water 1914, 284. And to the testing of water meters, 1914, 397.

Act authorizing the commonwealth, counties, cities and towns to petition for assessment of damages by a jury for taking or injuring real estate, 1914, 33.

Act relative to wages of mechanics employed in the construction of public works, 1914, 474.

Act relative to the qualifications of town inspectors of masonry construction, 1914, 540.

Act relative to signs, awnings and other projections in public ways, 1915, 176. (See 1913, 632, 680.)

Act to authorize the establishment of public markets by cities and towns, 1915, 119; 1916, 79.

Establishment of boards of commissioners of trust funds, 1915, 282.

Act to authorize cities and towns to appropriate money for conducting proceedings relative to certain acts of public service corporations, 1916, 23.

Act relative to fees for the registration of motor trucks owned by cities and towns, 1916, 52.

Act to prohibit the pledge, mortgage, sale, assignment or transfer of pensions granted by towns, 1916, 75.

Act to prohibit payment to pensioners and annuitants for services rendered to municipalities and counties, 1916, 88.

Act to authorize the granting of temporary licenses to sell certain articles for charitable purposes, 1916, 188.

Act relative to the manner in which records of cities and towns shall be kept, 1917, 19.

Act to authorize payment to employees who enlist in the service of the United States, the difference between their military and their municipal compensation, 1917, 254.

Act to authorize certain emergency appropriations in time of war, 1917, 264.

SECT. 13 extended, 1907, 232 § 1.

SECT. 14 amended, 1902, 544 § 6. (See 1908, 499.)

SECT. 15 repealed in part, 1915, 145 §§ 7, 13. Par. 4, see 1914, 272. Par. 5, see 1904, 125; 1907, 196. Par. 11, see 1916, 314. Par. 12 amended, 1913, 62. Par. 13 amended, 1903, 116; 1910, 90. (See 1914, 122.) Par. 15, see 1903, 483. See also, 1908, 290, 392, 498; 1914, 118, 677, 707 § 9; 1916, 309.

SECT. 16 repealed and superseded, 1915, 145 § 13. (See 1902, 57; 1905, 381; 1906, 268; 1907, 521; 1908, 591; 1909, 444; 1914, 404; 1915, 80, 124, 171.)

SECT. 18 amended, 1908, 91; 1915, 164.

SECT. 22 amended, 1909, 289. (See 1908, 452.)

SECT. 23. Par. 1, see 1910, 565 § 2. Par. 4, see 1902, 205. Par. 7, see 1903, 383 § 3. Par. 8, see 1903, 459; 1909, 103 § 1. (See 1914, 284, 397.)

SECT. 24. See 1903, 473 § 14; 1905, 366 § 1; 1914, 182.

SECT. 26 revised. By-laws to be approved by attorney-general and published three times, 1904, 344 § 1; 1910, 130 § 2. (See 1904, 344 § 2; 1905, 144.)

SECT. 27. Repeal and substitute, 1907, 117; 1908, 142.

SECT. 28. See 1911, 136.

SECT. 29. See 1910, 412, 598.

SECT. 31 *et seq.* Towns and cities may authorize laying of pipes and conduits for conveyance of water, 1903, 459. (See 1913, 422.) And for heating and power, 1909, 103 § 1.

SECT. 32. See 1912, 377.

SECT. 35 extended, 1902, 361.

SECT. 37. See 1905, 266; 1914, 33.

SECT. 39 affected, 1910, 405.

SECT. 44. See 1909, 371 § 6; 1910, 598; 1913, 727; 1914, 55; 1915, 85, 285; 1916, 62 § 2; 1917, 49, 159.

SECT. 45 *et seq.* See 1904, 317, 443; 1905, 266, 390; 1915, 263.

SECT. 49. See 1905, 266; 1914, 33; 1915, 263.

SECT. 52. See 1906, 463 III §§ 64-66; 1911, 442, 481; 1914, 742 § 127.

SECTS. 53, 54. See 1914, 742 § 127.

SECT. 55. See 1911, 339; 1914, 742 § 127.

SECT. 57. Repeal and substitute, 1909, 514 §§ 22, 145. (See 1904, 349.)

SECT. 59 *et seq.* See 1904, 364; 1905, 317 § 2; 1906, 277; 1908, 209 § 3, 306, 402 § 2, 484 §§ 2, 4; 1911, 325 § 1, 614, 727 § 22; 1912, 391; 1916, 252; 1917, 55 § 3, 185 § 2.

SECT. 65 affected, 1907, 191 § 1, 560 § 371, 579 § 1.

SECT. 68. See 1907, 560 § 371, 579.

SECT. 69 amended, 1909, 517 § 3. (See 1908, 550.)

SECT. 71. See 1914, 272; 1916, 160 § 1.

SECT. 72 *et seq.* See 1904, 458 § 3; 1910, 379, 624 §§ 2, 5; 1912, 377, 387; 1915, 282 § 2; 1916, 269 § 26, 293.

Acts relative to form of notes for money borrowed, 1910, 616; 1912, 45, 49; 1915, 84. (See 1912, 377; 1913, 416, 677.)

SECT. 74 amended, 1904, 277 § 1. Police officer or treasurer may prosecute for fines, etc., 1904, 277 § 2.

SECT. 75. See 1908, 99; 1909, 490 II §§ 32, 85.

SECTS. 76-78. Provision for special collector, 1910, 272; 1916, 131 § 2. For reimbursing towns for loss of taxes on land used for public institutions, 1910, 607; 1911, 478; 1914, 648.

SECT. 77 amended, 1916, 131 § 1.

SECT. 79. Certain trust accounts to be audited, 1904, 322. (See 1906, 296; 1912, 377, 387.) Provision for town accountants, 1910, 624; 1911, 207; 1916, 252. (See 1912, 387; 1913, 669.)

SECTS. 81-83 repealed, 1917, 344, Part 8, § 1. Act to authorize establishment of board of survey, 1907, 191. (See 1907, 560 § 364; 1908, 552; 1911, 222; 1916, 190, 302 §§ 1, 2; 1917, 185 § 1.)

SECT. 83. See 1902, 57.

SECT. 84. See 1909, 433.

SECT. 85 repealed, 1917, 344, Part 8, § 1. (See 1917, 34.)

SECT. 85 *et seq.* See 1916, 302 §§ 1, 2.

SECT. 86 repealed, 1917, 344, Part 8, § 1.

SECT. 87. Inspectors of milk, 1909, 405; 1910, 114, 457; 1914, 744. (See 1911, 278.) Fish and game wardens, 1912, 465.

SECT. 91 *et seq.* See 1912, 372, 482; 1914, 126.

SECT. 94. Policemen and firemen may be pensioned, 1904, 327. (See 1911, 137; 1916, 75, 88.) And their widows, 1907, 186. (See 1909, 453; 1913, 545, 671, 681; 1916, 75, 88.) Provision for license to carry loaded pistol, 1906, 172 § 1; 1908, 350; 1911, 548. Vacations for policemen, 1908, 476; 1911, 210, 625. (See 1909, 346 § 2.) Appointment of women as special police officers authorized, 1914, 510.

SECT. 95. See 1909, 490 II § 13, 512.

SECT. 99. See 1909, 514 § 37.

SECT. 100. See 1908, 464, 594; 1911, 339.

Chapter 26. — Of Cities.

An act to simplify the revision of city charters, 1915, 267; 1916, 68, 99; 1917, 162.

Acts relative to municipal indebtedness, 1913, 719, 727; 1914, 55, 143, 317, 587 § 2, 740; 1915, 2, 18, 83, 115, 138, 285; 1916, 62 § 1, 101, 111, 309, 314 §§ 1, 6; 1917, 179 §§ 1, 7. (See 1914, 742 § 98; 1915, 85, 1917, 264 § 2.)

Act to prohibit the charging of fees by city clerks for certificates relating to minors, 1914, 316.

Act relative to the incurring of debt by cities, towns and districts under special acts, 1914, 740.

Contracts made by cities shall be open to inspection by the public, 1907, 343; 1909, 201.

As to jurisdiction over highways and bridges, see 1913, 546.

Act relative to disposal of slash or brush following lumber operations, 1914, 101.

Cities may make agreements with railroads relative to the maintenance of the surfaces and approaches of bridges, 1914, 200.

Cities may repair highways and bridges disturbed by street railway construction in certain cases and be reimbursed therefor, 1916, 302 §§ 1, 2.

Provision for reimbursing cities for loss of taxes on lands used for public institutions, 1910, 607; 1911, 478; 1914, 648.

Act to determine disposition of premiums upon municipal bonds, 1910, 379; 1914, 742 § 98. To provide for registration of bonds, etc., in sinking funds, 1912, 377; 1916, 152; 1917, 116.

Act providing that citizens of the commonwealth shall be given preference in appointment and employment by cities and towns, 1914, 600.

Provision for treatment or purification of sewage, 1909, 433. Inspection of milk, 1909, 405; 1914, 744; 1916, 134. (See 1911, 278.) Inspection of petroleum, 1911, 204. Cold storage, 1910, 640; 1912, 652. For sanitary stations, 1911, 596. To encourage and promote building and use of tuberculosis hospitals, 1911, 597; 1912, 637; 1916, 57, 197, 286; 1917, 103, 251, 290. Tuberculosis dispensaries, 1911, 576; 1914, 408. (See 1911, 167.)

Cities must provide a place for preservation of certain public documents, 1907, 117; 1908, 142. Isolation hospitals for dangerous diseases, 1911, 613. (See 1906, 365; 1909, 391.) Provision for dental dispensaries for children, 1914, 677. No city or city official shall publish names of persons aided by poor department, 1910, 412. Cities to provide suitable conveyances for neglected children taken to courts or asylums, 1914, 272.

Acts relative to establishing homesteads for workmen in the suburbs of cities and towns, 1911, 607; 1912, 714; 1913, 494 § 3, 595; 1914, 283 § 2; 1915, 129; 1917, 310.

Provision for planning boards, 1913, 494; 1914, 283. (See 1911, 607; 1913, 595.) Cities and towns authorized to establish municipal building insurance funds, 1905, 191; 1907, 576 § 102. Retirement systems for employees, 1910, 619; 1911, 338; 1912, 503; 1913, 671; 1915, 47. (See 1914, 352 §§ 2, 3; 1916, 75, 88.) To establish industrial schools, 1906, 505 § 3. Provision for payment for injuries to employees, 1911, 751; 1912, 571, 666, 684; 1913, 807; 1914, 636; 1915, 123, 132, 236, 244, 275, Sp. Acts 270, 314; 1916, 307. Evening classes in practical arts for women, 1912, 106; 1915, 266. (See 1908, 572; 1909, 540; 1911, 471 § 11.) Art commissions, 1911, 146. A rifle range, 1908, 256. Provision for suppressing elm leaf beetles and gypsy and brown-tail moths, 1902, 57; 1905, 381; 1906, 268; 1907, 475, 521; 1908, 591; 1910, 150; 1911, 474; 1913, 585, 600, 605; 1914, 404; 1915, 80, 124, 171. (See 1909, 263; 1911, 242; 1912, 112.) For disposition of disabled horses, 1908, 133.

City may appropriate money for observance of "home week," 1902, 109. For memorials of persons who served in Spanish-American war, 1902, 286. And war of the revolution, 1903, 116. Free meals for school children, 1913, 575. Care of neglected burial grounds, 1902, 389. Care of the graves of soldiers and sailors, 1914, 122. Propagation and cultivation of shellfish, 1904, 282 § 1. (See 1909, 265, 469; 1913, 549; 1914, 597.) Maintenance of highway, with neighboring city or town, 1907, 196. May contribute toward expense of state highways, 1904, 125. May regulate and license junk collectors, 1902, 187. Erection and use of buildings, 1912, 234; 1913, 655; 1917, 156. And renting of boats or bathing suits for use on great ponds, 1910, 400. Lunch wagons, 1908, 360. May regulate speed of automobiles and motor cycles, and use thereof in certain ways, 1909, 534 § 17; 1914, 190; 1916, 293. (See 1903, 473 § 14; 1905, 311, 366; 1906, 353, 412; 1907, 203, 494, 580; 1908, 263, 467; 1912, 400; 1913, 803; 1917, 246.) May establish hours of labor of fire department, 1906, 315; 1909, 514 § 44. Promotion of call men in fire department, 1913, 487 § 1; 1914, 139; 1916, 119. Provision for pensions in certain cases, 1907, 186; 1908, 498; 1910, 619; 1911, 338; 1912, 503; 1915, 47. (See 1911, 113, 413; 1913, 657, 671; 1914, 352 §§ 2, 3; 1916, 75, 88.) Aldermen may authorize street railway companies to take land for certain purposes, 1903, 476 § 1. (See 1906, 463 III § 59.) Cities may authorize laying of pipes and conduits for conveyance of water, 1903, 459. (See 1913, 422.) May grant permits in certain cases for transportation of intoxicating liquors, 1906, 421 § 2; 1907, 517; 1911, 423. May raise money to procure privilege of borrowing books, etc., from another city or town having a library, 1914, 118. May establish classes for the training of teachers for continuation and vocational schools, 1914, 174. (See 1914, 391.) Provision for public playgrounds in certain cities and towns, 1908, 513; 1910, 508; 1912, 223; 1915, 25.

Cities may invest sinking funds in bonds issued by farmland banks, 1915, 231 § 16.

Acts relative to the production and sale of milk, 1909, 405, 443; 1914, 744; 1916, 134, 151, 228; 1917, 112, 256. (See 1911, 278; 1915, 109; 1917, 259.)

Act relative to injuring water meters and unlawful use of water, 1914, 284. To testing of water meters, 1914, 397.

Act relative to the appointment of sealers and deputy sealers of weights and measures, 1914, 452.

Act relative to the taking of land by cities and towns for municipal purposes, 1915, 263.

Acts relative to taking land in certain cases by right of eminent domain, 1904, 317, 443; 1905, 390; 1913, 401; 1915, 263. (See 1902, 521 § 1; 1905, 266; 1913, 68, 148.)

Acts relative to giving of bonds to cities in blasting operations, 1911, 325; 1914, 155.

Act relative to vacations for laborers employed by cities and towns, 1914, 217; 1915, 60; 1916, Sp. Act 129; 1917, 16. Hours of labor, 1911, 494; 1916, 240.

Act relative to days off for members of fire departments in certain cities, 1915, 97.

Act relative to the wages of mechanics employed in the construction of public works, 1914, 474.

Act to authorize the appointment of women as special police officers, 1914, 510.

Act relative to the classification and taxation of wild or forest lands in cities and towns, 1914, 598.

Act relative to the qualifications of city inspectors of masonry construction, 1914, 540.

Act to provide for the better prevention of fires in the metropolitan district, 1914, 795; 1916, 138. (See 1915, 296 § 2; 1916, 291; 1917, 140.)

Act authorizing the commonwealth, cities and towns to petition for assessment of damages by a jury for taking or injuring real estate, 1914, 33.

Acts relative to the administration of the city of Boston, 1909, 486; 1910, 414; 1912, 550. (See 1914, 274.)

Act to extend the authority of city of Boston to obtain information on municipal affairs, 1914, 274.

Act relative to signs, awnings and other projections in public ways, 1915, 176. (See 1913, 632, 680.)

Act to authorize the establishment of public markets by cities and towns, 1915, 119; 1916, 79.

Establishment of boards of commissioners of trust funds, 1915, 282.

Act to authorize cities and towns to appropriate money for conducting proceedings relative to certain acts of public service corporations, 1916, 23.

Act relative to fees for the registration of motor trucks owned by cities and towns, 1916, 52.

Act to prohibit the pledge, mortgage, sale, assignment or transfer of pensions granted by cities, 1916, 75.

Act to prohibit payment to pensioners and annuitants for services rendered to municipalities and counties, 1916, 88.

Act to provide for reports by and to the overseers of the poor in certain cases of blindness, 1916, 160 § 1.

Act to authorize cities to maintain schools of agriculture and horticulture, 1916, 185.

Act to authorize the granting of temporary licenses to sell certain articles for charitable purposes, 1916, 188.

Act to authorize cities to establish boards of survey, 1916, 190.

Act to provide for purchasing departments in cities, 1916, 223.

Act relative to the manner in which records of cities and towns shall be kept, 1917, 19.

Act to authorize payment to employees who enlist in the service of the United States the difference between their military and their municipal compensation, 1917, 254.

Act to authorize certain emergency appropriations in time of war, 1917, 264.

SECT. 2. See 1904, 349; 1906, 277, 296 § 1; 1908, 552; 1910, 412; 1911, 325 § 1, 614; 1912, 377, 387; 1915, 282; 1916, 309.

SECT. 7. Overseers of the poor to be elected for three years in certain cities, 1902, 444. (See 1914, 272.)

SECTS. 7, 8. See act relative to term of office of municipal auditors, 1905, 373. And of police officers, 1906, 210; 1907, 272.

SECT. 9. See 1915, 138.

SECT. 15. See 1906, 277 § 2; 1913, 408.

SECT. 18. See 1910, 640; 1912, 652.

SECT. 19. See 1906, 210; 1907, 272; 1908, 476.

SECT. 21 amended, 1910, 261. Cities (except Boston) may provide annuities for widows and minor children of police officers who die from injuries received in discharge of duty, 1902, 437. (See 1903, 312, 428; 1909, 188, 453; 1913, 545, 657, 671, 681.) Vacations for policemen, 1908, 476; 1911, 210, 625. Pensions for policemen and firemen, 1904, 327; 1913, 697, 800; 1916, 218. (See 1913, 545, 657, 671, 681, 770; 1915, 97.)

SECT. 22. See 1907, 577; 1909, 514 §§ 52, 145.

SECT. 26 superseded, 1914, 198 § 3. (See 1909, 289, 440 § 2.)

SECT. 28 amended, 1915, 2. (See 1903, 457; 1904, 371; 1905, 391, 465 § 112; 1913, 62.)

SECT. 33 limited, 1908, 48.

SECT. 37. See 1911, 339.

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Cities and towns authorized to establish municipal building insurance funds, 1905, 191; 1907, 576 § 102.

Acts relative to the issuing of notes by fire, water, watch, light and improvement districts, 1913, 727; 1914, 55; 1915, 85, 285.

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SECTS. 9, 10. Provision for registration of bonds, etc., held by the commonwealth and by sinking fund commissioners, 1909, 136 § 1; 1912, 377; 1916, 152; 1917, 116. For disposition of premiums on bonds, 1910, 379.

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SECT. 13 amended, 1908, 341 § 1; 1911, 350 § 1. (See 1909, 486 § 26, 490 I § 96; 1910, 437; 1911, 165, 308; 1914, 742 § 98 *et seq.*; 1915, 115.)

SECTS. 13-15. See 1902, 325; 1911, 463.

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127.) Provision for reforestation, 1908, 478; 1909, 214; 1914, 598 §§ 17, 18, 720. (See 1909, 187, 394; 1912, 127.)

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SECTS. 6, 8, 10. See 1913, 210.

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SECT. 10 amended, 1908, 341 § 3.

SECT. 16 affected, 1914, 33.

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SECT. 19 revised, 1910, 508 § 1; 1915, 25. (See 1912, 223; 1915, 263.)

SECTS. 19-22. See 1908, 513; 1913, 719 § 3.

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SECT. 23 amended, 1913, 564 § 1; 1915, 162. (See 1915, 263.)

SECT. 24 affected, 1914, 33. (See 1915, 263.)

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SECT. 13 amended, 1910, 93 § 3. (See 1910, 249; 1911, 269, 310.)

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Acts relative to the pensioning of laborers in the employ of fire and water districts, 1913, 671; 1914, 352.

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SECT. 20 amended, 1907, 475 § 3. (See 1907, 299.)

SECT. 23. See 1914, 598 § 21.

SECT. 24 repealed, 1916, 51 § 5. (See 1908, 209; 1911, 244; 1912, 419 §§ 3, 4.)

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SECT. 59 *et seq.* affected, 1915, 85; 1916, 62 § 2. (See 1908, 594; 1909, 136, 148; 1910, 137, 379; 1915, 285.)

SECT. 67 revised, 1908, 98.

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Chapter 34. — Of the Manufacture and Distribution of Gas and Electricity by Cities and Towns.

This chapter is repealed and superseded by acts to consolidate the laws relating to the manufacture, distribution and sale of gas and electricity, 1914, 742; 1915, 20, 92, 191, 192, 264; 1916, 64. (See 1915, 115.)

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

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Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

SECT. 1 in part repealed, 1906, 463 III § 158. Superseded, 1914, 742 §§ 92, 199. (See 1902, 449; 1906, 218, 463 III § 59 *et seq.*)

SECTS. 2-6 superseded, 1914, 742 §§ 93-97, 199.

SECT. 7 revised, 1908, 341 § 4. Affected, 1914, 742 § 98.

SECT. 8 affected, 1914, 742 § 98.

SECT. 9 superseded, 1914, 742 § 99.

SECT. 10 superseded, 1914, 742 § 100; 1915, 20 § 1. (See 1903, 255 § 1.)

SECT. 11 superseded, 1914, 742 § 101. (See 1905, 410 §§ 1, 7; 1906, 422.)

SECT. 12 superseded, 1914, 742 § 102. (See 1905, 410 § 2.)

SECTS. 13-17 superseded, 1914, 742 §§ 103-107, 199.

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SECT. 19 superseded, 1914, 742 § 112.

SECT. 20 superseded, 1914, 742 § 113. (See 1905, 410 § 3.)

SECT. 21 superseded, 1914, 742 § 114. (See 1905, 410 § 4; 1906, 411; 1908, 486.)

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SECT. 23 amended, 1903, 177 § 1.

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SECTS. 6-8. See 1911, 140; 1913, 93; 1914, 118.

SECT. 11 affected, 1910, 396 § 1.

SECT. 11 *et seq.* See 1902, 470 § 1; 1913, 668; 1915, 106; 1917, 239.

SECT. 12 amended, 1910, 396 § 2; 1914, 373 § 2. (See 1914, 522.)

SECTS. 13-15. See 1914, 373.

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Acts to consolidate the board of education and the commission on industrial education, 1909, 457; 1910, 282; 1911, 466; 1912, 80. (See 1915, 296 § 2; 1917, 74 § 2, 215.)

Acts relative to vocational education, 1906, 505; 1908, 572, 639; 1909, 457, 472, 489, 540; 1911, 471, 605; 1912, 106; 1913, 295, 384; 1914, 174, 391; 1915, 266; 1916, 95 § 1; 156, 160 § 2; 1917, 61, 142, 167, 176, 215, 247. (See 1904, 248; 1905, 211; 1910, 567; 1912, 445; 1913, 805.)

Acts relative to the employment of school teachers through the board of education, 1906, 399; 1907, 213; 1911, 375, 731 § 1; 1913, 205. (See 1908, 427.)

Board may provide transportation for children in certain cases, 1903, 483. Form or adjust unions of towns for employment of superintendents, 1903, 299; 1904, 215; 1911, 384, 444. State Normal School, Framingham, 1914, 579.

Act to establish a department of university extension and to provide for correspondence courses of education, 1915, 294.

Act to regulate correspondence and other like schools, 1914, 658. (See 1915, 294.)

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SECT. 2 amended, 1904, 234 § 1.

SECTS. 3-9 superseded, 1909, 457; 1910, 282; 1911, 466; 1912, 80; 1913, 421. (See 1903, 456; 1904, 173, 234; 1906, 502 § 6; 1908, 189; 1917, 74 § 2.)

SECT. 6 amended, 1909, 457 § 4.

SECT. 9. See 1906, 200; 1908, 427; 1911, 375. (See, also, Res. 1914, 52.)

SECT. 10 amended, 1912, 79. (See 1908, 597; Res. 1914, 52.)

SECT. 11. See 1908, 257.

SECTS. 12-16 repealed, 1904, 234 § 3. (See 1903, 456; 1906, 502 § 6; 1907, 457; 1908, 189; 1910, 282; 1911, 466; 1912, 80.)

SECT. 15. See 1906, 399 § 2.

SECT. 17. See 1912, 481.

SECTS. 19-21. See 1906, 385; 1907, 173.

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SECT. 6 amended, 1913, 340.

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Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Acts relative to use of school halls for other than school purposes, 1911, 367; 1912, 157, 320; 1913, 391; 1914, 538; 1915, 294 § 3.

Act relative to the tenure of office and salaries of teachers and superintendents of public schools, 1914, 714.

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489; 1908, 629.) For a department of university extension and correspondence courses of education, 1915, 294.

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Act to prohibit inquiries as to the religious or political belief of applicants for positions in the public schools, 1917, 84.

Provision for promotion of instruction for immigrants; bureau of immigration established, 1917, 321.

SECT. 1 revised, 1917, 169. (See 1908, 181; 1910, 524; 1911, 247; 1912, 368 § 3; Res. 1914, 52.)

SECT. 2 amended, 1914, 556. (See 1908, 427; 1911, 375, 537.)

SECT. 3 amended, 1902, 433; 1906, 200; 1911, 537; 1913, 396. (See 1908, 427; 1913, 779 § 1.)

SECT. 8. See 1903, 299; 1911, 384, 444.

SECT. 10 repealed, 1906, 505 § 8.

SECT. 11 superseded, 1914, 590.

SECTS. 11-13. See 1909, 514 § 7; 1911, 241, 309; 1913, 467.

SECT. 14. See 1904, 172.

SECT. 20. See 1905, 328; 1908, 354.

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SECTS. 27, 34. Acts relative to authority of school committees, 1906, 251, 399; 1911, 309, 314, 367; 1912, 320; 1913, 391, 832 § 9; 1914, 538, 714. (See 1914, 128.)

SECT. 28. See 1906, 399; 1908, 498; 1911, 731.

SECT. 30 repealed, 1903, 456 § 4. (See 1904, 107.)

SECT. 31 amended, 1914, 714.

SECT. 32 affected, 1914, 714.

SECT. 34 amended, 1910, 201.

SECT. 39. See 1904, 107 § 2.

SECTS. 40, 41, 44 affected, 1911, 444; 1914, 714.

SECT. 43 amended, 1911, 399; 1912, 114. (See 1906, 505 § 4.)

SECTS. 43-48. Board of education may form or adjust unions of towns, 1903, 299; 1904, 215; 1911, 384, 444. (See 1911, 375, 731; 1914, 714 § 7.)

SECT. 44 amended, 1911, 384.

SECT. 49. See 1911, 367; 1912, 157, 320; 1913, 391; 1914, 538.

SECT. 50 revised, 1911, 232. (See 1909, 229; Res. 1911, 5.)

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SECTS. 1, 2 amended, 1912, 368 §§ 1, 2.

SECT. 3 amended, 1914, 443 § 1; 1916, 102 § 1. (See 1910, 249; 1911, 269, 310.)

SECT. 4 amended, 1912, 368 § 3; 1913, 356; 1914, 443 § 2; 1915, 90; 1916, 102 § 2.

SECTS. 5-9 amended, 1912, 368 §§ 4-8.

SECT. 11 amended, 1912, 368 § 9. (See 1905, 320; 1906, 383.)

Chapter 44. — Of School Attendance.

Act to prohibit the charging of fees for certificates relating to school attendance, etc., 1914, 316.

SECT. 1 amended, 1905, 320; 1906, 383; 1913, 779 §§ 1, 2; 1915, 81. Affected, 1916, 66. (See 1915, 94.)

SECTS. 1-4 revised, 1913, 779 §§ 1-4; 1915, 78, 81. Transfer cards for pupils changing their residences, 1915, 94. (See 1903, 483; 1905, 320, 375; 1906, 383, 413, 489; 1909, 514 § 17; 1910, 249; 1911, 241, 268, 269, 309, 310; 1912, 191, 368 § 9; 1913, 467, 779 § 1, 831 §§ 19, 24-26; 1914, 590, 738; 1915, Sp. Act 34; 1916, 82, 95 § 1.)

SECT. 4 amended, 1905, 375; 1911, 268 § 2; 1913, 779 § 4; 1915, 78.

SECT. 5. See 1913, 779 § 4.

SECT. 6 amended, 1906, 371; 1907, 215.

Chapter 45. — Of the Nautical Training School.

Title changed, 1913, 224.

SECT. 5 amended, 1903, 171. (See 1908, 195, 469; 1913, 295; 1914, 615.)

Chapter 46. — Of Truants and Truant Schools.

Act to provide for the commitment of habitual truants, habitual absentees and habitual school offenders, 1906, 389. (See 1906, 413, 489, 499 § 3; 1907, 137, 158, 195, 411; 1908, 286; 1909, 514 §§ 57, 62-65; 1911, 202, 265, 605; 1913, 457, 467, 471 § 2, 779 § 13; 1914, 207; 1916, 243.)

Acts relative to wayward and delinquent children, 1906, 413, 489, 499; 1907, 411; 1908, 637; 1909, 216; 1911, 595; 1912, 187; 1913, 796; 1916, 243. (See 1910, 332; 1911, 116, 605; 1913, 457, 471, 831 § 25.)

Acts relative to commitments to the industrial school for boys, 1909, 472 § 2; 1911, 605; 1914, 207.

Act to authorize the establishment of disciplinary day schools in the city of Boston and the abolition of the parental school of said city, 1914, 738; 1915, Sp. Act 34.

Act to provide for a county training school in Hampden county for habitual truants, 1915, 122; 1916, 121.

SECT. 1 amended, 1902, 256; 1913, 779 § 5; 1914, 738. (See 1906, 148; 1908, 103.)

SECTS. 3-6 revised, 1913, 779 §§ 6-9; 1914, 738. (See 1903, 330 §§ 1-3; 1904, 220 §§ 1-3; 1906, 389, 413, 489; 1908, 286; 1912, 368 § 9; 1913, 831 §§ 19, 24-26; 1916, 243.)

SECT. 8 revised, 1913, 779 § 10. (See 1904, 220 § 4.)

SECT. 9 amended, 1903, 308 § 1.

SECT. 10 revised, 1913, 779 § 11; 1914, 738. (See 1903, 330 § 4.)

SECT. 11. See 1903, 334 §§ 1-3; 1906, 389, 413, 489, 499 § 5, 501; 1907, 137, 158, 195; 1916, 243.

SECT. 12 amended, 1912, 552, 711.

SECT. 13 revised, 1913, 779 § 12. (See 1904, 356; 1906, 499; 1911, 175; 1912, 372.)

Chapter 47. — Of State Highways.

This chapter is repealed by 1917, 344, Part 8, § 1, and superseded by 1917, 344, Part 1. (See 1904, 125; 1909, 454; 1910, 487, 498; 1913, 774; 1914, 304; 1915, 8.)

Provision for maintenance of state highways, 1913, 773, 774; 1914, 514.

As to the Massachusetts highway commission, see 1903, 473; 1904, 108, 117; 1905, 311; 1906, 412, 433; 1907, 446, 580; 1908, 279, 296 § 4, 642, 648; 1909, 134, 454, 464, 534 §§ 17, 18, 20, 24-27, 31; 1910, 487, 488, 498, 511, 514, 591, 646; 1911, 38, 184, 557, 578, 677, 678, 746; 1912, 591 § 5, 646, 647, 677, 697, 699, 703, 704, 715 § 8, 716, 717; 1913, 116, 530, 639, 663, 773, 774, 803; 1914, 182, 203, 204, 304, 420, 514, 585, 659, 668, 741, Res. 88; 1915, 8, 145, 195, 196, 221; 1916, 42, 77, 202, 203, 204, 205, 206, 210, 211, 212, 213, 214, 215, 216, 217, 219, 230, 290; 1917, 1, 4, 67 § 2, 186, 187, 219 § 2, 230, 246 §§ 1, 2, 276, 329.

Act to codify and amend the laws relative to public shade trees, 1915, 145. (See 1905, 279; 1908, 296, 297.)

Act to regulate the use of air craft, 1913, 663.

Provision for expenses, 1902, 246; 1903, 280; 1904, 244; 1908, 642.

Act relative to proof of contributory negligence in actions for damages for injuries, 1914, 553.

Act to regulate operation of motor vehicles in Nantucket, 1914, 585.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to spreading of tar, oil and other slippery substances upon public ways, 1916, 124.

Act to accept the provisions of an act of congress providing that the United States shall aid the states in the construction of rural post roads, 1917, 67.

Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

Act relative to the construction of ditches and drains by official having charge of highways, 1917, 329.

SECTS. 1, 2 superseded, 1917, 344, Part 1, §§ 1, 2. Acts relative to motor vehicles and to the operation thereof, 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 123, 530, 803; 1914, 190, 204, 420, 585, 695; 1915, 10, 11, 16, 19, 87, 99; 1916, 42, 52, 140, 260, 290, 293; 1917, 4, 186, 187, 200, 219, 246 § 3, 276. (See 1902, 315; 1903, 473; 1905, 311, 366; 1906, 353, 412, 433; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 516; 1911, 477, 507, 578; 1912, 184; 1917, 246.)

SECT. 3 superseded, 1917, 344, Part 1, § 3. (See 1906, 433 § 4; 1910, 514.)

SECT. 5 amended, 1909, 464 § 1.

SECT. 6 superseded, 1917, 344, Part 1 § 6. (See 1904, 108 § 1, 117, 317, 443; 1909, 464 § 2; 1915, 8.)

SECT. 7 superseded, 1917, 344, Part 1 § 7. (See 1910, 498.)

SECTS. 9, 13 superseded, 1917, 344, Part 1, §§ 9, 16. (See 1905, 266.)

SECT. 10 superseded, 1917, 344, Part 1, § 10. Towns and cities may contribute toward expense of construction, 1904, 125. (See 1907, 196.)

SECT. 11 superseded, 1917, 344, Part 1, § 11. (See 1905, 279; 1910, 498; 1914, 304.)

SECT. 12 superseded, 1917, 344, Part 1 § 13. (See 1912, 697; 1913, 778 § 11.)

SECT. 13 superseded, 1917, 344, Part 1, § 16. (See 1914, 553.)

SECT. 16 superseded, 1917, 344, Part 1, § 21. (See 1903, 280 § 2; 1904, 244; 1908, 642 § 1; 1909, 454, 534 § 30; 1910, 525, 605; 1913, 773; 1914, 514; 1917, 276.)

SECT. 17 superseded, 1917, 344, Part 1, § 23. (See 1908, 279.)

SECT. 20, superseded, 1917, 344, Part 1, § 28. (See 1914, 304.)

SECT. 21 superseded, 1917, 344, Part 1, § 29. (See 1905, 279; 1906, 463 III § 72; 1909, 134; 1914, 742 §§ 130, 199.)

Chapter 48. — Of the Laying Out of and Discontinuance of Ways and of Damages caused by the Taking of Land for Public Uses.

This chapter is repealed by 1917, 344, Part 8, § 1 and superseded by 1917, 344, Part 2. (See 1913, 546, 572.)

Provision for appeal in case of alteration of name of a public way, place or section or of any public park, where the name has been in use for twenty-five years, 1909, 134.

Act relative to common landing places, 1908, 606.

Provision for laying out, etc., of ways by a board of survey: In towns, 1907, 191. (See 1907, 560 § 364; 1908, 552; 1911, 222, 1912, 554; 1916, 190, 302 §§ 1, 2; 1917, 185.) In cities, 1916, 190. (See 1917, 185.) And for maintenance by neighboring cities or towns, 1907, 196. As to maintenance of certain bridges, see 1908, 552. Maintenance of state highways, 1913, 774.

Act relative to the taking of land by cities and towns for municipal purposes, 1915, 263.

Acts relative to damages for the taking of property by right of eminent domain, 1904, 317; 1905, 390; 1913, 401; 1915, 263, 281. (See 1902, 521 § 1; 1913, 68, 148, 525; 1914, 33, 569.)

Act to authorize the commonwealth, counties, cities and towns to petition for assessment of damages by a jury for taking or injuring real estate, 1914, 33.

Act relative to signs, awnings and other projections in public ways, 1915, 176. (See 1913, 632, 680.)

Act to discontinue as a state highway a certain part of Washington street in the towns of Norwood and Westwood, 1916, 77.

Act relative to the construction of ditches and drains by officials having charge of highways, 1917, 329.

SECT. 1 superseded, 1917, 344, Part 2, § 1. (See 1912, 554 § 1.)

SECTS. 1-5 superseded, 1917, 344, Part 2, §§ 1-5. (See 1907, 191.)

SECT. 3 superseded, 1917, 344, Part 2, § 3. (See 1912, 554 § 2.)

SECTS. 4-7 superseded, 1917, 344, Part 2, §§ 4-7. (See 1912, 554 §§ 3-6.)

SECT. 8 superseded, 1917, 344, Part 2, § 8. (See 1912, 554 § 7.)

SECT. 11 superseded, 1917, 344, Part 2, § 12. (See 1912, 554 § 8.)

SECT. 12 superseded, 1917, 344, Part 2, § 13. (See 1907, 191 § 4; 1912, 554 § 9.)

SECTS. 13-16 superseded, 1917, 344, Part 2, §§ 14-17. (See 1904, 317, 443; 1905, 390; 1915, 263.)

SECTS. 17-26 superseded, 1917, 344, Part 2, §§ 18-26. (See 1906, 463 II § 95 *et seq.*; 1911, 741 § 21; 1913, 777 § 34.)

SECT. 20 superseded, 1917, 344, Part 2, 21. (See 1914, 33.)

SECTS. 20, 26, 27 superseded, 1917, 344, Part 2, §§ 21, 26, 27. (See 1905, 266.)

SECT. 27 superseded, 1917, 344, Part 2, § 27. (See 1914, 33; 1915, 263.)

SECT. 52 superseded, 1917, 344, Part 2, § 30. (See 1903, 243; 1904, 125; 1907, 196.)

SECTS. 54, 55 superseded, 1917, 344, Part 2, §§ 32, 33. (See 1908, 431 §§ 4, 5.)

SECT. 56 superseded, 1917, 344, Part 2, § 34. (See 1912, 554 § 10.)

SECT. 68 *et seq.* superseded, 1917, 344, Part 2, § 42 *et seq.* (See 1904, 317; 1915, 263.)

SECT. 80 superseded, 1917, 344, Part 2, § 54. (See 1914, 33.)

SECT. 84 superseded, 1917, 344, Part 2, § 57. (See 1915, 263.)

SECT. 85 superseded, 1917, 344, Part 2, § 59. (See 1906, 463 III § 50.)

SECT. 88. Ways in Suffolk, 1888, 397; 1891, 323; 1892, 401, 415 § 3, 418; 1895, 494; 1896, 237; 1897, 166, 167, 319, 394; 1898, 210, 252, 298, 566; 1899, 433, 443, 450; 1900, 478; 1901, 199, 465; 1902, 521; 1906, 214, 258, 393; 1912, 240, 661; 1913, 536, 554. (See 1898, 540 § 2; 1903, 331 § 2; 1905, 205 § 1; 1908, 447; 1913, 148, 432, 680; 1914, 569; 1915, 176.)

An act relative to Boston bridges, 1902, 224. (See 1904, 412.)

SECT. 93 superseded, 1917, 344, Part 2, § 64. (See 1914, 33.)

SECT. 97 superseded, 1917, 344, Part 2, § 68. (See 1904, 117.)

SECT. 102 superseded, 1917, 344, Part 2, § 72. (See 1911, 142.)

SECT. 103 superseded, 1917, 344, Part 2, § 73. (See 1913, 572; 1917, 56.)

SECT. 104 superseded, 1917, 344, Part 2, § 75. (See 1912, 24.)

SECT. 105 superseded, 1917, 344, Part 2, § 76. (See 1910, 511 § 1.)

SECT. 106 amended, 1910, 511 § 2.

SECT. 107 *et seq.* superseded, 1917, 344, Part 2, § 77 *et seq.* (See 1904, 317; 1908, 490; 1909, 243; 1911, 135; 1914, 33; 1915, 263.)

SECT. 109 superseded, 1917, 344, Part 2, § 79. (See 1914, 742 § 128.)

SECT. 113 superseded, 1917, 344, Part 2, § 83. (See 1914, 33.)

SECT. 114 superseded, 1917, 344, Part 2, § 84. (See 1911, 741 § 21; 1913, 777 § 34.)

Chapter 49. — Of Sewers, Drains and Sidewalks.

Act to provide for treatment or purification of sewage, 1909, 433.

As to metropolitan water and sewerage system, see 1889, 439; 1895, 342, 406, 488; 1897, 80, 81, 83, 88, 502; 1899, 342; 1900, 108; 1901, 168, 498; 1902, 101, 189, 213, 391, 535; 1903, 161, 242, 356; 1904, 186, 230, 246, 273, 317, 426, 431; 1905, 457; 1906, 235, 337, 338, 369, 404, 406, 457, 530; 1907, 165, 238, 349, 524; 1908, 556, 558; 1909, 177, 243, 258, 282, 320, 453, 473; 1910, 32, 291, 292; 1911, 5, 541; 1912, 528, 694; 1913, 422, 525, 685; 1914, 343, 455, 601, Res. 96; 1915, 147, 150, 210; 1916, 93, 94, 96, 100, 159, 172, 258; 1917, 3, 285, 287, 322, 314.

As to Boston, see 1891, 323; 1892, 402; 1894, 227, 256; 1895, 297, 494; 1896, 237, 359; 1897, 426; 1898, 257; 1899, 450; 1900, 126, 478; 1901, 199; 1902, 521, 526; 1903, 268; 1906, 393; 1912, 371; 1913, 536, 554; 1914, 569; 1917, 322.

Provision for separate systems of drainage, 1903, 383. (See 1907, 464; 1912, 635 §§ 6, 37.)

Act to authorize the commonwealth, counties, cities and towns to petition for assessment of damages by jury for taking of real estate for the purpose of sewers, etc., 1914, 33.

Act relative to the qualifications of inspectors of masonry construction employed by the metropolitan water and sewerage board, etc., 1914, 540.

Act relative to municipal liens for construction of streets, sewers and sidewalks, 1915, 227; 1916, 256.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

Act to provide for the use of certain parts of the sewerage system of the city of Revere by the commonwealth, 1917, 177.

Act relative to the construction of ditches and drains by officials having charge of highways, 1917, 329.

SECT. 1. See 1907, 191 § 4; 1915, 263; 1916, 190 § 5.

SECT. 2. See 1904, 317, 443; 1905, 266, 390; 1915, 263.

SECT. 4. See 1914, 33.

SECT. 6. See 1911, 75; 1916, 128.

SECT. 15 amended, 1907, 177; 1908, 356; 1910, 330; 1914, 450.

SECT. 16 amended, 1908, 453.

SECT. 18. See 1915, 227; 1916, 256.

SECT. 23 affected, 1915, 227; 1916, 256.

SECT. 24 amended, 1907, 365.

SECT. 30. See 1903, 383 § 1.

SECT. 33. See 1915, 227; 1916, 256.

SECT. 43. See 1915, 227; 1916, 256.

SECTS. 43-45. Provision for apportionment of sidewalk assessments, 1908, 216.

SECT. 45. See 1915, 227; 1916, 256.

Chapter 50. — Of Betterments and Other Assessments on Account of the Cost of Public Improvements.

This chapter is repealed by 1917, 344, Part 8, § 1, and superseded by 1917, 344, Part 3.

Provision for authoritative ascertainment of municipal liens on real estate, 1907, 378; 1908, 299; 1909, 490 II § 20. (See 1911, 75; 1916, 128.)

Act relative to municipal liens for the construction of streets, sewers and sidewalks, 1915, 227; 1916, 256.

As to assessments in Boston, see 1902, 521 § 1, 527; 1903, 235; 1906, 393; 1912, 371; 1913, 536.

Act to authorize the commonwealth, counties, cities and towns to petition for assessment of damages by a jury for taking or injuring real estate, 1914, 33.

SECT. 1 superseded, 1917, 344, Part 3, § 1. (See 1904, 443 § 23; 1906, 463 III §§ 67-69; 1913, 546.)

SECT. 2 superseded, 1917, 344, Part 3, § 2. (See 1915, 227; 1916, 256.)

SECT. 3 superseded, 1917, 344, Part 3, § 3. (See 1904, 317; 1915, 263.)

SECT. 5 superseded, 1917, 344, Part 3, § 5. (See 1911, 75.)

SECT. 6 superseded, 1917, 344, Part 3, § 6. (See 1914, 33.)

SECT. 10 superseded, 1917, 344, Part 3, § 10. (See 1915, 227; 1916, 256.)

SECT. 11 superseded, 1917, 344, Part 3, § 11. (See 1902, 503.)

SECTS. 15, 16 superseded, 1917, 344, Part 3, §§ 15-17. Provision for apportionment of sidewalk assessments, 1908, 216.

SECT. 17 superseded, 1917, 344, Part 3, § 18. (See 1915, 227; 1916, 256.)

SECT. 22 superseded, 1917, 344, Part 3, § 23. (See 1915, 227; 1916, 256.)

SECTS. 23-24 superseded, 1917, 344, Part 3, §§ 24-25. (See 1915, 227; 1916, 256.)

Chapter 51. — Of the Repair of Ways and Bridges.

This chapter is repealed by 1917, 344, Part 8, § 1, and superseded by 1917, 344, Part 4. (See 1907, 196; 1909, 134, 289; 1916, 124; 1917, 34.)

Relative to repair and maintenance of certain bridges, 1908, 552. (See 1911, 581, 587; 1916, 132; 1917, 57, 68, 120, 145, 174, 175, 236, 315.)

Provision for paving private passageways in certain cities, 1894, 119; 1907, 256.

Act to authorize the commonwealth, counties, cities and towns to petition for assessment of damages by a jury for taking or injuring real estate, 1914, 33.

Act relative to proof of contributory negligence in actions for the recovery of damages for injuries, 1914, 553.

Act relative to spreading of tar, oil and other slippery substances upon public ways, 1916, 124.

SECT. 10 superseded, 1917, 344, Part 4, § 16. (See 1915, 145 § 13.)

SECTS. 14, 15 superseded, 1917, 344, Part 4, §§ 20, 21. (See 1915, 263.)

SECT. 16 superseded, 1917, 344, Part 4, § 22. (See 1914, 33; 1915, 263.)

SECT. 17 superseded, 1917, 344, Part 4, § 23. (See 1913, 290.)

SECTS. 17, 18 superseded, 1917, 344, Part 4, §§ 23, 24. (See 1914, 553; 1915, 151 § 7.)

SECTS. 20-22 superseded, 1917, 344, Part 4, §§ 26-28. (See 1908, 305; 1913, 324.)

SECT. 21 superseded, 1917, 344, Part 4, § 27. (See 1910, 166 § 1; 1912, 221.)

Chapter 52. — Of Regulations and By-Laws relative to Ways and Bridges.

This chapter is repealed by 1917, 344, Part 8, § 1, and superseded by 1917, 344, Part 5. (See 1902, 205; 1909, 134; 1911, 578; 1913, 803; 1914, 182; 1915, 176; 1916, 30; 1917, 183.)

Licenses for street stands in Boston, 1907, 584; 1909, 329. Garages, 1913, 577.

Provisions for regulating use and operation of automobiles and motor vehicles, 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 123, 530, 803; 1914, 190, 204, 420, 585, 695; 1915, 10, 11, 16, 19, 87, 99; 1916, 42, 52, 140, 260, 290, 293; 1917, 4, 186, 187, 200, 219, 246 § 3, 276. (See 1902, 315; 1903, 473; 1905, 311, 366; 1906, 353, 412, 433; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 516; 1911, 477, 507, 578; 1913, 592.)

Act relative to the use of trolleymotors on public ways, 1916, 266.

Act relative to the solicitation of business on public sidewalks, 1916, 289.

Act relative to spreading of tar, oil and other slippery substances upon public ways, 1916, 124.

Act to provide for the maintenance of warning signs, and to regulate the operation of motor vehicles, at railroad crossings, 1917, 246.

SECT. 1 superseded, 1917, 344, Part 5, § 1. (See 1906, 234.)

SECT. 6 superseded, 1917, 344, Part 5, § 12. (See 1912, 372.)

SECTS. 7, 8. Rights of way in streets, 1904, 161; 1905, 465 § 149; 1906, 139; 1908, 604 § 166. (See 1912, 147.)

SECT. 18 *et seq.* superseded, 1917, 344, Part 5, § 27 *et seq.* (See 1913, 161.)

SECT. 31 superseded, 1917, 344, Part 5, § 38. (See 1913, 803 § 5.)

Chapter 53. — Of the Boundaries of Highways and Other Public Places and Encroachments thereon.

This chapter is repealed by 1917, 344, Part 8, § 1, and superseded by 1917, 344, Part 6.

Act relative to the removal of slash and brush from highways or public roads, 1914, 101.

SECTS. 6-11 repealed, 1910, 363 § 2. (See 1908, 296; 1915, 145.)

SECT. 12 repealed and superseded, 1915, 145 §§ 2, 13. (See 1902, 57; 1904, 409; 1905, 279, 381; 1906, 268; 1907, 475; 1908, 296 § 2, 297; 1910, 321, 363; 1915, 80, 124.)

SECT. 13 repealed and superseded, 1915, 145 §§ 3-5, 13. (See 1908, 296 § 3; 1910, 363.)

SECT. 14 repealed, 1907, 475 § 10. (See 1908, 209; 1909, 394; 1910, 398; 1911, 244; 1914, 101.)

SECT. 16 superseded, 1917, 344, Part 6, § 6. (See Res. 1911, 5; 1917, 74 § 1.)

Chapter 54. — Of the Law of the Road.

This chapter is repealed by 1917, 344, Part 8, § 1, and superseded by 1917, 344, Part 7. (See 1908, 512; 1913, 223, 432.)

Vehicles to carry a light at night, 1911, 578; 1914, 182; 1916, 30; 1917, 344, Part 5, §§ 18, 19, Part 8, § 1.

Acts regulating use and operation of motor vehicles, 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 123, 530, 803; 1914, 190, 204, 420, 585, 695; 1915, 10, 11, 16, 19, 87, 99; 1916, 42, 52, 140, 260, 290, 293; 1917, 4, 186, 187, 200, 219, 246 § 3, 276. (See 1902, 315; 1903, 473 §§ 3-11; 1905, 311, 366; 1906, 353, 412, 433; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 516; 1911, 477, 507, 578; 1912, 184; 1913, 592.)

Act to regulate the use of air craft, 1913, 663.

Rights of way, 1904, 161; 1905, 465 § 149; 1906, 139; 1908, 604 § 166. (See 1912, 147.)

Act relative to the use of trolley-motors on public ways, 1916, 266.

SECTS. 1, 2 affected, 1913, 223.

SECT. 5 (new) added, 1913, 223.

Chapter 55. — Of Ferries and Canals.

Power boats must display lights at night in certain waters, 1910, 397.

Act relative to facilities for crossing the Cape Cod canal, 1917, 184.

Chapter 56. — Of the Regulation of Trade and the Inspection and Sale of Food.

Act to make uniform the law relating to the sale of goods, 1908, 237. (See 1910, 214.)

Act relative to the sale of shingles, 1913, 574.

Act relative to the sale of firearms, 1911, 495.

Acts relative to manufacture, transportation and sale of, and to prevent monopolies and discriminations in articles in common use, 1908, 454; 1911, 503; 1912, 651. (See 1913, 709.) Cold storage eggs, 1913, 538; 1914, 545; 1915, 55. Sale and use of eggs unfit for food, 1913, 654.

Acts to regulate cold storage of food products, 1910, 640; 1912, 652; 1917, 149. (See 1915, 261 § 10.)

Provision for inspection of milk, 1909, 405, 443; 1910, 114, 457, 633 § 3; 1915, 109; 1916, 134; 1917, 112, 256 §§ 3, 4. (See 1910, 641; 1911, 278;

1913, 761.) Production and sale of milk, 1914, 744; 1916, 151, 228; 1917, 256, 259. (See 1915, 109.) Of petroleum, 1911, 204. Act relative to manufacture and sale of ice cream, 1913, 743; 1914, 67.

Act to regulate lease and sale of machinery, tools, implements and appliances, 1907, 469. To regulate sale of unwholesome food, 1913, 687.

Proprietary drugs and foods, 1906, 386; 1907, 259; 1908, 307; 1910, 387; 1911, 289, 341, 372; 1912, 283.

Acts relative to wood alcohol, 1905, 220; 1910, 541.

Labeling evaporated, concentrated or condensed milk, 1911, 610; 1912, 474.

Misrepresentations as to merchandise for sale are made punishable, 1902, 397; 1907, 383; 1912, 489. (See 1903, 415.)

Act to regulate the sale of food fish, 1914, 367.

Act relative to establishments for the manufacture of sausages, chopped meat, and for the breaking or canning of eggs, 1914, 325; 1915, 22; 1917, 11. (See 1914, 634; 1917, 78.) Acts relative to the sale of sausage meat, 1913, 650; 1914, 634; 1917, 78. (See 1914, 325; 1915, 22.)

Act to require the marking of packages containing foods, 1914, 653. (See 1915, 261 §§ 2-6; 1916, 63, 157.)

Act relative to the packing, grading and sale of apples, 1915, 261; 1916, 63; 1917, 13.

Manufacture of bread to be sold by the loaf, 1915, 258; 1916, 157.

Act relative to the solicitation of business on public sidewalks, 1916, 289.

Act to codify and amend certain laws relative to the adulteration and misbranding of foods and drugs, 1917, 208.

SECTS. 3, 4 repealed. Office of inspector general of fish abolished, and powers and duties transferred to commissioners on fisheries and game, 1902, 138.

SECT. 5 repealed, 1903, 196 § 1.

SECT. 42 extended, 1910, 394; 1913, 743.

SECTS. 42, 52. See 1908, 531 § 5; 1909, 405; 1910, 495; 1911, 218, 266; 1915, 109.

SECT. 48 amended, 1903, 361.

SECT. 51 amended, 1909, 405 §§ 1, 4; 1910, 114.

SECTS. 51, 52. See 1910, 394, 457, 633 § 3; 1915, 109.

SECT. 52 amended, 1909, 405 §§ 2, 4. Affected, 1914, 744. Extended 1916, 134. (See 1915, 109.)

SECTS. 53, 54 revised, 1909, 443. Affected, 1914, 744. (See 1909, 405 § 3; 1910, 633; 1915, 109.)

SECT. 55 *et seq.* See 1906, 116 §§ 1, 2, 323; 1908, 570; 1909, 531; 1910, 462.

Act to authorize incorporation of medical milk commissions, 1911, 506.

SECT. 56 revised, 1908, 643; 1917, 189.

SECT. 56 *et seq.* Standard established for cream, 1907, 216. Ice cream, 1913, 743 § 1; 1914, 67.

SECT. 57 amended, 1910, 641 § 2.

SECT. 59. See 1906, 116 § 3, 323; 1908, 435.

SECTS. 61-64. See 1910, 394; 1915, 109.

- SECT. 62 amended, 1910, 641 § 1.
SECT. 65. See 1911, 610.
SECTS. 65-69 superseded, 1912, 218.
SECT. 65 *et seq.* See 1907, 66.
SECTS. 67, 68 amended, 1909, 425.
SECT. 70 affected, 1907, 243. Amended, 1908, 411 § 1; 1912, 448; 1914, 627. (See 1903, 220; 1908, 329; 1909, 471, 474; 1910, 590; 1911, 297, 534.)
SECT. 70 *et seq.* See 1902, 312; 1903, 220; 1908, 329; 1909, 471, 476; 1911, 297; 1912, 248, 603; 1913, 570; 1914, 206.
SECT. 71 amended, 1908, 411 § 2.
SECT. 72 amended, 1908, 411 § 3. (See 1910, 590.)
SECT. 73 limited, 1907, 293.

Chapter 57. — Of the Inspection and Sale of Various Articles.

- Act relative to sale of firearms, 1911, 495. Of shingles, 1913, 574.
Acts relative to paint, turpentine and linseed oil, 1908, 531; 1911, 218, 266; 1914, 795 § 6. Sale of peas and beans for planting, 1913, 713.
Provision for penalty for giving false weight or measure, 1907, 394; 1911, 163; 1914, 346, 379.
Inspection of petroleum, 1911, 204; 1914, 795 §§ 3, 6.
Baking powders to be labeled with names of ingredients, 1902, 540.
Acts relative to monopolies and to manufacture, sale, etc., of articles in common use, 1908, 454; 1911, 503; 1912, 651. (See 1913, 709.)
Acts to require the marking of packages containing food, 1914, 653. (See 1915, 261 §§ 2-6; 1916, 63, 157.)
Act relative to the marking, sale and installation of range boilers, 1916, 154.
Act to prohibit the manufacture and sale of inflammable compounds for use as stove polish for domestic use, 1917, 153.
Act to codify and amend certain laws relative to the adulteration and misbranding of foods and drugs, 1917, 208.
SECTS. 3-7. Relative to the manufacture of bread to be sold by the loaf, 1915, 258; 1916, 157.
SECT. 4 amended, 1909, 191.
SECT. 6 revised, 1908, 197.
SECT. 7 amended, 1916, 157.
SECTS. 11-17 revised, 1911, 388. (See 1907, 289.)
SECT. 11 *et seq.* Regulations for sale of feed stuffs, 1912, 527; 1917, 47. (See 1903, 122 §§ 1-10; 1904, 332.) Of commercial fertilizers, 1911, 388.
Regulation of sale of unwholesome food, 1913, 687.
SECT. 12. See 1907, 66.
SECT. 18. See 1907, 289; 1911, 388 §§ 7, 12.
SECT. 20 repealed, 1903, 122 § 11.
SECT. 21 revised, 1912, 246; 1913, 713.
SECT. 21 *et seq.* Packing, grading and sale of apples, 1915, 261; 1916, 63; 1917, 13.
SECT. 22 amended, 1909, 350.
SECT. 24 revised, 1903, 408 §§ 1-3; 1905, 209; 1911, 380.

- SECTS. 31, 39, 46, 60, 63, 91. See 1907, 394; 1911, 163.
 SECTS. 32, 33. See 1914, 795 § 3.
 SECT. 39 amended, 1902, 459.
 SECT. 66 revised, 1911, 600 § 1. Vinegar containers to be marked, 1911, 600 § 3; 1915, 158. (See 1917, 193.)
 SECT. 67 revised, 1911, 600 § 2; 1915, 239; 1916, 189.
 SECT. 69 repealed, 1911, 600 § 5.
 SECT. 83. A woman or a non-resident may be appointed a weigher of coal, 1902, 159, 453 § 1.
 SECT. 84 revised, 1907, 228 § 1.
 SECT. 84 *et seq.* Licenses for dealers in coal or coke, 1903, 484; 1906, 434.
 SECT. 85 repealed, 1907, 228 § 2.
 SECT. 86 revised, 1908, 205 § 1.
 SECT. 87 amended, 1908, 205 § 2; 1909, 424 § 1.
 SECT. 88 amended, 1902, 453 § 2; 1908, 304; 1910, 219 § 1.
 SECT. 89 amended, 1902, 453 § 3; 1910, 219 § 2.
 SECT. 91 amended, 1902, 453 § 4.

Chapter 58. — Of the Inspection of Gas and Gas Meters.

This chapter is repealed and superseded by act to consolidate the laws relating to the manufacture, distribution and sale of gas and electricity, 1914, 742.

SECT. 1. Powers and duties of inspector transferred to board of gas and electric light commissioners, 1902, 228 § 1. (See 1906, 422.) Inspectors' salaries, 1908, 536 § 2. (See 1902, 228 § 6; 1907, 54 § 2; 1908, 529; 1909, 316, 477, 483.)

SECTS. 1-7 superseded, 1914, 742 §§ 135, 174-179, 199. (See 1902, 228; 1907, 54; 1908, 195, 469, 536; 1909, 318, 483; 1913, 317; 1914, 615.)

SECT. 8 superseded, 1914, 742 §§ 182, 199.

SECT. 9 superseded, 1914, 742 §§ 175, 183, 199. (See 1909, 483 § 1.)

SECTS. 10-12 superseded, 1914, 742 §§ 184-186, 199.

SECT. 13 superseded, 1914, 742 §§ 180, 199. (See 1909, 483 § 2.)

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Chapter 60. — Of the Survey and Sale of Lumber, Ornamental Wood and Ship Timber.

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SECT. 6 amended, 1903, 467; 1907, 208. (See 1908, 195.)

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SECT. 8 revised, 1913, 670. (See 1904, 395 § 1; 1909, 391.) Duties assumed by state department of health, 1914, 792.

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SECT. 13. See 1909, 405, 443; 1910, 640; 1911, 443; 1912, 155.

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 SECT. 37 repealed, 1914, 583.
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SECT. 103 superseded, 1902, 312 § 1; 1903, 220 § 1; 1909, 471; 1911, 297 § 5; 1912, 248 § 1, 603; 1914, 206. (See 1913, 570; 1914, 792.)

SECT. 104 amended, 1902, 312 § 1; 1903, 220 § 1; 1909, 476. (See 1908, 329, 411; 1909, 471, 474; 1911, 297.)

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Chapter 76. — Of the Registration of Physicians, Surgeons, Pharmacists and Dentists.

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Acts relative to prescriptions of opium, morphine, and other narcotic drugs, by physicians, dentists and veterinary practitioners, 1914, 694, 788; 1915, 187; 1916, 78; 1917, 275.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to the examination and registration of dentists, 1915, 301; 1917, 218. And dental hygienists (nurses), 1915, 301; 1917, 76.

Act authorizing boards of registration in medicine, dentistry, pharmacy and veterinary medicine to suspend and cancel certificates of registration, 1917, 218.

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SECTS. 4, 12, 27 repealed, 1902, 505 § 6.

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SECT. 8 amended, 1917, 55 § 2. (See 1909, 526 § 4; 1910, 271; 1911, 372; 1917, 218 § 5.)

SECT. 9 amended, 1909, 526 § 6. (See 1903, 249 § 9; 1907, 314 § 2; 1909, 504 § 32; 1917, 55 § 3.)

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SECT. 10 amended, 1909, 261 § 3. (See 1907, 190; 1913, 410, 413.)

SECT. 10 *et seq.* See 1914, 315.

SECT. 11 amended, 1909, 261 § 4. (See 1908, 469; 1914, 615.)

SECT. 13. See 1917, 218.

SECT. 14 amended, 1906, 120; 1908, 525 § 1. Board may suspend certificates, 1909, 261 § 5; 1917, 218.

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SECT. 16 amended, 1907, 140; 1910, 172 § 2. (See 1902, 327; 1906, 281; 1907, 308; 1909, 261; 1917, 218.)

SECT. 17 amended, 1902, 321.

SECT. 18 amended, 1908, 525 § 2; 1913, 720 § 1. (See 1913, 705, 720 § 2.)

SECT. 20 repealed and superseded, 1916, 305 §§ 2, 3.

SECT. 23 amended, 1902, 327; 1908, 525 § 3; 1910, 172 § 1. (See 1906, 281; 1907, 180; 1908, 238, 307; 1916, 85.)

SECTS. 24-29 repealed and superseded, 1915, 301; 1917, 76. (See 1903, 219; 1905, 289; 1908, 294; 1909, 301; 1911, 377; 1917, 218.)

Chapter 77. — Of the Promotion of Anatomical Science.

Acts to establish a board of registration of embalmers, 1905, 473; 1910, 390.

SECT. 4 amended, 1904, 204.

SECT. 5 (new section) added, 1902, 417.

Chapter 78. — Of Cemeteries and Burials.

Cities and towns may appropriate money for care of neglected burial grounds, 1902, 389; 1915, 156. And for care of graves of soldiers and sailors, 1914, 122.

Mortuaries in Suffolk, 1911, 252; 1912, 631.

Act relative to passing through cemeteries, 1913, 182.

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Act authorizing the commonwealth, counties, cities and towns to petition for the assessment of damages by a jury for taking land for cemetery purposes, 1914, 33.

Act to provide for better protection of family cemetery lots, 1914, 492.

SECTS. 1, 2. See 1908, 379, 590 § 51.

SECTS. 3, 4. See 1907, 225.

SECT. 9. See 1907, 138.

SECT. 11 *et seq.* See 1915, 263.

SECT. 12. See 1908, 379.

SECT. 15. See 1908, 379 § 3; 1914, 33; 1915, 263.

SECT. 16 amended, 1909, 279.

SECT. 19 revised, 1904, 422 § 1.

SECT. 20 amended, 1904, 422 § 2.

SECT. 21 amended, 1917, 7.

SECT. 26. See 1914, 492.

SECT. 30 amended, 1908, 379 § 1.

SECT. 31. See 1908, 379 §§ 2, 3.

SECT. 37 revised, 1907, 138.

SECT. 44. See 1905, 473; 1910, 390.

Chapter 79. — Of State and Military Aid and Soldiers' Relief.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Cities and towns to care for graves of soldiers and sailors, 1914, 122.

Act to provide state pay for soldiers and sailors from this commonwealth in the volunteer service of the United States, 1917, 211. (See 1917, 332.)

Act to authorize cities and towns to pay their employees who enlist in the service of the United States the difference between their military and their municipal compensation, 1917, 254.

SECT. 1 superseded, 1902, 192 §§ 1-4; 1909, 468 § 1; 1912, 549; 1914, 407, 587 § 1; 1916, 314 §§ 4, 5; 1917, 179 §§ 4, 6. (See 1917, 332.)

SECTS. 2-16 superseded, 1909, 468 §§ 2-16; 1910, 467, 470; 1912, 589; 1913, 475; 1914, 311, 349, 375, 587 §§ 2-16; 1916, 314; 1917, 5, 161, 179. (See 1902, 192, 216, 250, 251, 292; 1903, 387, 420; 1904, 381; 1907, 43, 354; 1908, 405.)

SECT. 8 repealed, 1902, 192 § 5. (See 1914, 587 § 8.)

SECTS. 9, 10. (See 1914, 587 §§ 9, 10; 1916, 314 §§ 1, 2; 1917, 179 §§ 1, 2, 332.)

SECT. 14. See 1910, 412; 1914, 587 § 14; 1916, 314 § 5; 1917, 179 § 6.

SECT. 18 revised, 1916, 116 extended, 1917, 58. (See 1902, 250; 1904, 381; 1913, 323; 1914, 587 § 18.)

SECTS. 20, 21 superseded, 1909, 468 §§ 17, 18; 1914, 311, 587 §§ 17, 18; 1916, 191; 1917, 160. (See 1902, 250, 292; 1904, 381.)

SECTS. 22, 23 superseded, 1902, 192; 1904, 381 § 1; 1909, 468 § 1; 1914, 407, 587 § 1.

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Chapter 80. — Of the Settlement of Paupers.

This chapter is repealed and superseded by 1911, 669; 1913, 266; 1914, 323; 1916, 316; 1917, 111. (See 1913, 763.)

Chapter 81. — Of the Support of Paupers by Cities and Towns.

Act to provide that persons afflicted with leprosy shall be state charges, 1909, 250. (See 1905, 474; 1913, 73.)

Massachusetts commission for the blind may provide temporary support in certain cases, 1906, 385 § 6.

Act relative to conveyance of destitute children to courts and asylums, 1914, 272.

Act relative to the settlements of patients who are inmates of institutions, 1914, 323.

Act relative to the support of destitute parents, 1915, 163.

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Act to require hospitals to furnish certain information as to the legal settlement of persons receiving medical or surgical service at the expense of a city or town, 1917, 111.

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SECT. 2. See 1905, 162.

SECT. 4 amended, 1905, 285.

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SECT. 5 amended, 1905, 303 § 1. Provision for care of indigent and neglected children, 1903, 334; 1904, 356; 1906, 501; 1908, 104; 1909, 180, 181; 1911, 175; 1912, 165; 1914, 272. (See 1905, 307; 1909, 504 §§ 66, 67; 1912, 310; 1913, 457, 796.)

SECT. 7 amended, 1905, 303 § 2; 1913, 112.

SECT. 17. See 1909, 292.

SECT. 17 *et seq.* See 1905, 354; 1909, 504.

SECT. 21 amended, 1903, 355; 1912, 331. (See 1903, 233.)

SECT. 22. Cities and towns shall require tramps and vagrants lodged to perform labor, 1905, 344. (See 1904, 274; 1905, 348.)

SECT. 25 amended, 1915, 143. (See 1902, 206, 213; 1905, 330.)

SECTS. 26-28. See 1905, 464; 1914, 272.

SECTS. 40, 41. See 1909, 208.

SECT. 41 revised, 1905, 115. (See 1909, 208.)

Chapter 82. — Of the Maintenance of Bastard Children.

This chapter is repealed and superseded by 1913, 563. (See 1904, 159; 1905, 345; 1910, 316; 1911, 53, 456; 1912, 163; 1913, 38; 1914, 272, 520.)

Chapter 83. — Of the Protection of Infants and the Care of Pauper Children.

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The Massachusetts school and home for crippled and deformed children is established, 1904, 446; 1905, 128; 1907, 226; 1909, 497.

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Act relative to the support of destitute persons, 1915, 163.

SECT. 10 amended, 1905, 269; 1911, 500. (See 1911, 490.)

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SECT. 25 amended, 1911, 490 § 1.

SECT. 25 *et seq.* See 1906, 413 §§ 5, 8, 14; 1907, 362; 1911, 175; 1916, 243 §§ 1, 3.

SECT. 29. See 1903, 333.

SECT. 36 amended, 1911, 490 § 2.

SECT. 37 revised, 1903, 334 §§ 1-5, 7; 1906, 489; 1909, 181; 1914, 272. (See 1904, 356; 1907, 195; 1909, 180; 1911, 175.)

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Chapter 84. — Of the State Board of Charity.

Acts relating to the Massachusetts commission for the blind, 1906, 385; 1907, 173; 1916, 160, 201.

Provision for hospital for lepers, 1905, 474; 1909, 250; 1913, 73.

Act to establish state supervision of wayfarers' lodges and public lodging houses, 1914, 606.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

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Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

SECT. 2 amended, 1908, 598.

SECT. 2 *et seq.* Powers and duties of the board, 1903, 231, 233, 355, 402; 1904, 395, 446 § 12; 1905, 162, 434, 474; 1906, 341, 413 §§ 4, 5, 8, 14; 1907, 222 § 2, 271, 386; 1908, 555, 598; 1909, 380, 391, 472; 1912, 331; 1913, 724, 763 §§ 5, 6; 1914, 606; 1916, 160, 243 § 1, 286 § 12. (See 1904, 356 § 3; 1905, 128, 211 § 11, 434; 1908, 195; 1909, 514 § 26; 1911, 194; 1912, 468; 1913, 404; 1914, 272.)

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SECT. 5. See 1914, 606 § 2.

SEC. 7 revised, 1911, 154. (See 1905, 211 § 11.)

SECT. 8 *et seq.* The board may provide for care of persons infected with diseases dangerous to the public health, 1904, 395; 1909, 250, 391. (See 1905, 475; 1907, 386; 1908, 555; 1909, 250, 292, 380; 1913, 797.)

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Provision for three sanatoriums for tuberculous patients, 1907, 474; 1908, 532, 533; 1909, 414; 1910, 198, 491; 1912, 468. (See 1908, 598; 1914, 792.)

Act to encourage and promote building and use of tuberculosis hospitals in cities and towns, 1911, 597; 1912, 637; 1916, 57, 197, 286; 1917, 103, 251, 290.

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SECT. 33 amended, 1903, 188.

SECT. 39 amended, 1904, 216.

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SECT. 15. See 1906, 413 §§ 4, 11, 489.

SECT. 16 superseded, 1906, 413 § 6; 1916, 243 § 2. (See 1906, 489 § 7; 1908, 286.)

SECT. 17. See 1906, 413 § 4.

SECT. 18. See 1906, 413 §§ 3, 5; 1916, 243 § 1.

SECT. 20 superseded, 1906, 413 § 3. (See 1902, 314.)

SECT. 21 *et seq.* See 1906, 413; 1916, 243.

SECTS. 22, 27 *et seq.* See 1910, 316; 1911, 265.

SECT. 31 amended, 1904, 459 § 6. (See 1909, 504.)

SECT. 34 amended, 1911, 489.

SECT. 36 amended, 1904, 363 § 2. (See 1905, 464.)

SECT. 49 *et seq.* See 1906, 413 §§ 5, 8, 14; 1907, 271; 1916, 243 §§ 1, 3.

Chapter 87. — Of the State Board of Insanity and Institutions for the Insane.

This chapter is repealed and superseded by act to revise and codify the laws relating to insane persons, 1909, 504; 1910, 122, 420; 1911, 30, 71, 273, 334, 394, 395, 480, 649; 1912, 442; 1914, 473, 493, 762; 1915, 136, 174, 208, 241; 1916, 67, 122, 239, 285; 1917, 46, 48, 50, 69, 115, 131, 133, 158, 223, 232, 313. (See 1902, 542; 1903, 321, 400, 410; 1904, 363; 1905, 175, 211, 282, 330, 354, 400, 432, 434-436, 447, 458, 464, 475; 1906, 184, 309, 316, 352, 418, 471, 472, 508; 1907, 421, 432, 489; 1908, 613, 626, 629; 1909, 274, 470, 535; 1910, 307 § 2, 345; 1911, 194, 595, 604; 1912, 562, 679; 1913, 404; 1914, 358, 442, 456, 558; 1915, 68, 73, 79, 170; 1916, 283.)

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Act relative to receipts from labor of inmates, 1911, 480. Removal of insane prisoners, 1911, 604.

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SECT. 26. See 1914, 762 § 8; 1915, 241 § 2.

SECT. 27. See 1914, 615, 762 § 8; 1915, 241 § 2.

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SECTS. 59, 60 superseded, 1909, 504 § 50; 1914, 558 § 1; 1915, 73. Service of warrants and processes, 1915, 136.

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Provision for sanatoriums for tubercular patients, 1907, 474; 1908, 532; 1910, 198, 491; 1912, 17; 1915, 153; 1916, 286; 1917, 31, 103, 251. (See 1908, 533, 598; 1909, 414; 1912, 468; 1914, 792; 1915, Sp. Act 190, Res. 24.)

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SECT. 3. See 1905, 175 § 3.

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Chapter 89. — Of the State Board of Agriculture and the Dairy Bureau.

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Animal industry department established with powers and duties of board of cattle commissioners, 1902, 116; 1908, 515; 1911, 381; 1912, 608; 1913, 329; 1916, 155; 1917, 121. (See 1911, 297 § 6; 1912, 248; 1914, 206.)

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For nursery inspection and protection of trees, etc., from injurious insects and diseases, 1902, 495; 1907, 321; 1911, 474, Res. 103; 1912, 507; 1914, 341; 1915, 161; 1916, 91; 1917, 263. (See 1902, 57; 1905, 381; 1906, 268; 1907, 521; 1908, 591; 1909, 263, 444; 1910, 150, 427; 1911, 242, 474; 1912, 577; 1913, 293, 296, 585, 600, 605; 1914, 340; 1915, 80, 124, 171.) Circulation of information as to idle farms, 1909, 212.

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Act relative to the disposal of certain records and accounts of the state board of agriculture, 1916, 141. (See 1905, 381 § 10.)

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Act to provide for the construction of a state agricultural and industrial building in West Springfield on the grounds of the Eastern States Agricultural and Industrial Exposition, Inc., 1917, 325.

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SECT. 2 superseded, 1915, 114.

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SECT. 4 amended, 1911, 186; 1915, 250; 1916, 46; 1917, 286. (See 1904, 444 §§ 2, 3; 1908, 459; 1909, 212; 1910, 429; 1914, 239, 291; 1915, 140, 239; 1917, 325 § 4.)

SECT. 5 amended, 1905, 155; 1907, 401. (See 1908, 195.)

SECT. 6 *et seq.* See 1909, 428; 1910, 427; 1911, 607; 1917, 74 § 2, 263 § 1.

SECT. 8. See 1905, 211 § 1; 1907, 289; 1908, 459; 1909, 212; 1910, 429, Res. 90; 1911, 186; 1914, 91; 1916, 233.

SECT. 10. Provision for instruction in agriculture, 1906, 505 § 7; 1909, 457 § 2; 1911, 471; 1913, 337; 1916, 156; 1917, 61, 215. (See 1907, 520; 1912, 566, 587; 1913, 745; 1914, 530, 662; 1915, 189, 225, 247; 1917, 176, 247.) Provision for instruction in forestry, 1916, 234. (See 1917, 215.)

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Chapter 90. — Of the Board of Cattle Commissioners and of Contagious Diseases of Domestic Animals.

Cattle industry department of state board of agriculture, 1902, 116; 1908, 515; 1911, 381; 1912, 608; 1913, 329; 1914, 490; 1916, 155. (See 1903, 249; 1904, 414 § 2; 1911, 297; 1912, 248, 603; 1914, 206.) Act to prohibit charges for the inspection of live stock, dairies or farm buildings, 1915, 109.

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SECT. 6. See 1913, 646 § 1.

SECT. 7 amended, 1911, 297 § 1. (See 1909, 474, 476; 1911, 534.)

SECT. 11 amended, 1908, 515 § 1; 1912, 608 § 5.

SECT. 12 superseded, 1911, 143, 297 § 6, 534 § 2; 1912, 608 § 6. (See 1908, 378.)

SECT. 15 revised, 1916, 147.

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Chapter 91. — Of Fisheries.

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Provision for licensing dealers in coal and coke, 1903, 484; 1906, 434; 1915, 72. Operators of automobiles and motor cycles, 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 123, 530, 803; 1914, 190, 204, 420, 585, 695; 1915, 10, 11, 16, 19, 87, 99; 1916, 42, 52, 140, 260, 290, 293; 1917, 4, 186, 187, 200, 219, 246 § 2, 276. (See 1902, 315; 1903, 473; 1905, 311, 366; 1906, 353, 412, 433; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 516; 1911, 477, 507, 578; 1912, 184; 1913, 592.) Garages, see 1913, 300, 577. Lung testing machines, 1908, 381. Cold storage houses, 1910, 640; 1912, 652; 1917, 149. Operators of hoisting machinery in certain cases, 1911, 656; 1915, 211. (See 1913, 714; 1915, 259.)

Act to provide for the better prevention of fires throughout the metropolitan district, 1914, 795; 1916, 138. (See 1915, 296 § 2.)

Acts relative to giving of bonds in blasting operations, 1911, 325; 1914, 155.

Provision for licensing establishments for the manufacture of sausages or chopped meats, and for the breaking or canning of eggs, 1914, 325; 1915, 22.

Act relative to safety valves as applied to ammonia compressors, 1914, 467.

Act to authorize the granting of temporary licenses to sell certain articles for charitable purposes, 1916, 188.

Provision for permits relative to the use of trolley-motors on public ways, 1916, 266 § 1.

Provision for licenses for care of the insane, epileptic, etc., in hospitals and private houses, 1916, 285 §§ 6, 7; 1917, 232.

SECT. 2 revised, 1910, 383. (See 1906, 291 § 4; 1917, 23.)

SECT. 2 *et seq.* Booths, stalls, etc., and immoral conduct in restaurants, cafés, etc., 1915, 180.

SECT. 23 *et seq.* See 1906, 435; 1908, 485.

SECT. 29 amended, 1902, 187 § 1; 1910, 554 § 1; 1917, 130. Affected, 1915, 144. (See 1906, 291 § 4.)

SECT. 30 amended, 1902, 187 § 2; 1910, 193.

SECT. 32 amended, 1902, 187 § 3; 1910, 554 § 2. Affected, 1915, 144.

SECT. 33. See 1906, 291 § 4; 1915, Sp. Act 313.

SECT. 40 amended, 1905, 415.

SECT. 41 amended, 1911, 727 § 21.

SECT. 42 amended, 1907, 211. (See 1907, 500 §§ 2, 3.)

SECT. 47 *et seq.* See 1905, 308; 1906, 390; 1908, 605; 1909, 317, 514; 1911, 727; 1912, 675; 1916, 194, 224, 274.

SECT. 48. See 1906, 291 § 10.

SECTS. 52, 53. See 1911, 727 §§ 14, 15.

SECTS. 57-68 repealed, 1911, 727 § 24. Acts regulating small loans, 1905, 308; 1906, 390; 1908, 605; 1909, 317, 514 §§ 121-126; 1910, 563; 1911, 727; 1912, 675; 1913, 347, 638; 1916, 194, 224, 274. (See 1909, 278; 1913, 656, 832 § 8.)

SECT. 69 revised, 1912, 486. Charges for inspection of stables prohibited, 1915, 109.

SECTS. 69-72. See 1911, 381 § 4; 1913, 300.

SECTS. 73-77. Powers transferred to the fire prevention commissioner, 1914, 795 § 3; 1916, 138.

SECTS. 78-86 repealed and superseded, 1915, 259 § 13. (See 1905, 310, 472; 1906, 387, 414, 521, 522; 1907, 373, 465; 1908, 563; 1911, 562; 1913, 209, 610 § 4; 1914, 451, 467 § 5.)

SECT. 87 affected, 1910, 565.

SECT. 87 *et seq.* See 1917, 342 § 25.

SECT. 89 *et seq.* Provisions as to explosives and inflammable fluids, 1904, 370; 1905, 280; 1908, 502; 1910, 223, 588; 1911, 477; 1913, 452; 1914, 421, 795 §§ 3, 6; 1916, 65, 162. (See 1910, 284.) Acts relative to paint, turpentine and linseed oil, 1908, 531; 1911, 218, 266; 1914, 795 §§ 3, 6.

SECT. 92 amended, 1909, 199.

SECT. 93. See 1914, 795 § 3.

SECT. 94. See 1914, 795 §§ 3, 6.

SECT. 95. See 1911, 325; 1914, 155.

SECTS. 96, 97. See 1914, 795 § 3.

SECTS. 97, 98. Acts to provide for the giving of bonds in blasting operations, 1911, 325; 1914, 155.

- SECTS. 99-101 repealed and superseded, 1910, 588.
- SECT. 104. See 1914, 795.
- SECTS. 106, 108. See 1914, 795 § 6.
- SECTS. 109-111 superseded, 1911, 204; 1914, 795 § 6.
- SECT. 113. See 1914, 795 § 3.
- SECT. 114. See 1904, 370; 1905, 280; 1908, 502; 1914, 795 § 3.
- SECTS. 118, 119. See 1914, 795 §§ 3, 6.
- SECT. 122 amended, 1908, 187.
- SECT. 122 *et seq.* See 1905, 418; 1908, 187 § 1; 1910, 651; 1911, 10, 223; 1915, 50.
- SECTS. 128, 129 superseded, 1914, 198 § 4. (See 1909, 440 § 4; 1913, 551; 1917, 271 § 2.)
- SECT. 130 amended, 1908, 169; 1910, 87.
- SECT. 133 in part repealed, 1904, 353 § 3; 1906, 291. (See 1915, Sp. Act 313.)
- SECT. 134 amended, 1910, 319. (See 1905, 317 § 2; 1908, 402 § 2; 1910, 614 § 3.)
- SECT. 138 revised, 1904, 105 § 1.
- SECT. 141 repealed, 1904, 105 § 2.
- SECT. 142 superseded, 1914, 198 § 4. (See 1906, 291 § 10; 1909, 440 § 2.)
- SECT. 143 amended, 1907, 240 § 1; 1908, 182; 1910, 629; 1911, 391.
- SECT. 144 amended, 1907, 240 § 2.
- SECT. 150 *et seq.* Provision for better protection of domestic animals from dogs, 1902, 226; 1904, 127, 283; 1911, 392.
- SECT. 151 amended, 1903, 100; 1904, 283; 1911, 392.
- SECT. 152 amended, 1905, 106.
- SECT. 155 amended, 1904, 142; 1907, 241; 1910, 392.
- SECT. 168. See 1906, 291 §§ 8, 10.
- SECT. 170 amended, 1908, 368.
- SECT. 172 superseded, 1908, 385 § 2. (See 1904, 450 § 15, 460; 1905, 341, 342; 1906, 105; 1907, 274; 1909, 189, 514 § 77.)
- SECT. 172 *et seq.* See 1904, 183; 1906, 384; 1908, 368, 381; 1910, 143.
- SECT. 173 amended, 1904, 460 § 5; 1907, 309; 1909, 254. (See 1904, 450 § 15; 1905, 341, 342; 1906, 105; 1908, 335.)
- SECT. 176 amended, 1906, 190, 291 § 4. (See 1906, 384; 1915, Sp. Act 313.)
- SECT. 178. See 1906, 291 § 4; 1915, Sp. Act 313.
- SECT. 181 amended, 1910, 125 § 1.
- SECT. 182 amended, 1910, 125 § 2.
- SECT. 183 amended, 1910, 125 § 3.
- SECT. 184 amended, 1906, 107; 1907, 355; 1910, 532. (See 1906, 384.)
- SECT. 186 amended. "Junk collectors" added, 1902, 187 § 4; 1915, 144. (See 1906, 190, 291 § 4.)

Chapter 103. — Of the Supervision of Plumbing.

This chapter in part superseded by acts relative to the supervision of the business of plumbing, 1909, 536; 1910, 597; 1912, 518, 635 § 34; 1913, 786 § 32; 1914, 287.

Chapter 104. — Of the Inspection of Buildings.

Act to revise and codify building inspection laws, 1913, 655. (See 1913, 676.)

Building inspection department of district police, 1913, 610.

Licensing and inspection of theatres and public halls regulated, 1904, 450; 1906, 105; 1908, 335, 389; 1909, 354; 1910, 143; 1911, 367; 1912, 320, 726; 1916, 145. (See 1904, 460 §§ 4, 5; 1905, 341, 342; 1908, 336; 1911, 309, 314; 1913, 391, 572.) Inspection of ventilating and lighting of factories and workshops, 1907, 537; 1909, 514 § 105; 1911, 603; 1913, 766. (See 1912, 726.) Acts relative to tenement houses in towns, 1912, 635; 1913, 441, 614. Tenement houses in cities, 1913, 786. (See 1914, 628.)

Acts to prohibit obstruction of means of egress from buildings, 1905, 347; 1908, 336; 1914, 795 § 13 cl. D. Sanitary requirements for certain buildings, 1902, 322; 1906, 250; 1909, 514 §§ 78, 79; 1912, 318; 1914, 328 § 1, 726. Storage of explosives and inflammable compounds, 1904, 370; 1905, 280; 1908, 502; 1910, 223; 1913, 452; 1914, 795 §§ 3, 6; 1916, 65, 162. (See 1910, 588; 1911, 477; 1913, 610; 1914, 421.) Provision for safe keeping of matches in stores, 1909, 184. Regulation of cinematographs and similar apparatus, 1905, 176, 437; 1908, 565, 566; 1909, 281; 1911, 48, 440; 1912, 182; 1914, 196, 791; 1915, 169; 1916, 118; 1917, 327 § 49. (See 1913, 280.) Passenger elevators to have seat for operator, 1912, 479. Acts relative to elevators and to elevator regulations, 1913, 806; 1914, 328 § 3, 782 § 6. (See 1909, 514 §§ 74, 96.)

Building laws for Boston, 1907, 550; 1909, 313; 1910, 284, 631; 1911, 342; 1912, 369, 370; 1913, 50, 586, 704, 714, 729; 1914, 205, 248, 595, 628, 782, 786; 1915, 254, Sp. Acts 333, 346, 352. (See 1892, 419; 1893, 170, 293, 297, 464; 1894, 257, 443; 1895, 97, 239, 280, 314; 1896, 416, 520; 1897, 175, 219, 265, 300, 310, 413; 1898, 209, 228, 268, 308, 452; 1899, 161, 185, 222; 1900, 271, 321, 335 § 2; 1901, 474; 1902, 400; 1903, 301; 1904, 227, 333, 336, 368, 450 §§ 2, 10; 1905, 342, 383, 426; 1906, 340; 1907, 416, 463; 1908, 339, 347; 1911, 76; 1912, 259, 582, 713; 1913, 280, 655 § 52, 680, 806 § 12; 1914, 540, 785.) Garages, 1913, 577; 1914, 119. (See 1914, 795 § 6.) Relative to buildings for storage of ice, 1914, 248. Acts to limit the occupancy of cellars and basements in the city of Boston, 1907, 550 § 68; 1914, 628; 1915, Sp. Act 346.

Act to establish state supervision of wayfarers' lodges and public lodging houses, 1914, 606.

Act relative to the qualifications of certain inspectors of masonry, 1914, 540.

Act to provide for the better prevention of fires throughout the metropolitan district, 1914, 795; 1916, 138. (See 1915, 296 § 2.)

Licensing of persons, firms and corporations to install wires or apparatus for electric light, heat or power purposes, 1915, 296.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

- Act to require fire protection in stables for horses and mules, 1916, 158.
 Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.
- SECTS. 1-18 repealed, 1913, 655 § 61. (See 1904, 450 §§ 4-10; 1905, 472; 1906, 105, 499 § 2; 1908, 321; 1912, 334; 1913, 610 § 2.)
- SECTS. 19, 20 repealed and superseded, 1908, 487. (See 1907, 499.)
- SECTS. 21-26 repealed, 1913, 655 § 61. (See 1914, 795.)
- SECT. 22 *et seq.* Acts to regulate public lodging houses in certain cities, 1904, 242; 1911, 129; 1913, 655 §§ 42-47; 1915, 160. (See 1907, 490; 1909, 504 § 2; 1912, 635.)
- SECT. 25 amended, 1907, 503 § 1. (See 1905, 347 § 1.)
- SECTS. 27, 28 repealed as to elevators, 1913, 803 § 13; 1914, 328 § 3. (See 1902, 350; 1909, 514 §§ 74, 96; 1912, 479; 1913, 610 § 2.)
- SECT. 28 amended, 1911, 455.
- SECTS. 29-37 repealed, 1913, 655 § 61. (See 1905, 347 § 2; 1906, 105 § 1; 1913, 610 § 2; 1914, 795.)
- SECTS. 38-47. Repeal and substitute, 1909, 514 §§ 91-100, 145; 1914, 566. (See 1903, 475; 1904, 347, 430; 1906, 250, 522; 1907, 164, 451, 503, 537; 1908, 375, 389; 1909, 354, 413, 514 § 64; 1913, 610 § 2; 1914, 795.)
- SECT. 41 amended, 1907, 503 § 2. Inspection, 1907, 537 § 5; 1912, 726 § 5. (See 1904, 430; 1906, 522; 1907, 451; 1908, 375, 389; 1909, 354; 1913, 676.)
- SECTS. 41, 42. See 1903, 475; 1904, 347; 1906, 250; 1907, 164; 1909, 514 §§ 86-90, 145; 1912, 726 § 5.)
- SECTS. 48-56 repealed, 1913, 655 § 61. (See 1913, 610 § 2.)
- SECT. 50. See 1914, 795 § 22.
- SECT. 54. See 1905, 347.

Chapter 105. — Of the Inspection of Steam Boilers.

The law as to the inspection and operation of steam boilers is revised, 1907, 465; 1908, 563; 1909, 393, 410; 1911, 619, 656; 1912, 531; 1913, 610; 1915, 211. (See 1905, 310, 472; 1906, 387, 521, 522; 1907, 373, 451; 1909, 131, 348; 1910, 284; 1911, 562; 1912, 726 § 5; 1913, 209; 1914, 451; 1915, 259.)

Boiler inspection department of district police, 1913, 610. Pneumatic machines, 1913, 629; 1914, 127, 649.

License required for operating hoisting machinery in certain cases, 1911, 656; 1915, 211.

Board of boiler rules established, 1907, 465 § 24; 1914, 127 § 2, 649 § 2. (See 1912, 531.)

Act relative to safety valves as applied to ammonia compressors, 1914, 467.

Act relative to the marking, sale and installation of range boilers, 1916, 154; 1917, 39.

SECTS. 2, 3. See 1907, 465 §§ 2, 3, 13.

SECT. 4 superseded, 1907, 465 §§ 14, 15; 1912, 531 §§ 5, 6.

SECT. 5. See 1907, 465 §§ 3, 15, 17, 19; 1912, 531 §§ 6, 7.

SECT. 6. See 1907, 465 § 28.

SECT. 9. See 1907, 465 § 20; 1908, 563 § 1.

SECTS. 10, 11. See 1907, 465 §§ 20, 28.

Chapter 106. — Of the Employment of Labor.

This chapter is repealed and revised by acts to codify the laws relating to labor, 1909, 514; 1910, 63, 166 § 2, 249, 259, 350, 404, 445, 543, 611; 1911, 151, 178, 208, 229, 241, 249, 263, 269, 281, 310, 313, 431, 484, 494, 532, 584, 629, 751; 1912, 96, 172, 191, 251, 318, 452, 477, 479, 495, 528, 533, 545, 571, 653, 666, 706; 1913, 333, 359, 365, 426, 448, 568, 619, 690, 779 §§ 14-23, 833; 1914, 217, 241, 247, 328, 347, 352, 368, 419, 455, 474, 479, 540, 557, 566, 568, 580, 600, 623, 656, 681, 688, 708, 723, 726, 746, 778; 1915, 27, 47, 57, 60, 65, 69, 70, 75, 108, 116, 117, 123, 132, 183, 198, 214, 216, 236, 275, 277, 287, 288, Sp. Act 314; 1916, 14, 66, 72, 75, 89, 90, 95, 115, 143, 145, 208, 222, 229, 240, 258, 303, 307; 1917, 16, 72, 86, 110, 198, 249, 260, 269, 294, 341, 342 § 24. (See 1902, 183, 322, 350, 384, 430, 435, 446, 450; 1903, 275, 320, 475; 1904, 311, 313, 315, 334, 335, 343, 347, 349, 397, 432; 1905, 213, 231, 238, 267, 304, 308; 1906, 250, 284, 370, 390, 427, 435, 463 II § 167, 499, 517; 1907, 135, 164, 193, 224, 267, 269, 503 § 2, 537, 560 §§ 447, 448, 570, 577; 1908, 210, 217, 228, 306, 325, 380, 420, 457, 485, 489, 547, 553, 645, 650; 1909, 201, 211, 332, 363, 371; 1910, 249, 257, 414, 445, 458, 473; 1911, 63, 113, 136, 541, 603; 1912, 528, 545, 546, 683; 1913, 445, 685, 805; 1914, 347, 413, 553, 618, 765, Res. 96; 1915, 97, 197.)

Acts to establish a board of labor and industries and define its powers and duties, 1912, 726; 1913, 424, 766, 813, 831 §§ 4, 18; 1914, 263, 474, 533; 1915, 74; 1916, 115, 143, 308; 1917, 72, 342 § 24. (See 1916, 222.) Committee established to exercise powers of the board of labor and industries, and certain further powers in regard to labor, in war time emergencies, 1917, 342 § 24. Industrial accident board established, 1911, 751 III; 1912, 571 § 6; 1913, 48, 746 § 1, 813; 1915, 123, 132, 275; 1916, 275, 308; 1917, 297 § 1.

Board of conciliation and arbitration, 1909, 514 §§ 10-16; 1913, 444; 1914, 347, 681; 1916, 89, 143; 1917, 341.

Acts to establish a minimum wage commission and provide for fixing minimum wage of women and minors, 1912, 706; 1913, 330, 673; 1914, 368; 1915, 65; 1916, 303.

Passenger elevators to have seat for operator, 1912, 479. (See 1913, 806.)

Retirement system for state employees, 1911, 532; 1912, 363; 1913, 310; 1914, 419, 568, 582; 1915, 198; 1916, 54, 75, 164. (See 1913, 807; 1915, 197 §§ 1, 2.) For veterans in the employ of the state, 1907, 458; 1915, 95.

Act relative to vacations of laborers employed by cities and towns, 1914, 217; 1915, 60; 1917, 16.

Acts relative to half holidays for certain state employees, 1912, 528; 1914, 455, 688; 1915, 288; 1916, 258.

Act relative to proof of contributory negligence in actions for the recovery of damages for injuries, 1914, 553.

Provision for continuation schools for working children, 1913, 805.

Provision for free employment bureaus in certain cities, 1906, 435; 1907, 135; 1908, 306, 462 § 5, 485; 1909, 514 §§ 1-9; 1911, 158; 1913, 389.

Act to regulate days of employment in certain establishments, 1913, 619. And of certain employees of railroad corporations, 1914, 723, 746.

Act to regulate labor of minors, 1913, 831; 1917, 294. (See 1909, 514 § 61; 1910, 249; 1913, 779 § 19; 1915, 57, 65, 70; 1916, 66.)

Act to authorize the giving of preference in appointments and employment to citizens, 1914, 600. (See 1909, 514 § 21; 1914, 474; 1917, 260.)

List of state officials and employees and their compensation to be printed, 1910, 268; 1911, 43; 1913, 534.

Act relative to the promotion of laborers and mechanics in the public service, 1914, 479.

Act relative to wages of laborers in employ of board of prison commissioners, 1914, 458.

Salaries of scrubwomen employed by county of Suffolk, 1914, 413; 1917, 272.

Act relative to wages of mechanics employed in the construction of public works, 1909, 514 § 21; 1914, 474.

Act to prohibit making up time lost by holidays, in certain establishments, 1913, 359. (See 1915, 57.)

Pay rolls, bills and accounts for services for certain cities to be verified by oath, 1913, 520.

Acts relative to payment for personal injuries to employees, 1911, 751; 1912, 172, 251, 409, 571, 666, 726; 1913, 445, 448, 568, 696, 746, 807; 1914, 338, 618, 636, 656, 708; 1915, 123, 132, 183, 236, 244, 275, 287, Sp. Acts 270, 314; 1916, 72, 90, 307; 1917, 198, 249, 269, 297.

Acts relating to pension systems, 1910, 559, 619; 1911, 113, 338, 413, 532, 634, 675; 1912, 363, 447, 503; 1913, 63, 310, 313, 367, 642, 671, 697, 817, 832; 1914, 352, 419, 765; 1915, 47, 197, 198, 234; 1916, 54, 60, 75, 164, 218, 238, 257; 1917, 233. (See 1911, 413; 1912, 574; 1913, 367, 657, 681, 800; 1914, 519, 536, Res. 120; 1916, 88.)

Act to make lawful certain agreements or combinations between employees or laborers, and to limit the issuing of injunctions, 1914, 778.

Act relative to employment in night messenger service, 1911, 629. Of women in core rooms, 1912, 653. To moving certain boxes and baskets where women are employed, 1913, 426; 1914, 241; 1915, 27.

As to assignments of wages, see 1905, 308; 1906, 390; 1908, 605 §§ 7, 8; 1909, 317, 514 §§ 121-126; 1910, 563; 1911, 727 § 22; 1912, 675 § 6; 1916, 208.

Provision for homesteads for workmen, 1911, 607; 1912, 714; 1913, 494 § 3, 595; 1914, 283 § 2; 1915, 129; 1917, 310.

Act relative to imposition of fines by unions, 1911, 431.

Act to prohibit the charging of fees for certificates relating to minors, 1914, 316.

Acts relative to the procuring of persons to take the place of employees during strikes or other labor disputes, 1910, 445; 1912, 545; 1914, 347; 1915, 108.

Act to establish grades for salaries of clerks and stenographers employed in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to the qualifications of certain inspectors of masonry, 1914, 540.

Acts relative to furnishing lockers in certain factories, workshops, and hotels, 1916, 115; 1917, 72.

Act relative to the transfer of laborers from the employ of the Boston transit commission to the employ of certain cities or towns, 1917, 86.

Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

SECT. 12. See 1914, 778.

SECT. 14 superseded, 1909, 504 § 29; 1914, 473.

SECT. 18. See 1911, 628 §§ 29*b* 33; 1913, 617 § 5.

SECT. 19 *et seq.* See 1914, 778.

SECT. 20 extended by act to constitute eight hours a day's work for public employees, 1911, 494; 1914, 623; 1916, 240. (See 1909, 514 § 42; 1913, 822.) Hours of employment of women and minors, 1909, 514 § 48; 1911, 484; 1912, 477; 1913, 758, 831; 1914, 623; 1915, 57; 1916, 145, 222; 1917, 294. (See 1912, 706; 1913, 330, 365; 1914, 368.) Of street railway employees, 1912, 533; 1913, 833; 1915, 277. (See 1912, 706; 1913, 330, 365.) Of certain employees of steam railroads, 1914, 723, 746.

SECT. 31 amended, 1907, 224. (See 1909, 514 § 50; 1913, 779 § 17; 1914, 316, 580.)

SECT. 33 superseded, 1909, 514 § 61; 1910, 249; 1913, 779 § 19; 1915, 70.

SECT. 37. See 1911, 229.

SECT. 62 amended, 1909, 514 § 112; 1910, 350; 1911, 208, 249; 1914, 247; 1915, 75; 1916, 229. Affected, 1915, 214. (See 1914, 370 § 1.)

SECT. 65. See 1911, 584.

SECT. 71 *et seq.* See 1909, 514 §§ 127-144; 1910, 166; 1911, 751 I; 1912, 409; 1914, 553; 1915, 179.

SECTS. 72, 73. See 1911, 751; 1912, 172, 251; 1913, 290; 1914, 708; 1915, 151 § 7, 179, 183, 236, 287.

Chapter 107. — Of the Bureau of Statistics of Labor and the Board of Supervisors of Statistics.

This chapter is repealed and superseded by 1909, 371; 1910, 83, 616 § 2; 1911, 74, 158; 1912, 45, 49, 560; 1913, 358, 416, 706, 727; 1914, 55; 1915, 84, 285; 1916, 13; 1917, 24, 159 §§ 1-3, 192. (See 1902, 438; 1906, 296, 385 § 2; 1907, 79, 135; 1908, 306, 462, 481, 485 § 7, 517; 1909, 514 §§ 1-8, Res. 41; 1910, 598, 616; 1911, 59, 607, Res. 142; 1912, 352, 706 § 12; 1913, 677; 1915, 84.)

Act to provide for taking the decennial census, 1914, 692. (See 1914, Res. 120.) And for a census of the fisheries and commerce of the commonwealth, 1914, 692 § 8.

Acts to establish a board of labor and industry and define its powers and duties, 1912, 726; 1913, 424, 766, 813, 831 §§ 4, 18; 1914, 263, 474, 533; 1915, 74; 1916, 115, 143, 308; 1917, 72. (See 1916, 222.)

Commission on immigration, 1913, Res. 77.

Provision for free employment bureaus in certain cities, 1906, 435; 1907, 135; 1908, 306, 462 § 5, 485; 1909, 514 §§ 1-9; 1911, 158; 1913, 389. (See 1909, 371; 1912, 726 § 5.)

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

SECTS. 10, 11 repealed, 1902, 438 § 7. (See 1909, 67.)

Chapter 108. — Of District and Other Police Officers.

The fire marshal's department is abolished and duties and powers transferred to detective department of district police, 1904, 433; 1905, 280; 1908, 502, 568; 1910, 223, 328, 588; 1915, 220. (See 1911, 325; 1914, 155, 795.) Salaries of fire inspectors, 1905, 247 § 1, 461 § 1. (See 1902, 142; 1903, 365; 1904, 370; 1911, 477; 1913, 816.)

Act to increase the facilities of the district police for the enforcement of law and prevention of crime in the waters of the commonwealth, 1914, 577.

Act to provide for the better prevention of fires in the metropolitan district, 1914, 795; 1916, 138. (See 1915, 296 § 2.) Tenure of office of chief engineers, 1916, 291; 1917, 140.

Board of labor and industries to have powers and duties of inspectors of buildings, factories, etc., 1912, 726 §§ 5-13; 1913, 424, 766, 813; 1914, 263, 328, 726, 533; 1915, 74; 1916, 308.

Appeals to state board of health, 1907, 499.

Police commissioner for Boston, 1906, 291; 1907, 214; 1909, 221. And deputy, 1909, 311. (See 1885, 323; 1889, 419, 450; 1894, 266; 1897, 320; 1900, 306; 1903, 312, 428 § 3; 1904, 353, 402; 1905, 223; 1907, 513, 584; 1909, 329; 1911, 287, 727 § 20; 1913, 236, 280, 728.)

Acts relative to giving of bonds in blasting operations, 1911, 325; 1914, 155.

Act relative to safety valves as applied to ammonia compressors, 1914, 467.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act to provide a laboratory for the detective department of the district police, 1915, 220.

Chief of district police or an inspector of factories and public buildings may make complaint for violations of law for weekly payment of wages, 1909, 514 § 113. Amended, 1916, 14.

Act relative to the destruction or disposal of certain applications and reports made to the district police, 1916, 145.

Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

SECT. 1. Additional members, 1903, 333, 365 §§ 2, 4; 1904, 318, 430; 1906, 521, 522 § 1; 1907, 451, 465 § 25, 482; 1908, 185, 470; 1909, 413, 432; 1911, 616, 620; 1912, 614; 1913, 816; 1914, 577 § 2; 1917, 43. (See 1904, 347 § 2; 1906, 105 §§ 1-3, 262; 1908, 389; 1912, 384, 726 §§ 5, 12.) Age limit, 1904, 430; 1906, 522; 1908, 375.

Act relative to employment of a storekeeper in the department of the district police, 1914, 622.

Act to divide inspection department into two departments, 1913, 610.

Act relative to the inspection of pneumatic machinery, 1913, 629; 1914, 127, 649.

SECT. 2. Chief of boiler inspection department, 1906, 521; 1910, 179; 1911, 619, 656; 1915, 211. (See 1906, 387; 1907, 465 §§ 4, 25; 1908, 470, 563 § 2; 1909, 131, 393; 1912, 726 §§ 5, 12; 1914, 263.)

SECT. 3 amended, 1913, 480. (See 1914, 622.)

SECT. 3 *et seq.* Stenographers, 1907, 465 § 25, 482; 1908, 479; 1911, 561. Chief may authorize carrying of badges and weapons, 1908, 143.

SECT. 4. See 1908, 195, 469; 1914, 615.

SECT. 5. Salaries, 1904, 382, 433; 1905, 247, 365, 461 § 1; 1906, 480, 521 § 1, 522 § 1; 1909, 410; 1911, 549, 561, 619, 620; 1913, 480, 834. (See 1907, 482; 1913, 610 § 1.)

Tenure of office of police officers, 1906, 210; 1907, 272. (See 1911, 624; 1916, 113.)

Pensions for the district police, 1911, 675.

SECTS. 7, 8. See 1903, 475 §§ 3, 5; 1905, 176, 304 § 4, 472; 1906, 105, 262; 1907, 373, 465 § 4; 1908, 375, 385 § 1, 389, 566, 568; 1909, 189, 354, 504 §§ 42, 44, 514 §§ 82, 94, 105, 107; 1910, 259, 404, 565, 588; 1911, 218, 269, 310, 325, 440, 562 §§ 3, 6, 8, 656, 727 § 2; 1912, 318, 372; 1913, 333, 831 § 25; 1914, 196, 791; 1915, 169, 211, 259.

SECT. 8 amended, 1907, 413. Duties transferred, 1907, 537 § 5; 1912, 726 §§ 5, 12. (See 1909, 514 §§ 89, 105, 107; 1910, 284; 1911, 603; 1914, 263; 1915, 116.)

SECT. 10 amended, 1902, 544 § 12.

SECTS. 11, 12 superseded, 1909, 514 §§ 34, 35, 145. (See 1903, 333; 1908, 470.)

SECTS. 13-18 in part repealed, 1906, 463 I §§ 49-53, 68. (See 1914, 745.)

SECT. 20 in part repealed, 1906, 463 I §§ 55, 68. (See 1914, 553.)

SECTS. 21-25 superseded, 1906, 463 I §§ 49-55, 68; 1914, 423. (See 1914, 745.)

SECT. 29 amended, 1903, 428 § 1; 1909, 188. (See 1910, 261.) Mutual aid association, 1905, 246; 1910, 295.

SECTS. 29-31. See 1909, 453.

SECT. 30 revised, 1903, 428 § 2.

SECTS. 32, 33, 36. See 1906, 291 § 10.

Chapter 109. — Of Certain Powers, Duties and Liabilities of Corporations.

This chapter is repealed in part and new provisions made for business corporations, 1903, 437; 1904, 207, 261; 1905, 156, 222, 242; 1906, 271 §§ 12, 13, 286, 346, 372; 1907, 282, 332, 395, 396, 578; 1908, 180, 300; 1909, 326; 1910, 353, 385; 1911, 184, 488, 492; 1912, 175, 586, 595; 1913, 257, 447, 597, 660; 1914, 661, 742, 787; 1915, 15, 21, 92, 192, 264; 1916, 105, 167, 292; 1917, 104 § 1, 166, 168, 205, 224, 305. (See 1902, 370, 441, 463; 1903, 423; 1904, 442; 1905, 156, 242; 1906, 269, 392, 437; 1907, 414 § 2; 1908, 314, 454 § 1; 1909, 440 § 2, 490 I §§ 60-62, II, III; 1912, 312; 1913, 694; 1914, 770, 787; 1915, 219, 238, 299; 1916, 269 §§ 9, 11, 25.) Act to prohibit transfers of assets in fraud of the commonwealth, 1910, 187.

This chapter is repealed in part and superseded by act to consolidate the laws relating to the manufacture, distribution and sale of gas and electricity; 1914, 742; 1915, 20, 92, 191, 192, 264; 1916, 64, 167, 220, 266 § 9; 1917, 141, 205. (See 1915, 115, 296; 1917, 166.)

Act to regulate the sale of stock, etc., by corporations, etc., engaged in the business of publishing or selling text books or conducting correspondence schools, 1914, 658.

Acts relative to voluntary associations under written instruments, 1909, 441; 1913, 454, 596; 1914, 471, 742 § 148, 770 § 10; 1915, 20, 238 § 10; 1916, 184, 269 §§ 12, 25.

Uniform stock transfer act, 1910, 171; 1914, 770; 1915, 238.

Acts relative to recording name and change of name, 1907, 539; 1908, 163, 316. (See 1915, 205.) Use of names or titles of public service corporations, 1913, 499.

Acts relative to taking deposits for tickets from foreign countries or other purposes, 1905, 428; 1906, 408; 1907, 377; 1908, 493; 1909, 287, 450; 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179, 245; 1916, 175.

Act relative to false reports or statements concerning corporations, 1914, 661.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Act to provide for the supervision of water companies by the gas and electric light commissioners, 1914, 787; 1915, 21; 1917, 166.

Act relative to the creation and issue of preferred stock by railroad corporations, 1915, 299.

Act relative to the issue of securities by hydroelectric companies, 1916, 64.

Provision for the registration of bonds held by the commonwealth and by sinking fund commissioners, 1909, 136 § 1; 1912, 377; 1916, 152; 1917, 116.

Act relative to the incorporation and regulation of companies for the use of trolley motors on public ways, 1916, 266.

Act to prohibit the practice of law by corporations, 1916, 292; 1917, 168.

Act to regulate foreign corporations engaged in the business of wrecking or salvaging in the navigable waters of the commonwealth, 1917, 305.

SECT. 1. See 1906, 269; 1907, 332; 1911, 70.

SECT. 2 affected, 1914, 742 §§ 11, 199. (See 1910, 187.)

SECTS. 3-5 affected, 1914, 742 §§ 12, 17, 18.

SECT. 6 affected, 1914, 742 § 50.

SECT. 7 limited, 1910, 197. Affected, 1914, 742 §§ 61, 199.

SECT. 8 affected, 1914, 742 §§ 6, 199.

SECTS. 9-11 affected, 1914, 742 § 58.

SECTS. 9-11, 15, 17, 20, 21, 24, 25, 27, 28, 30-35, 40, 52-57 repealed, so far as they apply to railroads or railroad corporations, etc., 1906, 463 II §§ 34, 38, 42, 44, 65-70, 258 III §§ 105-112, 138-143. (See 1908, 163, 636; 1909, 369; 1914, 742 § 58; 1915, 205.)

SECTS. 13, 14. See 1906, 463 II § 29.

SECTS. 15-17 affected, 1914, 742 §§ 19-21, 199.

SECT. 18 affected, 1914, 742 § 29. (See 1906, 463 III § 4.)

SECT. 20 affected, 1914, 742 § 36, 199.

SECTS. 20-24 repealed in part, 1914, 787 § 12. (See 1913, 660; 1914, 742 §§ 36, 37.)

SECT. 21 affected, 1914, 742 §§ 37, 199.

SECT. 22. See 1914, 661.

SECT. 24 amended, 1913, 784 § 3; 1914, 787 § 6; 1915, 21 § 1. Repealed in part, 1914, 787 § 12. Affected, 1909, 477 § 1; 1910, 374; 1914, 742 § 39; 1916, 64.

SECTS. 24-27. See 1902, 441; 1903, 437 § 40; 1906, 392, 437; 1908, 529 § 4, 534; 1909, 477; 1910, 374; 1914, 742 §§ 39-41; 1915, 21 § 1, 299, 303.

SECT. 26 amended, 1914, 787 § 7; 1915, 21 § 1. Affected, 1914, 742 §§ 40, 199.

SECT. 27 amended, 1913, 784 § 3. Affected, 1914, 742 § 41. Repealed in part, 1914, 787 § 12.

SECT. 28 repealed in part, 1914, 787 § 12. Affected, 1914, 742 §§ 42, 199.

SECTS. 30, 31 repealed in part, 1914, 787 § 12. Affected, 1914, 742 §§ 43, 44. (See 1915, 299 § 3.)

SECTS. 32-35. Affected, 1914, 742 §§ 24-27. (See 1910, 171; 1914, 661.)

SECT. 36 *et seq.* Provision for the taxation of transfers of stock, 1914, 770; 1915, 238.

SECTS. 36-39 repealed, 1903, 423 § 2. (See 1906, 463 II §§ 41, 258; 1910, 171; 1914, 742 § 62, 770; 1915, 238.)

SECT. 40. Affected, 1914, 742 §§ 62, 199.

SECTS. 52-55, 57 affected, 1914, 742 §§ 84-88, 199. (See 1910, 187.)

SECT. 54 amended, 1905, 156. (See 1903, 437 § 53.)

SECT. 57. See 1914, 742 § 88.

SECT. 99. See 1906, 463 II § 47.

Chapter 110. — Of Manufacturing and Other Corporations.

This chapter is repealed in part and new provisions made for business corporations, 1903, 437; 1904, 207, 261; 1905, 156, 222, 242; 1906, 271 §§ 12, 13, 286, 346, 372; 1907, 282, 332, 395, 396, 578; 1908, 180, 300; 1909, 326; 1910, 353, 385; 1911, 184, 488, 492; 1912, 175, 586, 595; 1914, 661, 742, 787; 1915, 15, 21 § 1, 92, 192, 264; 1916, 105, 167; 1917, 104 § 1, 166, 168, 205, 224, 305. (See 1902, 370, 441, 463; 1903, 423; 1904, 442; 1905, 156, 242; 1906, 269, 392, 437; 1907, 414 § 2; 1908, 468; 1909, 103,

440 § 2, 441, 490 I and II; 1911, 184, 428; 1913, 447, 597, 660; 1914, 770; 1915, 21 §§ 2, 3, 118, 219, 238, 299; 1916, 269 §§ 9, 11, 25.) Act to prohibit transfer of assets in fraud of the commonwealth, 1910, 187.

This chapter is repealed in part and superseded by act to consolidate the laws relative to the manufacture, distribution and sale of gas and electricity, 1914, 742; 1915, 20, 92, 191, 192, 264; 1916, 64, 167, 220, 266 § 9; 1917, 141, 205. (See 1915, 115, 296; 1916, 199; 1917, 166.)

Act relative to the listing and advertising of shares of stock of mining corporations, 1911, 492. (See 1911, 488.)

Uniform stock transfer act, 1910, 171. (See 1914, 770; 1915, 238.)

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Acts relative to recording name and change of name, 1907, 539; 1908, 163, 316. (See 1915, 205.)

Act relative to false reports or statements concerning corporations, 1914, 661.

Provision for the registration of bonds held by the commonwealth and by sinking fund commissioners, 1909, 136 § 1; 1912, 377; 1916, 152; 1917, 116.

SECT. 1. See 1906, 204; 1908, 590 § 4; 1909, 491 § 2; 1911, 148.

SECT. 2. See 1914, 742 §§ 2, 3.

SECT. 4 affected, 1914, 742 § 3.

SECT. 9 amended, 1910, 346. (See 1914, 742 § 3.)

SECT. 10. See 1909, 441.

SECT. 13. See 1914, 742 § 3.

SECT. 14. See 1914, 742 § 4.

SECTS. 15, 16 affected, 1914, 742 §§ 5, 199.

SECTS. 15-20. See 1911, 251; 1912, 311; 1913, 750; 1914, 742 §§ 5-10; 1915, 178 § 1; 1916, 21, 200.

SECTS. 17, 22-25, 27, 28. See 1906, 463 II §§ 29-32, 37, 40, 43.

SECT. 17 affected, 1914, 742 §§ 7, 199.

SECT. 19 repealed in part, 1906, 463 II § 258. Affected, 1914, 742 § 9.

SECT. 20 affected, 1914, 742 § 10.

SECTS. 22, 23 affected, 1914, 742 §§ 13, 14, 199.

SECT. 24 affected, 1914, 742 §§ 15, 199. (See 1907, 576 § 61; 1909, 256; 1911, 344.)

SECTS. 25-29 affected, 1914, 742 §§ 16, 18, 22, 23, 28, 199.

SECT. 28. See 1914, 742 § 23, 770; 1915, 238.

SECT. 31 affected, 1914, 742 §§ 35, 199.

SECT. 32 amended, 1908, 534 § 1. (See 1906, 437; 1909, 316, 477; 1910, 374; 1914, 742 § 35.)

SECTS. 36-39 affected, 1914, 742 §§ 31-34, 199.

SECTS. 40-43, 45 affected, 1914, 742 §§ 36, 45-49.

SECT. 46. See 1910, 187; 1914, 742 § 50.

SECT. 47 superseded, 1914, 742 § 52; 1915, 192. (See 1910, 124.)

SECT. 48. See 1909, 477; 1910, 374; 1914, 742; 1915, 1 § 21; 1917, 205.

SECT. 50 affected, 1914, 742 §§ 60, 199.

SECT. 51 affected, 1914, 742 § 65. (See 1913, 660 § 3; 1914, 661; 1915, 21 § 3.)

- SECTS. 52, 53 affected, 1914, 742 §§ 66, 67.
 SECTS. 54, 55 affected, 1914, 742 §§ 68, 69, 199. (See 1914, 661.)
 SECT. 57 affected, 1914, 742 §§ 70, 199.
 SECT. 58 affected, 1914, 742 §§ 73, 199.
 SECT. 59. See 1914, 742 § 74.
 SECT. 60. See 1914, 742 § 75.
 SECTS. 61-68. See 1914, 742 §§ 76-83.
 SECT. 76 affected, 1914, 742 §§ 126, 199.
 SECTS. 76-78. See 1909, 103; 1914, 787 § 9.
 SECT. 77 affected, 1914, 742 § 131.
 SECT. 78 affected, 1914, 742 § 132.
 SECT. 79 superseded, 1914, 742 § 64.
 SECT. 81 affected, 1914, 742 § 63. (See 1913, 660; 1915, 21 §§ 2, 3.)
 SECT. 82 affected, 1914, 742 §§ 71, 199.
 SECT. 83 affected, 1914, 742 § 72.
 SECTS. 84-86 affected, 1914, 742 §§ 89-91. (See 1911, 339.)
 SECT. 86 amended, 1908, 382 § 1. (See 1908, 219; 1915, 92, 264.)

Chapter 111. — Of Railroad Corporations and Railroads.

This chapter, except section 158, is repealed by 1906, 463 II § 258; and revised by 1906, 463 I, II; 1907, 245, 287, 315, 392, 585; 1908, 390, 504, 542, 553, 620, 636, 649; 1909, 47 § 1, 233, 343, 348, 358, 369, 394, 417, 429; 1910, 353, 401, 498, 544, 558, 588, 633; 1911, 120, 290, 486, 491, 508, 681; 1912, 156, 354, 375, 725 I §§ 4-6, II §§ 2-7; 1913, 161, 784; 1914, 18, 423, 616, 661, 679, 722, 723, 745, 746; 1915, 157, 193, 298, 299, 303; 1916, 24, 92, 137, 244; 1917, 41, 122, 246. (See 1902, 298, 402, 432, 440, 507, 533, 544 § 13; 1903, 126, 173, 297, 423, 478; 1904, 59, 96, 169, 265, 357, 429; 1905, 134, 208, 210, 408, 456; 1906, 266, 267, 283, 417, 463 II § 258, 516; 1907, 428, 431; 1908, 372, 495, 552, 599; 1909, 118, 485, 490 I §§ 9, 43, III 502, 514 §§ 24, 25, 46, 127, 145; 1910, 171, 187, 214, 443, 596; 1911, 184, 214, 635; 1912, 496; 1913, 546 § 5, 765; 1914, 200, 527, 553, 766, 770; 1915, 238.)

Act relative to proof of contributory negligence in actions for the recovery of damages for injuries, 1914, 553.

Act relative to employment of engineers and conductors, 1911, 539.

Of baggagemen, laborers, crossing tenders, etc., 1914, 746. Of signalmen, tower-men, train dispatchers, telegraphers, etc., 1914, 723.

Acts for better protection from fire of woodlands adjoining railroads, 1907, 431; 1909, 394. Act relative to use of torpedoes, etc., 1908, 495.

Act relative to the giving of free passes or transportation to officers or employees of the general court, 1914, 679.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Acts to regulate formation of electric railroad companies, 1906, 516; 1907, 428, 448; 1908, 301, 450. (See 1909, 118.) Use of names or titles of public service corporations, 1913, 499.

Act relative to season tickets, 1911, 508.

As to mileage and commutation tickets, see 1908, 649.

Acts relative to furnishing drinking water on passenger trains, 1911, 491; 1912, 581.

Acts relative to taking of deposits for transmission to foreign countries, or other purposes, 1905, 428; 1906, 408; 1907, 377; 1908, 493; 1909, 287, 450; 1910, 338; 1911, 358; 1912, 335, 1913, 178, 179, 245; 1916, 175. (See 1908, 599.)

Act relative to false reports or statements concerning corporations, 1914, 661.

Act relative to expenses incurred by officers in the prosecution of certain offenders in respect to railroad property, 1914, 745.

Act to change the name, enlarge the membership and increase the powers of the board of railroad commissioners, 1913, 784; 1914, 616, 679; 1915, 193; 1916, 24, 92, 137, 244, 259, 266; 1917, 122, 184 §§ 1, 3, 246 §§ 4, 5. (See 1906, 463 I § 1; 1912, 496; 1917, 94.)

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to the creation and issue of preferred stock by railroad corporations, 1915, 299.

Act relative to the issue of stocks, bonds, notes, etc., by railroad corporations, 1915, 303.

Provision for the registration of bonds held by the commonwealth and by sinking fund commissioners, 1909, 136 § 1; 1912, 377; 1916, 152; 1917, 116.

Act to provide for the maintenance of warning signs, and to regulate the operation of motor vehicles, at railroad crossings, 1917, 246.

SECT. 9. See 1906, 463 I § 2; 1910, 401; 1912, 622.

SECT. 11 *et seq.* See 1906, 463 I §§ 5-9; 1911, 755; 1912, 488; 1913, 499, 508, 598, 784; 1914, 616, 679; 1915, 193.

SECT. 61. See 1915, 299.

SECT. 83 *et seq.* See 1906, 463 II §§ 248-250; 1914, 661; 1917, 122.

SECT. 133. Agreements with towns and cities relative to the maintenance of the surfaces and approaches of bridges. 1914, 200.

SECT. 149 *et seq.* See 1906, 463 I §§ 29-45; 1908, 372, 390, 542; 1909, 47, 429; 1910, 498, 544; 1914, 18, 200, 527, 722.

SECT. 154. See 1914, 200.

SECT. 158. Not repealed by 1906, 463. (See 1906, 463 II § 258; 1909, 358; 1914, 722 § 2.)

Act to restrain the consolidation of railroad corporations, 1907, 585.

SECT. 159. See 1906, 463 I § 43; 1909, 358; 1914, 722.

SECTS. 225, 234. See 1906, 463 II § 190; 1912, 488; 1913, 784 § 18; 1914, 679.

SECT. 249 *et seq.* See 1914, 745.

SECT. 263 *et seq.* See 1903, 297; 1906, 463 I § 68; 1907, 392 § 1; 1911, 635.

SECT. 267. See 1906, 463 I § 63; 1914, 553; 1915, 151 § 7.

SECT. 268. See 1915, 151 § 7.

SECT. 270. See 1909, 394.

Chapter 112. — Of Street Railway Corporations.

This chapter is repealed by 1906, 463 III § 158; and revised by 1906, 463 III, 479; 1907, 318, 392, 402; 1908, 530, 620, 636; 1909, 47 § 1, 369, 417, 485; 1910, 443, 453, 518, 536, 551, 567, 596; 1911, 120, 345, 357, 442, 462, 487; 1912, 124, 533; 1913, 598, 784; 1914, 616, 661; 1915, 133, 193, 277, 298; 1916, 24, 137, 244, 259, 266, 302; 1917, 122, 184. (See 1902, 288, 370, 395, 396, 399, 440, 449, 483; 1903, 134, 143, 202, 320, 328, 423, 476; 1904, 110, 210, 267, 373, 396, 441; 1905, 80, 134, 376; 1906, 266, 267, 283, 339, 463 I § 68, 516; 1907, 428; 1908, 390, 599; 1909, 490 III §§ 40-51, 502, 514 § 46; 1910, 171, 558; 1911, 184; 1912, 457, 496, 695; 1913, 765; 1914, 553, 671, 770; 1915, 238.) Provision for temporary locations, 1908, 266; 1910, 518. Issue of stock or bonds for working capital, 1906, 463 III §§ 107-112; 1909, 485; 1913, 764; 1914, 671. Transportation of milk and cream, 1906, 463 II §§ 202, 203; 1908, 278; 1910, 633. And military supplies and equipment, 1909, 118.

Act relative to proof of contributory negligence in actions for the recovery of damages for injuries, 1914, 553.

Act to provide better transportation facilities for western Massachusetts, 1915, 765.

Act relative to joint use of tracks by street railway companies, 1911, 487.

Act relative to pole and wire locations, 1911, 442. (See 1911, 509; 1916, 266 § 1.) Use of names or titles of public service corporations, 1913, 499.

Acts relative to hours of labor of employees, 1912, 533; 1913, 833; 1915, 277.

Acts relative to electric railroad companies, 1906, 463 III 516; 1907, 428, 448; 1908, 301, 450; 1910, 596; 1911, 120, 345, 357, 487; 1916, 132, (See 1907, 556; 1908, 552.) Act limiting time of construction, 1910, 587.

Act relative to the giving of free passes or transportation to officers or employees of the general court, 1914, 679.

Provision for purchase of property of foreign companies, 1910, 443.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

As to elevated railways and subways in and near Boston, see 1890, 368, 454 § 12; 1894, 548, 550; 1895, 440; 1900, 258; 1902, 114, 534; 1904, 167; 1906, 213, 520; 1907, 258, 573; 1908, 521, 551; 1909, 383, 455; 1910, 630; 1911, 623, 740, 741; 1912, 644; 1913, 775, 777, 810; 1915, Sp. Acts 293, 297, 376.

Act relative to false reports or statements concerning corporations, 1914, 661.

Act to require notice by street railway companies of intended changes in service, 1916, 259.

Act relative to the use of trolleymotors on public ways, 1916, 266.

Provision for the registration of bonds held by the commonwealth and by sinking fund commissioners, 1909, 136 § 1; 1912, 377; 1916, 152; 1917, 116.

SECTS. 39-61. See 1916, 259.

SECTS. 44, 45. See 1906, 463 III §§ 79, 80; 1913, 290, 667; 1914, 553; 1916, 302.

SECT. 72 amended, 1906, 479; 1908, 530; 1910, 567.

SECT. 93 *et seq.* See 1906, 463 III §§ 151-155; 1914, 661; 1917, 122.

Chapter 113. — Of Savings Banks and Institutions for Savings.

This chapter is repealed and revised by 1908, 590; 1909, 491; 1910, 281, 358, 393, 399, 622; 1911, 211, 228; 1912, 122, 171, 189, 357, 580, 629; 1913, 291; 1914, 470, 567, 610, 661; 1915, 62, 93, 273; 1916, 26, 198; 1917, 33, 122 § 2, 144. (See 1902, 169, 355, 463, 483, 490; 1904, 200, 208, 210, 374 § 5, 427; 1905, 250; 1906, 66, 204, 347, 377, 463 III §§ 147-150; 1907, 340, 377, 533, 561, 576; 1908, 222, 414, 493, 520, 523; 1909, 399, 419, 490 III §§ 21-23; 1910, 263, 656; 1911, 618; 1912, 173; 1914, 246, 437, 770; 1915, 32, 168, 238, 268; 1917, 257.)

Acts relative to savings deposits in trust companies, 1908, 520; 1909, 342; 1911, 337. Stock in Massachusetts trust companies, 1912, 189.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Acts relative to proceedings against banks, 1910, 399; 1912, 472.

Act relative to the receiving of deposits by insolvent banks or bankers, 1914, 567.

Savings banks may establish life insurance departments, 1907, 561; 1908, 222; 1914, 246; 1915, 32, 168. (See 1907, 576.)

Act relative to false reports or statements concerning corporations, 1914, 661.

Acts relative to payment of deposits made in the names of two persons, 1911, 228; 1915, 93.

Act giving bank commissioner same powers and duties in respect to savings and loan associations as he now has or may hereafter have in respect to savings banks, 1916, 26.

SECT. 3. See 1909, 491 § 3.

SECT. 6. See 1908, 590 § 9; 1910, 399; 1911, 339.

SECT. 11. See 1907, 576 § 61; 1909, 256, 491 § 4; 1911, 344.

SECT. 14. See 1914, 567.

SECTS. 14, 31. See 1908, 590 § 69.

SECT. 20. See 1914, 770 § 2.

SECT. 25. See 1908, 590 § 46; 1909, 491 § 7; 1915, 93; 1917, 144.

SECT. 26 affected, 1915, 231 § 16. Cl. 7, see 1908, 590 § 68; 1909, 49, § 8; 1910, 358; 1912, 580; 1913, 291; 1915, 273.

SECT. 35. See 1911, 228; 1915, 93.

SECT. 38. See 1910, 370.

SECT. 44. See 1906, 463 III §§ 79, 80; 1913, 290.

SECTS. 47, 48, 51. See 1914, 661.

SECT. 48. Re-enacted, 1908, 590 § 38. Amended, 1915, 62.

SECT. 55. See 1908, 590 § 56; 1916, 198.

Chapter 114. — Of Co-operative Banks.

This chapter is superseded by 1912, 623; 1913, 264; 1914, 567, 643; 1915, 38, 77; 1916, 22; 1917, 52. (See 1903, 95, 147, 203; 1904, 292; 1907, 351, 576 § 61; 1909, 419; 1910, 288, 364; 1912, 128; 1914, 437, 770; 1915, 238, 268.)

Acts to authorize the incorporation of credit unions, 1909, 419; 1914, 437; 1915, 268. (See 1915, 62.)

Acts relative to unauthorized banking, 1906, 377; 1908, 590 § 16; 1909, 491 § 4; 1914, 610.

Act relative to the receiving of deposits by insolvent banks or bankers, 1914, 567.

Acts relative to proceedings against banks, 1910, 399; 1912, 472; 1913, 177. (See 1911, 618.)

Consolidation of two or more banks authorized and regulated, 1904, 392. (See 1906, 204.)

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Act relative to false reports or statements concerning corporations, 1914, 661.

SECT. 1. See 1909, 419 § 25; 1915, 268 § 5.

SECT. 2. See 1906, 204 § 4; 1908, 590 § 4; 1909, 490 III § 25, 491 § 2; 1911, 148.

SECT. 3. See 1909, 419 § 3; 1915, 268.

SECT. 4 amended, 1903, 147 § 1; 1912, 623 § 10; 1914, 643 § 2; 1915, 77.

SECT. 6. See 1916, 22.

SECT. 7. See 1907, 576 § 61; 1909, 256; 1916, 22.

SECTS. 9, 10 amended, 1903, 95 §§ 1, 2; 1912, 623 §§ 14, 18; 1914, 643 § 4.

SECT. 10. See 1907, 576 § 61.

SECT. 11 amended, 1910, 288; 1912, 623 §§ 19-21. Affected, 1915, 321 § 16.

SECT. 14. Loans limited, 1904, 292. Acts relative to mortgages to co-operative banks, 1907, 351; 1913, 369.

SECT. 17 revised, 1906, 280; 1912, 623 § 17; 1914, 643 § 6.

SECT. 24 revised, 1903, 203 § 1; 1912, 623 § 35.

SECTS. 26-30. See 1906, 204 § 3; 1909, 419; 1912, 580; 1914, 437.

SECT. 30 amended, 1910, 364; 1912, 623 § 38. (See 1914, 661.)

SECT. 31 (new section) added, 1903, 147 § 2; 1912, 623 § 14. (See 1910, 364.)

Chapter 115. — Of Banks and Banking.

Acts relative to the bank commissioner's department, 1908, 414, 520 §§ 10, 11, 13, 15, 590 §§ 2-15; 1909, 399, 491; 1910, 393, 399; 1911, 81; 1912, 73, 97, 128, 171, 173, 472, 516, 623, 629; 1913, 177, 264, 294, 409; 1914, 504 § 3, 661; 1915, 38; 1916, 26, 142, 175. (See 1906, 204, 377; 1907, 319 §§ 2-4, 377, 561; 1910, 263, 281, 338, 656, § 6; 1911, 184, 228; 1913, 312; 1915, 93.)

Board of bank incorporation, 1908, 590 § 4; 1909, 491 § 2; 1911, 148; 1915, 268 § 2.

Act to authorize the incorporation of farmland banks, 1915, 231.

Act relative to liability for forged negotiable instruments, etc., 1912, 277.

Supervisor of loan agencies, 1911, 727 § 1; 1912, 675; 1913, 347, 638; 1916, 194, 224, 274. (See 1909, 317.)

Provision for registration of public accountants, 1909, 399; 1910, 263; 1911, 81.

Acts relative to unauthorized banking, 1906, 377; 1908, 590 § 16; 1909, 491 § 4; 1914, 610. Acts relative to proceedings against banks, 1910, 399; 1912, 472; 1913, 178. (See 1911, 618.) Foreign banking associations or

corporations, 1906, 66 § 1, 204 § 3, 347; 1910, 343. (See 1902, 463; 1914, 770.) Acts relative to foreign banking corporations doing business as savings banks, 1907, 533; 1909, 491 § 4. (See 1908, 510; 1911, 228; 1915, 93.)

Acts regulating business of receiving funds for tickets from or to foreign countries or supply of laborers, 1905, 428; 1906, 408; 1907, 377; 1908, 493; 1909, 287 § 1, 450; 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179.

Act relative to the receiving of deposits by insolvent banks or bankers, 1914, 567.

Act relative to false reports or statements concerning corporations, 1914, 661.

Acts to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Acts relative to payment of deposits made in the names of two persons, 1911, 228; 1915, 93.

SECT. 3. See 1906, 204 § 3.

SECT. 17 *et seq.* See 1902, 169 §§ 3, 4; 1908, 590 §§ 19, 20.

SECT. 67. See 1906, 204 § 3.

SECTS. 90-94. See 1907, 576 § 30; 1912, 360.

SECTS. 99, 100. See 1914, 661.

SECTS. 110, 111. See 1911, 339.

SECTS. 112-115. See 1906, 204 § 3.

Chapter 116. — Of Trust Companies.

Acts regulating the incorporation and business of trust companies, 1902, 169, 355; 1904, 374; 1905, 189, 331; 1906, 204; 1907, 487; 1908, 520, 590; 1909, 342, 491; 1910, 377, 399; 1911, 228, 337, 389; 1912, 73, 90, 472; 1913, 206, 409; 1914, 422, 470, 504, 537, 567, 610, 661; 1915, 93, 219, 273; 1916, 37, 129. 198, 269 §§ 9, 12, 25; 1917, 122 § 2, 283. (See 1904, 200; 1908, 590; 1909, 490 III § 37; 1911, 184; 1914, 770; 1915, 238.)

Act relative to false reports or statements concerning corporations, 1914, 661.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Acts relative to examinations of trust companies, 1907, 319; 1908, 520 § 14; 1912, 73; 1913, 409; 1914, 537 § 2. Act relative to proceedings against delinquent trust companies and banks, 1910, 399.

Act relative to the consolidation of trust companies, 1914, 504.

Acts relative to voluntary associations under written instruments, 1909, 441; 1913, 454, 596; 1914, 471, 742 § 148, 770 § 10; 1915, 20 § 2, 238 § 5; 1916, 184.

Act relative to trust companies which become stockholders in a federal reserve bank, 1914, 537 § 1.

Act relative to compensation of officers, directors and employees of trust companies, 1915, 219.

Act to authorize trust companies to establish branches in foreign countries and dependencies in the United States, 1914, 537 § 2.

Acts to authorize trust companies to accept certain drafts, etc., and to rediscount certain notes, 1914, 537 § 3; 1916, 129 § 1.

Act relative to the giving of collateral security by trust companies for deposits of public or other funds, 1914, 537 § 3.

Act relative to the receiving of deposits by insolvent banks or bankers, 1914, 567.

Acts relative to payment of deposits made in the names of two persons, 1911, 228; 1915, 93.

SECTS. 2-6. See 1904, 374 §§ 1-5; 1906, 204 § 3; 1908, 590 § 4.

SECT. 3 amended, 1909, 491 § 1. (See 1914, 610.)

SECT. 5 revised, 1916, 37. (See 1905, 189; 1907, 487; 1913, 206.)

SECT. 7 *et seq.* See 1915, 219. An examining committee required, 1908, 520 § 14. (See 1907, 319 § 1.)

Penalty for the receiving of deposits by officers, etc., of insolvent banks, etc., 1914, 567.

SECT. 8 amended, 1911, 87.

SECT. 9. See 1915, 219.

SECT. 12 amended, 1912, 54. (See 1908, 520; 1909, 342.)

SECT. 12 amended, 1917, 172 § 1.

SECT. 16 amended, 1907, 417. (See 1907, 340 § 2; 1908, 590 § 57; 1910, 370; 1912, 70.)

SECT. 18 amended, 1908, 116, 505. Affected, 1911, 389.

SECT. 20. See 1906, 204 § 4; 1908, 590 § 4; 1909, 491 §§ 2, 8; 1911, 148.

SECT. 28. See 1904, 374 § 7; 1905, 331; 1908, 520 §§ 8, 9; 1910, 377; 1914, 422; 1917, 283.

SECT. 30 amended, 1905, 228.

SECT. 34 revised, 1916, 129 § 2; 1917, 172 § 2.

SECT. 35 amended, 1912, 53.

SECT. 36 amended, 1907, 320; 1908, 520 § 13. (See 1909, 342 § 2; 1914, 537 § 2, 661; 1916, 142.)

SECT. 37. See 1906, 204 § 3; 1914, 537 § 2.

SECT. 38. See 1910, 399 § 12.

Chapter 117. — Of Mortgage Loan and Investment Companies.

Act to regulate bond and investment companies, 1904, 427. (See 1906, 204; 1908, 590)

Act relative to false reports or statements concerning corporations, 1914, 661.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

SECTS. 14, 15. See 1906, 204 §§ 3, 4; 1908, 590 §§ 2, 3; 1909, 419; 1914, 661.

Chapter 118. — Of Insurance.

This chapter is repealed and superseded by 1907, 576; 1908, 81, 151, 162, 165, 166, 170, 248, 436, 471, 473, 482, 509, 511, 646; 1909, 92, 95, 192, 242, 345, 390, 415, 467, 488; 1910, 185, 256, 366, 375, 426, 463, 489, 493, 499, 552, 649; 1911, 51, 54, 205, 251, 292, 329, 344, 361, 406, 429, 493, 751 IV; 1912,

52, 74, 119, 139, 149, 162, 311, 330, 396, 401, 403, 407, 524, 666, 684; 1913, 174, 181, 235, 247, 334, 343, 474, 489, 510, 535, 541, 613, 625, 750; 1914, 426, 448, 464, 505, 626, 642, 661; 1915, 7, 82, 110, 155, 178, 181, 183, 236, 287, Sp. Act 314; 1916, 5, 11, 12, 21, 28, 29, 32, 40, 47, 135, 150, 200; 1917, 9, 10, 37, 104, 113, 117, 132, 137, 146, 164, 191, 210, 238. (See 1902, 106, 340; 1903, 174, 223, 307, 421; 1904, 240, 247, 300, 304; 1905, 191, 287, 401; 1906, 271 § 7, 396; 1907, 539, 561; 1908, 222, 463, 563 § 2; 1909, 267, 490 III §§ 26-36, 53; 1910, 179, 235, 559; 1911, 315, 532 §§ 8, 9, 628 §§ 4, 12, 634 §§ 8-10; 1912, 82, 196; 1913, 445, 448, 568, 696; 1914, 246, 708 §§ 16, 17, 770, 795 § 20; 1915, 32, 168, 328.)

Act relative to reinsurance in unadmitted companies, 1914, 448.

Act to permit judgment creditors to reach and apply insurance money, 1914, 464.

Acts relative to incorporation of companies on the mutual plan, 1911, 251; 1912, 311; 1913, 750; 1914, 642; 1915, 178, 181; 1916, 21, 200 § 1; 1917, 191. (See 1916, 227; 1917, 97.)

Act to prohibit misrepresentation of terms of policies, 1913, 474.

Act relative to false reports or statements concerning corporations, 1914, 661.

Act relative to amending charters of domestic companies, 1912, 139.

Act to provide for the better prevention of fires throughout the metropolitan district, 1914, 795.

Act relative to service of process on foreign insurance corporations, 1914, 626. Prompt payment of workmen's compensation benefits by foreign companies on withdrawing from the commonwealth, 1915, 183.

Act relative to local collectors, 1913, 510.

Act relative to date of life policies, 1912, 119.

Pensions for employees authorized, 1913, 613.

Massachusetts Employees Insurance Association established, 1911, 751 IV; 1914, 338; 1915, 287, Sp. Act 314; 1916, 200 § 2. (See 1912, 196, 571, 666; 1913, 48, 568, 807; 1914, 618, 636; 1915, 183, 244.)

Pneumatic machinery to be insured, 1913, 629. (See 1915, 178.)

Acts to permit savings banks to establish life insurance departments, 1907, 561; 1908, 222; 1914, 246; 1915, 32, 168.

Act relative to voluntary exchanges of life policies, 1908, 436.

Act relative to change of name of certain corporations, 1908, 163.

Act to regulate payment of losses under contracts for casualty insurance, 1914, 464.

Act relative to loans and surrender values and the amortization of bonds of life insurance companies, 1914, 505; 1916, 47.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act to authorize the insurance commissioner to license corporations as insurance agents and brokers, 1915, 82; 1916, 11.

Act relative to payments by insurance companies to persons insured against accident or sickness, 1915, 155. (See 1910, 493 § 1 Par. 7; 1916, 28.)

Act to permit mutual liability insurance companies to insure against damage by steam boiler and fly-wheel explosions, 1916, 21. (See 1917, 132.)

Act to authorize certain insurance companies to insure against loss of securities and documents by bankers and brokers, 1916, 32.

Act relative to infants as parties to life insurance contracts, 1917, 37.
Act to authorize life insurance companies incorporated in this commonwealth to make contracts of pure endowment, and to grant, purchase and dispose of annuities, 1917, 117.

Act to authorize the insurance commissioner to license adjusters of losses, 1917, 164.

SECT. 3. See 1915, 155.

SECT. 4. See 1914, 615.

SECT. 5. See 1907, 576 § 5; 1911, 292; 1912, 407, 666; 1916, 40.

SECT. 6 *et seq.* See 1907, 576 § 6; 1910, 619 §§ 8-10; 1911, 628 §§ 12-29, 634 §§ 8, 9; 1913, 474 § 3; 1915, 151 § 6.

SECT. 7. See 1911, 339.

General insurance guaranty fund established, and a state actuary and medical director provided for, 1907, 561 §§ 14-16; 1914, 246. (See 1907, 576 § 5.)

Board of appeal for fire insurance rates, 1911, 493.

Act relative to preferred claims against insolvent domestic fire insurance companies, 1908, 151.

SECT. 29. See 1905, 401; 1906, 396; 1907, 576 § 32 Cl. 4; 1910, 499 § 1; 1911, 251; 1914, 426, 464; 1915, 155, 178, 181.

SECT. 36 *et seq.* See 1907, 576 § 38 *et seq.*; 1912, 396; 1915, 7.

SECT. 55. See 1907, 576 § 50 *et seq.*; 1913, 343.

SECT. 60. See 1907, 576 § 60; 1916, 150; 1917, 137.

SECT. 76. See 1916, 47.

SECT. 78. See 1915, 183.

SECT. 80. See 1915, 155, 183; 1916, 29.

SECT. 87 *et seq.* Corporations may be licensed as agents or brokers, 1915, 82; 1916, 11.

SECT. 96. See 1914, 661.

Chapter 119. — Of Fraternal Beneficiary Corporations.

This chapter in part superseded by acts to provide for the control and regulation of fraternal benefit societies, 1911, 628; 1912, 82; 1913, 617; 1914, 320, 661; 1915, 39; 1916, 4; 1917, 107, 108, 128. (See 1905, 315; 1909, 441; 1910, 98, 649; 1911, 751; 1912, 196; 1913, 411, 454.)

Act to authorize the incorporation of credit unions, 1909, 419; 1915, 268. (See 1915, 62.)

Establishment by employers and employees of retirement, annuity or pension systems, 1910, 559. (See 1915, 47, 197, 198, 234.)

Act relative to false reports or statements concerning corporations, 1914, 661.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

SECTS. 1, 2. See 1903, 332.

SECT. 6 extended, 1911, 111. Domestic corporation may adopt provisions of R. L., ch. 120, 1904, 155; 1909, 294. (See 1904, 427 § 7; 1907, 576 § 35; 1909, 514 § 30; 1912, 196.)

SECT. 11 amended, 1908, 463. (See 1911, 628 § 33.)

SECT. 12 amended, 1903, 332; 1909, 407; 1910, 339. (See 1911, 111.) License under 1908, 605, not required, 1909, 278. (See 1911, 727.)

Provision for partial payment on death of wife, 1904, 271.

SECT. 13 amended, 1907, 471. Restriction as to name, 1905, 315. Act relative to change of name, 1908, 163. Provision for injunction, 1910, 98; 1912, 82.

SECT. 14. See 1903, 166; 1914, 661.

SECT. 15 *et seq.* See 1910, 649.

SECT. 16 amended, 1907, 472; 1910, 296.

SECT. 17. See 1903, 332.

Chapter 120. — Of Assessment Insurance.

Act relative to false reports or statements concerning corporations, 1914, 661.

Massachusetts Employees Insurance Association established, 1911, 751 IV; 1914, 338; 1915, 287, Sp. Act. 314; 1916, 200 § 2. (See 1912, 196, 571, 666; 1913, 48, 568, 807; 1914, 618, 636; 1915, 183, 244.)

Act relative to change of name of certain corporations, 1908, 163.

Act to provide for taxation of transfers of stock, 1914, 770; 1915, 238.

SECT. 1. Domestic corporation organized under R. L., ch. 119, may also carry on business under this chapter, 1904, 155; 1909, 294; 1912, 196. (See 1904, 427 § 7; 1907, 576 § 35; 1909, 514 § 30; 1910, 339; 1911, 111, 628, 751 IV; 1913, 445, 448, 696; 1914, 338; 1915, Sp. Act 314.)

SECT. 6. See 1904, 155 § 3, 427 § 7.

SECT. 8 revised, 1910, 237.

SECT. 9. See 1911, 339.

SECT. 13 amended, 1903, 227.

SECT. 17. See 1914, 661.

Chapter 121. — Of Gas and Electric Light Companies.

This chapter is repealed in part and superseded by act to consolidate the laws relative to the manufacture, sale and distribution of gas and electricity, 1914, 742; 1915, 20, 92, 191, 192, 264; 1916, 64, 167, 220, 266 § 9; 1917, 141, 205. (See 1915, 115, 296; 1916, 199; 1917, 166.)

Acts relative to false reports or statements concerning corporations, 1914, 661.

Acts relative to meters used by gas companies, 1911, 434, 558; 1913, 254; 1914, 742. Use of electric meters, 1913, 623; 1914, 742.

Act to provide for the supervision of water companies by the gas and electric light commissioners, 1914, 787; 1915, 21 § 1; 1917, 166.

Acts relative to gas, electric light and power companies, 1908, 529, 617; 1909, 316; 1911, 293, 348, 349, 434, 509, 558, 629; 1912, 249; 1914, 515, 742; 1915, 20, 92, 191, 192, 264; 1916, 64, 167, 220, 266 § 9; 1917, 141, 205.

(See 1906, 392; 1910, 187, 197; 1913, 596, 597, 623; 1915, 115; 1917, 166.)
Use of names or titles of public service corporations, 1913, 499; 1914, 742.

Act relative to contracts between the metropolitan park commission and electric light, power or gas companies for the lighting of lands under the control of said commission, 1914, 515.

Act to authorize the employment of expert assistance by the gas and electric light commissioners, 1914, 631 § 1.

Act relative to the duties, etc., of employees and the expenses of the gas and electric light commissioners, 1914, 631.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Act to establish the state examiners of electricians and to provide for the licensing of companies to install electric wiring, etc., for light, heat or power purposes, 1915, 296.

Act relative to the issue of securities by hydroelectric companies, 1916, 64.

Act to establish a calorific standard for illuminating gas, 1916, 167.

SECT. 1 superseded, 1914, 742 § 133. (See 1907, 316; 1908, 655; 1910, 539; 1915, 191.)

SECTS. 1-4. Powers and duties of inspector of gas meters transferred to board of gas and electric light commissioners, 1902, 228; 1909, 316, 318, 441; 1910, 651; 1911, 509; 1913, 499; 1914, 742; 1916, 220 § 2. (See 1903, 464; 1906, 422; 1909, 483, 490 III § 9; 1911, 184, 558.) Inspectors' salaries, 1902, 228 § 6; 1907, 54 § 2; 1908, 536 § 2; 1914, 742. Employees and expenses of the commissioners, 1914, 631; 1916, 220. Expert assistance, 1914, 631 § 1. Authorized to establish calorific standard for illuminating gas, 1916, 167.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

SECT. 2 superseded, 1914, 742 § 134.

SECT. 3 superseded, 1914, 742 § 135. (See 1907, 54 § 1; 1908, 536 § 1; 1909, 483; 1913, 317 § 1; 1914, 787; 1915, 21 § 1.)

SECT. 4 superseded, 1914, 742 § 136. (See 1904, 429, 435 § 1; 1909, 490 III § 9.)

SECT. 5 superseded, 1914, 742 § 138, 787; 1915, 21 § 1.

SECT. 5 *et seq.* See 1910, 651; 1913, 499, 508; 1914, 631, 742.

SECT. 6 superseded, 1914, 742 § 139.

SECT. 7 superseded, 1914, 742 § 140. (See 1905, 211 § 1; 1911, 293.)

SECT. 8 superseded, 1914, 742 § 141.

SECT. 9 superseded, 1914, 742 § 142. (See 1906, 422 § 4.)

SECTS. 10-12 affected, 1914, 742 §§ 38, 199. (See 1906, 392, 437; 1908, 534; 1909, 477; 1910, 374.)

SECT. 13 superseded, 1914, 742 § 51. (See 1910, 187, 197.)

SECT. 14 superseded, 1914, 742 §§ 53, 199. (See 1908, 529; 1909, 316 § 1; 1910, 124.)

SECTS. 15, 16 superseded, 1914, 742 §§ 54, 55, 199.

SECT. 17 affected, 1914, 742 §§ 127, 128; 1917, 141. (See 1915, 267 I §§ 20, 38.)

SECT. 18 superseded, 1914, 742 § 131. (See 1914, 553.)

- SECT. 19 superseded, 1914, 742 §§ 132, 199.
 SECT. 21 superseded, 1914, 742 § 57. (See 1903, 320.)
 SECT. 22 superseded, 1914, 742 § 56. (See 1906, 392; 1908, 529 § 5; 1909, 316 § 1; 1911, 349.)
 SECT. 25 superseded, 1914, 742 § 155.
 SECT. 26 superseded, 1914, 742 § 156. (See 1908, 617.)
 SECT. 27 superseded, 1914, 742 § 157.
 SECT. 28 superseded, 1914, 742 § 143.
 SECT. 29 superseded, 1914, 742 § 144.
 SECT. 30 superseded, 1914, 742 § 145.
 SECT. 31 superseded, 1914, 742 § 146. (See 1903, 406; 1914, 661.)
 SECT. 32 superseded, 1914, 742 § 147. (See 1912, 249.)
 SECT. 33 superseded, 1914, 742 § 161. (See 1903, 164.)
 SECT. 34 superseded, 1914, 742 § 162. (See 1903, 464; 1914, 515 § 2.)
 SECTS. 34, 35 limited, 1906, 422 § 10.
 SECT. 35 superseded, 1914, 742 § 163. (See 1914, 515 § 3.)
 SECT. 36 superseded, 1914, 742 § 190. (See 1911, 348; 1912, 437 § 1.)
 SECTS. 36-38 affected, 1912, 437. (See 1914, 742 §§ 190, 191, 198.)
 SECT. 37 superseded, 1914, 742 § 191. (See 1909, 318.)
 SECT. 39 superseded, 1914, 742 § 164.
 SECT. 40 superseded, 1914, 742 § 197. (See 1908, 243.)

Chapter 122. — Of Companies for the Transmission of Electricity.

Acts relative to electric power companies, 1908, 529, 617; 1909, 316; 1911, 293, 348, 349, 434, 509, 558, 629; 1914, 515; 1916, 166, 266 § 9. (See 1912, 249.)

The Massachusetts highway commission to have general supervision of all companies engaged in the transmission of intelligence by electricity, 1906, 433. (See 1909, 402, 490 III §§ 40-44, 52, 62, 542; 1913, 499.)

As to electric railroad companies, see 1906, 516; 1907, 428, 448, 556; 1908, 301, 552; 1909, 490 III §§ 40-51; 1911, 442, 481.

Filing and receiving time of telegrams, 1909, 402, 542. Use of electric meters, 1913, 623.

Responsibility for loss by fire of money in cash recording meters, 1911, 434; 1914, 742 §§ 193, 199.

Employment of night messengers, 1911, 629.

Act relative to street locations for electric lines, 1914, 742 §§ 127, 128; 1917, 141. (See 1915, 267 I §§ 20, 38.)

Act relative to false reports or statements concerning corporations, 1914, 661.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Act to provide for the licensing of companies to install electric wires, etc., for light, heat and power purposes, 1915, 296; 1916, 199.

SECT. 1 revised, 1911, 509 § 1. Affected, 1914, 742 § 127. (See 1903, 320; 1911, 481.)

SECT. 2 revised, 1911, 509 § 2; 1916, 166. (See 1903, 237; 1906, 117; 1911, 509 §§ 7, 8; 1914, 742 §§ 127, 128; 1915, 267 I §§ 20, 38; 1917, 141.)

SECT. 9. See 1906, 433.

- SECT. 10 affected, 1909, 402, 542.
 SECT. 12. See 1906, 433.
 SECT. 15. See 1914, 553.
 SECT. 17 revised, 1911, 509 § 3.
 SECT. 19. See 1911, 364, 371.
 SECT. 20 revised, 1911, 509 § 4.
 SECT. 23 revised, 1911, 509 § 5.
 SECT. 24. See 1906, 433 §§ 8, 9; 1914, 661.
 SECT. 25. See 1914, 742 § 198.
 SECT. 27 amended, 1908, 233.
 SECT. 28 revised, 1911, 509 § 6.

Chapter 123. — Of Proprietors of Wharves, Real Estate Lying in Common, General Fields, and Aqueduct Corporations.

Act relative to false reports or statements concerning corporations, 1914, 661.

- Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.
 SECT. 42 repealed so far as relates to transfers of stock, 1903, 423 § 2.

Chapter 124. — Of Agricultural and Horticultural Societies.

Act to authorize counties to aid corporations organized to promote agriculture and to improve country life, 1914, 707.

Act to permit the incorporation of agricultural and horticultural organizations under the laws relating to business corporations, 1917, 224.

SECT. 1 amended, 1909, 133; 1912, 260; 1913, 240; 1914, 209, 276; 1917, 226. Affected, 1909, 428.

SECT. 2 *et seq.* Act relative to the payment of bounty to poultry associations, 1917, 85. (See 1909, 428; 1913, 590; 1914, 298.)

SECT. 3 amended, 1913, 213 § 1.

SECT. 6 amended, 1907, 189.

SECT. 7 amended, 1913, 213 § 2.

Chapter 125. — Of Corporations for Charitable and Other Purposes.

Act relative to change of name, 1908, 163; 1915, 205.

Act to authorize incorporation of medical milk commissioners, 1911, 506.

Act relative to false reports or statements concerning corporations, 1914, 661.

Act relative to the limitation of property owned by charitable, etc., corporations, 1915, 209.

SECT. 2 amended, 1915, 213. Charter may be revoked in certain cases, 1902, 524; 1907, 336, 337 § 3. (See 1915, 203.)

SECT. 4. Act to regulate changes in location of certain corporations, 1907, 337. (See 1906, 291 § 10.)

SECT. 5 amended, 1910, 181.

SECT. 8 affected, 1915, 209; 1917, 45 § 2; amended, 1917, 45 § 1.

SECT. 13. See 1902, 430; 1903, 275; 1914, 778.

SECTS. 17, 18 in part repealed, 1906, 463 I §§ 46, 47, 68. (See 1909, 514 § 135; 1911, 751 II § 12, V § 4.)

SECT. 19 repealed, 1906, 463 I §§ 48, 68. (See 1909, 514 § 135.)

SECT. 20 *et seq.* See 1904, 248; 1905, 211, 216; 1906, 275; 1910, 567; 1912, 445.

SECT. 22. See 1905, 216; 1906, 275.

Chapter 126. — Of Foreign Corporations.

This chapter, except section 8, is repealed so far as it applies to corporations subject to 1903, 437. 1903, 437 §§ 56-70, 95; 1905, 233, 242; 1906, 346 § 2, 347; 1914, 661. (See 1902, 349, 463; 1904, 207, 261, 442; 1905, 156, 222; 1906, 271 § 7, 372; 1910, 343; 1914, 770; 1915, 238.)

Foreign banking associations or corporations, 1906, 66, 204 § 3, 347. (See 1902, 463.)

Act relative to the taxation of foreign corporations, 1914, 724.

Act relative to false reports or statements concerning corporations, 1914, 661.

Act to provide for the taxation of transfers of stock, 1914, 770; 1915, 238.

Act relative to service of process on foreign insurance companies, 1914, 626. Prompt payment of workmen's compensation benefits by foreign insurance companies, 1915, 183.

SECT. 1. See 1914, 742 § 172.

SECT. 4. See 1905, 242; 1906, 269; 1914, 626.

SECT. 6. See 1903, 437 § 66; 1905, 233; 1914, 661.

SECT. 9. See 1906, 269.

SECT. 11 affected, 1914, 742 §§ 172, 199.

SECTS. 12, 13. See 1909, 490 III § 54; 1914, 661; 1915, 167.

Chapter 127. — Of the Alienation of Land.

Act to authorize conveyances between husband and wife, 1912, 304.

Acts to shorten forms of deeds, etc., 1912, 502; 1913, 369.

Act relative to sale of real estate within the commonwealth by certain non-resident married women, 1914, 477.

Act to require the addresses of grantees in deeds and a statement as to their being married or unmarried, 1917, 62.

SECT. 1 affected, 1910, 376. (See 1912, 271.)

SECTS. 1-6. Signature of married woman under twenty-one to conveyance of husband's land has same validity as if she were over that age, 1902, 478.

Final decree in equity for conveyance of real estate to have force and effect of a deed in certain cases, 1910, 376. (See 1911, 284 § 3.)

SECT. 5. See 1907, 225.

SECT. 7. See 1910, 376; 1917, 62.

SECT. 8 amended. "Special commissioners" added, 1902, 289. See 1917, 342 § 14.

SECTS. 12-16. See 1907, 294.

SECT. 22. See 1917, 342 § 14.

SECT. 28 amended, 1917, 306 § 1.

SECT. 29 repealed, 1917, 306 § 2. (See 1914, 108.)

SECT. 30 amended, 1917, 306 § 3. (See 1912, 360.)

SECT. 31 amended, 1917, 306 § 4. (See 1915, 151 § 6.)

SECT. 34 revised, 1908, 149. (See 1907, 294; 1909, 160, 198.)

Chapter 128. — Of the Registration and Confirmation of Titles to Land.

Name changed to "Land Court," jurisdiction enlarged and proceedings regulated, 1904, 448; 1905, 195, 249, 288; 1906, 50, 344; 1910, 560; 1914, 696; 1915, 112, 223. (See 1905, 291, 296; 1912, 304, 502; 1913, 815 § 8.)

Act to permit transfer of actions to and from the superior court, 1911, 433.

Act relative to the execution of certain decrees in equity, 1910, 376.

Act relative to summary process for possession of registered land, 1914, 146.

Act to authorize filing of notices of federal tax liens with assistant recorders of the land court, 1915, 120.

Act relative to powers of land court in respect to equitable restrictions on land, 1915, 112.

Act relative to the jurisdiction of the land court *in re* sales and takings of land for taxes, 1915, 237 §§ 3-15 inclusive.

SECT. 1 amended, 1904, 448 § 10; 1905, 249 § 1; 1910, 560 § 3. (See 1906, 344; 1911, 433.)

SECT. 7. See 1907, 225 § 3.

SECT. 10. See 1908, 195, 469; 1914, 615.

SECT. 12. Salaries changed, 1904, 386; 1906, 416; 1913, 738. Provision for retirement of judges on a pension, 1908, 179.

SECT. 13 revised, 1910, 560 § 1. (See 1902, 458; 1904, 448 §§ 3, 8; 1905, 249, 288, 291; 1907, 225 § 3; 1915, 112 § 3.)

SECTS. 13-17. See 1904, 448 § 3; 1905, 249, 288, 291; 1915, 112 § 3.

SECT. 14. See 1910, 376.

SECT. 16 superseded, 1914, 696.

SECT. 18 amended, 1905, 249 § 2. Affected, 1906, 50 § 3. (See 1905, 296 § 2.)

SECT. 28. See 1907, 225 § 3.

SECT. 29. See 1904, 448 § 6.

SECT. 31. See 1908, 204.

SECT. 32 amended, 1906, 452 § 1.

SECTS. 34, 36, 37, 40. See 1910, 376.

SECT. 35. Compensation of masters, 1905, 195.

SECT. 36 amended, 1910, 245.

SECT. 37 amended, 1910, 560 § 4.

SECT. 38 amended, 1911, 9; 1915, 290. Relative to equitable restrictions, etc., 1915, 112.

SECT. 39. See 1915, 112.

SECT. 40. See 1904, 448 § 4.

SECT. 55. See 1907, 225 § 3.

SECT. 58. See 1915, 112.

SECT. 59. See 1907, 351; 1909, 160; 1910, 273.

SECT. 61. See 1907, 294.

SECT. 62 amended, 1905, 296 § 1. Limited, 1905, 296 § 2.

SECT. 69. See 1915, 112, 263.

SECT. 70. See 1915, 120 §§ 2, 3, 292 § 2.

SECTS. 79, 80. See 1915, 237 § 15.

SECT. 85 amended, 1917, 279 § 43.

SECT. 89. See 1904, 317, 443; 1915, 263.

SECT. 109. See 1905, 249 § 3; 1915, 237 § 12.

Chapter 129. — Of Estates for Years and at Will.

As to payment of legacy tax on estates where there is an intervening estate for life or a term of years, see 1902, 473; 1904, 421; 1907, 563 §§ 4-7; 1909, 490 IV §§ 5-7, 527 §§ 2-4.

SECT. 5. See 1915, 146 §§ 2, 3.

SECT. 6 affected, 1915, 151 § 7.

Chapter 131. — Of Homesteads.

Act relative to the sale or transfer of homestead estates by order of the probate court, 1915, 28.

Probate court may grant to wife, living apart from husband, or to his minor children under custody of another, the right to occupy his homestead estate, 1915, 28 § 2.

SECT. 4 amended, 1915, 28 § 1.

SECT. 6. See 1906, 129; 1911, 607; 1912, 714; 1913, 494 § 3, 595; 1914, 283; 1915, 129.

SECTS. 12, 13. See 1915, 151 § 6.

Chapter 132. — Of the Rights of a Husband in the Real Property of His Deceased Wife, and the Rights of a Wife in that of Her Deceased Husband.

Act relative to conveyances and will of a husband deserted by his wife, or living apart from her for justifiable cause, 1906, 129.

SECT. 1 amended, 1915, 134. (See 1902, 482.)

SECTS. 4, 5. Signature of married woman under twenty-one is valid, 1902, 678.

SECT. 9 amended, 1904, 306.

Chapter 133. — Of the Descent of Real Property.

Act relative to the descent of cemetery lots, 1914, 492.

Chapter 134. — General Provisions relative to Real Property.

As to payment of legacy tax on estates where there is an intervening estate for life or years, see 1902, 473; 1903, 276 § 1; 1904, 421; 1907, 563 §§ 4-7; 1909, 490 IV §§ 5-7, 527 §§ 2-4.

Acts to provide for short forms for deeds and mortgages, 1912, 502; 1913, 369.

Act relative to the sale of real estate within the commonwealth by certain non-resident married women, 1914, 477.

Act relative to the descent of cemetery lots, 1914, 492.

Act relative to contingent remainders, 1916, 108.

SECT. 10. See 1912, 271.

SECTS. 12, 13. See 1915, 237 § 15.

SECT. 14. See 1910, 376.

SECT. 18. See 1907, 351; 1909, 160; 1910, 273.

SECT. 20. See 1915, 112.

Chapter 135. — Of Wills.

Act relative to the descent of cemetery lots, 1914, 492.

Act relative to contingent remainders, 1916, 108.

SECT. 5 amended, 1911, 246.

SECT. 7. See 1911, 246.

SECT. 12 amended. 1902, 160.

SECT. 16. If the probate court decrees that husband has been deserted by wife, or has left her for justifiable cause, wife may not waive provisions of his will, 1906, 129 § 1.

SECTS. 22-24. See 1909, 198.

Chapter 136. — Of the Probate of Wills and the Appointment of Executors.

Act to authorize service by registered mail of citations from the probate court, 1915, 24.

SECT. 1 amended, 1905, 90.

SECT. 2 amended, 1912, 493. (See 1906, 129.)

SECT. 3 amended, 1917, 22.

SECT. 4 amended, 1907, 130.

Chapter 137.— Of the Appointment of Administrators.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 1 amended, 1914, 356, 702.

SECTS. 1, 2. See 1909, 490 IV § 22; 1911, 551.

SECT. 6 amended, 1911, 588.

SECTS. 10, 11. See 1910, 411.

SECT. 13 amended, 1908, 153.

Chapter 138. — Of Public Administrators.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 1 amended, 1908, 510, 621; 1913, 246; 1917, 12.

SECT. 2 amended, 1907, 284 § 1. (See 1910, 411.)

SECTS. 3-5. See 1909, 114.

SECTS. 6, 8. See 1915, 151 § 6.

SECT. 10. See 1910, 411.

SECTS. 10, 11. Public administrators may be authorized by probate courts to have charge of and to lease or sell real estate, 1903, 260 §§ 1, 2; 1905, 124 § 1. Sales made under 1903, 260 § 1, ratified, 1905, 124, § 2.

SECT. 12 amended, 1917, 90 § 1.

SECT. 14 amended, 1917, 90 § 2.

SECT. 15 amended, 1917, 90 § 3.

Chapter 139. — General Provisions relative to Executors and Administrators.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

Act relative to the settlement of estates of deceased persons, 1910, 411.

SECTS. 2, 3. See 1907, 549.

SECT. 5. See 1907, 563 §§ 8, 9, 23; 1909, 527 §§ 5, 9; 1911, 359.

SECT. 6. See 1909, 198; 1915, 151 § 6.

Chapter 140. — Of Allowances to Widows and Children, the Distribution of the Estates of Intestates and of Advancements.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 3, cl. 3 amended, 1905, 256; 1917, 303.

SECT. 9 amended, 1917, 279 § 41.

Chapter 141. — Of the Payment of Debts, Legacies and Distributive Shares.

Act relative to suits against executors, administrators, trustees and guardians, 1911, 147. (See 1914, 699 § 7; 1915, 33, 61, 151.)

Acts relative to the taxation of legacies and successions, 1907, 563; 1909, 268, 490 IV, 527; 1910, 440; 1911, 551; 1912, 234, 678; 1915, 64.

Attachment of property of a deceased person restricted, 1907, 553.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 1 amended, 1914, 699 § 1.

SECT. 2 amended, 1904, 165; 1914, 699 § 2.

SECT. 3. Probate court may enforce payment on a decree of distribution, 1915, 151 § 4.

SECT. 6 amended, 1908, 313.

SECT. 9 amended, 1914, 699 § 3. (See 1915, 33.)

SECT. 9 *et seq.* affected, 1907, 549; 1911, 147; 1914, 699 § 3. Time limited within which real estate may be taken or sold for payment of debts, 1907, 549; 1915, 61.

SECT. 11 amended, 1914, 699 § 4.

SECT. 12 amended, 1914, 699 § 5.

SECT. 13 amended, 1914, 699 § 6. (See 1907, 563 § 4; 1909, 490 IV § 4, 527 § 2; 1910, 440; 1915, 152; 1916, 268 § 2.)

SECT. 17 amended, 1914, 699 § 7; 1915, 33.

SECT. 19 affected, 1915, 151 § 1. Rate of interest on legacies, 1915, 151 § 2.

SECT. 20 amended, 1914, 699 § 8.

SECTS. 21, 22. Probate court may enforce payment on a decree of distribution, 1915, 151 §§ 4, 5.

SECTS. 26, 27. See 1911, 147.

Chapter 142. — Of Insolvent Estates of Deceased Persons.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 1 amended, 1909, 297.

SECT. 2 amended, 1907, 257.

SECT. 3 amended, 1911, 177; 1916, 18.

SECT. 9 amended, 1915, 13.

SECT. 16 amended, 1916, 19.

SECTS. 18, 19, 26. Probate court may enforce payment on a decree of distribution, 1915, 151 § 4.

Chapter 143. — Of the Settlement of the Estates of Deceased Non-residents.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 2 amended, 1904, 360. (See 1910, 411.)

Chapter 144. — Of the Settlement of Estates of Absentees.

Acts relative to the settlement of trust estates when beneficiary has disappeared for fourteen years, 1905, 326; 1906, 224.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 1 revised, 1903, 241; 1906, 224. (See 1902, 544 § 14.)

SECTS. 3-5, 7, 8. See 1902, 544 §§ 15-19; 1903, 241 § 3.

SECT. 4 amended, 1904, 206 § 1.

SECTS. 7-9. See 1909, 115.

SECT. 9 amended, 1906, 175.

SECT. 11 revised, 1903, 241 § 2.

SECT. 12. See 1902, 544 § 20; 1904, 206 § 2.

Chapter 145. — Of Guardianship.

Conservators of property of aged persons to have same powers, etc., as guardians of insane persons, 1915, 23.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

Trustees of Massachusetts training schools may act as guardians, 1915, 113 § 3.

SECT. 4 amended, 1902, 474; 1904, 163. (See 1902, 324; 1908, 286.)

SECT. 6. Repeal and substitute, 1909, 504 §§ 99, 101, 107; 1911, 206. (See 1907, 169 § 1.) Applies to conservators of property of aged persons, 1915, 23.

- SECT. 7 amended, 1907, 169 § 2.
 SECT. 9. Applicable to estates of persons under conservatorship, 1915, 23.
 SECT. 10. See 1908, 75; 1915, 23, 151 § 6.
 SECTS. 11-18. See 1915, 23, 151 § 6.
 SECT. 20. Repeal and substitute, 1909, 504 §§ 104, 107. (See 1916, 239; 1917, 48.)
 SECT. 22. See 1915, 23.
 SECT. 23 amended, 1906, 452 § 2.
 SECT. 25 *et seq.* See 1911, 147; 1915, 23; 1917, 133.
 SECT. 27. See 1915, 151 § 6.
 SECT. 28. See 1906, 501; 1909, 180; 1911, 456; 1915, 163.
 SECT. 30 *et seq.* See 1908, 75.
 SECT. 34. See 1915, 151 § 6.
 SECT. 40 amended, 1903, 96; 1905, 127; 1907, 169 § 3; 1908, 116, 505; 1911, 206. (See 1909, 256.) Conservators to have powers of guardians of insane persons, 1915, 23.
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Chapter 146. — Of Sales, Mortgages and Leases of Real Property by Executors, Administrators and Guardians.

- Acts to shorten form of deeds, mortgages, etc., 1912, 502; 1913, 369.
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 SECT. 13. Repeal and substitute, 1909, 504 §§ 102, 107.
 SECT. 16. See 1912, 360.
 SECT. 17 affected, 1915, 151 § 7.
 SECT. 18 revised, 1917, 296. (See 1904, 217; 1906, 73; 1907, 236.) Probate court may enforce payment on a decree of distribution, 1915, 151 § 5.
 SECT. 25 amended, 1907, 219.
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- Act relative to suits against trustees, 1911, 147.
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 SECTS. 5. See 1917, 32.
 SECT. 8. See 1915, 151 § 6.
 SECT. 12 revised, 1916, 301.
 SECT. 15 amended, 1907, 262; 1917, 279 § 42. (See 1917, 155.)
 SECT. 20 affected, 1915, 151 § 5.
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Chapter 148. — Provisions relative to Sales, Mortgages, etc., by Executors, etc.

Public administrators may be licensed to lease or sell real estate, 1903, 260; 1905, 124.

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SECT. 5. See 1912, 360.

SECT. 9 affected, 1915, 151 § 5.

SECT. 11. See 1911, 147.

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SECTS. 14-18. Probate court to have jurisdiction, 1903, 222.

SECT. 15. Certain proceedings of probate courts are confirmed, 1902, 538.

SECTS. 15, 16. See 1911, 588.

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Probate court authorized to fix and enforce payment of suretyship premiums, etc., 1915, 151 § 6.

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SECT. 2. See 1915, 151 § 6.

SECT. 6. See 1908, 295.

SECT. 9 limited, 1907, 576 § 61; 1909, 256. (See 1915, 151 § 6.)

SECTS. 10, 13, 14. See 1915, 151 § 6.

SECT. 15 amended, 1912, 161.

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Act to regulate disbursements by trustees, 1907, 371. (See 1907, 563 §§ 8, 9.)

Act relative to suits against executors, administrators, trustees and guardians, 1911, 147.

Trusts for benefit of a city or town to be audited by city or town auditor, 1904, 322. (See 1910, 624 § 1.)

Acts relative to the settlement of trust estates when beneficiary has not been heard of for fourteen years, 1905, 326; 1906, 224.

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SECT. 2. See 1909, 490 IV § 23; 1910, 481.

SECT. 3. Probate court may direct the production of securities, documents, etc., and the replacing of property improperly disposed of, etc., 1915, 151 § 3.

SECTS. 4, 5. See 1910, 411.

SECT. 6 revised, 1913, 248.

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SECT. 10. See 1912, 360.

SECT. 15. See 1915, 151 § 6.

SECT. 17 amended, 1907, 438.

SECT. 19 affected, 1915, 151 § 5.

SECT. 20. See 1909, 490 IV § 23; 1910, 481; 1911, 191; 1916, 269 § 9.

SECT. 23. See 1910, 370.

SECT. 25 amended, 1906, 127.

Chapter 151. — Of Marriage.

Act to authorize conveyance of land between husband and wife, 1912, 304.

Act relative to the sale of land within the commonwealth by certain non-resident married women, 1914, 477.

SECT. 10. See act relating to marriage in another state in evasion of the laws of this state, 1913, 360.

SECT. 11. See 1902, 324, 474; 1904, 163; 1907, 390.

SECT. 14 revised, 1902, 310.

SECT. 16 amended, 1911, 736 § 1; 1912, 535. (See 1911, 736 § 6; 1913, 360.)

SECT. 17 amended, 1912, 120; 1913, 752 § 2; 1914, 121. (See 1912, 463, 535; 1913, 360 § 4.)

SECT. 18. See 1911, 136.

SECT. 20 amended, 1907, 159. (See 1911, 736 § 4.)

SECT. 23 amended, 1911, 736 § 2; 1912, 463 § 1; 1914, 428. (See 1911, 736 § 4.)

SECT. 25 amended, 1911, 736 § 3.

SECT. 37. See 1912, 535.

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SECTS. 7, 8 affected, 1911, 121.

SECT. 13 amended, 1902, 544 § 21; 1914, 385.

SECT. 15 amended, 1911, 85.

SECT. 24. See 1906, 129.

SECT. 25. Court having jurisdiction may bring before it on *habeas corpus* any child whose care or custody is in question, 1902, 324. (See 1902, 474.)

SECT. 37. See 1912, 535.

SECT. 39. See 1909, 49.

SECT. 41 amended, 1911, 127.

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Act to authorize conveyances of land between husband and wife, 1912, 304.

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Act relative to the sale of real estate within the commonwealth by non-resident married women abandoned by their husbands, 1914, 477.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

Probate court may grant to wife living apart from husband or to his minor children under custody of another, the right to occupy his homestead estate, 1915, 28 § 2. And such estate may be sold on execution to enforce decree for support of wife and children, 1915, 28 § 1.

SECT. 7 amended, 1910, 576.

SECT. 10. See 1910, 576.

SECTS. 15, 16. See 1902, 478; 1908, 75.

SECT. 31 *et seq.* See 1906, 501; 1914, 477.

SECT. 33. See 1902, 324; 1903, 334; 1905, 307; 1906, 129, 501; 1909, 180; 1911, 456; 1912, 310; 1914, 520; 1915, 28; 1917, 163.

SECT. 37. See 1915, 28; 1917, 163.

Chapter 154. — Of the Adoption of Children and Change of Name.

Service, by registered mail, of citations from the probate court authorized, 1915, 24.

SECT. 2 amended, 1902, 544 § 22; 1904, 302.

SECT. 3 amended, 1907, 405.

SECT. 4 amended, 1915, 53.

Chapter 156. — Of the Supreme Judicial Court.

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SECT. 5 amended, 1905, 263 § 1. (See 1906, 306 § 2, 372, 377 § 2, 433 § 7; 1909, 33; 1913, 719 § 21; 1916, 269 § 13; 1917, 218 § 4.)

SECT. 7. Acts relative to exceptions, 1908, 177, 516; 1909, 236; 1911, 212; 1913, 716.

SECTS. 15, 16 amended, 1903, 54 §§ 1, 2; 1915, 107 §§ 1, 2.

SECT. 26 amended, 1911, 743 § 1.

SECT. 27 amended, 1914, 619.

Chapter 157. — Of the Superior Court.

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Act relative to the appointment of interpreters for the superior court, 1914, 673.

Act relative to the form of bonds of receivers, 1917, 32.

SECT. 1. Number of associate justices increased, 1907, 286; 1911, 567. (See 1902, 383; 1903, 472 § 2.)

SECT. 2 amended, 1910, 555 § 1. (See 1908, 465.)

SECT. 3. See 1917, 184 § 3, 236 § 5, 342 §§ 7-9. Jurisdiction in certain cases transferred to the land court, 1904, 448 § 1; 1906, 50. (See 1903, 383 § 4; 1905, 195, 249, 288, 291; 1906, 344; 1911, 433; 1912, 317.) Provision for issue of *habeas corpus* in disputes as to care or custody of child, 1902, 324.

SECT. 4. See 1905, 263 § 1; 1906, 433 § 7, 434 § 2; 1908, 380; 1909, 33, 394 § 2, 433 § 4; 1911, 176 § 1, 461; 1912, 159, 394, 649; 1913, 719 § 21; 1916, 269 §§ 13, 20.

SECT. 5 repealed, 1910, 555 § 3.

SECT. 6. See 1905, 288; 1910, 560 § 2.

SECT. 7. See 1916, 243 § 1.

SECT. 8 repealed, 1910, 555 § 3.

SECTS. 9, 10. See 1911, 432 § 1

SECT. 16. See 1911, 432 § 2.

SECT. 18. See 1907, 334; 1912, 459.

SECT. 21. Acts relative to exceptions, 1908, 177, 516; 1909, 236; 1911, 212; 1912, 317.

SECTS. 21, 34, 35. Provision for certain incidental expenses, 1907, 80; 1914, 511.

SECT. 24. Sessions changed: Barnstable, 1902, 456 § 2. Berkshire, 1904, 38; 1912, 606. Bristol, 1916, 84. Essex, 1917, 88. (See 1911, 430.) Hampden, 1904, 144; 1907, 26; 1912, 712; 1913, 518. Hampshire, 1911, 254, 483. Middlesex, 1903, 97; 1909, 197. Northampton, 1911, 483. Plymouth, 1903, 54 §§ 3-5. Suffolk, 1902, 456 § 1; 1903, 472 § 1. Evening sessions for naturalization except in Suffolk, 1913, 390. Special sessions for naturalization, 1917, 143.

SECT. 27 amended, 1909, 193. (See 1912, 394.)

SECT. 28. See 1907, 176; 1909, 504 § 51.

SECT. 29 amended, 1912, 209.

SECT. 30 *et seq.* See 1908, 465 § 1.

SECT. 32. See 1913, 563 § 8.

SECT. 35 amended, 1911, 743 § 2. Provision for pensions, 1911, 527; 1912, 722.

Chapter 158. — Provisions Common to the Supreme Judicial Court and the Superior Court.

SECT. 4. See 1907, 204; 1910, 473; 1911, 136.

SECT. 9 amended, 1910, 555 § 2.

SECT. 10 amended, 1908, 179; 1910, 540 § 1.

SECT. 11 amended, 1910, 540 § 2.

Chapter 159. — Of the Equity Jurisdiction and Procedure of the Supreme Judicial Court and the Superior Court.

Act relative to the execution of certain decrees in equity, 1910, 376. (See 1911, 284, 339.) To the granting of injunctions and restraining orders, 1913, 515, 840; 1914, 778.

Act to permit transfer of actions between the superior and land courts, 1911, 433.

Act to permit certain judgment creditors to reach and apply insurance money, 1914, 464.

Act to limit the issuing of injunctions, 1914, 778.

SECTS. 1-3. See 1903, 383 § 4; 1905, 315; 1906, 306 § 2, 372, 377 § 2; 1908, 380; 1909, 177, 433 § 4; 1910, 98.

SECT. 3 amended, 1902, 544 § 23; 1910, 531 § 2. (See 1914, 464.)

SECT. 4. See 1914, 778.

SECT. 8 amended, 1909, 183.

SECTS. 8-10. See 1909, 116; 1914, 778.

SECT. 11 amended, 1905, 107.

SECT. 12. See 1914, 778 § 1.

SECT. 14. See 1914, 778 § 1.

SECTS. 15, 16 repealed, 1913, 815 § 9.

SECT. 19 amended, 1911, 284 § 1. (See 1910, 376; 1911, 339.)

SECT. 21. See 1911, 339; 1914, 778.

SECT. 30 amended, 1911, 284 § 2. (See 1911, 339.)

SECT. 32. See 1911, 339.

SECT. 34 amended, 1911, 284 § 3.

Chapter 160. — Of Police, District and Municipal Courts.

Act to provide for retirement of justices, 1911, 682.

Acts relative to commitments to the industrial school for boys, 1909, 472, § 2; 1911, 605; 1914, 207.

Acts relative to jurisdiction and procedure in the municipal court of the city of Boston, 1912, 649; 1913, 430, 716; 1914, 35, 371, 409; 1916, 243 § 4.

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SECT. 6 amended, 1909, 219; 1911, 473 § 1; 1912, 232.

SECTS. 6, 10, 13. Act to authorize disposal of certain old records, 1910, 287.

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SECTS. 12, 13. Provision for assistant clerks *pro tempore*, 1906, 256.

SECT. 15. See 1908, 195, 469; 1914, 615.

SECT. 18 *et seq.* See 1916, 174; 1917, 302.

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SECT. 25. See 1906, 413, 489; 1907, 137; 1908, 286; 1916, 243.

SECT. 28 revised, 1909, 442.

SECT. 33. See 1911, 432 § 1; 1913, 471 § 1.

SECT. 38. See 1912, 372.

SECT. 39 *et seq.* Sessions: Winchendon, 1904, 372 §§ 3, 4. Western Worcester, 1902, 416 § 4.

SECT. 40 amended, 1913, 471 § 3.

SECT. 41 affected, 1913, 289 § 2.

SECT. 42 revised, 1913, 471 § 4. (See 1906, 451; 1910, 534 § 1; 1912, 649 §§ 2, 3; 1914, 35 §§ 2-4, 409.)

SECT. 44 amended, 1906, 166.

SECT. 46. See 1917, 66.

SECT. 48. See 1904, 453 § 5; 1910, 370.

SECT. 55 amended, 1912, 649 § 11; 1913, 430. Provision for pensions, 1911, 231, 682.

SECT. 56 revised, 1907, 179. (See 1908, 440; 1913, 612.)

SECT. 57 extended, 1913, 289 § 1. (See 1912, 649 § 12.)

SECT. 58. Additional assistants, 1906, 468; 1908, 418; 1912, 649 § 10; 1913, 446; 1916, 69 § 1. Clerical assistance, 1908, 440; 1909, 434; 1916, 71. Interpreters, 1912, 648; 1916, 109.

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SECT. 61. See 1909, 271; 1910, 370, 373.

SECT. 62 amended, 1912, 497; 1914, 700 § 1. Additional officers, 1908, 191; 1912, 253. Provision for temporary court officers, 1912, 462.

SECT. 63 amended, 1914, 700 § 2. Officers attending sessions to wear uniforms, 1914, 736.

SECT. 64 amended, 1909, 386; 1916, 69 § 2. (See 1912, 462.) Officers attending sessions to wear uniforms, 1902, 368; 1906, 355 § 2; 1914, 736. Messenger for municipal court of Boston, 1906, 192.

SECT. 65. See 1908, 195, 469.

SECT. 66 amended, 1908, 191; 1912, 462. (See 1913, 372.)

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SECT. 69. Compensation of special justices: Dukes county, 1902, 309. (See 1909, 504 § 48.)

SECT. 70. Compensation of assistant clerks *pro tempore*, 1906, 255.

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Act relative to the expiration of the commissions of notaries public, justices of the peace and special commissioners, 1917, 42 §§ 1, 2.

SECT. 3. See 1912, 163; 1913, 563.

SECTS. 6-10. See 1917, 326 §§ 10-12.

SECT. 6 revised, 1917, 326 § 1.

SECT. 8. See 1908, 195, 469; 1914, 615.

SECT. 9 revised, 1917, 326 § 1.

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- SECT. 1 amended, 1912, 190.
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SECT. 6 amended, 1902, 253; 1904, 350 § 2; 1912, 382.

SECT. 10 superseded, 1913, 611 §§ 1, 18. (See 1907, 327; 1910, 248.)

SECTS. 11, 12 superseded, 1913, 611 §§ 1, 3, 18. (See 1905, 336 § 1; 1912, 184.)

SECT. 13. See 1914, 745.

SECT. 14 amended, 1910, 317. (See 1914, 745.)

SECT. 15 superseded, 1913, 611 §§ 6, 18.

SECT. 17 amended, 1903, 256; 1908, 353.

- SECTS. 21, 39, 44. See 1907, 158.
 SECT. 23. Payment of appraisers' fees, 1915, 151 § 6.
 SECT. 24. See 1912, 648; 1914, 673.
 SECT. 25 amended, 1908, 121; 1911, 736 § 5.
 SECT. 29 amended, 1908, 365; 1910, 273. (See 1907, 294; 1908, 372 § 2, 1909, 160; 1912, 502 § 25.)
 SECT. 33. See 1913, 611 § 16.
 SECTS. 37, 38 superseded, 1913, 611 §§ 14, 15, 18.
 SECT. 39. See 1907, 327; 1910, 248.
 SECT. 43. See 1910, 248.
 SECT. 46. See 1914, 745.
 SECT. 47 amended, 1910, 311.

Chapter 205. — Of the Rights of Persons accused of Crime.

Act relative to the examination of persons arrested for criminal offences, 1913, 236, 728.

Sheriff of any county except Suffolk may remove prisoners to and from jail and house of correction, 1909, 312.

SECT. 1. See 1906, 293.

SECT. 4. Male and female prisoners not to be placed in same dock at same time in certain cases, 1904, 218.

Chapter 206. — Of Crimes against the Sovereignty of the Commonwealth.

Act to protect the uniform of the United States, 1911, 460.

Act relative to carrying or displaying of certain flags, 1913, 678, 818; 1914, 570; 1915, 255; 1916, 36.

Parading of foreign troops authorized in certain cases, 1906, 198.

Act to extend the sanction of the commonwealth to the recruiting button and to regulate its use, 1917, 197.

Act relative to the manner of rendering the "Star Spangled Banner," 1917, 311.

SECT. 5 amended, 1913, 464, 604; 1914, 570; 1917, 265. Limited, 1916, 36; 1917, 289. (See 1907, 232 § 2; 1908, 229; 1909, 60; 1915, 37.)

Chapter 207. — Of Crimes against the Person.

Speed and operation of automobiles and motor vehicles on highways regulated, 1903, 473 §§ 6-11; 1907, 203, 408, 580; 1908, 648; 1909, 534. (See 1902, 315; 1905, 311, 366; 1906, 353, 412; 1908, 263, 467, 642; 1910, 516.)

Act to regulate use of hatpins, 1913, 256.

Sale of wood alcohol regulated, 1905, 220.

Unreasonable neglect to support wife and minor children made punishable, 1906, 501; 1909, 180. (See 1915, 163.) Throwing glass in highway, 1913, 214; 1914, 76.

Act relative to false imprisonment or false arrest, 1914, 126.

SECT. 17 amended, 1911, 84.

SECT. 28. See 1906, 386 §§ 2-4.

Chapter 208. — Of Crimes against Property.

Act to regulate sale and lease of machinery, tools, implements and appliances, 1907, 469.

Provision for protection of property, etc., used by commissioners on fisheries and game, 1906, 327.

Stealing tools of mechanics, etc., is made punishable, 1907, 500 § 1.

Act relative to the detaining of persons for breaking or entering places in which poultry are confined, 1914, 594. (See 1915, 140.)

Fraudulent conversion of property by captains of vessels, 1907, 389.

Unauthorized performance of certain dramatic and musical compositions, 1904, 183. Fraudulent advertisements for labor or help, 1908, 217; 1909, 514 § 27; 1910, 445.

Wilful printed misrepresentations as to merchandise, 1902, 397; 1907, 383; 1912, 489; 1914, 288. (See 1910, 378; 1912, 651; 1913, 709.)

As to trading stamps or similar devices, see 1903, 386; 1904, 403; 1906, 523.

Sale of merchandise in bulk is restricted, 1903, 415.

Penalty for giving false or insufficient weight or measure, 1907, 394; 1911, 163; 1914, 346, 379, 387.

Wanton destruction or injury of personal property by means not mentioned in this chapter is punishable, 1904, 305.

Defacing of toilet appliances in industrial establishments, 1914, 164.

Injuring water meters and unlawful use of water, 1914, 284.

The corrupt influencing of agents, employees or servants is punishable, 1909, 514 § 28. (See 1904, 343 § 1.)

SECTS. 7, 8 amended, 1912, 419 §§ 1, 2. (See 1908, 209 § 1; 1911, 244.)

SECTS. 14-16. See 1914, 594; 1915, 140.

SECTS. 18, 19 affected, 1911, 176 § 2, 461.

SECT. 25 *et seq.* False pretences to constitute larceny in certain cases, 1910, 378; 1913, 312.

SECT. 26 amended, 1906, 261 § 1.

SECTS. 26, 27. See 1902, 397; 1907, 383, 389.

SECT. 30 amended, 1910, 389. Repealed, 1911, 126.

SECT. 35. See 1912, 271.

SECT. 37 amended, 1906, 181. (See 1914, 594; 1915, 140.)

SECT. 38 amended, 1913, 551.

SECT. 40 repealed, 1902, 544 § 28.

SECT. 44 amended, 1911, 216.

SECT. 51. See 1903, 415.

SECT. 55 amended, 1910, 516.

SECT. 60. Provision to prohibit unauthorized use of certain registered insignia, badges, etc., 1909, 514 § 32. (See 1902, 430; 1903, 275; 1904, 335; 1907, 232 § 3; 1908, 417 § 2.) And society titles, etc., 1908, 280.

SECT. 61 amended, 1902, 544 § 29. (See 1902, 397.)

SECT. 65. Act to prohibit false marking of articles made of gold or metal resembling gold, 1907, 460. False statements to stock exchanges as to mining stocks, 1911, 492.

- SECTS. 69, 70. See 1912, 271.
 SECTS. 71, 72. See 1910, 378.
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 SECT. 80. See 1906, 327.
 SECTS. 85, 86. See 1904, 370 § 4, 390; 1905, 280 § 3; 1906, 463 III § 85.
 SECT. 86 revised, 1904, 396; 1906, 463 I § 66. (See 1908, 495.)
 SECT. 91. See 1911, 173.
 SECTS. 91, 99, 105, 106, 111, 121. See 1904, 444 §§ 2, 3; 1914, 239.
 SECT. 99 amended, 1904, 444 § 1.
 SECT. 100 amended, 1902, 544 § 30. (See 1905, 279 § 3.)
 SECTS. 101, 102 repealed and superseded, 1915, 145 § 13. (See 1902, 544 §§ 31, 32; 1905, 279 § 3; 1908, 297 § 2.)
 SECT. 103 repealed, 1908, 296 § 5.
 SECT. 104 repealed and superseded, 1915, 145 § 13. (See 1905, 279 § 2; 1908, 296 § 2; 1910, 321.)
 SECT. 106 amended, 1902, 544 § 33.
 SECT. 108. See 1902, 57; 1905, 381; 1906, 268; 1909, 263; 1911, 474.
 SECTS. 109, 113. See 1906, 327; 1912, 372, 482; 1914, 594; 1915, 140.
 SECT. 112 amended, 1905, 434. Extended, 1911, 194; 1913, 404.
 SECT. 115. See 1903, 158.
 SECT. 116. See 1904, 505; 1914, 164, 284.
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 SECT. 120 revised, 1905, 241.
 SECT. 121. See 1912, 372.

Chapter 209. — Of Forgery and Crimes against the Currency.

- SECT. 1 amended, 1909, 155 § 1.
 SECT. 3 amended, 1909, 155 § 2.

Chapter 210. — Of Crimes against Public Justice.

- Act to prohibit soliciting employment by attorneys at law, 1907, 443. (See 1909, 49; 1911, 85; 1917, 267.)
 SECTS. 1-5. See 1912, 719 § 9; 1917, 165 § 2.
 SECT. 10. See 1913, 830 § 6.
 SECTS. 14, 19. Act to prohibit conveying drugs or other articles to prisoners, 1905, 258.
 SECT. 17. See 1907, 362.
 SECT. 22 amended, 1909, 255.
 SECT. 31. See 1914, 126.

Chapter 211. — Of Crimes against the Public Peace.

- Act relative to actions against officers making arrests, or bystanders assisting officers, 1914, 126.
 Provision making punishable the making or use of imitation bombs and the starting of false rumors regarding the unlawful explosion of bombs, 1917, 342 § 22.

SECT. 9. The carrying of a pistol without a license, and of certain other weapons, made punishable, 1906, 172 § 2; 1908, 350, 583; 1911, 548 § 3; 1912, 391; 1915, 240. (See 1910, 565; 1911, 283.)

And sale of certain pistols and explosives, 1910, 565. And sale or rent of firearms, 1911, 495. Act to define extent to which peaceful persuasion is permitted, 1913, 690.

SECT. 11 repealed, 1911, 244 § 4. (See 1908, 209; 1911, 244 § 1; 1914, 795.)

SECT. 13 (new) added, 1911, 283. And repealed, 1911, 548 § 4.

Chapter 212. — Of Crimes against Chastity, Morality, Decency and Good Order.

Acts relative to offences against chastity, 1910, 424; 1914, 621.

Act relative to admission of persons under seventeen to dance halls and roller skating rinks, 1906, 384.

Uniform desertion act, 1911, 456; 1914, 520.

An act to require the use of underwater exhausts or mufflers on certain motor boats, 1909, 245. Power boats must show lights at night in certain waters, 1910, 397.

Act to protect the uniform of the United States, 1911, 460.

Act relative to breaking and entering places where poultry are confined, 1914, 594. (See 1915, 140.)

Advertising to perform or procure performance of marriage ceremony is punishable, 1902, 249. Failure to support wife or minor child, 1906, 501; 1908, 104; 1909, 180; 1911, 456; 1914, 520. False or fraudulent advertisements for labor or help, 1908, 217; 1909, 514 § 27. (See 1910, 445; 1914, 347.)

Act relative to the receiving of alms in public places in the city of Boston, 1909, 538.

Act relative to false imprisonment and arrest, 1914, 126.

Act relative to the support of destitute parents, 1915, 163.

SECT. 2 amended, 1910, 424 § 1.

SECT. 5 amended, 1913, 469.

SECT. 6 amended, 1910, 424 § 2. (See 1915, 180 § 3.)

SECT. 8 amended, 1910, 424 § 3.

SECT. 9 amended, 1910, 424 § 4.

Receiving earnings of and soliciting for a prostitute made punishable, 1910, 424 §§ 5-8; 1914, 621.

SECT. 16 amended, 1905, 316.

SECT. 20 amended, 1904, 120; 1913, 259. (See 1908, 386; 1913, 472.)

SECT. 23 revised, 1910, 367.

SECT. 36. See 1912, 372.

SECT. 37 revised, 1905, 384 § 1; 1917, 135. (See 1905, 384 § 2.)

SECT. 39 revised, 1913, 620. (See 1910, 316, 356.)

SECT. 40. See 1908, 440; 1913, 612; 1914, 739.

SECT. 41. See 1906, 291 § 10.

SECT. 43. See 1911, 372; 1912, 283.

SECT. 45 amended, 1905, 307; 1906, 501; 1908, 104; 1909, 180; 1911, 456; 1914, 520. Affected, 1917, 163. (See 1905, 338; 1906, 129.)

SECT. 46. Repeal and substitute, 1914, 743. (See 1903, 209; 1904, 224; 1906, 282; 1907, 251; 1909, 538 § 2; 1910, 316, 347, 356; 1911, 176 § 2; 1914, 654; 1915, 180 § 3.)

SECT. 47 amended, 1914, 654. (See 1910, 424 § 8; 1912, 372.)

SECT. 48. See 1915, 180 § 3.

SECT. 53 amended, 1906, 403. Extended, 1910, 426. (See 1910, 424 § 8; 1912, 372, 482.)

SECTS. 54, 55. See 1910, 316; 1915, 180 § 3.

SECTS. 56, 57. See 1904, 274, 318; 1905, 344, 348; 1908, 568.

SECT. 58. See 1908, 568.

SECTS. 58-60. See 1910, 248, 316.

SECT. 59. See 1915, 180 § 3.

SECT. 61 amended, 1913, 114.

SECT. 70 *et seq.* See acts relative to disabled or diseased horses, 1906, 185; 1907, 363; 1908, 133; 1913, 281; 1915, 125. See also, 1909, 302.

SECT. 73. See 1907, 490.

SECT. 76. See 1912, 384.

SECT. 86 *et seq.* See 1913, 182.

SECT. 89. See 1908, 335.

Chapter 213. — Of Crimes against the Public Health.

Acts to restrict the use of common drinking cups, 1910, 428. To regulate sale of unwholesome food, 1913, 687.

Provision for cleanliness of vessels from which milk is sold, 1906, 116, 323; 1908, 435, 570; 1909, 531; 1910, 462; 1913, 761. For regulating use of boats or bathing suits in great ponds, 1910, 400.

Spitting in certain public places and conveyances a punishable offence, 1906, 165; 1907, 410; 1908, 150. Throwing glass in highway, 1913, 214. Throwing glass on or near bathing beaches, 1914, 76.

SECT. 2 amended, 1912, 263; 1913, 585. Sale or gift of certain harmful medicines, drugs, food, etc., restricted, 1906, 386; 1907, 180; 1908, 307; 1909, 375; 1910, 387, 541; 1911, 30, 289, 341, 372; 1912, 263, 283; 1913, 272, 585, 705; 1914, 694, 788; 1915, 159, 187; 1916, 78, 117; 1917, 208, 275. (See 1902, 327; 1903, 410; 1905, 220; 1908, 525 § 3; 1910, 172 § 1, 271, 416, 495; 1913, 722; 1915, 104.) Deleterious confectionery, 1913, 265.

Manufacture or sale of cocaine or articles containing cocaine, 1910, 387; 1915, 159, 187. (See 1906, 386 § 4; 1908, 307; 1909, 375; 1910, 416, 495.) Advertisements describing certain diseases, 1908, 386.

SECT. 3 amended, 1909, 346 § 1.

SECT. 4 revised, 1913, 647.

SECT. 9 repealed, 1914, 634 § 5. (See 1913, 650; 1914, 325; 1917, 11.)

Chapter 214. — Of Crimes against Public Policy.

Provision against false or fraudulent advertisement for labor or help, 1908, 217. False returns to commissions, 1911, 184. Misuse of foreign flags, 1912, 197. (See 1913, 464, 604, 678, 818.) Throwing glass in highway, 1913, 214.

Act to provide for safe keeping of matches in stores, 1909, 184. To prohibit liberating or flying fire balloons, 1910, 141. Regulating use of hatpins, 1913, 256. To prohibit manufacture, sale or use of explosive golf balls, 1913, 722.

To restrict picking wild berries or flowers or picnicking during certain months in Barnstable or Plymouth county, 1910, 478.

Acts relative to monopolies and discriminations in sale of articles or commodities in common use, 1908, 454; 1911, 503; 1912, 651; 1913, 709.

Act to require use of underwater exhausts or mufflers on certain motor boats, 1909, 245. Power boats must show lights at night in certain waters, 1910, 397.

Driving vehicle at night without a light, 1911, 578 §§ 5, 6.

Acts relative to use of moving picture machines and cinematographs, 1905, 176, 437; 1908, 565, 566; 1909, 281; 1911, 48, 440; 1912, 182; 1914, 196, 791; 1915, 169; 1916, 118. (See 1913, 280.)

Carrying a pistol without a license or other weapon is punishable, 1906, 172 § 2; 1908, 350, 583; 1911, 548 § 3; 1912, 391; 1915, 240. (See 1910, 565; 1911, 283.) And sale of certain pistols and explosives, 1910, 565. Sale or renting of firearms, 1911, 495. Act to define extent to which peaceful persuasion is permitted, 1913, 690.

Unsigned political advertisements and contributions in certain cases, 1907, 581; 1908, 483; 1910, 55; 1911, 422; 1913, 835 §§ 353, 354. Advertisements describing certain diseases, 1908, 386. Publishing false or exaggerated statements of affairs of corporations, partnerships, etc., 1911, 428. As to mining stocks, 1911, 492.

Wilful printed misrepresentations as to merchandise or commodities, 1902, 397; 1907, 383; 1912, 489; 1914, 288; 1916, 149. (See 1909, 399 § 4.) And unauthorized or fraudulent use of certain insignia, badges, names or titles, 1904, 335; 1907, 232 § 3; 1908, 280, 417.

Act relative to the receiving of alms in public places in the city of Boston, 1909, 538.

Act relative to lease and sale of machinery, tools, implements and appliances, 1907, 469.

Illegal shooting or hunting, 1905, 317; 1907, 198; 1908, 402, 484; 1909, 262, 362. (See 1910, 478.) Unlicensed renting of boats or bathing suits in great ponds, 1910, 400.

Names of persons conducting business must be recorded in certain cases, 1907, 539; 1908, 316.

As to trading stamps or similar devices, see 1903, 386; 1904, 403; 1906, 523.

Act to prohibit bucketing and to abolish bucket shops, 1907, 414.

Corrupt influencing of agents, employees or servants is punishable, 1904, 343. (See 1911, 151; 1912, 533 § 3.) Act relative to sale of paint, turpentine and linseed oil, 1908, 531.

Act to prohibit soliciting employment by attorneys at law, 1907, 443. (See 1909, 49; 1911, 85; 1917, 267.)

Act relative to the solicitation of business on public walks, 1916, 289.

Acts to regulate the transportation and delivery of intoxicating liquors, 1916, 168; 1917, 91.

Act to prohibit the pledge, mortgage, sale, assignment or transfer of pensions granted by the commonwealth or by any county, city or town, 1916, 75.

Act relative to the marking, sale and installation of range boilers, 1916, 154; 1917, 39.

Act relative to containers used in the sale of milk at wholesale, 1916, 151.

Act to prohibit inquiries as to the religious or political belief of applicants for positions in the public schools, 1917, 84.

Act to prohibit the soliciting of certain legal business by persons not attorneys at law, 1917, 267.

Act relative to the manner of rendering the "Star Spangled Banner," 1917, 311.

SECT. 2 amended, 1907, 366; 1913, 370.

SECT. 29 extended, 1902, 397; 1903, 386.

Chapter 215. — Of Felonies, Accessories and Attempts to commit Crimes.

SECT. 6, cl. 4 repealed, 1911, 130.

Chapter 216. — Of Proceedings to prevent the Commission of Crimes.

SECT. 2. See 1913, 471 § 1.

SECT. 15. The carrying of a loaded pistol without a license, and of certain other weapons, made punishable, 1906, 172 § 2; 1908, 350, 583; 1911, 548 § 3; 1912, 391; 1915, 240. (See 1910, 565; 1911, 283.)

SECT. 22. See 1913, 471 § 1.

Chapter 217. — Of Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment, Bail and Probation.

Reports to be made of injuries of persons arrested, 1913, 236, 728.

Search warrants for and arrest of unnaturalized foreign-born residents, in possession of shotguns or rifles, 1915, 240 § 4.

Search warrants and arrest under the law relating to certain drugs, 1916, 117. (See 1911, 372 § 1; 1912, 283 § 1; 1915, 159 § 1.)

SECT. 1. See 1904, 367 § 2; 1905, 347 § 1; 1915, 240 § 4.

SECTS. 3-8. See 1905, 347 § 1; 1915, 240 § 3.

SECT. 7 amended, 1908, 370. (See 1915, 240 § 3.)

SECT. 9 amended, 1914, 521.

SECT. 11 *et seq.* Provision for identification of criminals, 1906, 293. (See 1905, 459; 1909, 504 §§ 50, 51; 1914, 558; 1915, 73.) Rendition of insane persons, 1909, 504 §§ 87-90.

SECTS. 13-15. Rendition of insane persons, 1909, 504 §§ 87-90.

SECT. 22 *et seq.* See 1912, 372, 482; 1913, 471 §§ 1, 2.

SECT. 24 revised, 1912, 269.

SECT. 25. See 1909, 504 § 50; 1914, 558; 1915, 73; 1917, 69.

SECTS. 29, 30. See 1906, 489 § 7.

SECT. 33 *et seq.* See 1912, 325.

SECT. 34 amended, 1914, 465. (See 1906, 413 § 5; 1908, 286; 1911, 176 § 2; 1916, 243 § 1.)

SECT. 35 amended, 1904, 164. (See 1903, 236.)

SECTS. 44-48. See 1911, 160.

SECT. 52. Male and female defendants not to be placed in same dock in certain cases, 1904, 218 § 1.

SECT. 56 amended, 1912, 226; 1914, 390. (See 1905, 110; 1906, 180, 187.)

SECTS. 56-60. See act relative to applications for bail to masters in chancery, 1909, 235; 1911, 150.

SECT. 62 revised, 1906, 180. (See 1906, 187.)

SECT. 65. See 1906, 413 § 5; 1908, 286; 1916, 243 § 1.

SECT. 70. See 1910, 370.

SECT. 77 amended, 1906, 221; 1911, 160. (See 1910, 370.)

SECT. 79 amended, 1903, 236 § 1.

SECT. 81 amended. Additional probation officers, 1905, 295; 1906, 329; 1907, 223, 261; 1908, 190, 637; 1909, 216; 1910, 332; 1911, 116, 470; 1912, 664; 1914, 739; 1915, 89, 254. Bond required, 1913, 120. And deposit of surplus moneys, 1913, 121.

SECT. 81 *et seq.* See 1905, 384 § 1; 1906, 489 § 6; 1907, 223; 1908, 465, 637; 1910, 275; 1911, 8; 1913, 120, 121, 612; 1914, 739; 1915, 89; 1917, 135.

SECT. 82 amended, 1910, 275; 1911, 8.

SECTS. 82, 83 affected, 1908, 637.

SECTS. 83, 86. See 1906, 291 § 10.

SECT. 84 amended, 1911, 8. (See 1908, 440; 1911, 456 §§ 5, 6, 8; 1912, 264; 1913, 612; 1914, 739; 1916, 243 § 4.)

SECT. 84 *et seq.* Provision for restitution or reparation in certain cases, 1907, 335. (See 1905, 338; 1906, 413 § 9.)

SECTS. 85-90 repealed, 1908, 465 § 6. Provision for a commission on probation, and certain duties of probation officers, 1908, 465; 1912, 187; 1916, 243 §§ 1, 3. (See 1902, 196; 1908, 637; 1909, 216, 514 § 26; 1911, 8, 456; 1912, 310.)

SECT. 91 amended, 1910, 485.

SECT. 92 amended, 1910, 479. Provision for pensions, 1912, 723; 1916, 225.

SECT. 94 amended, 1906, 440; 1914, 491.

Chapter 218. — Of Indictments and Proceedings before Trial.

Act to authorize compensation in certain cases to persons confined while awaiting trial, 1911, 577.

SECT. 15. See 1906, 413 § 11.

SECT. 17 *et seq.* Indictments for violations of laws relating to narcotic drugs, 1917, 275 §§ 16, 18.

SECT. 38. Act to provide that false pretences shall constitute larceny in certain cases, 1910, 378.

SECT. 39. See 1917, 275 § 16.

SECT. 58. See 1907, 158.

SECT. 60. See 1912, 325.

Schedule of Forms of Pleadings. See 1917, 275 § 18.

Chapter 219. — Of Trials and Proceedings before Judgment.

Male and female prisoners not to be placed in same dock in certain cases, 1904, 218.

Reports to be made of injuries of persons arrested, 1913, 236, 728.

SECT. 7 amended, 1909, 49. (See 1917, 275 § 17.)

SECTS. 11, 12. Repeal and substitute, 1909, 504 §§ 103, 107; 1910, 345; 1911, 604; 1917, 46 § 1. (See 1904, 257; 1909, 274; 1911, 273.)

SECT. 13. See 1912, 325.

SECT. 14. See 1911, 176 § 2, 461.

SECT. 16. Repeal and substitute, 1909, 504 §§ 104, 107; 1916, 239; 1917, 48. (See 1911, 595.)

SECT. 22 amended, 1905, 319; 1913, 652. (See 1906, 413 § 5; 1909, 504 § 51; 1911, 176 § 2; 1912, 325; 1916, 243 § 1.)

SECTS. 27, 28. See 1910, 316.

SECT. 28 revised, 1909, 381; 1910, 244.

SECT. 32. See 1913, 563 § 2.

SECT. 35. See 1908, 177, 516; 1909, 236; 1911, 212; 1912, 317.

Chapter 220. — Of Judgment and Execution.

Provision for compensation in certain cases to persons confined while awaiting trial, 1911, 577.

SECT. 1 revised, 1912, 154; 1913, 653. (See 1905, 338; 1906, 413 § 5, 501 § 3; 1907, 335; 1908, 104; 1911, 456; 1916, 243 §§ 1, 4.)

SECT. 1 *et seq.* See 1910, 316.

SECTS. 3-7 affected, 1911, 176 § 2.

SECT. 4 amended, 1902, 544 § 34.

SECTS. 5, 14. See 1909, 312.

SECT. 7 amended, 1911, 179.

SECTS. 15, 16. Sentences to reformatory prison for women regulated, 1903, 209 §§ 1-3; 1906, 282; 1907, 251; 1910, 347; 1914, 635. (See 1910, 316; 1911, 595; 1913, 471 § 2.)

SECT. 16 superseded, 1914, 635. (See 1904, 224; 1906, 282; 1907, 251.)

SECT. 18. See 1906, 413 § 8; 1911, 176 § 2, 265; 1916, 243 § 3.

SECT. 20. See 1906, 261 § 2; 1910, 356.

SECT. 21 amended, 1904, 303. (See 1910, 316.)

SECT. 27 amended, 1908, 232. (See 1910, 316, 356.)

SECT. 29 revised, 1907, 252; 1910, 356.

SECT. 30. See 1910, 316, 356; 1911, 176 § 2.

SECT. 31 superseded, 1914, 310. (See 1910, 316, 356; 1911, 176 § 2.)

SECTS. 40, 44. See 1911, 274.

Chapter 221. — Of Fines and Forfeitures.

SECT. 2 amended, 1911, 250 § 1. (See 1909, 534 § 30; 1910, 525; 1911, 250 § 2.)

Chapter 222. — Of the Board of Prison Commissioners.

The provisions of this chapter are in part repealed and superseded by an act to abolish the board of prison commissioners and the boards of parole and to establish the Massachusetts bureau of prisons, 1916, 241, 249, 273; 1917, 129, 201, 245, 248, 258 § 1, 266, 280.)

Provision for retiring and pensioning prison officers, 1908, 601; 1911, 673; 1916, 273. Act to create boards of parole and an advisory board of pardons, 1913, 829; 1915, 35, 141, 206; 1916, 241 §§ 1, 2, 5, 6, 9; 1917, 201, 245, 266. (See 1914, 179.)

Provision for hospital for prisoners having tubercular disease, 1905, 355; 1906, 243; 1911, 194. For identifying certain persons held in prison, 1904, 241; 1905, 459; 1906, 293; 1910, 360. For storage facilities, 1911, 195.

Act relative to wages of laborers in employ of board of prison commissioners, 1914, 458.

Act to authorize prison commissioners to delegate certain authority, 1914, 571.

Act to establish grades for salaries of clerks and stenographers in the departments of the commonwealth, 1914, 605.

Act to require consent of governor and council for increases in salaries of state employees receiving one thousand dollars or more annually, 1916, 2.

Act relative to the taking effect of certain orders, rules and regulations, 1917, 307.

SECT. 1. Board abolished and bureau of prisons substituted, 1916, 241 § 1; 249, 273; 1917, 129, 201, 245, 248, 258 §§ 1, 266. (See 1908, 230; 1913, 829 § 8.)

SECT. 2 repealed, 1916, 241 § 9.

SECT. 3. See 1902, 196; 1903, 209 §§ 4, 5, 212, 452; 1905, 355, 459 § 2; 1906, 243, 293, 302; 1908, 230, 601; 1909, 514 § 26; 1910, 360, 454; 1911, 195, 451, 595; 1912, 562, 565; 1913, 759 § 4; 1914, 571; 1916, 241 §§ 7, 8, 249, 273; 1917, 129.

SECT. 4 repealed, 1916, 241 § 9.

SECT. 5 repealed, 1916, 241 § 9. (See 1914, 526.)

SECT. 6. See 1905, 311 § 6; 1906, 412 § 5; 1907, 408.

SECT. 7. See 1906, 291 § 10.

Chapter 223. — Of the State Prison, the Massachusetts Reformatory and the Reformatory Prison for Women.

SECT. 3. Provision for retiring and pensioning prison officers, 1908, 601; 1911, 673; 1916, 273. For the removal, suspension or transfer of prison officers, 1917, 280. For release of certain prisoners on parole, 1911, 451; 1912, 103; 1913, 829; 1915, 206; 1916, 241 §§ 1, 2, 5, 6, 9; 1917, 245. (See

1915, 141; 1917, 266.) Hours of labor, 1909, 514 §§ 53-55. (See 1908, 547.) Assistant deputies, 1910, 454. Removal of insane prisoners, 1909, 504 § 105; 1911, 604. Assistant engineers, 1916, 278. (See 1910, 345; 1911, 273.)

SECT. 5. See 1914, 615.

SECT. 6. See 1908, 195. Certain advances authorized, 1908, 178. (See 1907, 466; 1909, 218.)

SECT. 8, 10. See 1908, 469; 1914, 615.

SECT. 14. See 1905, 355; 1906, 243, 302; 1915, 141.

SECT. 17 amended, 1906, 242.

SECT. 19. Salary changed: Deputy warden, 1911, 467. Physician and surgeon, 1908, 426; 1917, 234. Watchmen, 1910, 430; 1911, 542; 1914, 554. Engineer, 1913, 436. Assistant engineers, 1916, 278. (See 1902, 454.) Turnkeys, 1914, 554.

SECT. 20. See 1910, 356.

Act providing for departments for defective delinquents, 1911, 595.

SECT. 21. Assistant deputy, 1910, 454. Parole clerk, 1917, 293.

SECTS. 23, 25. See 1908, 469, 601; 1914, 615.

SECT. 24. See 1907, 466; 1908, 195; 1910, 356.

SECT. 27 amended, 1910, 430; 1911, 542; 1912, 588; 1913, 496; 1914, 554.

SECT. 28. Sentences regulated, 1903, 209; 1906, 282; 1907, 251; 1910, 347; 1914, 635. (See 1913, 471 § 2.) Name changed, 1911, 181. (See 1904, 224; 1906, 282; 1910, 316, 345; 1911, 595.)

SECT. 29 amended, 1912, 380 § 1. (See 1906, 302.) Assistant deputy, 1910, 454.

SECT. 31. See 1908, 469; 1914, 615.

SECT. 34. See 1907, 466; 1908, 195.

SECT. 35. See 1914, 615.

SECT. 37 repealed, 1904, 205 § 1.

SECT. 39 amended, 1909, 303; 1912, 380 §§ 2, 3; 1913, 675.

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| 241 | § 1 amended, 1906, 224. (See 1904, 206 § 1; 1909, 115.) R. L. 144. |
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| 245 | Superseded, 1909, 396. (See 1905, 419; 1907, 307; 1908, 377; 1909, 362; 1910, 545; 1912, 388; 1913, 529; 1914, 453.) R. L. 92. |
| 246 | Amended, 1913, 439. R. L. 91. |
| 247 | Superseded, 1908, 604 § 162; 1911, 594 § 1; 1917, 327 § 159. (See 1905, 465 § 145.) R. L. 16. |
| 248 | Superseded, 1907, 563 §§ 4, 26; 1909, 490 IV § 21, 527 §§ 2, 3, 8. R. L. 15. |
| 249 | § 1 amended, 1906, 503 § 1. § 4 amended, 1906, 503 § 2. § 5 superseded, 1914, 116. (See 1911, 199.) § 7 amended, 1914, 750. § 8 amended, 1907, 314 § 1. (See 1906, 503 § 3; 1917, 218 § 5.) § 9 amended, 1907, 314 § 2. (See 1917, 218.) R. L. 76. |
| 251 | Superseded, 1907, 563 §§ 7, 26; 1909, 490 IV § 5, 527 § 8. (See 1904, 421.) R. L. 6, 15. |
| 253 | Affected, 1906, 171. § 1 amended, 1911, 90. R. L. 32. |
| 255 | Superseded, 1914, 742 §§ 100, 199; 1915, 20 § 1. R. L. 34. |
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| 264 | Extended, 1917, 195. R. L. 28. |
| 274 | Superseded, 1911, 285. (See 1907, 306.) R. L. 91. |
| 275 | Repealed, 1904, 335; 1909, 514 §§ 32, 145. (See 1907, 232 § 3.) R. L. 72, 208. |
| 276 | Superseded, 1907, 563 §§ 6, 26; 1909, 527 § 3. (See 1907, 452; 1909, 490 IV § 6.) R. L. 15. |
| 279 | Superseded, 1907, 560 §§ 69-76. (See 1903, 474; 1904, 245, 294; 1905, 318; 1906, 291, 444; 1907, 387, 429.) R. L. 11. |
| 280 | § 2 revised, 1904, 244 § 1. R. L. 47. |
| 283 | § 1, see Res. 1905, 2. R. L. 6. |
| 287 | Amended, 1907, 250 § 1; 1917, 20. (See 1908, 484; 1909, 362.) R. L. 92. |
| 291 | Affected, 1905, 211 § 1. R. L. 9. |
| 294 | Superseded, 1904, 308. (See 1906, 239.) R. L. 91. |
| 297 | Superseded, 1906, 463 I §§ 62, 68. (See 1911, 635.) R. L. 111. |
| 299 | See 1904, 215; 1911, 384, 444. R. L. 38, 42. |
| 301 | Repealed, 1907, 550 § 133. R. L. 104. |
| 305 | Amended, 1906, 415. R. L. 29. |
| 307 | Re-enacted, 1909, 490 III § 26. Superseded, 1915, 217. R. L. 14. |

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- 320 Superseded, 1909, 514 §§ 25, 26, 145; 1910, 63 § 1. (See 1908, 228.)
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- 321 Repealed, 1909, 504 § 107. R. L. 87.
- 323 Amended, 1911, 60; 1914, 605, 710; 1917, 244. R. L. 10.
- 330 §§ 1-3 revised, 1913, 779 §§ 6-9; 1914, 738. § 4 revised, 1913, 779
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- 331 § 1 amended, 1905, 205. R. L. 28, 48.
- 332 Amended, 1909, 407; 1910, 339. (See 1904, 155; 1907, 576 § 35;
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- 334 In part superseded, 1906, 489. § 1 amended, 1909, 181. §§ 1, 6
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- 354 See 1906, 324. R. L. 225.
- 355 Amended, 1912, 331. (See 1914, 272.) R. L. 81.
- 356 See 1904, 246. R. L. 75.
- 365 § 1 repealed, 1904, 433 § 3. (See 1904, 370 §§ 1-3; 1908, 185; 1910,
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- 367 Repealed, 1917, 208 § 12. . (See 1906, 386; 1907, 180, 259; 1908, 307;
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- 368 Superseded, 1907, 560 §§ 217-228, 456. (See 1905, 313 § 1.) R. L. 11.
- 375 See 1913, 719 § 24. R. L. 27.
- 377 Superseded, 1908, 604 § 21. (See 1905, 465 § 31.) R. L. 16.
- 383 § 3 amended, 1907, 464. R. L. 49.
- 386 See 1904, 403; 1906, 523; 1914, 288. R. L. 208.
- 387 Superseded, 1904, 381 § 3 cl. 4; 1909, 468 § 3 cl. 4, § 16; 1910, 470;
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- 395 Superseded, 1905, 157 §§ 2, 5; 1911, 485. (See 1910, 310 § 2.) R. L. 7.
- 398 Superseded, 1913, 336. R. L. 6.
- 400 Repealed, 1909, 504 § 107. (See 1904, 278; 1905, 458, 475; 1906,
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- 408 § 1 amended, 1911, 380 § 1. § 2 amended, 1905, 209 § 1; 1911,
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- 421 Superseded, 1907, 576 §§ 7, 122. (See 1910, 493 § 7.) R. L. 118.
- 423 In part repealed, 1906, 463 II §§ 41, 258, III § 158; 1914, 742 §§ 23,
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- 428 § 1 amended, 1909, 188. (See 1909, 453.) R. L. 108.
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- 450 Repealed, 1907, 560 §§ 166, 456. (See 1903, 453, 454.) R. L. 11.
- 452 Affected, 1915, 141, 206. R. L. 225.

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- 454 Repealed, 1907, 560 § 456. (See 1903, 474 § 6; 1904, 41, 179, 293, 377; 1905, 386; 1907, 429 § 14.) R. L. 11.
- 455 § 1 amended, 1905, 218 § 2; 1907, 359; 1909, 174. R. L. 10.
- 456 Affected, 1904, 107, 234; 1906, 200; 1908, 427. R. L. 39, 41.
- 457 §§ 1, 2 superseded, 1905, 465 §§ 122, 123; 1917, 327 § 46. (See 1904, 371; 1905, 391; 1908, 604.) R. L. 16.
- 459 Extended, 1909, 103 § 1. R. L. 25.
- 464 Superseded, 1914, 742 §§ 181, 199. (See 1909, 483 § 3; 1912, 233.) R. L. 58.
- 465 See 1911, 463. R. L. 28.
- 467 Amended, 1907, 208. (See 1908, 195; 1914, 792.) R. L. 75.
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- 472 § 2 superseded, 1907, 286; 1911, 567. § 3, see 1904, 451 § 3; 1906, 276; 1908, 259. R. L. 157, 165.
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- 474 Repealed, 1907, 560 § 456. (See 1904, 293; 1905, 386; 1906, 291, 444.) R. L. 11.
- 475 Superseded, 1909, 514 §§ 86-90, 145; 1915, 69. § 5, see 1913, 610 § 2. (See 1907, 537 § 5; 1908, 389; 1912, 726 § 5.) R. L. 106, 108.
- 476 Superseded, 1906, 463 III §§ 43, 158. R. L. 112.
- 478 Superseded, 1906, 463 I §§ 37, 68; 1908, 390 § 1; 1911, 486. (See 1905, 408.) R. L. 111.
- 480 Amended, 1912, 104; 1917, 190. (See 1909, 319; 1914, 792.) R. L. 75.
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- 59 Superseded, 1906, 463 II §§ 233, 258. (See 1905, 208.) R. L. 111.
- 87 Amended, 1906, 126 § 1; 1915, 271. R. L. 3.
- 88 Superseded, 1908, 507; 1914, 159. R. L. 4.
- 96 Superseded, 1906, 463 I §§ 2, 68; 1910, 401. R. L. 111.
- 99 Superseded, 1909, 490 III § 2. (See 1906, 322; 1907, 564 § 2; 1909, 430 § 1; 1912, 543.) R. L. 14.
- 108 § 1 repealed, 1917, 344, Part 8 § 1, and superseded, 1917, 344, Part 1 § 6. (See 1909, 464 § 2.) R. L. 47.
- 110 Superseded, 1906, 463 III §§ 80, 158. R. L. 112.
- 116 Repealed, 1917, 182. (See 1905, 81; 1906, 239.) R. L. 91.
- 118 See 1906, 239; 1908, 492; 1915, 49. R. L. 91.
- 119 Superseded, 1912, 443. (See 1909, 273 § 2.) R. L. 24.
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- 127 See 1904, 283; 1911, 392. R. L. 102.
- 142 Amended, 1907, 241; 1910, 392. R. L. 102.
- 152 § 1 amended, 1908, 290. R. L. 25.
- 153 See 1908, 250 § 2, 464 § 1, 594; 1909, 136, 148. R. L. 21, 27.
- 155 § 1 amended, 1909, 294. §§ 1-4 re-enacted, 1912, 196. (See 1907, 576 § 35; 1909, 514 § 30; 1910, 339; 1911, 111.) R. L. 118, 119.
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- 165 Amended, 1914, 699 § 2. R. L. 141.
- 169 Superseded, 1906, 463 II §§ 256, 258. R. L. 111.
- 179 Repealed, 1907, 560 § 456. (See 1904, 377; 1905, 386 § 13.) R. L. 11.
- 181 Amended, 1906, 271 § 11; 1909, 490 I § 93; 1914, 198 § 5. R. L. 12.
- 183 See 1904, 450, 460 § 4. R. L. 102.
- 194 Amended, 1911, 352. R. L. 32.
- 200 See 1908, 590 §§ 9, 10, 69. R. L. 116.
- 201 Superseded, 1907, 560 §§ 261, 456. R. L. 11.
- 206 See 1906, 224; 1909, 115. R. L. 144.
- 207 Affected, 1905, 222. R. L. 109, 110.
- 208 Superseded, 1908, 590 § 68; 1909, 491 § 8. R. L. 113, 116.
- 209 See 1908, 474. R. L. 9.
- 210 Superseded, 1908, 590 § 68; 1909, 491 § 8. (See 1906, 463 III §§ 150, 158.) R. L. 113, 116.
- 217 Superseded, 1917, 296. (See 1906, 73; 1907, 236 § 1.) Affected, 1915, 151 § 5. R. L. 146.
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- 220 Affected, 1906, 389; 1909, 472; 1911, 176, 265; 1914, 738. § 4 revised, 1913, 779 § 10; affected, 1914, 738. (See 1912, 368 § 9.) R. L. 46.
- 224 In part superseded, 1906, 282; 1907, 251; 1910, 347; 1914, 635. (See 1910, 316.) R. L. 220, 223.
- 226 Superseded, 1905, 465 § 153; 1908, 604 § 170; 1917, 327 § 59. (See 1906, 139.) R. L. 16.
- 227 See 1907, 550. R. L. 104.
- 231 § 1 superseded, 1905, 465 § 83; 1908, 604 §§ 96, 97; 1917, 327 §§ 113, 114. § 3, see 1905, 465 § 84. (See 1906, 212; 1907, 305.) R. L. 16.
- 240 Superseded, 1907, 576 §§ 60, 122. R. L. 118.
- 241 Affected, 1905, 459; 1906, 293; 1910, 360. R. L. 225.
- 242 Extended, 1911, 129. § 1 amended, 1915, 160. (See 1913, 610 § 2, 655 §§ 42-47.) R. L. 102, 104.
- 243 § 1 affected, 1915, 260. § 2 amended, 1916, 187. § 3 affected, 1915, 141, 206. (See 1906, 243; 1911, 194.) R. L. 225.
- 244 See 1908, 462. R. L. 47.
- 245 Repealed, 1907, 560 § 456. (See 1905, 318; 1906, 291, 444; 1907, 387.) R. L. 11.
- 248 See 1905, 211; 1906, 275; 1910, 567; 1912, 445. R. L. 42, 125.

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- 258 Amended, 1913, 526. R. L. 160, 165.
- 259 In part repealed, 1910, 258. R. L. 160.
- 261 Amended, 1906, 271 § 12. (See 1904, 442; 1907, 586; 1909, 490 III § 43; 1914, 198 § 6.) R. L. 12, 14.
- 263 See 1905, 169; 1906, 463; 1910, 123, 137; 1912, 3. R. L. 6.
- 265 Superseded, 1906, 463 I §§ 7, 68. (See 1906, 266; 1908, 599.) R. L. 111.
- 267 Superseded, 1906, 463 III §§ 102, 158. R. L. 112.
- 269 § 6 amended, 1905, 265 § 1. (See 1909, 469.) R. L. 91.
- 274 § 1 amended, 1905, 348. (See 1905, 344.) R. L. 30, 81.
- 275 Superseded, 1907, 560 §§ 121, 456. (See 1907, 429 § 5.) R. L. 11.
- 278 See 1905, 475; 1909, 504 § 69. R. L. 87.
- 281 Increase, 1908, 374; 1916, 125. R. L. 164.
- 282 See 1907, 297; 1908, 270; 1909, 403, 469; 1910, 177; 1914, 597; 1916, 35. R. L. 91.
- 283 Amended, 1911, 392. R. L. 102.
- 286 § 1 amended, 1907, 442 § 3; 1909, 248; 1910, 266. § 2 amended, 1906, 265 § 1; 1913, 791. § 3 affected, 1908, 328; 1914, 663; 1915, 262. In part repealed, 1909, 331. (See 1904, 455 § 1.) R. L. 164.
- 287 Repealed, 1912, 547 § 2. R. L. 165.
- 292 See 1912, 623 § 24. R. L. 114.
- 293 Repealed, 1907, 560 § 456. R. L. 11.
- 294 Superseded, 1907, 560 §§ 19, 456. (See 1907, 429 § 3.) R. L. 11.
- 295 Amended, 1906, 196. R. L. 18.
- 300 Superseded, 1907, 576 §§ 43, 122. R. L. 118.
- 301 § 1 affected, 1905, 281 §§ 1, 2. R. L. 91.
- 304 Repealed, 1907, 576 § 122. R. L. 118.
- 305 See 1914, 164. R. L. 208.
- 307 Superseded, 1906, 257. R. L. 176.
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- 310 Superseded, 1907, 560 §§ 415, 422, 456. R. L. 11.
- 311 Superseded, 1909, 514 §§ 21, 145. R. L. 106.
- 313 Superseded, 1909, 514 §§ 11-14, 145; 1914, 681 § 1. R. L. 106.
- 314 Limited, 1909, 453 § 2; 1916, 56. § 2 amended, 1905, 243. (See 1905, 150; 1906, 210 § 2; 1910, 500; 1911, 624; 1915, 41 § 2, 251.) R. L. 19, 106.
- 315 Superseded, 1909, 514 §§ 44, 145. R. L. 26, 106.
- 317 See 1904, 443 §§ 2, 6; 1905, 266, 390; 1915, 263. R. L. 28, 48, 49.
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- 320 Repealed, 1909, 514 § 145. Re-enacted, 1910, 63 § 1. R. L. 167.
- 322 Affected, 1910, 624 § 1; 1916, 252. R. L. 25.
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- 329 Amended, 1916, 6. (See 1904, 364; 1905, 417; 1912, 110; 1913, 573.) R. L. 91.
- 332 Repealed, 1912, 527 § 15. R. L. 57, 89.
- 333 Affected, 1905, 383; 1907, 550. R. L. 104.

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- 334 Superseded, 1909, 514 §§ 45, 145. (See 1907, 560 §§ 447, 456.) R. L. 11, 106.
- 335 Superseded, 1909, 514 §§ 31, 32, 145. (See 1907, 232 § 3.) R. L. 72, 208.
- 336 § 1 amended, 1905, 426 § 1. R. L. 101.
- 343 Superseded, 1909, 514 §§ 28, 29, 145. (See 1912, 252.) R. L. 106.
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- 347 Superseded, 1909, 514 §§ 101, 145. (See 1912, 726 § 5.) R. L. 106.
- 348 Amended, 1914, 411; 1915, 304; 1916, 70. (See 1905, 110; 1906, 187; 1909, 235.) R. L. 165.
- 349 Superseded, 1909, 514 §§ 23, 145. R. L. 106.
- 350 § 1, see 1909, 184; 1913, 38. § 2 amended, 1912, 382. R. L. 204.
- 353 In part superseded, 1906, 291 §§ 8, 10. R. L. 102, 108.
- 355 § 1 amended, 1914, 670; 1915, 249. (See 1916, 292.) R. L. 165.
- 356 See 1906, 413, 489, 501; 1907, 137, 158, 195; 1911, 175, 456; 1912, 310; 1914, 272. R. L. 46, 83, 212.
- 357 Superseded, 1906, 463 I §§ 9, 10, 68. (See 1909, 343.) R. L. III.
- 361 Superseded, 1905, 465 §§ 90, 157; 1908, 604 § 106; 1917, 327 §§ 168, 250. (See 1905, 468.) R. L. 16.
- 363' § 1, see 1905, 464; 1912, 562. R. L. 225.
- 364 Repealed, 1905, 417 § 2. (See 1912, 110; 1913, 573.) R. L. 25, 91.
- 366 Repealed, 1907, 161. (See 1905, 406; 1906, 303; 1907, 166; 1908, 413; 1909, 466.) R. L. 92.
- 367 § 1 amended, 1910, 548. (See 1906, 179 § 2; 1907, 198, 299; 1908, 255; 1911, 614, 722.) R. L. 91.
- 368 See 1907, 550. R. L. 104.
- 369 See 1905, 414; 1907, 99; 1909, 421, 508; 1912, 567. R. L. 92.
- 370 §§ 1-4 revised, and new sections added, 1905, 280. (See 1914, 795 §§ 3, 6.) § 3 revised, 1916, 162. (See 1905, 280 § 1; 1908, 502 § 1; 1910, 223 § 1; 1913, 452.) Affected, 1911, 477. § 4, 1905, 280 § 2; 1910, 223 § 2. (See 1910, 284; 1914, 155.) R. L. 32, 102.
- 371 § 1 superseded, 1905, 465 § 112; 1908, 604 § 133; 1917, 327 § 41. (See 1905, 391.) R. L. 16.
- 372 § 2, see 1904, 453 § 1; 1906, 248. R. L. 160.
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- 375 Superseded, 1907, 560 §§ 326-329, 333, 456. R. L. 11.
- 376 See 1914, 331 §§ 2, 4. R. L. 42.
- 377 Repealed, 1905, 386 § 18. (See 1907, 560 § 113; 1908, 423 § 1.) R. L. 11.
- 380 Repealed, 1907, 560 § 456. R. L. 11.
- 381 Superseded, 1909, 468; 1914, 587. (See 1907, 43, 354; 1908, 405; 1910, 470; 1913, 323; 1914, 311, 349, 375.) R. L. 79.

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| 386 | § 1 superseded, 1906, 416; 1913, 738. R. L. 128. |
| 387 | Repealed, 1913, 386 § 2. (See 1909, 363.) R. L. 164. |
| 388 | See 1907, 66; 1914, 91. R. L. 89. |
| 392 | Affected, 1906, 204. (See 1908, 590 §§ 2-7, 69.) R. L. 113, 114. |
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| 409 | § 1 amended, 1907, 473 § 1; 1909, 263 § 1; 1917, 63. (See 1914, 598.) § 2, see 1915, 171. § 3 revised, 1912, 577. (See 1905, 211 § 1; 1914, 598.) § 5 amended, 1916, 97. (See 1910, 236.) § 6 amended, 1907, 473 § 2. Affected, 1907, 475 §§ 1, 4, 8; 1908, 209 §§ 3, 4, 478. (See 1909, 214, 452; 1910, 398; 1914, 262, 340, 341.) R. L. 28, 89. |
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| 414 | Superseded, 1909, 436. (See 1908, 460.) R. L. 89. |
| 421 | Superseded, 1907, 563 §§ 7, 26; 1908, 624; 1909, 527 § 8. (See 1909, 490 IV § 7.) R. L. 15. |
| 423 | Repealed, 1914, 692 § 11. R. L. 107. |
| 427 | Affected, 1906, 204; 1908, 590 §§ 4-6. R. L. 113, 117. |
| 429 | Superseded, 1906, 463 I §§ 3, 68. (See 1914, 742 § 136.) R. L. 111. |
| 430 | Affected, 1906, 522; 1907, 451; 1908, 375; 1913, 610. (See 1908, 389; 1909, 410; 1911, 561.) R. L. 108. |
| 432 | Superseded, 1909, 514 §§ 59, 145. (See 1905, 213, 267; 1906, 284; 1907, 224.) R. L. 106. |
| 433 | § 1 in part repealed, 1905, 247 § 2, 461 § 2; 1913, 834. § 2, see 1908, 389; 1909, 432; 1910, 328, 588; 1911, 675. (See also 1914, 795.) R. L. 108. |
| 435 | Superseded, 1914, 742 §§ 136, 137, 199. R. L. 121. |
| 439 | Superseded, 1905, 465 § 14; 1908, 604 § 14; 1917, 327 § 24. R. L. 16. |
| 440 | Superseded, 1907, 139 § 2. R. L. 6. |
| 441 | Superseded, 1906, 463 III §§ 41, 158; 1907, 402. (See 1908, 278.) R. L. 112. |
| 442 | § 1 superseded, 1909, 490 I § 84. Amended, 1909, 440 § 2. § 2 superseded, 1909, 490 III § 46. (See 1907, 395; 1908, 220.) R. L. 14. |

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- 444 § 3 amended, 1914, 239. R. L. 89.
- 446 § 1 amended, 1907, 226. § 9 superseded, 1909, 497. § 13 amended, 1905, 128. R. L. 83, 87.
- 448 § 1, see 1906, 50, 344; 1915, 112. § 3 in part repealed, 1910, 560 § 5. (See 1905, 249 § 5, 288; 1914, 696.) § 6, see 1905, 195. § 8 revised, 1910, 560 § 6. § 9 repealed, 1912, 542. (See 1905, 286.) § 10 amended, 1905, 249 § 1; 1910, 560 § 3. § 11 added, 1905, 291. (See 1905, 249 § 4, 296.) R. L. 128, 173.
- 450 Repealed, 1913, 655 § 61. (See 1905, 342; 1906, 105; 1908, 335, 381, 385 § 2; 1910, 143.) R. L. 102, 108.
- 451 § 1 affected, 1911, 299. Cl. A, 1915, 245; Cl. C, 1905, 179; 1906, 290; 1910, 537; Cl. F, 1915, 272; Cl. H, 1913, 423, 791. §§ 1-3 affected, 1912, 219. § 3 in part superseded, 1905, 380; 1907, 145 § 2, 253; 1909, 232; 1914, 405. (See 1902, 499 § 1; 1906, 276; 1908, 259; 1909, 398.) R. L. 20, 21, 165.
- 452 § 1 amended, 1912, 553. § 2 revised, 1913, 682. R. L. 22.
- 453 Affected, 1905, 339; 1909, 357; 1910, 501; 1914, 532 § 2, 686; 1917, 203, 340. § 1 amended, Cl. A, 1914, 686. Cl. B and C, 1905, 165; 1915, 286. Cl. C and D, 1908, 323; 1909, 357; 1911, 414 § 2; 1912, 660; 1914, 532 § 2; 1916, 261. Cl. E, 1906, 325 § 1; 1909, 357; 1917, 154, 319. Cl. F, 1906, 325 § 2; 1907, 128 § 1; 1912, 563, 672; 1917, 319. Cl. G, 1912, 604; 1913, 748. Cl. H, 1905, 443 § 1; 1907, 128 § 2; 1912, 604; 1914, 509; 1917, 102, 124. (See 1905, 133, 192.) Cl. I, 1905, 443 § 2; 1907, 128 § 3; 1913, 414 § 2. § 2 repealed, 1907, 128 § 4; in part superseded, 1917, 203. § 3 affected, 1917, 273. § 5, see 1910, 370. § 6, see 1905, 339 § 2, R. L. 160, 165.
- 454 § 1 in part superseded. 1906, 449 § 1, 450; 1912, 649 § 10; 1913, 726, 736; 1914, 666; 1917, 262. (See 1909, 434.) R. L. 160.
- 455 § 1 amended, 1906, 265 § 1; 1907, 207 § 1, 442 §§ 4, 5; 1911, 668; 1912, 584, 585; 1915, 280. Affected, 1917, 336. (See 1908, 110 § 2; 1911, 710; 1912, 332.) R. L. 164.
- 458 § 5, see 1909, 49. R. L. 165.
- 459 Superseded, 1909, 504 §§ 29, 41, 48. (See 1905, 447.) R. L. 87.
- 460 § 1 superseded, 1908, 385 § 2; 1909, 189. § 2 affected, 1908, 333, 343; 1909, 420. § 4 superseded, 1908, 385 § 2. (See 1905, 341; 1907, 274 § 1; 1908, 335.) § 5 amended, 1907, 309; 1909, 254. R. L. 98, 102.

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- 73 Superseded, 1908, 477; 1909, 309; 1914, 401. (See 1906, 482.) R. L. 92.
- 79 See 1910, 262. R. L. 161.
- 80 Superseded, 1906, 463 III §§ 4, 5, 158. R. L. 112.
- 81 Repealed, 1917, 182. (See 1906, 239; 1908, 492.) R. L. 91.

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- 92 Amended, 1912, 332; 1913, 70. (See 1906, 59.) R. L. 164.
- 110 Superseded, 1906, 187; 1909, 235. (See 1906, 180; 1911, 150.)
R. L. 165, 217.
- 111 Superseded, 1907, 560 §§ 247, 456. R. L. 11.
- 115 See 1909, 208. R. L. 81.
- 122 See 1905, 406; 1908, 441; 1911, 356. R. L. 92.
- 127 § 1 amended, 1907, 169 § 3. (See 1908, 116; 1911, 206, 389; 1915,
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- 134 Repealed, 1906, 463 III §§ 86, 158. R. L. 112.
- 149 Superseded, 1907, 139 § 2, 276; 1911, 294. R. L. 6.
- 150 Amended, 1910, 500. (See 1907, 458; 1909, 398; 1910, 459; 1911,
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- 154 Superseded, 1910, 421 § 2. (See 1908, 342.) R. L. 10.
- 156 Superseded, 1914, 742 §§ 86, 199. R. L. 109.
- 157 § 1 amended, 1910, 369; 1911, 485; 1912, 576; 1914, 326 § 1; 1917,
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- 159 Superseded, 1907, 474 §§ 1, 15. (See 1910, 198, 491.) R. L. 87, 89.
- 163 Repealed, 1912, 174. (See 1908, 349.) R. L. 21.
- 169 See 1906, 493; 1909, 490 I § 5; 1910, 123, 137; 1912, 3. R. L. 6.
- 175 Superseded, 1909, 504 §§ 95, 96. (See 1908, 195.) R. L. 87.
- 176 Extended, 1905, 437. Superseded, 1908, 566. (See 1909, 281; 1911,
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- 183 See 1914, 446. R. L. 164.
- 189 Repealed, 1916, 37.
- 190 Superseded, 1909, 377; 1910, 469. R. L. 91.
- 191 Superseded, 1907, 576 §§ 102, 122. R. L. 118.
- 193 Superseded, 1909, 490 II § 44; 1911, 370; 1915, 237 § 1. R. L. 13.
- 202 Repealed and superseded, 1908, 317, 604 § 174; 1917, 327 § 77.
(See 1905, 465 § 157.) R. L. 16.
- 204 Superseded, 1916, 242 § 6. (See 1907, 571 § 1; 1908, 208; 1912, 192;
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- 206 § 1 amended, 1911, 83. R. L. 100.
- 208 Superseded, 1906, 463 II §§ 234, 258. R. L. 111.
- 209 Amended, 1911, 380 § 2. R. L. 57.
- 210 Superseded, 1906, 463 II §§ 233, 258; 1909, 233. R. L. 111.
- 211 §§ 1, 6 *et seq.*, see 1906, 235 § 1; 1912, 445; § 3 superseded, 1907, 139
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- 213 Superseded, 1909, 514 §§ 59, 145. (See 1905, 267 § 2; 1907, 224.)
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- 216 § 1 superseded, 1906, 275 § 1. R. L. 125.
- 218 § 1 amended, 1909, 174. § 2 amended, 1907, 359; 1909, 174; 1914,
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- 220 Superseded, 1910, 541. R. L. 75, 213.

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- 233 Superseded, 1909, 490 III § 54; 1915, 167. R. L. 126.
- 235 Affected, 1909, 295. (See 1916, 249.) R. L. 225.
- 236 Revised, 1916, 58. (See 1906, 305; 1913, 795.) R. L. 75.
- 238 Superseded, 1909, 514 §§ 106, 145. (See 1907, 537 § 5; 1911, 603.)
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- 240 § 1 amended, 1916, 76. (See 1915, 141, 206.) R. L. 225.
- 242 See 1906, 269, 372. R. L. 126, 167.
- 243 See 1906, 210 § 2; 1911, 624; 1915, 251. R. L. 19, 108.
- 244 See 1913, 633, 759 § 4; 1914, 180; 1915, 177. R. L. 224, 225.
- 245 Superseded, 1913, 552. (See 1910, 545 § 3.) R. L. 92.
- 247 See 1905, 461; 1911, 675; 1913, 834. R. L. 108.
- 249 § 1 amended, 1910, 560 § 3. (See 1905, 288; 1906, 50, 344; 1915,
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- 250 Superseded, 1908, 590 § 68; 1909, 491 § 8. R. L. 113.
- 251 § 1 amended, 1907, 480; 1910, 269; 1914, 177. § 2 amended, 1907,
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- 256 Amended, 1917, 303. R. L. 140.
- 263 § 2 amended, 1909, 33. R. L. 156, 157.
- 265 See 1909, 469. R. L. 91.
- 267 Superseded, 1909, 514 §§ 56, 145. (See 1906, 284, 499; 1907, 224.)
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- 269 Amended, 1911, 500. R. L. 83.
- 271 Superseded, 1910, 538; 1911, 305. R. L. 173.
- 272 Superseded, 1913, 336. R. L. 6.
- 273 See 1906, 274, 301; 1909, 421. R. L. 92.
- 279 § 1 repealed and superseded, 1915, 145 §§ 8, 13. (See 1908, 297 § 1.)
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- 280 Extended, 1910, 588. Affected, 1910, 565; 1911, 477. (See 1914,
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- 281 § 1, see 1915, 49. R. L. 91.
- 282 Superseded, 1908, 629; 1909, 504 § 1. R. L. 87.
- 284 See 1911, 77. § 1 amended, 1911, 88. R. L. 100.
- 286 Repealed, 1912, 542. R. L. 173.
- 287 Superseded, 1907, 576 §§ 11, 122; 1911, 54, 315; 1912, 74. (See
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- 288 In part repealed, 1910, 560 § 2.
- 289 Repealed and superseded, 1915, 301. (See 1908, 294 § 2; 1909, 301;
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- 295 Amended, 1906, 329; 1907, 261; 1910, 332; 1911, 116. (See 1915,
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- 298 §§ 1, 2 superseded, 1908, 605 § 140; 1917, 327 § 48. (See 1905, 465
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- 303 § 1, see 1914, 272. § 2 amended, 1913, 112. R. L. 81.
- 304 Superseded, 1909, 514 §§ 115-118, 145. R. L. 106.
- 307 Superseded, 1911, 456; 1914, 520. (See 1905, 338; 1906, 501; 1907, 563 § 26; 1908, 104 § 1; 1909, 180.) R. L. 212, 220.
- 308 Superseded, 1909, 514 §§ 121-123, 145; 1910, 563; 1911, 727 § 22. (See 1906, 390; 1908, 605 §§ 7, 8; 1909, 317.) R. L. 106, 189.
- 310 Superseded, 1915, 259. (See 1906, 387, 414; 1907, 373 § 2, 465; 1908, 563; 1911, 562 §§ 3, 4; 1913, 209, 610 § 2; 1914, 467 § 5.) R. L. 102, 105.
- 311 Repeal and substitute, 1909, 534. (See 1905, 366; 1906, 353, 412; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1913, 803; 1914, 420.) R. L. 47, 52, 54, 102.
- 313 Superseded, 1907, 560 §§ 226, 227, 456. R. L. 11.
- 317 Repeal and substitute, 1911, 614. (See 1907, 198; 1908, 402; 1909, 262; 1910, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
- 318 Superseded, 1907, 560 §§ 73, 418. (See 1906, 291 § 18, 444 § 12; 1907, 387.) R. L. 11.
- 319 Amended, 1913, 652. R. L. 219.
- 320 Amended, 1906, 383; 1913, 779 § 1; 1915, 81. (See 1911, 241; 1912, 191, 368 § 9; 1913, 467; 1914, 590.) R. L. 44.
- 322 Superseded, 1911, 270. R. L. 21.
- 323 Amended, 1913, 791. (See 1909, 494.) R. L. 164.
- 325 Superseded, 1909, 490 II §§ 59, 61, 76. (See 1908, 226.) R. L. 13.
- 326 Affected, 1906, 224; 1909, 115. R. L. 144.
- 330 § 1 amended, 1912, 442 § 1. § 2 amended, 1908, 269; 1912, 442 § 2. (See 1909, 504 § 22.) R. L. 87.
- 331 Superseded, 1908, 520 §§ 8, 9; 1910, 377, 399; 1914, 422. R. L. 116.
- 332 Superseded, 1907, 231. R. L. 21.
- 336 Superseded, 1913, 611 §§ 15, 18. R. L. 204.
- 338 Superseded, 1912, 154; 1913, 653. (See 1906, 501 § 3; 1908, 104; 1911, 456.) R. L. 220.
- 339 Superseded, 1910, 501. R. L. 160.
- 341 Superseded, 1908, 385 § 2. (See 1907, 274; 1908, 335.) R. L. 102.
- 342 Repealed, 1913, 655 § 61. (See 1906, 105 § 1; 1908, 335; 1910, 143.) R. L. 102, 104, 108.
- 344 See 1905, 348; 1914, 792. R. L. 30, 81.
- 345 Repeal and substitute, 1913, 563. R. L. 82.
- 347 See 1913, 610 § 2; 1914, 795 § 13. R. L. 104.
- 354 Superseded, 1909, 504 §§ 49, 107. R. L. 87.
- 355 § 4 affected, 1915, 260 § 1. (See 1906, 243, 302; 1908, 230; 1911, 194; 1914, 571; 1915, 141, 206.) R. L. 223, 225.
- 366 Superseded, 1909, 534 §§ 17, 31. (See 1906, 353, 412; 1908, 263, 467; 1910, 525, 605; 1913, 803.) R. L. 25, 47, 52.
- 367 In part repealed, 1907, 563 §§ 6, 26. (See 1908, 624; 1909, 490 IV § 6, 527.) R. L. 15.
- 369 Amended, 1908, 434; 1912, 71, 352; 1914, 45. Affected, 1914, 370. (See 1907, 466; 1908, 178; 1909, 218, 514 § 15.) R. L. 6.

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| 370 | § 1, see 1907, 340 § 2; 1908, 590 § 57; 1912, 70. § 2 superseded, 1910, 645. (See 1908, 288; 1909, 204 § 1; 1910, 555 § 3.) R. L. 201. |
| 375 | Amended, 1911, 268 § 2; 1913, 779 § 4; 1915, 78. R. L. 44. |
| 376 | Superseded, 1906, 463 III §§ 74, 158. (See 1906, 339.) R. L. 112. |
| 377 | Superseded, 1916, 242 § 3. (See 1906, 345; 1912, 192; 1916, 48.) R. L. 65. |
| 381 | Affected, 1907, 521. § 2 superseded, 1909, 263 § 2. § 3 amended, 1906, 268 § 1; 1908, 591 § 1. §§ 3-6, 9, 11 in part superseded, 1909, 263 § 2. (See 1915, 80, 171.) § 4 revised, 1906, 268 § 2; 1907, 521 § 1; 1910, 150; 1913, 600 § 2. § 5 amended, 1906, 268 § 3; 1907, 521 § 2; 1911, 474. § 6 amended, 1906, 268 § 4; 1908, 591 § 2; 1915, 124. (See 1914, 404.) § 7 amended, 1906, 268 § 5; 1907, 521 § 3; 1911, 242. (See 1914, 404.) § 10, see 1916, 141. § 11 amended, 1906, 268 § 6. § 12 amended, 1907, 521 § 4. (See 1914, 340, 341.) R. L. 28, 75, 89, 101. |
| 383 | See 1907, 550. R. L. 104. |
| 384 | § 1 amended, 1917, 135. § 3, see 1914, 126. R. L. 212, 217. |
| 386 | Repealed, 1907, 560 § 456. (See 1905, 397; 1906, 298.) R. L. 11. |
| 390 | See 1913, 401; 1915, 263, 281. R. L. 48. |
| 391 | Superseded, 1905, 465 § 112; 1917, 327 § 41. (See 1906, 504 § 9; 1908, 604 § 133.) R. L. 16. |
| 397 | Repealed, 1907, 560 § 456. (See 1906, 444.) R. L. 11. |
| 400 | Superseded, 1909, 504 §§ 14, 107. (See 1906, 316; 1914, 558; 1915, 73.) R. L. 87. |
| 401 | Superseded, 1907, 576 §§ 32, 122. R. L. 118. |
| 406 | Superseded, 1911, 356; 1912, 270. (See 1906, 303; 1908, 441; 1909, 272; 1910, 365; 1911, 236 § 2; 1914, 79.) R. L. 92. |
| 407 | Affected, 1908, 417. R. L. 91. |
| 408 | Superseded, 1906, 463 I §§ 32, 36, 37. (See 1908, 372 § 2, 390 § 1; 1909, 429; 1910, 498; 1911, 486.) R. L. 111. |
| 410 | Superseded, 1914, 742 §§ 101, 102, 113, 114, 120, 122, 125, 199. (See 1906, 411; 1908, 486.) R. L. 34. |
| 414 | Superseded, 1910, 472. (See 1907, 99; 1909, 508; 1912, 567.) R. L. 92. |
| 417 | See 1912, 110; 1913, 573. R. L. 91. |
| 418 | See 1908, 187 § 2; 1910, 651; 1911, 10; 1915, 50. R. L. 102. |
| 419 | Superseded, 1913, 529; 1914, 453. (See 1907, 307; 1908, 377; 1909, 396; 1910, 545; 1912, 388.) R. L. 92. |
| 428 | Affected, 1908, 493; 1916, 175. Extended, 1910, 338 § 1; 1913, 178. § 1 superseded, 1907, 377 § 1. (See 1906, 408 § 1.) § 2 revised, 1911, 358; 1912, 335. (See 1906, 408 § 2.) § 5 repealed, 1909, 287 § 1, 450. (See 1906, 408 § 3; 1907, 377 § 7; 1913, 179.) R. L. 70, 109, 111, 115. |
| 432 | Superseded, 1909, 504 §§ 45, 46. (See 1911, 395; 1915, 174.) R. L. 87. |
| 434 | See 1911, 194; 1913, 404. R. L. 208, 225. |
| 435 | Superseded, 1909, 504 § 75. R. L. 87. |

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- 437 Superseded, 1908, 566. (See 1909, 281; 1911, 48, 440; 1912, 182; 1914, 196, 791; 1915, 169.) R. L. 104.
- 443 § 1 amended, 1907, 128 § 2; 1912, 604. § 2 amended, 1907, 128 § 3; 1913, 414. R. L. 160.
- 445 Superseded, 1908, 330. (See 1907, 300.) R. L. 92.
- 447 Superseded, 1909, 504 § 29. R. L. 87.
- 458 Superseded, 1909, 504 §§ 71-74. R. L. 87.
- 459 See 1906, 293; 1910, 360. R. L. 225.
- 461 § 1, see 1911, 675; 1913, 834. R. L. 108.
- 464 See 1912, 562. R. L. 86, 223, 225.
- 465 Repealed, 1908, 604 § 209, and revised by 1908, 604; 1917, 327. (See 1906, 198, 212, 273, 373, 423, 469, 504; 1907, 232 § 4, 305, 356, 526; 1908, 315, 317, 344, 354, 371, 434.) R. L. 16.
- 468 See 1908, 604 § 174; 1917, 327 §§ 168, 250. R. L. 16.
- 470 Superseded, 1907, 563 §§ 1, 26; 1909, 490 IV § 1, 527 §§ 1, 8. (See 1906, 436 § 1; 1907, 452; 1908, 624.) R. L. 15.
- 472 § 1, see 1906, 387; 1907, 465 §§ 1, 14; 1909, 393 § 1. § 2, see 1907, 465 §§ 10, 11, 19. § 3, see 1907, 465 § 28, 537 § 5; 1908, 389, 563. (See 1913, 610.) R. L. 105, 108.
- 473 § 6 amended, 1910, 390. (See 1916, 305.) R. L. 76.
- 474 § 1 amended, 1913, 73. (See 1909, 250.) R. L. 81, 84, 85.
- 475 Superseded, 1909, 504 § 49. (See 1906, 471 § 1; 1911, 394.) R. L. 87.

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- 50 § 1, see 1906, 344; 1910, 560. R. L. 128.
- 66 § 1 affected, 1906, 204 § 3, 347; 1908, 590 § 9. (See 1909, 491; 1910, 343, 399; 1912, 128.) R. L. 113, 115, 116.
- 67 See 1907, 225. R. L. 22.
- 73 Superseded, 1917, 296. (See 1907, 236.) Affected, 1915, 151 § 5. R. L. 146.
- 76 Superseded, 1907, 560 §§ 348, 456. R. L. 11.
- 105 Repealed, 1913, 655 § 61. (See 1908, 335; 1910, 143; 1913, 610.) R. L. 102, 104.
- 107 Superseded, 1907, 355; 1910, 532. R. L. 102.
- 110 Amended, 1914, 392. R. L. 91.
- 116 Extended, 1913, 761. § 3 amended, 1908, 435 § 1. § 4 repealed, 1908, 435 § 2. R. L. 56, 75, 213.
- 117 Superseded, 1911, 509 § 2. R. L. 122.
- 120 Amended, 1908, 525 § 1. (See 1906, 281; 1909, 261 § 5.) R. L. 76, 100.
- 126 Amended, 1915, 271. R. L. 3.
- 139 See 1908, 604 § 170. R. L. 16.
- 141 § 1 amended, 1911, 18 § 1. (See 1909, 362.) R. L. 92.
- 145 See 1914, 378, 693. R. L. 96.
- 147 Superseded, 1912, 134. (See 1911, 322; 1913, 501.) R. L. 165.
- 149 Amended, 1912, 658. R. L. 164.

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| 151 | Superseded, 1916, 242 § 4. (See 1910, 419.) | R. L. 65. |
| 158 | § 1, see 1914, 792. | R. L. 75. |
| 159 | Amended, 1907, 344; 1910, 608; 1916, 297 §§ 1. (See 1915, 296 § 2.) | R. L. 19. |
| 165 | § 1 superseded, 1908, 150. (See 1907, 410 § 1.) § 2 amended, 1907, 410 § 2. | R. L. 75, 213. |
| 171 | See 1911, 90. | R. L. 32. |
| 172 | § 1 amended, 1911, 548 § 1. § 2 amended, 1908, 350 § 1; 1911, 548 § 2. (See 1908, 583; 1912, 391.) | R. L. 211, 214. |
| 173 | § 2 amended, 1908, 350 § 2, 583. | R. L. 211, 214. |
| 175 | Affected, 1909, 115. | R. L. 144. |
| 179 | Repealed, 1908, 488 § 3. (See 1910, 548.) | R. L. 91. |
| 180 | See 1909, 235. | R. L. 217. |
| 181 | See 1914, 594; 1915, 140. | R. L. 208. |
| 183 | Amended, 1913, 316. | R. L. 38. |
| 184 | Superseded, 1909, 504 § 5. | R. L. 87. |
| 185 | § 1 amended, 1913, 281. (See 1907, 363; 1908, 133; 1909, 302; 1915, 125.) | R. L. 212. |
| 187 | Limited, 1909, 235. (See 1911, 150.) | R. L. 217. |
| 190 | Amended, 1906, 291 § 4. (See 1906, 384.) | R. L. 102. |
| 193 | Repealed, 1917, 253 § 2. | R. L. 164. |
| 195 | Superseded, 1913, 339. (See 1908, 348.) | R. L. 160. |
| 198 | Superseded, 1908, 604 § 170; 1917, 327 § 59. (See 1907, 232 § 4; 1908, 354.) | R. L. 16. |
| 200 | § 1 amended, 1908, 427; 1911, 537; 1913, 396. (See 1906, 399; 1907, 213; 1911, 375, 731; 1914, 556.) | R. L. 39, 42. |
| 201 | See 1911, 70. | R. L. 189. |
| 203 | § 1 amended, 1914, 429. | R. L. 168. |
| 204 | Superseded, 1908, 590 §§ 2-7, 69. (See 1906, 347, 377; 1908, 414, 520 §§ 10-13; 1909, 419 § 5, 491 § 2; 1910, 343, 399; 1911, 148; 1912, 90, 623; 1914, 537 § 2, 615; 1915, 231 § 4, 268 § 3.) | R. L. 113-115. |
| 210 | § 1 amended, 1907, 272. (See 1911, 624; 1915, 251.) | R. L. 19, 108. |
| 212 | Superseded, 1908, 604 §§ 95-97; 1917, 327 §§ 113, 114. (See 1906, 504 § 6; 1907, 305 § 2.) | R. L. 16. |
| 215 | Amended, 1914, 379. (See 1907, 394; 1911, 163; 1914, 387.) | R. L. 62. |
| 218 | Superseded, 1914, 742 §§ 109, 199. (See 1906, 463 III § 60.) | R. L. 34. |
| 219 | § 1 affected, 1912, 360. § 2, see 1909, 160. | R. L. 187. |
| 221 | Amended, 1911, 160. | R. L. 217. |
| 223 | Superseded, 1915, 292 §§ 9, 13. Revived in certain cases, 1916, 163; 1917, 213. (See 1907, 490 § 1; 1909, 237 § 1; 1911, 150.) | R. L. 197. |
| 224 | See 1909, 115. | R. L. 144. |
| 225 | Superseded, 1906, 365 § 1. (See 1907, 183, 386; 1909, 391; 1911, 613; 1912, 151.) | R. L. 75. |
| 231 | § 1 amended, 1914, 489. | R. L. 42. |
| 232 | Affected, 1910, 634; 1914, 667. | R. L. 10. |
| 233 | Superseded, 1914, 334. | R. L. 23. |

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- 235 See 1908, 195. R. L. 6.
- 239 See 1908, 492. R. L. 91.
- 241 Superseded, 1910, 533 § 2. (See 1909, 328; 1910, 533; 1911, 101, 118 § 2, 215.) R. L. 92.
- 243 See 1906, 302; 1911, 194; 1915, 141, 206. R. L. 225.
- 244 Affected, 1915, 141, 206. R. L. 225.
- 250 Superseded, 1909, 514 §§ 102, 145. (See 1907, 537 § 5; 1911, 603; 1912, 726 § 5; 1914, 328 § 1, 726.) R. L. 106.
- 263 Superseded, 1909, 377; 1910, 469. R. L. 91.
- 265 Amended, 1913, 791. (See 1912, 332.) R. L. 164.
- 266 Superseded, 1906, 463 I § 7, III § 158. Extended, 1908, 599. R. L. 111.
- 267 Superseded, 1906, 463 I § 6, III § 158. R. L. 111.
- 268 § 1 amended, 1908, 591 § 1. (See 1909, 263; 1915, 80, 171.) § 2 superseded, 1907, 521 § 1; 1910, 150. § 3 amended, 1907, 521 § 2; 1911, 474; 1913, 600 § 2. § 4 amended, 1908, 591 § 2; 1915, 124. (See 1914, 404; 1915, 80, 171.) § 5 amended, 1907, 521 § 3; 1911, 242. (See 1913, 605; 1914, 340, 341, 404.) R. L. 25, 26, 101.
- 269 Extended, 1911, 70. (See 1914, 626.) R. L. 126, 189.
- 271 § 1 superseded, 1909, 490 III § 4. (See 1906, 516 § 14; 1908, 468.) § 2 superseded, 1909, 490 III § 19. § 3 superseded, 1909, 490 III § 21. (See 1907, 246; 1909, 342; 1911, 337.) § 4 superseded, 1909, 490 III § 22. (See 1909, 342 § 2.) § 5 superseded, 1909, 490 III § 24. § 6 superseded, 1909, 490 III § 34. § 7 repealed, 1907, 576 § 122. § 8, see 1909, 490 III § 35. § 9, see 1909, 490 III § 43; 1914, 198 § 6. § 10 superseded, 1909, 490 III § 37. (See 1909, 490 III § 57.) § 11 superseded, 1909, 490 I § 93. § 12, see 1909, 490 III § 43; 1914, 198 § 6. (See 1906, 516 § 18.) § 13, see 1909, 490 III § 57.) R. L. 12, 14, 111.
- 273 Superseded, 1908, 604 § 20; 1909, 298; 1910, 228; 1911, 145, 326; 1917, 327 § 78. R. L. 16.
- 274 § 1 amended, 1911, 39. (See 1909, 421; 1912, 567.) R. L. 92.
- 275 See 1912, 445. R. L. 125.
- 276 Affected, 1917, 273. (See 1908, 259.) R. L. 165.
- 278 Superseded, 1910, 533 § 3. (See 1909, 328; 1911, 101, 118 § 2; 1913, 626.) R. L. 92.
- 280 Superseded, 1912, 623 § 27. R. L. 114.
- 281 § 2 amended, 1909, 261 § 2. (See 1907, 140, 190, 308.) R. L. 76, 100.
- 282 § 1 superseded, 1914, 635. (See 1907, 251 § 1; 1910, 316, 347.) R. L. 220, 223, 225.
- 283 Superseded, 1906, 463 II §§ 169, 258. R. L. 111.
- 284 Superseded, 1909, 514 §§ 56, 145. (See 1907, 224; 1911, 269, 310.) R. L. 106.
- 286 Superseded, 1912, 595; 1914, 598 § 24. R. L. 110.
- 288 See 1907, 297; 1908, 270; 1909, 403, 469; 1910, 177; 1915, 86. R. L. 91.

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- 291 § 2 in part repealed, 1909, 387 § 2. § 4 amended, 1907, 214; 1910, 383. 1915, Sp. Act 313. (See 1906, 384.) § 10 amended, 1909, 221. § 13 amended, 1909, 311. § 18 amended, 1907, 387. (See 1906, 444 § 12.) R. L. 11, 100, 102.
- 292 Superseded, 1911, 234. R. L. 92.
- 293 See 1910, 360. R. L. 225.
- 296 Repealed, 1909, 371 § 10. (See 1907, 79; 1908, 481; 1909, 371 §§ 2, 6; 1910, 616; 1912, 45.) R. L. 9, 107.
- 298 Superseded, 1907, 560 §§ 352, 456. R. L. 11.
- 299 § 2 affected, 1917, 328. R. L. 160.
- 301 Superseded, 1909, 421. (See 1911, 187.) R. L. 92.
- 302 See 1908, 230; 1914, 571; 1915, 141, 206. R. L. 225.
- 303 Superseded, 1911, 356; 1912, 270. (See 1908, 441; 1909, 272, 422; 1910, 365; 1911, 236 § 2; 1912, 203; 1914, 79.) R. L. 92.
- 305 Revised, 1916, 58. (See 1913, 795.) R. L. 75.
- 309 Superseded, 1907, 489; 1909, 504 § 65. (See 1906, 508.) R. L. 87.
- 311 Superseded, 1907, 560 §§ 311, 456. R. L. 11.
- 313 Superseded, 1909, 504 §§ 14, 107. R. L. 87.
- 314 Superseded, 1909, 377; 1910, 469; 1915, 59. Affected, 1915, 218; 1917, 188. (See 1916, 25.) R. L. 91.
- 315 Superseded, 1909, 490 I § 5. (See 1906, 481; 1907, 367; 1909, 516 § 1.) R. L. 12.
- 316 Superseded, 1909, 504 §§ 54, 107. R. L. 87.
- 322 Superseded, 1909, 490 III § 2. (See 1907, 564 § 2; 1908, 550 § 1; 1909, 430 § 1; 1912, 543.) R. L. 14.
- 323 See 1909, 531; 1910, 462; 1913, 761; 1914, 653. R. L. 62, 75.
- 324 See 1909, 504 § 103. R. L. 85, 87.
- 325 § 1 affected, 1914, 547; 1917, 319. § 2 amended, 1907, 128 § 1; 1912, 563. R. L. 160.
- 329 Amended, 1907, 261; 1910, 332; 1911, 116. (See 1915, 254.) R. L. 217.
- 334 See 1909, 526. R. L. 76.
- 339 Superseded, 1906, 463 III §§ 76, 158. R. L. 112.
- 341 See 1908, 598. R. L. 84.
- 342 § 2 amended, 1910, 555 § 4. § 3 affected, 1908, 177; amended, 1911, 212. (See 1908, 516; 1909, 236; 1913, 716.) R. L. 173.
- 344 § 3 amended, 1910, 560 § 7. R. L. 128.
- 345 Superseded, 1916, 242 § 3. (See 1907, 571; 1912, 192; 1916, 48.) R. L. 65.
- 346 § 1 superseded, 1914, 198 § 7. R. L. 14, 109.
- 347 § 1 superseded, 1910, 343. (See 1908, 590 §§ 4-17; 1910, 399; 1912, 128.) R. L. 115.
- 349 Superseded, 1909, 490 III § 70. R. L. 14.
- 351 See 1913, 414. R. L. 160.
- 352 Superseded, 1909, 504 § 58. (See 1907, 432; 1911, 71 § 2.) R. L. 87.
- 353 Repealed, 1909, 534 § 31. (See 1906, 412; 1907, 494, 580; 1908, 263, 648; 1913, 803; 1914, 190, 420.) R. L. 47, 52, 54, 102.
- 355 § 1 amended, 1913, 488. (See 1914, 736.) R. L. 160.

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- 356 Superseded, 1910, 460. R. L. 91.
- 360 § 1 superseded, 1916, 180. R. L. 75.
- 365 § 1 amended, 1907, 445; 1911, 613; 1912, 151; 1914, 647. Affected, 1914, 792. (See 1907, 183, 386, 474; 1909, 380, 391.) § 2 amended, 1915, 12. R. L. 75.
- 370 Superseded, 1909, 514 §§ 128, 145. (See 1908, 380, 457; 1911, 751; 1912, 172, 251.) R. L. 106.
- 371 § 1 amended, 1907, 215. R. L. 44.
- 372 See 1909, 490 II § 81, III § 58. R. L. 13.
- 373 Superseded, 1908, 604 § 103; 1912, 87; 1917, 327 § 228. R. L. 16.
- 374 Amended, 1917, 36. Affected, 1915, 180 § 1. R. L. 100.
- 377 Superseded, 1908, 590 §§ 16, 69; 1909, 491 § 4; 1914, 610. (See 1907, 533; 1910, 399; 1912, 128.) R. L. 113, 115.
- 383 Superseded, 1913, 779 § 1; 1915, 81. (See 1911, 241; 1912, 368 § 9; 1913, 467; 1914, 590.) R. L. 44.
- 385 See 1914, 692 § 6. § 2 amended, 1916, 160 § 1. (See 1909, 371 § 2, 514 §§ 1, 2; 1911, 158.) § 2 A, new section, added, 1916, 160 § 2. § 9, new section, added, 1907, 173. R. L. 83, 84, 107.
- 386 §§ 1, 2 superseded, 1907, 259 §§ 1, 3. §§ 3-5 repealed, 1910, 387 § 11; 1911, 341. (See 1907, 180, 259 § 2; 1908, 307, 525; 1909, 375 § 2; 1910, 271, 416; 1912, 263, 283; 1913, 705; 1914, 694, 788, 792; 1915, 187.) § 6, see 1910, 387 § 5, 416; 1911, 289, 341, 372; 1914, 694, 788; 1915, 159. R. L. 75, 213.
- 387 See 1906, 414, 521, 522; 1907, 373, 465; 1908, 563; 1909, 393 § 1, 410; 1911, 562; 1913, 209, 610. R. L. 105.
- 389 Repealed, 1913, 779 § 25. (See 1906, 413, 489; 1911, 176 § 2, 265; 1912, 368; 1913, 471 § 2.) R. L. 46, 86.
- 390 In part superseded, 1909, 514 §§ 121-126; 1910, 563; 1911, 727 § 22; 1912, 675 § 6. (See 1908, 605 §§ 7, 8; 1909, 317.) R. L. 102, 189.
- 392 Superseded, 1914, 792 §§ 168, 199. (See 1908, 529 § 4, 524; 1909, 477; 1910, 374; 1911, 349.) R. L. 110, 121.
- 393 §§ 1, 2, 5 amended, 1913, 536. (See 1914, 641 § 2, 652 § 2.) R. L. 48, 50.
- 395 Amended, 1911, 507. R. L. 100.
- 396 Superseded, 1907, 576 §§ 32, 122. R. L. 118.
- 398 Superseded, 1912, 333. (See 1909, 283.) R. L. 21.
- 399 Repealed, 1913, 205. (See 1907, 213; 1908, 427; 1911, 375, 731.) R. L. 39, 42.
- 403 See 1907, 494; 1909, 534 § 19. R. L. 212.
- 408 Affected, 1908, 493; 1910, 338; 1913, 178; 1916, 175. § 1 revised, 1907, 377 § 1; 1913, 179. § 2 revised, 1911, 358; 1912, 335. § 3 revised, 1909, 287 § 2, 450; 1913, 245. (See 1913, 178.) R. L. 70, 111.
- 411 Superseded, 1914, 742 §§ 114, 199. (See 1908, 486.) R. L. 34.
- 412 Repeal and substitute, 1909, 534. (See 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 605; 1911, 250; 1913, 803; 1914, 190, 420.) R. L. 25, 52, 54, 102.

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- 413 In part superseded, 1906, 489 § 4. Affected, 1907, 158, 195; 1908, 286; 1911, 595; 1913, 796. § 5 amended, 1916, 243 § 1. (See 1911, 176 § 2; 1913, 457; 1914, 465.) § 6 amended, 1916, 243 § 2. § 8 amended, 1916, 243 § 3. (See 1907, 223, 362, 411; 1911, 265.) § 13 revised, 1916, 243 § 4. § 14 amended, 1912, 187. (See 1907, 335; 1908, 465 §§ 2, 3, 6, 637; 1909, 472 § 2; 1911, 605; 1913, 471 § 2; 1914, 207, 738.) R. L. 46, 83, 86, 160, 217.
- 414 Superseded, 1907, 373 § 2; 1911, 562 § 4; 1913, 209; 1915, 259. (See 1906, 522.) R. L. 102, 105.
- 416 Superseded, 1913, 738. R. L. 128.
- 417 Repealed, 1910, 401 § 2. (See 1906, 463 I §§ 2, 69.) R. L. 111.
- 418 Superseded, 1909, 504 § 32. R. L. 87.
- 421 § 1 amended, 1910, 497 § 2. § 2 amended, 1911, 423; 1917, 180. § 4 amended, 1907, 517 § 2. (See 1912, 201.) R. L. 100.
- 422 See 1914, 742. R. L. 67, 96.
- 423 Superseded, 1908, 604 §§ 92-95; 1917, 327 §§ 111-113. (See 1907, 526 § 1; 1911, 449.) R. L. 16.
- 425 Affected, 1914, 792. (See 1907, 364.) R. L. 75.
- 427 Superseded, 1909, 514 §§ 112, 145. (See 1907, 193; 1908, 650.) R. L. 106.
- 433 Amended, 1913, 784 § 3. §§ 8, 9, see 1914, 661. R. L. 109.
- 434 Repealed, 1915, 72. R. L. 6, 102.
- 435 Superseded, 1909, 514 §§ 1-8. (See 1907, 135; 1908, 306, 462, 485; 1909, 371.) R. L. 107.
- 436 Superseded, 1907, 563 §§ 1, 26; 1909, 490 IV §§ 1, 20, 527 §§ 1, 8. (See 1907, 452; 1908, 24; 1909, 268 § 1.) R. L. 15.
- 437 Repealed, 1908, 534 § 2. (See 1909, 477; 1910, 374; 1911, 349.) R. L. 110, 121.
- 440 Amended, 1914, 491. R. L. 217.
- 444 Repealed, 1907, 560 § 456. (See 1907, 429.) R. L. 11.
- 449 § I amended, 1913, 736; 1914, 666. (See 1906, 450, 468; 1908, 418; 1912, 649 § 10; 1913, 726.) R. L. 160.
- 450 Amended, 1913, 726. R. L. 160.
- 451 Amended, 1907, 176; 1910, 534 § 1. (See 1912, 649 §§ 2-9.) R. L. 173.
- 460 §§ 1, 2, 4 repealed, 1910, 439 § 6. (See 1909, 276.) R. L. 7.
- 463 I § 1 affected, 1907, 245; 1913, 784 § 1; 1914, 616; amended, 1911, 681. § 2 superseded, 1910, 401; 1912, 622. § 3, see 1912, 496. § 5 *et seq.* affected, 1913, 784; 1915, 193. § 5, see 1908, 552 § 1; 1910, 588, 596; 1911, 487. § 6 affected, 1913, 784 § 2; 1917, 246 §§ 4, 5. Jurisdiction *in re* corporations transmitting intelligence by electricity, 1913, 784 § 3. (See 1908, 495; 1911, 290.) § 7 extended, 1908, 599. § 9 amended, 1909, 343. (See 1911, 755 § 7.) § 20, see 1909, 502 §§ 1, 2. § 23 amended, 1908, 542 § 1; 1909, 47 § 1. §§ 23-28, see 1908, 266 § 5, 372 § 1, 552. §§ 23-45, see 1913, 546 § 5. § 25 amended, 1908, 542 § 2. §§ 29, 36 affected, 1908, 372 § 2; 1909, 429. § 34 affected, 1913, 784; amended, 1914, 722 § 1. (See 1910, 498; 1911, 486 § 2.) § 36, see 1911; 486 § 3.

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- II § 6, see 1910, 187. (See 1912, 725 I § 5, II §§ 2-5; 1913, 777.) § 41 affected, 1910, 171. (See 1914, 770; 1915, 238.) § 48 amended, 1912, 725 II § 5. (See 1915, 303.) §§ 48-56, see 1909, 485. §§ 48, 57, 65, 66, see 1908, 620, 636; 1909, 369. §§ 48, 50 affected, 1913, 784 § 16. § 65 affected, 1913, 784 § 16. (See 1908, 636; 1912, 725 I § 6; 1915, 298.) § 66 amended, 1912, 725 II § 4; affected, 1913, 784 § 16. (See 1915, 303.) § 73 amended, 1912, 725 II § 2; 1915, 157 § 1. § 78 superseded, 1915, 157 § 2. (See 1912, 725 II § 1.) § 83 revised, 1912, 725 II § 3. § 92, see 1912, 725 I § 5. §§ 105-125, see 1913, 546 § 5, 765. § 116 amended, 1907, 315. (See 1914, 200.) § 143 amended, 1913, 161. § 157 amended, 1910, 355. § 158 *et seq.*, see 1911, 539. § 167 superseded, 1909, 514 §§ 143, 145. (See 1908, 553.) § 168 amended, 1917, 41. § 170 *et seq.*, see 1911, 491. § 172, see 1911, 120. § 173 superseded, 1909, 348 § 177, see 1911, 120. § 179, see 1911, 539. § 180, see 1908, 495. § 181, see 1907, 287; 1908, 504. § 183 superseded, 1908, 649. § 184 *et seq.*, see 1911, 508. § 190, see 1913, 784 § 18; 1914, 679. §§ 202, 203 amended, 1910, 633 §§ 1, 2. § 209 amended, 1907, 585 § 8. §§ 211, 212, 216 amended, 1909, 440 § 2. (See 1907, 395; 1908, 220; 1914, 198 § 6.) § 213, see 1914, 198 § 6. § 214 amended, 1909, 513 § 1. (See 1914, 198 § 6.) §§ 215, 216, see 1914, 198 § 6. §§ 227, 228, see 1910, 187. § 216 affected, 1916, 299 § 1. § 234 amended, 1909, 233. (See 1914, 745.) § 247, see 1907, 431; 1912, 488. § 248 amended, 1917, 122 § 3. §§ 248-250, see 1914, 661. § 251, see 1911, 290. § 252 amended, 1912, 375. § 265, see 1913, 290. R. L. 111.
- III § 4 affected, 1906, 516 § 4. § 7 amended, 1909, 417 § 1; extended, 1916, 266 § 5. (See 1908, 266; 1909, 417 § 6; 1910, 518; 1911, 442.) § 13 amended, 1909, 417 § 5. § 22 affected, 1910, 171. §§ 30, 31, see 1910, 187. § 32 extended, 1906, 516 § 11. § 34 superseded, 1915, 133. (See 1906, 516 § 11.) §§ 36-38 extended, 1906, 516. § 11. § 41 superseded, 1907, 402. (See 1902, 288; 1908, 278; 1909, 118; 1913, 765.) § 42 amended, 1910, 551. §§ 46, 64, 65, see 1908, 266, 301; 1910, 518. § 52 amended, 1911, 357. (See 1912, 644; 1913, 765 § 1.) § 55, see 1911, 487; 1912, 644. §§ 59-63 affected, 1906, 516 § 11; 1914, 742 §§ 109-111, 199. § 64 amended, 1909, 417 § 2. (See 1909, 417 § 6; 1916, 137.) §§ 64-66

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- 465 § 1 amended, 1910, 204. R. L. 19.
- 468 Amended, 1913, 726. (See 1908, 418; 1909, 434; 1912, 649 § 10; 1913, 446.) R. L. 160.
- 469 Superseded, 1908, 604 § 140; 1917, 327 § 48. (See 1906, 504 § 9; 1907, 526 § 11.) R. L. 16.
- 471 Superseded, 1909, 504 § 49; 1910, 420; 1911, 595 § 11. R. L. 87.
- 472 Superseded, 1909, 504 § 105; 1911, 604. (See 1909, 274; 1910, 345; 1911, 273.) R. L. 87, 219, 225.
- 474 Superseded, 1910, 540. R. L. 164.
- 476 See 1913, 800; 1914, 519. R. L. 32, 106.
- 477 See 1909, 469. R. L. 91.
- 479 Superseded, 1908, 530; 1910, 567. R. L. 112.
- 480 Superseded, 1913, 834. (See 1911, 675.) R. L. 108.
- 482 Superseded, 1908, 477; 1909, 309; 1914, 401. (See 1909, 422.) R. L. 92.
- 489 Affected, 1907, 137, 195. § 3, see 1908, 458. § 4, see 1907, 411; 1909, 472 § 2; 1911, 605; 1913, 457; 1914, 207. § 6 affected, 1915, 254. (See 1908, 637; 1910, 275; 1911, 175, 265.) § 7, see 1908, 286; 1909, 181. (See 1914, 272, 738.) R. L. 46, 160, 217.
- 493 Superseded, 1909, 490 I § 5. (See 1910, 123, 137.) R. L. 12.
- 494 § 1 amended, 1907, 170. Affected, 1910, 439 § 1; 1914, 542 § 1. R. L. 7.

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- 499 Superseded, 1909, 514 §§ 61-65, 145; 1915, 70. (See 1910, 249; 1913, 457, 610.) R. L. 46, 106.
- 501 Superseded, 1911, 456; 1912, 310; 1914, 520. (See 1908, 104; 1909, 180; 1912, 154.) R. L. 153, 212, 220.
- 502 § 1 amended, 1910, 257 § 1. § 2 amended, 1910, 257 § 2. § 6 amended, 1908, 189. (See 1914, 792.) § 7 repealed, 1908, 412. R. L. 39, 42.
- 503 § 3 see 1917, 218. (See 1907, 314; 1911, 199.) R. L. 76.
- 504 Superseded, 1908, 604; 1917, 327. (See 1907, 305, 526 §§ 7-14; 1908, 195, 315, 371, 469; Res. 1910, 28; 1913, 295; 1914, 615.) R. L. 16.
- 505 §§ 1-6 repealed, 1911, 471. (See 1908, 572, 639; 1909, 457, 540; 1914, 174, 391.) R. L. 42, 86.
- 508 Affected, 1907, 421. §§ 1-8, 12-17 repealed, 1909, 504 § 107. (See 1907, 489; 1909, 504 §§ 14, 59-65; 1914, 762; 1915, 241.) R. L. 87.
- 516 Extended, 1907, 556 § 1. §§ 2, 8, see 1910, 587. § 6 amended, 1907, 428 § 1. §§ 6-8, see 1912, 725 II § 3. § 7 amended, 1907, 428 § 2; 1908, 450. § 12 amended, 1907, 428 § 3. § 13 amended, 1907, 428 § 4. §§ 14, 15, 20 amended, 1909, 440 § 2. (See 1908, 614; 1909, 490 III § 64; 1914, 198 § 6.) §§ 14-25, see 1909, 490 III §§ 39-51; 1914, 198 § 6. § 17 amended, 1909, 513 § 3. (See 1914, 198 § 6.) §§ 28, 29 (new) added, 1907, 448. R. L. 14, 111, 112.
- 517 Superseded, 1909, 514 §§ 37-40, 145; 1911, 494; 1914, 623. (See 1907, 269, 570; 1908, 547.) R. L. 106.
- 521 § 1 superseded, 1913, 610 § 1, 834. (See 1907, 465; 1908, 563; 1909, 393; 1911, 619, 656, 675; 1912, 726 § 5; 1915, 259.) R. L. 105, 108.
- 522 § 1 amended, 1909, 410; 1911, 561 § 4. (See 1911, 675.) Affected, 1907, 451, 465 § 25; 1908, 375; 1913, 610. (See 1908, 563; 1909, 393; 1912, 726 § 5; 1915, 259.) R. L. 105, 108.

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- 43 See 1909, 468 § 1; 1914, 587 § 1. R. L. 79.
- 54 §§ 1, 2 superseded, 1908, 536 §§ 1, 2; 1909, 483 § 8; 1913, 317; 1914, 742 §§ 135, 178, 199. R. L. 58, 121.
- 79 Repealed and superseded, 1909, 371 §§ 2, 10. (See 1908, 462, 481 § 1.) R. L. 107.
- 80 § 1 amended, 1914, 511. R. L. 157.
- 99 Amended, 1909, 508 §§ 1, 3; 1910, 472. (See 1911, 198; 1912, 567.) R. L. 92.
- 117 § 1 amended, 1908, 142 § 1. § 2 amended, 1908, 142 § 2. R. L. 25, 26.
- 118 See 1907, 250; 1912, 567. R. L. 92.
- 128 § 1, see 1912, 563; 1917, 319. § 2 amended, 1912, 604. § 3 in part repealed, 1913, 414 § 2. R. L. 160.
- 133 § 1, see 1907, 312. R. L. 165.
- 135 § 1 superseded, 1909, 514 § 7. (See 1908, 485 § 6; 1909, 371 § 2.) R. L. 106, 107.

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- 139 Construed, 1908, 638. § 1, see 1908, 414, 597 §§ 1, 5. § 2 amended, 1907, 276; 1908, 597 § 2; 1911, 294; 1912, 512 § 2; 1914, 399 §§ 1, 2, 605. (See 1915, 274.) R. L. 6.
- 140 Amended, 1910, 172 § 2. (See 1907, 190, 308; 1917, 218.) R. L. 76, 100.
- 159 See 1911, 736 § 4. R. L. 151.
- 163 Amended, 1912, 13. R. L. 3.
- 164 Superseded, 1909, 514 §§ 104, 145; 1914, 557; 1915, 216. (See 1907, 537 § 5.) R. L. 106.
- 166 Repealed, 1909, 466 § 2. (See 1908, 284, 413; 1910, 564; 1911, 118, 172; 1914, 120.) R. L. 92.
- 169 § 1 repealed, 1909, 504 § 107. (See 1909, 504 § 99; 1911, 206.) § 3, see 1908, 116; 1915, 23. R. L. 145.
- 170 Affected, 1910, 439 § 1; 1914, 542 § 1. R. L. 7.
- 177 Amended, 1908, 356; 1910, 330; 1914, 450. R. L. 49.
- 180 See 1907, 259; 1908, 307; 1909, 375; 1910, 271, 387, 416, 451; 1911, 30, 289, 341, 372; 1912, 263, 283; 1913, 705; 1914, 694, 788; 1915, 159, 187. R. L. 75, 213.
- 181 Superseded, 1909, 490 § 57. (See 1908, 387 § 2.) R. L. 12.
- 183 See 1907, 386, 445; 1913, 210; 1914, 792. R. L. 75.
- 186 See 1911, 137; 1913, 545, 657, 671, 681, 697. R. L. 25.
- 190 Amended, 1913, 410 § 1. (See 1907, 308.) R. L. 100.
- 191 See 1907, 560 § 364; 1908, 552; 1911, 222; 1912, 554; 1916, 190, 302 §§ 1, 2; 1917, 185. R. L. 25, 48.
- 193 Superseded, 1909, 514 §§ 112, 145; 1910, 350. (See 1908, 650; 1911, 208, 249.) R. L. 106.
- 195 § 1, see 1908, 286; 1911, 175. R. L. 46, 160.
- 196 Repealed, 1917, 344 Part 8 § 1, and superseded, 1917, 344, Part 4, § 5. R. L. 51.
- 198 Repeal and substitute, 1911, 614. (See 1908, 402, 484; 1909, 262; 1911, 235, 722; 1912, 379.) R. L. 92, 102.
- 203 Superseded, 1909, 534 §§ 15, 31. (See 1907, 408, 494, 580; 1908, 263, 467, 648; 1910, 605; 1913, 803; 1914, 190.) R. L. 52, 54, 102.
- 204 See 1910, 417. R. L. 73.
- 206 Superseded, 1914, 359. (See 1910, 335.) R. L. 164.
- 208 See 1908, 195; 1914, 792. R. L. 75.
- 211 See 1907, 500 § 2, 3. R. L. 102.
- 213 Repealed, 1913, 205. (See 1908, 427; 1911, 375, 731.) R. L. 39, 42.
- 214 See 1910, 383; 1915, Sp. Act 313. R. L. 102.
- 216 See 1908, 643. R. L. 56.
- 222 § 1 amended, 1912, 468. R. L. 88.
- 223 See 1915, 89, 254. R. L. 217.
- 224 Superseded, 1909, 514 §§ 59, 145; 1913, 779 § 19; 1914, 580. R. L. 106.
- 225 See 1912, 64. R. L. 22.
- 226 See 1909, 504 §§ 98, 107. R. L. 87.

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- 229 See 1912, 257. R. L. 96.
- 231 § 1 amended, 1916, 182. R. L. 21.
- 232 § 4 superseded, 1908, 604 § 170; 1917, 327 § 59. R. L. 16.
- 236 Superseded, 1917, 296. Affected, 1915, 151 § 5. R. L. 146.
- 240 § 1 amended, 1908, 182; 1910, 629; 1911, 391. R. L. 102.
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- 246 Superseded, 1909, 490 III § 21; 1912, 189. (See 1911, 618.) R. L. 14.
- 250 § 1 amended, 1917, 20. (See 1912, 567.) R. L. 92.
- 251 Superseded, 1914, 635. (See 1910, 316, 347; 1914, 743.) R. L. 220.
- 252 Superseded, 1910, 356. (See 1910, 316.) R. L. 220.
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- 261 Amended, 1910, 332; 1911, 116. R. L. 217.
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- 269 Superseded, 1909, 514 §§ 37-40, 145. (See 1907, 570; 1911, 484, 494; 1914, 623.) R. L. 106.
- 271 See 1908, 555, 598. (See 1909, 292, 391.) R. L. 84.
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- 282 § 1 amended, 1908, 180; 1915, 15. Affected, 1914, 742 §§ 59, 109. R. L. 109, 110.
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- 289 Repealed, 1911, 388 § 12. R. L. 57.
- 294 Superseded, 1908, 149. (See 1909, 160; 1910, 273.) R. L. 127.
- 295 See 1907, 357. R. L. 42.
- 296 Superseded, 1909, 377; 1910, 469. R. L. 91.
- 297 Repealed, 1909, 403; 1910, 177. (See 1908, 270.) R. L. 91.
- 298 See 1915, 49. R. L. 91.
- 299 Affected, 1911, 722 § 3. (See 1908, 255.) R. L. 91.
- 300 Superseded, 1908, 330. R. L. 92.
- 303 Amended, 1916, 61. (See 1908, 330.) R. L. 91.
- 304 Superseded, 1916, 277. R. L. 3.
- 305 Superseded, 1908, 604 §§ 30, 95; 1917, 327. (See 1912, 444; 1913, 468; 1914, 161.) R. L. 16.
- 306 Superseded, 1911, 285. R. L. 91.
- 307 Superseded, 1913, 529; 1914, 453. (See 1908, 377; 1909, 396; 1910, 545; 1912, 388.) R. L. 92.
- 308 Amended, 1909, 261 § 1. R. L. 100.
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- 386 § 1 amended, 1909, 380. § 2 amended, 1917, 70. (See 1907, 445; 1909, 391.) R. L. 75.
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- 395 Superseded, 1909, 490 III § 41; 1910, 270. R. L. 14.
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- 408 Superseded, 1909, 534 §§ 24, 31. (See 1907, 494, 580; 1908, 648 § 3; 1913, 803.) R. L. 47, 52, 54, 102.
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- 411 See 1908, 286, 465, 637; 1909, 216; 1910, 332; 1912, 187; 1913, 457. R. L. 46, 160.
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- 417 See 1910, 370. R. L. 116.
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- 427 Superseded, 1909, 490 II § 13, 512; 1915, 237 § 22. R. L. 13.
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- 443 See 1909, 49; 1911, 85; 1917, 267. R. L. 165, 210, 214.
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- 450 See 1914, 331 §§ 1, 3. R. L. 42.
- 451 Affected, 1908, 375; 1913, 610. (See 1909, 410; 1911, 561; 1912, 726 § 5.) R. L. 108.
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- 454 Amended, 1914, 664. (See 1914, 665.) R. L. 19.
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- 549 § 1 amended, 1915, 61. (See 1907, 553; 1911, 751 II § 21; 1914, 699 § 3.) R. L. 141.
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- 560 Repealed, 1913, 835 § 503. (See 1907, 579, 581; 1908, 85, 345, 391, 423, 428, 461, 480, 518; 1909, 149, 264, 344, 356, 440, 492; 1910, 44, 55, 110, 147, 182, 200, 246, 520; 1911, 222, 243, 304, 353, 378, 517, 534, 679; 1912, 252, 254, 266, 398, 471, 515, 641; 1913, 286, 431, 679, 686; 1914, 345, 393, 435.) R. L. 11.
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- 564 §§ 1, 2 superseded, 1909, 490 III §§ 1, 2. § 2 amended, 1909, 430 § 1; 1913, 792. (See 1907, 586; 1912, 543.) R. L. 14.
- 570 Superseded, 1909, 514 § 37; 1911, 494 § 1; 1914, 623. R. L. 106.
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- 579 Repealed, 1913, 835 § 503. R. L. 11.
- 580 Repeal and substitute, 1909, 534. (See 1908, 642, 648; 1913, 803; 1914, 190, 420.) R. L. 47, 52, 54, 102.
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| 219 | Repealed, 1908, 382 § 2. (See 1914, 742 §§ 91, 199.) R. L. 110. |
| 220 | See 1909, 490 III § 68, 517. R. L. 14. |
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| 222 | See 1914, 246; 1915, 32. R. L. 113, 118. |
| 226 | Superseded, 1909, 490 III § 76. R. L. 13. |
| 228 | Superseded, 1909, 514 §§ 26, 145. R. L. 106. |
| 229 | Amended, 1915, 37. (See 1909, 60; 1913, 464.) R. L. 2, 206. |
| 230 | See 1914, 571; 1915, 141, 206. R. L. 222. |
| 231 | Amended, 1913, 791. (See 1909, 248; 1910, 266.) R. L. 164. |
| 233 | See 1914, 742 §§ 197, 199. R. L. 122. |
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| 238 | See 1908, 525 § 3; 1911, 289; 1912, 283. R. L. 75, 76. |
| 243 | Affected, 1914, 742 §§ 197, 199. R. L. 121. |
| 245 | § 3 amended, 1912, 500; 1914, 424; 1917, 75. R. L. 89, 92. |
| 247 | Superseded, 1909, 490 II § 82. R. L. 13. |
| 248 | Amended, 1910, 499 § 1; 1913, 334. (See 1908, 509; 1911, 251;
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| 273 | Amended, 1911, 328; 1914, 757; 1916, 146. (See 1908, 333, 343, 354, 385; 1909, 423 § 5; 1910, 327.) R. L. 98. |
| 278 | Extended, 1909, 118. R. L. 112. |
| 279 | Repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344, Part 1, § 23. R. L. 47. |
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| 305 | Amended, 1903, 324. (See 1910, 166; 1912, 221.) R. L. 51. |
| 306 | Superseded, 1909, 514 §§ 8, 9, 145. (See 1908, 462 § 5; 1909, 371 § 6.) R. L. 106, 107. |
| 307 | Repealed, 1910, 387 § 11. (See 1908, 525; 1909, 375; 1910, 271, 416; 1911, 289, 341; 1913, 705.) R. L. 75, 213. |
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| 315 | Superseded, 1908, 604 § 90. R. L. 16. |
| 317 | Superseded, 1908, 604 § 174; 1917, 327 § 77. R. L. 16. |
| 318 | Superseded, 1909, 490 III § 59, 528 § 1. R. L. 14. |
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- 329 Amended, 1909, 474. (See 1914, 792 § 5.) § 2, see 1912, 726 § 5; 1914, 792 § 5. § 6 amended, 1912, 248 § 2; 1916, 139. (See 1908, 411; 1909, 471, 474, 476; 1911, 297; 1912, 248; 1914, 792.) R. L. 56, 75.
- 333 See 1908, 343, 354, 385; 1909, 423 § 5; 1910, 327. R. L. 98, 106.
- 335 Repealed, 1913, 655 § 61. (See 1908, 385; 1910, 143; 1913, 610 § 2.) R. L. 102, 104, 108.
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- 342 Superseded, 1910, 421 § 2. R. L. 10.
- 343 See 1908, 354, 385; 1909, 423 § 5; 1910, 327; 1914, 757. R. L. 98, 106.
- 344 Superseded, 1908, 604 § 16; 1917, 327 § 78. R. L. 16.
- 345 Repealed, 1913, 835 § 503. R. L. 11.
- 348 Revised, 1913, 339. R. L. 160.
- 349 Repealed, 1912, 174. R. L. 21.
- 350 § 1 amended, 1911, 548 § 2. § 2 amended, 1908, 583. (See 1912, 391.) R. L. 211, 214.
- 354 Superseded, 1908, 604 § 170. (See 1909, 423 § 5.) R. L. 16, 98, 106.
- 356 § 1 amended, 1910, 330; 1914, 450. R. L. 49.
- 358 § 2 superseded, 1909, 230. R. L. 165.
- 365 Amended, 1910, 273. R. L. 204.
- 370 See 1915, 240 § 4. R. L. 217.
- 371 Superseded, 1908, 604 § 174; 1917, 327 §§ 250, 256. R. L. 16.
- 372 § 1 repealed, 1914, 527. (See 1911, 214.) § 2 amended, 1909, 429. (See 1908, 542; 1911, 486.) R. L. 111.
- 374 Increase, 1916, 125. (See 1904, 281.) R. L. 164.
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- 378 See 1911, 143, 297 § 6. R. L. 90.
- 380 Superseded, 1909, 514 §§ 141, 145. (See 1908, 457; 1909, 363; 1911, 751 I § 4.) R. L. 106.
- 382 Affected, 1914, 742 §§ 91, 199; 1915, 92, 264. R. L. 110.
- 385 § 1 amended, 1909, 189. (See 1910, 143; 1916, 145.) R. L. 98, 102.
- 386 See 1913, 259; 1914, 792. R. L. 212.
- 387 Superseded, 1909, 490 I §§ 56, 57. (See 1912, 312 § 1; 1913, 694.) R. L. 12.
- 389 Repealed, 1913, 655 § 61. (See 1909, 354; 1912, 726 § 5; 1913, 610 § 2.) R. L. 108.
- 390 § 1 amended, 1911, 486 §§ 1, 2. § 2 amended, 1914, 18. R. L. 111.
- 391 Repealed, 1913, 835 § 503. R. L. 11.
- 392 See 1915, 25. R. L. 25.
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- 411 § 1 amended, 1912, 448; 1914, 627. (See 1910, 590.) R. L. 56.
- 413 Superseded, 1911, 118; 1914, 120. (See 1909, 466; 1910, 533; 1911, 172.) R. L. 92.
- 417 § 1 amended, 1917, 271 § 1. R. L. 91.
- 418 Amended, 1913, 726. (See 1912, 649 § 10; 1913, 446.) R. L. 160.
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- 422 Amended, 1914, 291 § 2, 336. R. L. 9.
- 423 Repealed, 1913, 835 § 503. R. L. 11.
- 425 Repealed, 1913, 835 § 503. R. L. 11.
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- 431 §§ 4, 5, repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344, Part 2, §§ 32, 33. R. L. 48.
- 433 Superseded, 1909, 490 III § 5. (See 1912, 272.) R. L. 14.
- 434 § 1 amended, 1912, 71; 1914, 45. Repealed in part, 1914, 370 § 3. (See 1912, 352; 1917, 327 §§ 175, 253.) R. L. 6.
- 435 See 1913, 761. R. L. 56, 75.
- 440 Amended, 1913, 612 § 2. (See 1909, 434; 1911, 8.) R. L. 160, 217.
- 441 Superseded, 1911, 356 § 5; 1912, 270. (See 1909, 272; 1910, 365; 1911, 236 § 2; 1914, 79.) R. L. 92.
- 443 See 1909, 50, 147; 1910, 80; 1912, 109; 1913, 392. R. L. 9.
- 452 In part superseded, 1909, 289. R. L. 25.
- 454 Affected, 1911, 503. (See 1912, 651; 1913, 709.) R. L. 56, 214.
- 457 Superseded, 1909, 514 §§ 129, 130, 145. R. L. 106.
- 459 §§ 1, 2 revised, 1916, 233. (See 1910, 429 §§ 1, 2; 1911, 186; 1914, 91; 1915, 250.) R. L. 9, 89.
- 460 Repealed, 1909, 436 § 4. R. L. 89.
- 461 Repealed, 1913, 835 § 503. R. L. 11.
- 462 Superseded, 1909, 371 §§ 1-3. (See 1908, 481, 485.) R. L. 107.
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- 464 § 1 superseded, 1909, 490 I § 5 [15]. (See 1908, 594; 1909, 136.) R. L. 12, 21, 27.
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- 467 See 1909, 534 § 17. R. L. 25, 52.
- 468 See 1909, 490 III § 40, cl. 3; 1912, 124. R. L. 14.
- 469 Amended, 1912, 66; 1914, 615. (See 1914, 589.) R. L. 7.
- 474 Amended, 1912, 61. (See 1912, 185.) R. L. 9.
- 476 Superseded, 1911, 210, 625. R. L. 25, 26.
- 477 §§ 1-3 superseded, 1909, 309. (See 1914, 401.) R. L. 92.
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- 484 Repeal and substitute, 1911, 614. (See 1909, 325; 1910, 319, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
- 485 Superseded, 1909, 514 §§ 2-7, 145; 1911, 158. (See 1909, 371 § 1.) R. L. 106, 107.
- 486 Superseded, 1914, 742 §§ 114, 199. R. L. 34.
- 487 Repealed, 1913, 655 § 61. (See 1909, 514 § 105; 1913, 610.) R. L. 106, 108.
- 488 § 2, see 1910, 548; 1911, 614, 722. (See 1915, 34, 54.) R. L. 91.
- 489 Superseded, 1909, 514 §§ 136-138, 145. (See 1909, 211; 1914, 792.) R. L. 106.
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- 493 See 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179. R. L. 70, 111, 114.
- 494 § 2 repealed, 1915, Sp. Act 348 § 2. R. L. 102.
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- 498 In part repealed, 1913, 832 § 16. (See 1913, 832 § 15.) R. L. 42.
- 499 § 1 amended, 1911, 135 § 1. § 2 amended, 1911, 135 § 2. § 5 amended, 1911, 135 § 3. (See 1909, 243, 490 I §§ 10, 11; 1915, 263.) R. L. 12, 75.
- 502 Superseded, 1916, 162. (See 1910, 223 § 1, 284; 1911, 477; 1913, 452; 1914, 795 §§ 3, 6.) R. L. 32, 102.
- 505 See 1911, 389; 1915, 23. R. L. 116.
- 507 § 1 amended, 1914, 159. R. L. 4.
- 509 Amended, 1908, 543; 1910, 499 § 1; 1913, 174, 541; 1917, 146 § 1, 238 § 1. (See 1908, 511; 1909, 192; 1911, 251; 1912, 139, 311; 1913, 235, 334.) R. L. 118.
- 510 § 1 amended, 1913, 246; 1917, 12. § 2 amended, 1908, 621. R. L. 138.
- 511 §§ 1-3 revised, 1912, 401 §§ 1-3. (See 1910, 185.) R. L. 118.
- 512 Repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344, Part 7, § 4. R. L. 54.
- 513 See 1910, 508; 1912, 223; 1915, 25, 263. R. L. 25, 28.
- 515 § 1 amended, 1912, 608 § 5. (See 1915, 109.) R. L. 90.
- 516 See 1909, 236; 1911, 212; 1912, 317; 1913, 716. R. L. 173.
- 518 Repealed, 1913, 835 § 503. R. L. 11.
- 520 Affected, 1909, 342. (See 1909, 490 III §§ 37, 38; 1910, 399; 1911, 148, 389; 1912, 54, 90; 1915, 93, 219.) § 8 superseded, 1910, 377; 1914, 422. (See 1914, 537 § 1.) §§ 8-10, see 1914, 537 § 1. § 9 amended, 1917, 283. § 11, see 1912, 128. § 12 superseded, 1909, 490 III § 37. § 13, see 1914, 537 § 2; 1916, 142. §§ 13, 14, see 1912, 70; 1914, 661. § 15, see 1914, 504 § 3. R. L. 14, 116.
- 525 § 1, see 1909, 375. § 2 revised, 1913, 720 § 1. § 3 amended, 1910, 172 § 1. (See 1910, 271, 387, 416; 1912, 263, 283.) R. L. 76, 100.
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- 531 See 1911, 218; 1914, 795 § 6. § 1 affected, 1911, 266 § 1. (See 1910, 495.) § 4 affected, 1911, 266 § 4. R. L. 56, 57, 75.
- 534 Affected, 1914, 742 § 38, 199. (See 1909, 477; 1910, 374; 1911, 349; 1914, 742 §§ 39, 199.) R. L. 121.
- 536 Superseded, 1914, 742 §§ 135, 178, 199. (See 1913, 317 § 3.) R. L. 121.
- 537 See 1909, 423 § 5; 1910, 327. R. L. 98.
- 539 See 1910, 400. R. L. 26, 91.
- 542 § 1 amended, 1909, 47 § 1. R. L. 111, 112.
- 543 Affected, 1910, 499 § 1. (See 1909, 192; 1912, 139.) R. L. 118.
- 547 Superseded, 1909, 514 §§ 55, 145. (See 1914, 623.) R. L. 106, 224.
- 550 Superseded, 1909, 490 III §§ 2, 5-7. (See 1909, 440 § 2, 517, 527; 1913, 792.) R. L. 14, 15.
- 551 § 15 amended, 1909, 383. R. L. 112.
- 553 Superseded, 1909, 514 § 143. (See 1909, 363.) R. L. 106, 111.
- 555 Amended, 1913, 797; 1917, 216. Affected, 1909, 292. (See 1909, 391.) R. L. 81, 85.
- 561 Amended, 1910, 66 § 1; 1912, 522; 1913, 717, 718. R. L. 5.
- 563 § 1 amended, 1909, 393 § 1; 1912, 531 § 1. (See 1912, 726 § 5; 1913, 610.) R. L. 105.
- 565 Repeal and substitute, 1914, 791; 1915, 169. (See 1908, 566; 1909, 281; 1911, 48, 440; 1913, 610 § 2; 1914, 196.) R. L. 104.
- 566 Repeal and substitute, 1914, 791; 1915, 169. (See 1909, 281; 1911, 48, 440; 1912, 182; 1913, 610 § 2; 1914, 196.) R. L. 102, 104.
- 570 See 1909, 405; 1910, 114. R. L. 56, 75.
- 572 §§ 1-4 repealed, 1911, 471 § 11. (See 1909, 457, 540; 1910, 282; 1911, 466; 1912, 80; 1913, 295; 1914, 391.) R. L. 39, 42, 86.
- 583 See 1911, 548; 1912, 391. R. L. 211, 214.
- 586 Amended, 1916, 248. R. L. 7.
- 589 § 5 superseded, 1909, 490 I § 53. R. L. 12.
- 590 §§ 1-8, see 1909, 399, 491 § 5; 1911, 81; 1915, 231 § 4, 268 § 3. § 3 amended, 1912, 516; 1913, 294. (See 1915, 231 § 4.) § 4 amended, 1909, 491 § 2. (See 1911, 148; 1915, 231 §§ 1, 4, 268 § 3.) § 5 amended, 1909, 491 § 3; 1910, 622 § 1; 1912, 173; extended, 1915, 268 § 3. (See 1912, 128, 623; 1914, 537 § 2; 1915, 231 § 4, 1916, 142.) § 6, see 1914, 537 § 2; 1915, 231 § 4. § 8 amended, 1910, 622 § 2. (See 1915, 231 § 4.) §§ 5-15 affected, 1916, 26. §§ 9-11 superseded, 1910, 399. (See 1915, 231 § 4, 268 § 3.) § 12 amended, 1910, 622 § 3. (See 1915, 231 § 4, 268 § 3.) § 13 amended, 1912, 97. (See 1914, 537 § 2, 661; 1915, 231 § 4, 268 § 3.) § 14, see 1914, 661; 1915, 268 § 3. § 15 revised, 1910, 393. (See 1915, 231 § 4, 268 § 3.) § 16 amended, 1909, 491 § 4; 1914, 610. (See 1910, 343.) § 17 amended, 1914, 470; extended, 1915, 118 § 2, 268 § 4. (See 1909, 419 § 4; 1910, 281.) § 25 amended, 1909, 491 § 5. § 28 amended, 1910, 622 § 4. § 29 amended, 1910, 622 § 5. § 30 amended, 1910,

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- 591 § 2 amended, 1915, 124. Affected, 1909, 263; 1911, 474. (See 1910, 150; 1913, 600, 605; 1914, 404; 1915, 80, 171.) R. L. 28, 29.
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- 595 See 1910, 255. R. L. 66, 96.
- 597 § 2 amended, 1911, 294; 1912, 512 § 1. § 4 affected, 1916, 296 § 4. (See 1912, 79, 387.) R. L. 6.
- 601 § 1 revised, 1916, 273. (See 1911, 673.) R. L. 222, 223.
- 604 Repealed, 1917, 327 § 268, revised, 1917, 327. (See 1916, 1, 10. § 8, see 1916, 279. § 12 superseded, 1914, 460. (See 1909, 300; 1911, 633; 1912, 720 § 1; 1914, 758.) § 13 revised, 1916, 284 § 1. (See 1909, 300; 1916, 8, 123, 165; 1917, 211 § 4, 300.) § 14 revised, 1917, 92. (See 1910, 348 § 1; 1912, 593; 1913, 710.) § 16 superseded, 1915, 289 § 1. § 18 amended, 1912, 365 § 1. § 19 revised, 1916, 1 § 1. § 20 revised, 1912, 720 § 2. (See 1909, 298; 1910, 228; 1911, 145, 326, 633; 1912, 365 § 2; 1914, 758; 1916, 284 § 2.) § 21 repealed, 1912, 365 § 4. § 22 revised, 1916, 284 § 3. (See 1911, 670; 1912, 506; 1914, 362, 718 § 1; 1916, 284 §§ 2, 10. § 23, see 1914, 161. § 26 superseded, 1915, 289 § 2. §§ 27, 28, see 1914, 161. § 30, see 1914, 161, 758. § 31 amended, 1916, 284 § 16. § 32 amended, 1915, 289 § 3. § 36 amended, 1917, 334. (See 1916, 284 § 15.) § 39 amended, 1910, 348 § 2; 1911, 747; 1913, 733; 1916, 284 § 4. (See 1913, 268; 1916, 284 § 15.) § 41 amended, 1911, 298. (See 1911, 326.) § 42 amended, 1910, 299; 1912, 268; 1914, 715; 1915, 71; 1916, 284 § 5. (See 1911, 449, 718 § 3.) § 44 revised, 1916, 284 §§ 6, 7. §§ 61-70 superseded, 1912, 464. (See 1912, 138.) §§ 71-73, see 1912, 444 § 1, 464 § 4; 1915, 203. § 74 amended, 1916, 284 § 16. § 79 repealed, 1909, 167 § 1. § 80 amended, 1916, 284 § 16. § 81 affected, 1911, 449. § 81 *et seq.*, see 1916, 284 § 12. § 82 amended, 1916, 284 § 11. § 83 superseded, 1914, 376; 1915, 126 § 1. (See 1916, 284 § 16.) § 84 amended, 1915, 126 § 2. §§ 87, 88 extended, 1916, 284 § 16. § 90, see Res. 1910, 28. § 91 revised, 1912, 444 § 1. § 92 amended, 1912, 444 § 2. (See 1913, 468.) §§ 93, 94, see 1911, 449. § 96 revised, 1912, 441. (See 1913, 468.) §§ 96, 97, see 1916, 127 § 1. § 99 amended, 1915, 289 § 4. § 101 amended, 1915, 289 § 5.

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- 605 Superseded, 1911, 727; 1912, 675. (See 1909, 278, 317, 419, 514 §§ 121-126; 1910, 563; 1914, 437; 1915, 268.) R. L. 102, 106, 189.
- 613 §§ 1, 2, 4 superseded, 1909, 504 §§ 1, 107. (See 1909, 504 § 14.) R. L. 87.
- 614 Superseded, 1909, 490 III § 64. (See 1909, 440 § 2.) R. L. 14.
- 615 See 1909, 490 III §§ 72-79. R. L. 14.
- 617 §§ 1, 3 superseded, 1914, 742, §§ 159, 160, 199. R. L. 121.
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- 629 Superseded, 1909, 504 §§ 1, 107. R. L. 87.
- 636 § 1 amended, 1909, 369; 1915, 298. (See 1909, 485; 1915, 299 § 3.) § 2, see 1915, 299 § 3. R. L. 111, 112.
- 637 § 1 amended, 1909, 216. (See 1910, 332; 1911, 8; 1912, 187; 1915, 89, 254.) R. L. 217.
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- 642 Superseded, 1909, 534 §§ 30, 31. (See 1913, 803.) R. L. 47, 52, 102.
- 643 Amended, 1917, 189. R. L. 56.
- 645 Superseded, 1909, 514 §§ 48, 145. R. L. 106.

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67	See 1916, 296. R. L. 9.
92	See 1915, 231 § 16. R. L. 118.
94	Superseded, 1913, 336. R. L. 6.
95	See 1915, 231 § 16. R. L. 118.
116	See 1909, 183. R. L. 159.
118	Repealed and superseded, 1917, 327. R. L. 16.
131	See 1912, 726 § 5; 1913, 610. R. L. 105.
133	Amended, 1912, 260; 1913, 240; 1914, 209, 276; 1917, 226. R. L. 124.
134	Repealed, 1917, 344, Part 8 § 1, superseded, 1917, 344, Part 5 § 4. R. L. 52.
136	§ 1 affected, 1916, 152. (See 1909, 148; 1912, 377; 1917, 116 § 1.) R. L. 6, 21, 25, 26, 27.
147	See 1910, 80; 1911, 667; 1912, 109, 142; 1913, 392. R. L. 9.
148	Repealed, 1910, 137. R. L. 6.
149	Repealed, 1913, 835 § 503. R. L. 11.
160	See 1910, 273. R. L. 204.
167	Repealed and superseded, 1917, 327. R. L. 16.
170	Repealed and superseded, 1917, 327. (See 1914, 380; 1916, 284 § 16.) R. L. 16.
173	Superseded, 1914, 742 §§ 108, 199. R. L. 34.
174	Amended, 1914, 710. (See 1914, 605.) R. L. 10.
177	See 1913, 284, 397. R. L. 75.
180	Superseded, 1911, 456 § 1; 1912, 310; 1914, 520. (See 1912, 264.) R. L. 83, 153, 220.
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189	See 1916, 145. R. L. 98.
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192	See 1909, 488; 1910, 499; 1912, 139. R. L. 118.
194	See 1911, 374. R. L. 91.
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206	Repealed, 1913, 815 § 9. (See 1909, 225; 1911, 593; 1912, 276.) R. L. 173.
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213	Repealed, 1913, 835 § 503. R. L. 11.
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- 218 Repealed, 1914, 370 § 3. (See 1910, 488; 1912, 145.) R. L. 6.
- 219 § 2 amended, 1911, 473 § 2. (See 1912, 232.) R. L. 160.
- 225 Repealed, 1913, 815 § 9. (See 1911, 593; 1912, 276.) R. L. 173.
- 227 Superseded, 1913, 228. (See 1912, 649 § 1.) R. L. 173.
- 229 Superseded, 1911, 232. R. L. 42.
- 233 See 1914, 745. R. L. 111.
- 235 See 1911, 150. R. L. 168.
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- 237 Superseded, 1915, 292 §§ 9, 13. Revived in certain cases, 1916, 163; 1917, 213. (See 1911, 150.) R. L. 197.
- 243 See 1909, 490 I §§ 10, 11; 1911, 135 § 3; 1914, 629. R. L. 12, 25, 26.
- 248 See 1910, 266. R. L. 164.
- 250 See 1913, 73. R. L. 75, 84.
- 256 Superseded, 1912, 330. (See 1911, 344.) R. L. 118.
- 259 Superseded, 1909, 490 II § 45; 1912, 390. R. L. 13.
- 262 Repeal and substitute, 1911, 614. (See 1909, 325; 1910, 319, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
- 263 § 1 amended, 1917, 63. (See 1909, 452; 1910, 150; 1911, 474; 1914, 340, 341; 1915, 80, 171.) R. L. 28, 89.
- 264 Repealed, 1913, 835 § 503. R. L. 11.
- 265 Repeal and substitute, 1917, 312. R. L. 91, 102.
- 266 Affected, 1910, 440. (See 1909, 268, 490 IV § 24; 1911, 191; 1912, 360; 1915, 64.) R. L. 15.
- 267 § 1, see 1909, 490 III § 40; 1911, 379; 1912, 124. § 2 amended, 1909, 439 § 2. (See 1909, 490 III § 34.) R. L. 14.
- 268 Superseded, 1916, 268 § 1. (See 1909, 490 IV § 1, 517 § 1; 1911, 191; 1912, 678 § 1; 1913, 498; 1914, 462.) R. L. 15.
- 271 § 1 amended, 1910, 373. R. L. 22.
- 272 Superseded, 1911, 356; 1912, 270. (See 1910, 365; 1911, 236; 1914, 79.) R. L. 92.
- 273 § 1 superseded, 1916, 114. § 2 superseded, 1912, 443. R. L. 24.
- 274 See 1909, 504 §§ 14, 69, 105, 106; 1910, 345. R. L. 87, 219, 225.
- 276 See 1910, 439. R. L. 7.
- 278 See 1911, 727. R. L. 119.
- 280 Repealed and superseded, 1917, 327. R. L. 16.
- 281 Repeal and substitute, 1914, 791 § 16; 1915, 169. (See 1911, 48, 440; 1912, 182; 1914, 196.) R. L. 104, 108.
- 283 Superseded, 1912, 333. R. L. 21.
- 287 § 2 amended, 1909, 450; 1913, 245. (See 1910, 338; 1911, 338; 1912, 335; 1913, 178.) R. L. 70, 109.
- 289 Repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344, Part 4, § 6. R. L. 51.
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- 295 See 1914, 370 § 2. R. L. 225.
- 298 Repealed and superseded, 1917, 327. (See 1911, 145, 326, 623; 1912, 365 § 2; 720 § 2.) R. L. 16.
- 300 Repealed and superseded, 1917, 327. R. L. 16.

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| 309 | See 1914, 401. R. L. 92. |
| 316 | Superseded, 1914, 742 §§ 56, 169, 170, 199. (See 1910, 124; 1911, 349.) R. L. 121, 122. |
| 317 | Repealed, 1911, 727 § 24. R. L. 102, 115. |
| 318 | Superseded, 1914, 742 §§ 188, 191, 199. (See 1909, 483 § 8.) R. L. 58, 121. |
| 319 | Repealed in part, 1914, 787 § 12. (See 1913, 600; 1914, 792.) R. L. 75, 110. |
| 320 | § 2 amended, 1910, 32. R. L. 75. |
| 323 | Repealed and superseded, 1917, 327. (See 1912, 665; 1913, 812 § 1.) R. L. 16. |
| 325 | Repeal and substitute, 1911, 614. (See 1910, 319, 614; 1911, 235; 1912, 379.) R. L. 92, 102. |
| 328 | Superseded, 1910, 533 § 2; 1911, 101. (See 1906, 278; 1911, 118 § 2; 1913, 626.) R. L. 92. |
| 331 | § 1 amended, 1915, 262. R. L. 164. |
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| 344 | Repealed, 1913, 835 § 503. (See 1909, 440 §§ 2, 6; 1913, 679.) R. L. 11, 12. |
| 345 | See 1914, 661. R. L. 118. |
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| 348 | See 1913, 610. R. L. 105. |
| 353 | Repealed, 1913, 386 § 2. R. L. 164. |
| 354 | Repealed, 1913, 655 § 61. (See 1913, 610.) R. L. 105, 108. |
| 356 | Repealed, 1913, 835 § 503. (See 1910, 520 § 3; 1911, 353, 354.) R. L. 11. |
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| 363 | See 1909, 514 §§ 127, 134. R. L. 106, 111. |
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| 369 | Amended, 1915, 298. (See 1909, 485; 1915, 299 § 3.) R. L. 112. |
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- 377 § 1 amended, 1910, 469 § 1; 1915, 59; 1916, 25; affected, 1915, 218; 1917, 188. R. L. 91.
- 378 Repealed, 1911, 396. R. L. 88.
- 380 See 1909, 391; 1911, 613. R. L. 75.
- 381 Amended, 1910, 244. R. L. 219.
- 382 See 1914, 452 § 1. R. L. 62.
- 384 Affected, 1910, 329. R. L. 164.
- 386 Amended, 1916, 69 § 2. R. L. 160.
- 390 § 1 amended, 1910, 463; 1917, 9. R. L. 118.
- 391 See 1911, 613; 1913, 670; 1914, 792. R. L. 75.
- 393 § 1 amended, 1912, 531 § 1. (See 1911, 619; 1912, 726 § 5; 1913, 610.) § 2, see 1914, 467. R. L. 105, 108.
- 394 See 1910, 398; 1911, 722. R. L. 32.
- 396 Superseded, 1913, 529; 1914, 453. (See 1910, 545; 1912, 388, 438.) R. L. 92.
- 398 Amended, 1910, 459. (See 1912, 447; 1915, 95.) R. L. 19, 165.
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- 402 § 1 amended, 1909, 542. R. L. 122.
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- 405 See 1909, 443; 1910, 394, 457; 1911, 278; 1914, 744; 1915, 109. § 1 amended, 1910, 114. § 3 superseded, 1909, 443 §§ 4, 5. (See 1917, 112.) R. L. 25, 26, 56, 75, 89, 102.
- 407 Amended, 1910, 339. (See 1911, 111.) R. L. 119.
- 410 Amended, 1911, 561 § 4; 1913, 610, 834. (See 1912, 726 § 5.) R. L. 105, 108.
- 412 See 1914, 633. R. L. 62.
- 413 See 1912, 726 § 5; 1913, 610. R. L. 108.
- 415 Amended, 1913, 247. R. L. 118.
- 416 See 1910, 73. R. L. 8.
- 417 § 1 extended, 1916, 266 § 5. (See 1911, 442, 481, 569.) R. L. 112.
- 419 Repealed and superseded, 1915, 268 § 26. (See 1909, 490 III § 25, 491 §§ 4, 7; 1912, 623; 1914, 437, 661.) R. L. 113, 114.
- 420 See 1913, 619 § 7. R. L. 98, 106.
- 421 See 1911, 18, 187; 1912, 567. R. L. 92.
- 423 § 2 amended, 1913, 451. (See 1910, 327.) R. L. 98.
- 425 Superseded, 1912, 218. R. L. 56.
- 428 Repealed and superseded, 1917, 85. (See 1913, 590; 1914, 276, 298.) R. L. 89, 124.
- 430 See 1909, 490 III § 2; 1913, 792. R. L. 14.
- 431 Superseded, 1911, 73. R. L. 164.
- 432 See 1914, 577. R. L. 108.
- 433 § 3, see 1914, 792. R. L. 75.
- 436 Superseded, 1910, 627; 1911, 592. R. L. 89.
- 439 §§ 1, 2 amended, 1909, 440 § 2, 490 I § 23 [10]. Affected, 1915, 137. (See 1909, 490 III §§ 40, 41, 45; 1911, 382; 1912, 124.) § 3, see 1909, 490 III § 42. § 4, see 1909, 490 III § 45; 1915, 137. R. L. 14.

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- 440 Repealed, 1913, 835 § 503. But see 1914, 198. (See 1912, 471; 1913, 286, 679.) R. L. 11.
- 441 § 1 amended, 1914, 471. (See 1914, 770 § 10; 1915, 238 § 5.) § 2 affected, 1914, 742 § 148; 1915, 20 § 2. § 3, new section, 1913, 454. (See 1914, 770 § 10.) R. L. 109, 116.
- 443 See 1914, 744; 1915, 109; 1916, 228; 1917, 112. R. L. 25, 26, 56, 75, 89, 102.
- 444 Superseded, 1912, 507; 1915, 161. (See Res. 1911, 103.) R. L. 89.
- 449 Repealed, 1911, 366 § 2. (See 1909, 490 I § 101.) R. L. 12.
- 450 Amended, 1913, 245. (See 1910, 338; 1911, 358.) R. L. 70, 111.
- 452 See 1910, 150; 1911, 474; 1914, 431. R. L. 28, 89.
- 453 § 4 amended, 1913, 545. R. L. 28.
- 454 Repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344, Part 1, § 22. (See 1913, 773; 1914, 514.) R. L. 47.
- 457 § 2 see 1917, 215 §§ 2, 4. § 3 revised, 1910, 272; 1911, 466; 1912, 80; 1913, 421. (See 1913, 295; 1914, 391; 1915, 296 § 2; 1917, 74 § 2.) R. L. 39.
- 464 Repealed, 1917, 344 Part 8, § 1, and superseded, 1917, 344 Part 1, §§ 5, 6. R. L. 47.
- 466 Superseded, 1911, 118; 1914, 120. (See 1911, 172.) R. L. 92.
- 468 § 1 amended, 1912, 549; 1914, 407, 587 § 1. § 2 amended, 1910, 467; 1914, 587 § 2. § 3 amended, 1910, 470; 1913, 323; 1914, 349, 587 § 3. §§ 3-9, see 1916, 314; 1917, 5. § 4 revised, 1912, 589. (See 1914, 589 § 4.) § 5, see 1914, 587 § 5. § 6 amended, 1914, 375, 589 § 6. § 7, see 1914, 587 § 7. § 8, see 1914, 587 § 8. § 9 amended, 1914, 587 § 9. § 10, see 1914, 587 § 10. § 11, see 1914, 587 § 11. § 12, see 1914, 587 § 12. § 13, see 1914, 587 § 13. § 14, see 1910, 412; 1914, 587 § 14. § 15, see 1914, 587 § 15. § 16 amended, 1914, 587 § 16. § 17 amended, 1914, 587 § 17. § 18 amended, 1913, 475. (See 1914, 587 § 18.) R. L. 79.
- 469 See 1914, 597; 1915, 174; 1916, 35. R. L. 91.
- 470 See 1917, 115. R. L. 87.
- 471 Amended, 1911, 297 § 5; 1912, 248 § 1; 1914, 206. (See 1909, 474, 476; 1914, 792 § 2.) R. L. 75, 90.
- 472 § 2 revised, 1911, 605; amended, 1914, 207; affected, 1917, 167. R. L. 42, 86.
- 474 See 1912, 608. R. L. 90.
- 476 See 1911, 297 § 6; 1912, 248; 1914, 792 § 5. R. L. 75, 90.
- 477 Superseded, 1914, 742 §§ 43, 44, 199. (See 1910, 374; 1911, 349; 1914, 742 § 39, 787 § 8; 1915, 21 § 1.) R. L. 121.
- 481 See 1910, 606; 1912, 642; 1913, 543; 1914, 691, 693, 716, 717; Res. 1914, 109, 112, 115, 132, 135, 137. R. L. 96.
- 483 Superseded, 1914, 742 §§ 175-178, 180, 181, 183, 198, 199. (See 1912, 233; 1913, 317 § 3.) R. L. 58, 121.
- 485 See 1913, 764; 1914, 671; 1915, 298, 299 § 3. R. L. 112.
- 486 § 3, see 1914, 274. § 10 amended, 1912, 550. § 30, see 1910, 414 § 6. § 31, see 1914, 128. § 32 amended, 1914, 730 § 1. § 39 affected,

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- 488 Amended, 1910, 499 § 2; 1911, 205; 1912, 524; 1913, 489; 1916, 135. (See 1911, 251.) R. L. 118.
- 490 I in part superseded, 1916, 269 § 3, see 1913, 636. §§ 2, 4 affected, 1916, 269 §§ 11, 21. § 4 amended, 1914, 198 § 1. § 5 amended, 1910, 333; 1914, 83, 518; 1916, 144; 1917, 136; affected, 1914, 761; 1915, 135. (See 1915, 40; 1916, 269 §§ 1, 4, 11, 12, 21, 299 §§ 3-5; 1917, 204, 257, 270.) § 6 repealed, 1914, 598 § 26. § 7 amended, 1913, 473 § 2. § 8 amended, 1914, 629 § 1. § 10 amended, 1914, 629 § 2. §§ 10, 11, see 1911, 135. § 12, see 1910, 650. § 13 amended, 1914, 198 § 2. § 14 amended, 1914, 198 § 2. § 15 amended, 1914, 198 § 2; 1915, 237 § 23. (See 1911, 75; 1913, 676.) §§ 16-18, see 1914, 761 § 3; 1915, 135. § 23 amended, 1909, 516 § 2; 1911, 383 § 2; 1912, 238, 621; 1913, 458; 1914, 198 § 2; 1916, 271; affected, 1915, 137. (See 1902, 342 § 1; 1914, 761 § 3; 1915, 135.) § 26 amended, 1914, 198 § 2. § 27, see 1914, 761 § 3; 1915, 135. §§ 24-40, see 1909, 490 III § 7; 1910, 260. § 34, see 1914, 692 § 3; 1917, 159 § 4. § 39 extended, 1916, 269 § 22. § 41 superseded, 1914, 198 § 5. (See 1914, 523 § 1; 1915, 40, 137 § 3 1916, 269 § 12.) §§ 41-43, see 1909, 517 §§ 1, 2; 1912, 238, 621; 1914, 598 § 25. § 42 amended, 1909, 515 § 1. § 43 revised, 1916, 294 § 1. (See 1916, 130, 294 § 2.) §§ 46, 49, see 1912, 238. § 50, see 1917, 171. § 53 revised, 1913, 719 § 18. (See 1910, 521; 1915, Sp. Act 184 § 2.) § 54 revised, 1913, 649, 823. § 57 amended, 1914, 198 § 2. (See 1912, 312 § 1.) § 60, see 1912, 222; 1916, 281. § 62, see 1912, 312 § 2; 1913, 694; 1914, 598 § 14. § 70 repealed, 1913, 688 § 5. § 71 revised, 1916, 103. (See 1913, 688 § 1; 1914, 625; 1915, 237 § 21.) §§ 72-83, see 1916, 269 § 19. § 75 amended, 1909, 517 § 1. §§ 77-80, see 1916, 269 § 20. § 82, see 1910, 272. § 83 amended, 1913, 226. (See 1909, 517 § 2.) § 84 superseded, 1914, 198 § 5. § 85 amended, 1911, 89; affected 1916, 103. § 86 amended, 1915, 237 § 17. § 88 amended, 1913, 599 § 1. (See 1912, 312 § 1.) § 93 superseded, 1914, 198 § 5, 689. (See 1913, 453 § 1; 1916, 281.) § 94 amended, 1914, 198 § 2. § 95, see 1916, 281. § 96 repealed, 1911, 308. § 100, see 1916, 171. § 101 superseded, 1914, 198 § 5; amended, 1914, 689. (See 1911, 366 § 1.) R. L. 12.
- II § 3 amended, 1914, 198 § 2. § 13 amended, 1909, 512; 1915, 237 § 22. § 14 amended, 1914, 198 § 2. § 19 amended, 1913, 599 § 2; 1916, 20. (See 1913, 824.) § 20, see 1911, 75. §§ 21-24, extended, 1916, 269 § 18. § 24, see 1910, 531. §§ 27-35 extended, 1916, 269 § 18. § 32 amended, 1913, 237. § 33, see 1912, 272. § 36 amended, 1914, 198 § 2. § 39 affected, 1912, 360; amended, 1913, 255. § 44 amended, 1911, 370; 1915, 237 § 1. § 45 amended, 1912, 390. § 50 amended, 1914, 198 § 2. § 51 amended, 1914, 198 § 2. § 52 amended,

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- 491 § 2, see 1911, 148; 1915, 231 § 1, 268. § 3 amended, 1912, 173. (See 1910, 399; 1912, 128; 1915, 268 § 3.) § 4 amended, 1914, 610. (See 1910, 343; 1915, 268 § 3.) § 6 amended, 1912, 171; extended, 1917, 33. § 7 amended, 1917, 144. (See 1911, 228, 337, 389; 1915, 93.) § 8 amended, 1912, 580; 1913, 291. R. L. 113, 115, 116.
- 492 Repealed, 1913, 835 § 503. (See 1913, 679.) R. L. 11.
- 493 See 1911, 251. R. L. 118.
- 494 Amended, 1910, 503; 1913, 791. R. L. 164.
- 499 See 1911, 251. R. L. 118.
- 502 Repealed, 1917, 122 § 5. (See 1910, 558.) R. L. 111.
- 504 §§ 2, 3 repealed, 1914, 762 § 9. §§ 4, 5 repealed, 1914, 762 § 9. (See 1911, 649.) § 7 repealed, 1914, 762 § 9. (See 1911, 334.) § 8 repealed, 1914, 762 § 9. (See 1914, 662.) § 10 repealed, 1914, 762 § 9. § 14 amended, 1914, 442 § 3; affected, 1915, 79 § 3. (See 1912, 679; 1914, 456; 1915, 170; 1916, 283.) § 15 amended, 1914, 358 § 3. §§ 18-20 repealed, 1914, 762 § 9. (See 1911, 649.) §§ 19-22, see 1911, 480. §§ 24, 25 repealed, 1914, 762 § 9. § 28 *et seq.*, see 1911, 273. § 29 amended, 1914, 473. (See 1911, 595 § 4; 1915, 136.) § 30, see 1915, 136. § 32 amended, 1916, 67. (See 1909, 526 § 5; 1911, 595 § 3.) § 34, see 1915, 136. § 41, see 1911, 595, § 9. §§ 42-45 extended, 1911, 395; 1915, 174. (See 1915, 136.) § 48, see 1911, 394, 595 § 3. § 49 revised, 1910, 420; 1911, 595 § 11. § 50 revised, 1917, 69. (See 1911, 273; 1914, 558 § 1; 1915, 73, 136.) § 57 amended, 1911, 71 § 1. (See 1915, 136.) § 58 amended, 1911, 71 § 2. § 63 revised, 1916, 122 § 1. 1917, 223 § 1. (See 1915, 136.) § 64 revised, 1917, 223 § 2. (See 1916, 122 § 2.) § 69 revised, 1917, 131. (See 1911, 334 §§ 1, 2.) § 71 amended, 1914, 493. § 75 extended, 1916, 239; amended, 1917, 48. § 78 amended, 1916, 122 § 3. § 79 amended, 1916, 122 § 4. § 80 amended, 1916, 122, § 5. § 82 revised, 1917, 133. (See 1915, 208.) § 94 extended, 1911, 30. § 99 amended, 1911, 206. (See 1915, 23.) §§ 101, 102, see 1915, 23. § 103 amended, 1917, 46 § 1. §§ 103, 104, see 1915, 136. § 104, see 1916, 239. § 105 affected, 1910, 345; 1911, 604. (See 1911, 273.) § 106 amended, 1910, 122; 1917, 46 § 2. (See 1915, 136.) R. L. 42, 83, 87, 145, 217, 219.
- 508 § 3 in part repealed, 1910, 472. (See 1912, 567.) R. L. 92.
- 512 Repealed, 1915, 237 § 26. R. L. 13.
- 514 §§ 1-8, see 1910, 83. § 3 amended, 1911, 158. § 10 affected, 1917, 341. § 11 superseded, 1914, 681 § 1. (See 1910, 445; 1912, 545; 1914, 347; 1915, 108.) § 15 revised, 1913, 444. (See 1914, 370.) § 16 superseded, 1914, 681 § 2. § 17 amended, 1911, 241; 1912, 191; 1916, 95 § 1; in part repealed, 1913, 655 § 61. (See 1913, 619 § 5.) § 21 amended, 1914, 474; 1917, 260. § 27, see 1910, 445; 1912, 545; 1914, 347; 1915, 108. § 28 amended, 1912, 495. (See 1913, 690.) § 30, see 1910, 339; 1911, 111, 431. § 37 superseded, 1911, 494 § 1.

- (See 1911, 151.) § 38 superseded, 1911, 494 § 2. § 42 extended, 1911, 494; 1913, 822; 1916, 240 § 1. (See 1914, 623.) § 47 extended, 1911, 313; 1912, 452. (See 1911, 229; 1913, 365, 610 § 2.) § 48 revised, 1911, 484; 1912, 477; 1913, 758; 1915, 57; 1916, 222. (See 1911, 151, 313; 1912, 726 § 5; 1913, 610 § 2; 1914, 623; 1916, 145.) § 52 affected, 1911, 151; 1913, 619. § 56 revised, 1913, 779 § 14, 831 § 1. (See 1915, 70.) §§ 57-64 revised, 1913, 779 §§ 15-24; 1915, 70. § 57 amended, 1913, 779 § 15; 1916, 95 § 2. § 58, see 1915, 70. § 59 amended, 1913, 779 § 17; 1914, 580. (See 1910, 249, 257; 1911, 269, 310; 1912, 280; 1913, 330, 610 § 2; 1914, 316.) § 61 amended, 1910, 249; 1913, 779 § 19; 1915, 70. §§ 61-64, see 1913, 610 § 2. § 62, see 1912, 726 § 5; 1916, 145. § 66 revised, 1913, 779 § 23; 1916, 95 § 3. (See 1911, 241; 1913, 467.) §§ 67, 68, see 1912, 477. § 68 revised, 1917, 110. (See 1911, 229.) § 69, see 1913, 610 § 2. § 73 superseded, 1912, 96. § 74 affected, 1912, 479. (See 1911, 455; 1913, 806.) § 75 superseded, 1910, 404. (See 1912, 726 § 5; 1914, 792.) § 78 affected, 1912, 726; amended, 1915, 117. (See 1914, 792.) § 79 superseded, 1914, 328 § 1, 726. § 80 amended, 1910, 259 § 1. §§ 80-82, see 1913, 610 § 2. § 82 amended, 1910, 259 § 2. §§ 83, 84, see 1910, 543. § 89 affected, 1912, 726; amended, 1915, 116. (See 1914, 792 § 5.) § 90 amended, 1915, 69. § 93 superseded, 1914, 566. § 94 superseded, 1914, 328 § 2. (See 1912, 318.) § 96 in part repealed, 1913, 806 § 13. §§ 97-99 repealed, 1913, 655 § 61. (See 1913, 610 § 2.) § 100, see 1914, 795 §§ 3, 6. § 101, see 1911, 281. § 104 superseded, 1914, 557; amended, 1915, 216. § 105 repealed, 1913, 655 § 61. (See 1910, 345; 1911, 603; 1914, 792 § 5.) § 106, see 1911, 313. (See 1912, 726 § 5; 1914, 792 § 5.) § 112 amended, 1910, 350; 1911, 208, 249; 1914, 247; 1915, 75; 1916, 229; affected, 1915, 214. (See 1914, 370 § 1.) § 113 amended, 1916, 14. § 116 amended, 1911, 263. § 117, see 1913, 610 § 2. § 121 amended, 1916, 208 § 1. §§ 121-125 in part superseded, 1911, 727 § 22; 1912, 675 § 6. § 124 amended, 1916, 208 § 2. § 125 amended, 1910, 563. (See 1911, 727 § 22.) § 128 amended, 1915, 179. §§ 127-135, 141-143 limited, 1911, 751 I § 4. (See 1911, 751 I § 5, IV § 23; 1914, 553.) § 132 amended, 1910, 166 § 2, 611; 1911, 178, 751 II § 16; 1912, 251. (See 1912, 172.) §§ 136-140 repealed, 1911, 751 V § 4. § 144 repealed, 1913, 746 § 2. (See 1911, 751 § 18; 1912, 409, 726 §§ 5, 13; 1913, 610 § 2; 1916, 145.) § 145 amended, 1910, 63. R. L. 106-108.
- 516 See 1911, 382 § 2; 1913, 458; 1916, 271. R. L. 12.
- 524 Extended, 1916, 245. R. L. 28.
- 527 § 1 superseded, 1916, 268 § 1. (See 1912, 678 § 1; 1913, 498.) § 2 superseded, 1916, 268 § 2. (See 1914, 699 § 6; 1915, 152.) §§ 3, 5, 9 affected, 1910, 440; 1911, 191. (See 1914, 462.) § 5 amended, 1911, 359. § 7 in part repealed, 1912, 678 § 2. § 8, see 1914, 563. R. L. 15.
- 528 Superseded, 1914, 198 § 6. (See 1911, 379.)

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- 531 See 1910, 462; 1914, 653 § 4. R. L. 62.
- 534 Extended to motor vehicles for special or municipal purposes, 1915, 11. § 1 amended, 1914, 204 § 1; 1915, 16 § 1, 99; 1916, 260; 1917, 187 § 1. § 2 amended, 1912, 400; 1914, 420. § 3 amended, 1910, 605 § 1; 1914, 204 § 2. (See 1916, 42.) § 4 amended, 1915, 16 § 2. § 5 amended, 1910, 605 § 2; 1914, 420. § 7 amended, 1915, 16 § 3. § 8 amended, 1910, 605 § 3; 1915, 10 § 1. § 9, see 1915, 87. § 10 amended, 1910, 605 § 4; 1914, 204 § 3; 1915, 16 § 4. § 12 amended, 1911, 37; 1915, 16 § 5. § 14 revised, 1917, 200. (See 1910, 605 § 5; 1914, 190.) § 16 amended, 1910, 605 § 6. § 18 amended, 1913, 116. § 17, see 1913, 803. §§ 18, 19, see 1915, 19. § 20 amended, 1913, 95; 1915, 16 § 6. (See 1915, 19.) § 21 amended, 1915, 16 § 7. (See 1914, 420; 1915, 19.) § 22 revised, 1916, 290. (See 1913, 123; 1915, 19.) § 23, see 1915, 19. § 24 amended, 1912, 123. § 29 amended, 1914, 695; 1915, 10 § 2, 16 § 8; 1916, 140; limited, 1916, 52. (See 1914, 420.) § 30 amended, 1910, 525; 1917, 276; affected, 1914, 514 § 2. (See 1911, 250 § 2.) R. L. 47, 52, 54, 102.
- 536 §§ 1, 3 in part superseded, 1910, 597; 1912, 518. § 4, see 1914, 287. § 10 amended, 1914, 287. (See 1912, 726 § 5.) R. L. 102, 103, 108.
- 537 § 3 amended, 1913, 689. R. L. 15.
- 540 Repealed, 1911, 471 § 11. R. L. 42, 86.
- 541 § 1 amended, 1917, 98 § 1. § 2 amended, 1917, 98 § 2. § 3 amended, 1917, 98 § 3. R. L. 62.

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- 44 Repealed, 1913, 835 § 503. R. L. 11.
- 55 Repealed, 1913, 835 § 503. (See 1911, 422; 1912, 229.) R. L. 11.
- 66 Amended, 1912, 522; 1913, 717. R. L. 5.
- 80 Amended, 1912, 109. (See 1911, 667.) R. L. 9.
- 83 Amended, 1911, 74; 1913, 358. R. L. 107.
- 93 § 1 superseded, 1912, 280. R. L. 29.
- 95 See 1915, 23. R. L. 145.
- 98 Extended, 1912, 82. (See 1911, 628 § 24.) R. L. 119.
- 100 Amended, 1917, 126, 279 § 44. Affected, 1915, 151 § 1. R. L. 162.
- 114 See 1910, 394; 1914, 744; 1915, 109. R. L. 56, 75.
- 122 1917, 46 § 2. (See 1915, 136.) R. L. 87, 225.
- 123 See 1912, 3. R. L. 6.
- 124 Superseded, 1914, 742 §§ 52, 199. (See 1910, 374; 1911, 349.) R. L. 121, 122.
- 137 See 1912, 3. R. L. 6.
- 147 Repealed, 1913, 835 § 503. R. L. 11.
- 150 Amended, 1913, 600 § 2. Affected, 1911, 474. (See 1913, 605; 1914, 430, 431; 1915, 80, 171.) R. L. 28, 32, 89.
- 151 See 1913, 336. R. L. 6.

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| 166 | § 1 repealed, 1917, 344, Part 8 § 1, and superseded, 1917, 344, Part 4 § 27. (See 1912, 221.) § 2 amended, 1910, 611; 1911, 178; 1912, 172. (See 1911, 751 II § 15 <i>et seq.</i> ; 1913, 324.) R. L. 51, 106. |
| 171 | See 1914, 742 § 23, 770; 1915, 238. R. L. 109, 110. |
| 172 | § 2 see 1917, 218. (See 1910, 271, 387, 416; 1912, 263, 283; 1916, 85.) R. L. 75, 76, 213. |
| 177 | See 1915, 86. R. L. 91. |
| 182 | Repealed, 1913, 835 § 503. R. L. 11. |
| 185 | Superseded, 1912, 401 § 3. R. L. 118. |
| 197 | Superseded, 1914, 742 §§ 61, 199. R. L. 109. |
| 200 | Repealed, 1913, 835 § 503. R. L. 11. |
| 216 | Amended, 1911, 383 § 1. (See 1915, 233 § 2; 1916, 281.) R. L. 14. |
| 220 | Repeal and substitute, 1912, 719; 1914, 698. (See 1910, 268; 1911, 82; 1914, 662.) R. L. 6, 9. |
| 223 | § 1 superseded, 1916, 162. (See 1910, 284, 588; 1911, 477; 1913, 452, 610; 1914, 795 §§ 3, 6.) R. L. 102, 104. |
| 225 | Repealed and superseded, 1917, 327. R. L. 16. |
| 227 | Repealed and superseded, 1917, 327. (See 1914, 758.) R. L. 16. |
| 228 | Repealed and superseded, 1917, 327. (See 1911, 326, 633; 1912, 365 § 2, 720 § 2.) R. L. 16. |
| 230 | Superseded, 1913, 336 § 2. R. L. 6. |
| 246 | Repealed, 1913, 835 § 503. R. L. 11. |
| 249 | Revised, 1913, 779 § 19; 1915, 70. (See 1911, 269, 310; 1912, 280; 1913, 831.) R. L. 29, 106. |
| 257 | § 3 amended, 1911, 269. (See 1914, 316; 1915, 70.) § 4 revised, 1913, 779 § 18. (See 1913, 831.) R. L. 106. |
| 259 | See 1912, 726 § 5; 1914, 792. R. L. 75, 108. |
| 263 | See 1911, 81. R. L. 114, 115. |
| 265 | Superseded, 1913, 336. R. L. 6. |
| 268 | Revised, 1917, 217. Affected, 1916, 296 § 6. (See 1911, 43, 82; 1912, 719; 1913, 534; 1914, 698.) R. L. 6, 9. |
| 269 | Amended, 1914, 177. R. L. 75. |
| 270 | Superseded, 1914, 198 § 6. (See 1912, 491.) R. L. 14. |
| 271 | Repealed and superseded, 1914, 694, 788; 1915, 187. (See 1910, 387, 416; 1911, 341, 372; 1912, 263, 283; 1913, 705; 1915, 159.) R. L. 75, 213. |
| 272 | § 2 amended, 1916, 131 § 2. R. L. 25. |
| 275 | See 1911, 8. R. L. 217. |
| 282 | Revised, 1912, 80; 1913, 421. (See 1911, 466; 1913, 295; 1915, 296 § 2.) R. L. 39. |
| 283 | Repealed and superseded, 1917, 327. R. L. 16. |
| 288 | Superseded, 1912, 623 §§ 19-21. R. L. 114. |
| 293 | Amended, 1911, 7. R. L. 11. |
| 297 | Amended, 1912, 284; 1913, 176; 1915, 43. R. L. 62. |
| 299 | Repealed and superseded, 1917, 327. (See 1912, 268; 1914, 715, 718 § 3; 1915, 71; 1916, 284 § 5.) R. L. 16. |
| 306 | See 1910, 342. R. L. 6. |

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- 310 See 1911, 485; 1914, 573. R. L. 7.
- 319 See 1910, 614. R. L. 92, 102.
- 321 Repealed and superseded, 1915, 145 §§ 2, 13. (See 1910, 363.) R. L. 53.
- 330 Amended, 1914, 450. R. L. 49.
- 332 Amended, 1911, 116. R. L. 217.
- 333 Superseded, 1916, 144 § 3. (See 1914, 83; 1916, 299 §§ 3, 45.) R. L. 12.
- 335 Superseded, 1914, 359. (See 1917, 123.) R. L. 164.
- 338 See 1911, 358; 1912, 335; 1913, 179; 1916, 175. § 1 amended, 1913, 178. R. L. 70, 109.
- 339 See 1911, 111. R. L. 119.
- 342 Superseded, 1917, 277 § 2. R. L. 6.
- 345 Amended, 1911, 604. R. L. 223.
- 346 See 1914, 742 § 5. R. L. 109, 110.
- 347 See 1914, 635. R. L. 220, 223.
- 348 Repealed and superseded, 1917, 327. (See 1911, 747; 1912, 593; 1913, 268, 710, 733; 1916, 284 § 4; 1917, 92.) R. L. 16.
- 350 Amended, 1911, 208; 1914, 247; 1915, 75; 1916, 229. Affected, 1915, 214. (See 1914, 370 § 1.) R. L. 106.
- 356 § 2, see 1913, 620. R. L. 212.
- 363 § 1 repealed and superseded, 1915, 145 §§ 1, 13. R. L. 25, 47, 53.
- 364 Superseded, 1912, 623 § 38. R. L. 114.
- 365 Superseded, 1911, 356; 1912, 270. (See 1911, 236; 1912, 203; 1914, 79.) R. L. 92.
- 366 Extended, 1911, 361; 1912, 52. R. L. 118.
- 369 § 1 amended, 1911, 485; 1912, 576. R. L. 7.
- 374 Superseded, 1914, 742 §§ 43, 199. (See 1911, 349; 1914, 742 § 39, 787 § 8; 1915, 21 § 1.) R. L. 121, 122.
- 375 § 1 affected, 1916, 5. § 2 amended, 1916, 5. (See 1915, 231 § 16.) R. L. 118.
- 376 See 1911, 284 § 3. R. L. 159.
- 377 Amended, 1914, 422. (See 1910, 399; 1914, 537 § 1.) R. L. 116.
- 378 Extended, 1913, 312. R. L. 208.
- 379 See 1914, 742 §§ 98, 199. R. L. 34.
- 383 See 1915, Sp. Act 313; 1917, 23. R. L. 102.
- 387 §§ 2-6 repealed, 1915, 187 § 12. (See 1911, 341.) § 7, see 1911, 372; 1912, 283; 1915, 159. § 9, see 1910, 416; 1912, 263, 283; 1914, 694, 788. R. L. 75, 213.
- 389 Repealed, 1911, 126. R. L. 208.
- 390 See 1916, 305. R. L. 76.
- 393 See 1915, 231 § 4. R. L. 115.
- 394 See 1910, 405, 457, 523; 1914, 744, 792; 1915, 109. R. L. 75.
- 396 § 1, see 1914, 522. § 2 amended, 1914, 373 § 2. R. L. 38.
- 398 § 1 amended, 1914, 262. R. L. 25, 32.
- 399 Amended, 1912, 472 § 1. (See 1915, 231 § 4.) § 2 amended, 1912, 472 § 2. (See 1912, 73, 97, 189, 623 § 18; 1915, 231 § 4.) § 3 amended, 1913, 177. (See 1915, 231 § 4.) §§ 4-12, see 1915, 231 § 4. § 13, see 1911, 339, 618; 1915, 231 § 4. R. L. 114, 115.

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| 401 | § 1 amended, 1912, 622. R. L. 111. |
| 405 | §§ 1, 2 revised, 1911, 282. (See 1910, 523; 1912, 726 § 5; 1914, 792 § 5.) §§ 2-4, see 1914, 792. R. L. 75, 224. |
| 412 | See 1914, 587 § 14. R. L. 79. |
| 414 | § 1 amended, 1915, 207 § 1. § 2 amended, 1915, 207 § 2. § 3 amended, 1915, 207 § 3. § 5 amended, 1912, 565 § 2. (See 1913, 724.) R. L. 225. |
| 416 | Repealed, 1917, 208 § 12. (See 1911, 289, 341, 372; 1912, 283; 1914, 792; 1915, 159; 1917, 208.) R. L. 75. |
| 419 | Superseded, 1916, 242 § 4. R. L. 65. |
| 420 | See 1911, 394, 395; 1915, 174. R. L. 87. |
| 421 | § 2 repealed and superseded, 1916, 112. R. L. 10. |
| 422 | § 1 amended, 1913, 225. R. L. 4. |
| 424 | § 2, see 1915, 180 § 3. § 5 amended, 1914, 621. § 6, see 1915, 180 § 3. § 8, see 1914, 654. R. L. 212. |
| 429 | §§ 1, 2 superseded, 1916, 233. (See 1914, 91.) R. L. 9, 89. |
| 430 | Superseded, 1911, 542; 1914, 554. R. L. 223. |
| 439 | § 1 superseded, 1914, 542. § 3 amended, 1913, 602; 1916, 287. R. L. 7. |
| 440 | See 1911, 191; 1912, 234, 360; 1914, 699 § 6. R. L. 15. |
| 445 | Repeal and substitute, 1914, 347. (See 1912, 545.) R. L. 106. |
| 449 | § 7, see 1916, 305. R. L. 76. |
| 452 | Amended, 1915, 222 § 1, 269. R. L. 18. |
| 457 | See 1915, 109. R. L. 56. |
| 458 | See 1914, 892. R. L. 75. |
| 459 | See 1912, 447; 1915, 95. R. L. 19. |
| 462 | See 1914, 653 § 4. R. L. 62. |
| 463 | Amended, 1917, 9. R. L. 118. |
| 465 | Amended, 1911, 632; 1912, 256; 1917, 243. R. L. 62. |
| 467 | Amended, 1914, 587 § 2. R. L. 79. |
| 469 | § 1 amended, 1915, 59; 1916, 25; affected, 1915, 218; 1917, 188. R. L. 91. |
| 470 | Extended, 1913, 323. R. L. 79. |
| 472 | Amended, 1911, 198. § 1 revised, 1916, 15. (See 1912, 567.) R. L. 92. |
| 473 | See 1911, 136. R. L. 8. |
| 476 | Amended, 1915, 67, 265. R. L. 100. |
| 480 | Superseded, 1916, 272 § 1. R. L. 168. |
| 481 | See 1913, 498; 1916, 269 § 9. R. L. 15. |
| 483 | § 1 amended, 1914, 447. (See 1914, 449.) R. L. 5, 9. |
| 487 | Repealed, 1917, 344, Part 8 § 1, and superseded, 1917, 344 Part 1 § 18. R. L. 47. |
| 488 | Repealed, 1914, 370 § 3. R. L. 6. |
| 489 | See 1910, 552; 1911, 406. R. L. 118. |
| 493 | § 1, Par. 7 amended, 1916, 28. (See 1911, 751 V § 3; 1915, 155.) R. L. 118. |
| 494 | Repealed, 1912, 449 § 4. (See 1911, 103.) R. L. 91. |
| 495 | § 2 superseded, 1915, 104. (See 1911, 266 § 3; 1914, 694, 788, 792.) R. L. 75. |

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- 497 § 1 amended, 1912, 201. (See 1911, 423.) R. L. 100.
- 498 Repealed, 1917, 344, Part 8 § 1, and superseded, 1917, 344, Part 1 § 20. R. L. 47.
- 499 § 1 amended, 1913, 174, 334; 1914, 426; 1917, 238 § 1; affected, 1915, 178. § 2 amended, 1911, 205; 1912, 524; 1913, 489; 1916, 135. R. L. 118.
- 500 See 1911, 624. R. L. 19.
- 501 See 1914, 509. R. L. 160.
- 508 § 1 amended, 1915, 25. (See 1912, 223; 1915, 263.) R. L. 25, 28.
- 511 Repealed, 1917, 344, Part 8 § 1, and superseded. 1917, 344, Part 2 § 76. R. L. 48.
- 513 Repealed and superseded, 1917, 327. R. L. 16.
- 517 Repealed, 1911, 526 § 3. R. L. 6.
- 518 See 1911, 442. R. L. 113.
- 520 Repealed, 1913, 835 § 503. (See 1911, 353, 354.) R. L. 11.
- 521 Superseded, 1913, 719 § 18. R. L. 12, 27.
- 523 Superseded, 1914, 792. (See 1911, 282, 603, 709; 1912, 726 § 5.) R. L. 75.
- 524 Superseded, 1917, 169. (See 1911, 247; 1912, 368 § 3.) R. L. 42.
- 525 Amended, 1917, 276. Affected, 1914, 514 § 2. (See 1910, 605; 1911, 250 § 2; 1912, 368 § 3; 1913, 95, 116, 123, 530, 592, 803.) R. L. 47, 102.
- 528 § 1 repealed, 1917, 208 § 12. (See 1913, 272; 1917, 208.) R. L. 75.
- 531 See 1914, 464. R. L. 11, 59.
- 533 § 1 revised, 1916, 110. (See 1911, 101.) § 2 repealed, 1911, 118 § 4. § 3 extended, 1911, 118 § 3. (See 1911, 215; 1912, 567.) R. L. 92.
- 534 Affected, 1912, 649 §§ 2-9. R. L. 160, 173.
- 538 Superseded, 1911, 305. R. L. 173.
- 539 Superseded, 1914, 742 §§ 133, 199. R. L. 121.
- 543 §§ 1-3, 5, see 1914, 792. § 6, see 1912, 726 § 5; 1914, 792. R. L. 75.
- 545 Superseded, 1913, 529; 1914, 453. (See 1912, 388, 438; 1913, 552.) R. L. 92.
- 552 See 1911, 406. R. L. 118.
- 554 § 1 amended, 1917, 130. § 2 affected, 1915, 144. R. L. 102.
- 555 § 3 superseded, 1910, 645. § 4, see 1912, 649 § 9. § 5 amended, 1917, 345. (See 1913, 716.) R. L. 173, 201.
- 558 Repealed, 1917, 122 § 5. R. L. 111.
- 559 See 1911, 532, 628 §§ 29a-33, 751. R. L. 106, 119.
- 560 § 1, see 1915, 112. R. L. 128.
- 563 In part superseded, 1911, 727 § 22. R. L. 102, 189.
- 564 Repealed, 1911, 172 § 3. (See 1912, 573; 1913, 270.) R. L. 92.
- 565 See 1914, 795 § 3. R. L. 32.
- 567 Extended, 1915, 189 § 10, 225 § 7. (See 1912, 566 § 6.) R. L. 89.
- 569 Amended, 1911, 264. (See 1914, 792.) R. L. 75.
- 591 § 6 in part repealed, 1912, 591 § 5. R. L. 47.
- 596 See 1911, 487. R. L. 112.
- 597 In part superseded, 1912, 518. (See 1914, 287.) R. L. 102, 103.

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- 598 §§ 1-3 revised, 1913, 706 § 1; 1916, 13. § 3 affected, 1917, 24. § 5, see 1910, 616. (See 1917, 192.) R. L. 27, 107.
- 605 § 1 amended, 1914, 204 § 2. (See 1916, 42.) § 2, see 1914, 420. § 3 amended, 1915, 10 § 1. § 4 amended, 1914, 204 § 3; 1915, 16 § 4. § 5 superseded, 1917, 200. (See 1912, 123; 1913, 95, 116, 123, 530, 592, 803.) (See 1914, 190.) R. L. 47, 52, 54, 102.
- 606 §§ 3, 4, 7 amended, 1913, 543 §§ 1-3; 1914, 204 § 2. R. L. 96.
- 607 §§ 2-4 amended, 1911, 478 §§ 1-3; 1914, 648 §§ 1, 2. (See 1914, 720 § 5.) § 6 amended, 1911, 478 § 4. (See 1914, 720 § 5.) R. L. 12, 14.
- 608 Amended, 1916, 297 § 1. (See 1915, 296 § 2.) R. L. 19.
- 611 Amended, 1911, 178, 751 II § 16; 1912, 172, 251. R. L. 106.
- 614 Superseded, 1911, 614. (See 1911, 235; 1912, 379; 1913, 479.) R. L. 92, 102.
- 616 § 2 amended, 1912, 45; affected, 1915, 285. § 4 amended, 1912, 49. (See 1913, 416; 1914, 742 § 98; 1915, 84.) R. L. 25, 107.
- 619 §§ 1-6 amended, 1911, 338 §§ 1-6. § 10, see 1911, 339. § 11 (new) added, 1911, 338 § 7. (See 1911, 532, 751; 1913, 657.) R. L. 106.
- 622 § 1 amended, 1912, 173. §§ 1-3, see 1915, 231 § 4, 268 § 3. § 6 amended, 1912, 357. § 7, see 1912, 629 § 1. § 10 extended, 1912, 128. (See 1912, 580.) R. L. 113, 115.
- 624 § 1 amended, 1916, 252. (See 1912, 387.) § 6 amended, 1911, 207. (See 1913, 520, 669.) R. L. 25.
- 627 Repealed, 1911, 592 § 3. R. L. 89.
- 629 Amended, 1911, 391. R. L. 102.
- 632 Amended, 1912, 256. R. L. 62.
- 633 § 3, see 1915, 109. R. L. 56.
- 634 Affected, 1914, 667. R. L. 10.
- 640 Extended, 1912, 652; 1917, 149. (See 1913, 538; 1914, 545; 1915, 55.) R. L. 56, 75, 102.
- 641 See 1915, 109. R. L. 56.
- 642 § 1, see 1914, 792. R. L. 75.
- 646 Affected, 1911, 557. § 1 amended, 1913, 639 § 1. R. L. 47.
- 648 Repealed, 1911, 748. (See 1912, 181.) R. L. 96.
- 651 § 1 amended, 1911, 10. § 2 amended, 1915, 50. R. L. 102.
- 653 Revised, 1911, 220; 1916, 45. R. L. 89.

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- 8 See 1911, 456; 1912, 264; 1914, 739; 1916, 243 § 4. R. L. 217.
- 10 See 1915, 50. R. L. 102.
- 19 See 1912, 567. R. L. 92.
- 30 See 1914, 694, 788; 1915, 187. R. L. 75, 213.
- 35 § 1 amended, 1914, 216.
- 37 Amended, 1915, 16 § 5. (See 1912, 123, 400; 1913, 95, 116, 123, 530, 592, 803.) R. L. 52, 102.
- 38 § 1 amended, 1917, 4. R. L. 47.

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- 43 Superseded, 1917, 217. (See 1913, 534.) Affected, 1916, 296 § 6. R. L. 6, 9.
- 48 Repeal and substitute, 1914, 791; 1915, 169. (See 1911, 440; 1912, 182.) R. L. 104, 108.
- 53 Repeal and substitute, 1911, 563. (See 1911, 150; 1912, 163.) R. L. 82.
- 54 See 1911, 315; 1912, 74; 1915, 110. R. L. 118.
- 59 Repealed, 1912, 560 § 2. R. L. 107.
- 60 See 1914, 605. R. L. 10.
- 63 See 1911, 119. R. L. 19.
- 68 Repealed, 1911, 483. (See 1911, 254.) R. L. 157.
- 70 See 1913, 257; 1914, 626. R. L. 167.
- 73 See 1912, 498. R. L. 164.
- 74 Amended, 1913, 358. R. L. 107.
- 75 Limited, 1916, 128. R. L. 49, 50.
- 77 See 1911, 88. R. L. 100.
- 82 See 1912, 719; 1914, 662, 698. R. L. 6, 9.
- 89 See 1912, 312 § 1. R. L. 12.
- 101 Superseded, 1916, 110. (See 1911, 215.) R. L. 92.
- 102 Repealed, 1912, 449 § 4. R. L. 91.
- 103 See 1912, 449; 1913, 124, 449. R. L. 91.
- 113 § 1 amended, 1913, 313. New section (3) added, 1912, 395. (See 1913, 657.) R. L. 19, 106.
- 115 Superseded, 1914, 710. (See 1917, 6.) R. L. 10.
- 116 See 1915, 254. R. L. 217.
- 118 § 1 amended, 1914, 120; 1917, 170 § 4. § 3A (new section) added, 1917, 196. (See 1911, 215; 1913, 626.) R. L. 92.
- 122 Amended, 1913, 419. R. L. 21.
- 129 Affected, 1915, 160. (See 1913, 655 §§ 42-47.) R. L. 102, 104.
- 135 See 1914, 629, 792; 1915, 263. R. L. 12.
- 136 See 1916, 104. R. L. 8.
- 137 See 1913, 657, 671, 681, 697. R. L. 25, 106.
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- 147 See 1914, 699 § 3; 1915, 61. R. L. 141, 150.
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- 176 § 2 amended, 1911, 461. R. L. 208.
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- 736 Affected, 1912, 535; 1913, 360. § 2 amended, 1912, 463 § 1; 1914, 428. § 4 revised, 1912, 463 § 2. R. L. 151, 152.
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- 747 Repealed and superseded, 1917, 327. (See 1913, 268, 733; 1916, 284 § 4.) R. L. 16.
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- 58 Repealed and superseded, 1917, 327. R. L. 16.
- 61 See 1912, 185. R. L. 9.
- 66 Amended, 1914, 615. R. L. 7, 23.
- 67 Repealed and superseded, 1917, 327. R. L. 16.
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- 74 See 1915, 110. R. L. 118.
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| 142 | Repealed and superseded, 1917, 327. | R. L. 16. |
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| 145 | Repealed, 1914, 370 § 3. (See 1912, 352.) | R. L. 6. |
| 147 | Repealed and superseded, 1917, 327. | R. L. 16. |
| 149 | Repealed, 1916, 40. | R. L. 118. |
| 151 | Amended, 1914, 647. Affected, 1914, 792. In part repealed, 1916, 286 § 15. | R. L. 75. |
| 154 | Amended, 1913, 653. | R. L. 220. |
| 157 | Repeal and substitute, 1912, 320. | R. L. 42, 104. |
| 162 | See 1914, 661. | R. L. 118. |
| 163 | Repeal and substitute, 1913, 563. | R. L. 82. |
| 165 | See 1912, 264, 310; 1914, 272. | R. L. 153, 217. |
| 171 | Extended, 1917, 33. | R. L. 113. |
| 172 | Superseded, 1912, 571 § 3. (See 1913, 290, 445.) | R. L. 106. |
| 173 | See 1915, 231 § 4, 268 § 3. | R. L. 115. |
| 181 | Amended, 1912, 663. (See 1913, 635.) | R. L. 66. |
| 182 | Repeal and substitute, 1914, 791; 1915, 169. (See 1914, 196.) | R. L. 104. |
| 184 | Repealed, 1913, 611 § 18. | R. L. 204. |
| 191 | Amended, 1916, 95 § 1. (See 1913, 467, 619 § 5; 1915, 81.) | R. L. 44. |
| 192 | Superseded, 1916, 242 § 6. (See 1915, 253 § 1.) | R. L. 65. |
| 203 | Amended, 1917, 170. Affected, 1912, 523. | R. L. 92. |
| 212 | Amended, 1915, 76. | R. L. 19. |
| 221 | Repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344, Part 4, § 27. See 1913, 324. | R. L. 51. |
| 223 | See 1915, 25, 263. | R. L. 25, 28. |
| 226 | Amended, 1914, 390. | R. L. 217. |
| 229 | Repealed, 1913, 835 § 503. | R. L. 11. |

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| 237 | See 1914, 648. R. L. 91. |
| 238 | See 1914, 198 § 1. R. L. 12. |
| 241 | § 1 amended, 1913, 180. R. L. 36. |
| 246 | Revised, 1913, 713. R. L. 57. |
| 248 | New section added, 1912, 603; 1913, 570. § 2 amended, 1916, 139.
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| 249 | Superseded, 1914, 742 §§ 147, 199. R. L. 121. |
| 251 | See 1912, 571 § 3; 1913, 290. R. L. 106. |
| 252 | Repealed, 1913, 835 § 503. (See 1912, 308, 473.) R. L. 11. |
| 254 | Repealed, 1913, 835 § 503. R. L. 11. |
| 256 | Amended, 1917, 243. R. L. 62. |
| 260 | Amended, 1913, 240; 1914, 209, 276; 1917, 226. R. L. 124. |
| 261 | Repealed, 1913, 835 § 563. R. L. 11. |
| 263 | Amended, 1913, 585; 1916, 78. (See 1912, 283; 1915, 159.) R. L.
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| 264 | See 1912, 310. R. L. 153, 217. |
| 265 | Repealed, 1913, 835 § 503. R. L. 11. |
| 266 | Repealed, 1913, 835 § 503. R. L. 11. |
| 268 | Repealed and superseded, 1917, 327. (See 1914, 715, 718 § 3; 1915,
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| 270 | Amended, 1917, 170 § 2. Affected, 1912, 523. (See 1914, 79.) R. L.
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| 271 | See 1913, 656. R. L. 198. |
| 273 | Repealed, 1913, 835 § 503. (See 1913, 516.) R. L. 11. |
| 274 | Repealed, 1913, 835 § 503. (See 1912, 446 § 3.) R. L. 11. |
| 275 | Repealed, 1913, 835 § 503. (See 1912, 483.) R. L. 11. |
| 276 | Repealed, 1913, 815 § 9. R. L. 173. |
| 283 | § 1 superseded, 1916, 117. § 2 repealed, 1917, 275 § 22. (See 1913,
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| 284 | Amended, 1913, 176; 1915, 43. R. L. 62. |
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| 308 | See 1912, 473. R. L. 11, 25. |
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| 311 | Amended, 1913, 750. Affected, 1916, 21, 200 § 1; 1917, 191. (See
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| 312 | § 2, see 1913, 694. R. L. 12, 109. |
| 314 | § 2 amended, 1913, 387 § 1. § 12 revised, 1913, 387 § 2. R. L. 11. |
| 318 | Superseded, 1914, 328 § 2. (See 1913, 806 § 13.) R. L. 104, 106. |
| 320 | Affected, 1913, 391; 1914, 538. (See 1915, 294 § 3.) R. L. 42. |
| 322 | Amended, 1913, 70. R. L. 164. |
| 331 | See 1914, 272. R. L. 81. |
| 347 | § 1 revised, 1913, 645. R. L. 25, 27. |
| 352 | Repealed, 1914, 370 § 3. R. L. 6. |
| 358 | Repealed and superseded, 1917, 327. R. L. 16. |

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- 365 Repealed and superseded, 1917, 327. (See 1912, 720 § 2.) R. L. 16.
- 368 § 3 amended, 1913, 356; 1914, 443 § 2; 1915, 90; 1916, 102 § 2. R. L. 43.
- 369 Amended, 1914, 782 § 2. R. L. 104.
- 370 Amended, 1913, 50. R. L. 104.
- 371 See 1913, 536. R. L. 48, 50.
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- 378 Superseded, 1914, 620; 1917, 336. R. L. 164.
- 379 Amended, 1913, 249. (See 1913, 479.) R. L. 91.
- 384 See 1915, 125. R. L. 212.
- 388 Superseded, 1913, 529; 1914, 453. R. L. 92.
- 396 See 1914, 661. R. L. 118.
- 398 Repealed, 1913, 835 § 503. R. L. 11.
- 399 Repealed and superseded, 1917, 327. (See 1913, 664; 1916, 221; 1917, 93 § 1, 105 § 3.) R. L. 16.
- 400 See 1913, 95, 116, 123, 803; 1914, 420. R. L. 52, 102.
- 401 See 1913, 525. R. L. 48.
- 406 Amended, 1914, 546. R. L. 21.
- 407 Repealed, 1916, 40. R. L. 118.
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- 419 §§ 3, 4 repealed, 1916, 51. (See 1914, 795 § 13.) R. L. 32.
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- 444 Repealed and superseded, 1917, 327. (See 1913, 468.) R. L. 16.
- 446 Repealed, 1913, 835 § 503. R. L. 11.
- 447 See 1913, 657; 1915, 95. R. L. 106.
- 448 Amended, 1914, 627. R. L. 56.
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- 452 See 1913, 365; 1915, 57. R. L. 106.
- 457 Superseded, 1914, 198 § 6. R. L. 14.
- 459 See 1913, 305. R. L. 167.
- 463 § 1 amended, 1914, 428 § 1. (See 1912, 535; 1913, 360.) R. L. 151, 152.
- 464 Repealed and superseded, 1917, 327. (See 1915, 203; 1916, 284 §§ 8, 9.) R. L. 16.
- 465 § 1 amended, 1913, 250. R. L. 91, 92.
- 466 § 1 amended, 1913, 335. R. L. 24.
- 467 § 2 amended, 1914, 765. R. L. 106.
- 471 Repealed, 1913, 835 § 503. R. L. 11.
- 472 § 2, see 1913, 177; 1915, 231 § 4. R. L. 115.
- 473 Repealed, 1913, 835 § 503. R. L. 11.
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- 479 Repealed, 1913, 806 § 13. R. L. 104, 106.
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- 483 Repealed, 1913, 835 § 503. R. L. 11.
- 486 See 1915, 109. R. L. 102.
- 489 Repealed, 1916, 149 § 3. (See 1914, 288.) R. L. 214.
- 491 Superseded, 1914, 198 § 1. R. L. 14.
- 495 See 1913, 690. R. L. 106, 211.
- 496 Amended, 1917, 94. R. L. 6, 24, 111.
- 497 § 1 amended, 1914, 700. R. L. 160.
- 500 § 1 amended, 1914, 424; 1917, 75. R. L. 89, 92.
- 502 § 6 amended, 1913, 369. R. L. 114, 126.
- 503 § 1 amended, 1915, 47. (See 1913, 657, 671; 1914, 352 § 2.) R. L. 106.
- 506 Repealed and superseded, 1917, 327. (See 1914, 362, 718 § 1; 1916, 284 § 3.) R. L. 16.
- 507 § 2, see 1917, 263. § 3 amended, 1916, 91 § 1. § 6 amended, 1915, 161 § 1. § 7 amended, 1916, 91 § 2. (See 1915, 161 § 2.) § 9 amended, 1916, 91 § 3. § 18 (new section) added, 1916, 91 § 5. §§ 19, 20 (new sections) added, 1917, 263 § 2. (See 1915, 161 § 2.) R. L. 89.
- 512 § 2 repealed, 1915, 274 § 2. (See 1913, 605.) R. L. 6.
- 515 Repealed, 1913, 835 § 503. R. L. 11.
- 516 Amended, 1913, 294. (See 1915, 231 § 4.) R. L. 115.
- 518 See 1914, 287. R. L. 102, 103.
- 519 Repealed and superseded, 1917, 327. R. L. 16.
- 522 Amended, 1913, 717. R. L. 5.
- 523 See 1913, 270; 1914, 79. R. L. 92.
- 524 Amended, 1913, 489; 1916, 135. R. L. 118.
- 527 § 5 amended, 1917, 47 § 1. § 6 amended, 1917, 47 § 2. R. L. 57.
- 528 § 1 amended, 1914, 455; 1916, 258. (See 1914, 688, Res. 96; 1915, 288.) R. L. 28, 49, 75, 106.
- 531 See 1912, 726 § 5; 1913, 610. R. L. 105.
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- 535 See 1913, 360, 752. R. L. 151.
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- 545 Repeal and substitute, 1914, 347. R. L. 106.
- 546 See 1913, 318; 1915, 97. R. L. 26, 106.
- 549 See 1914, 587 § 1. R. L. 79.
- 552 Superseded, 1912, 711. R. L. 46.
- 553 See 1913, 682. R. L. 22.
- 554 Repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344 Part 2, §§ 1-8, 12, 13, 34. R. L. 48.
- 560 See 1914, 692 § 11. R. L. 107.
- 565 § 1, see 1913, 724. § 2, see 1914, 571; 1915, 207. R. L. 225.
- 566 Affected, 1917, 247. § 2 in part repealed, 1914, 544 § 2. § 4, see 1917, 247 §§ 3, 4. § 5, see 1917, 247 § 5. (See 1914, 530, 544 § 1; 1916, 156.) R. L. 39, 42, 86, 89.

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- 568 Repealed and superseded, 1917, 327. R. L. 16.
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- 580 Amended, 1913, 291. R. L. 113.
- 586 See 1912, 595. R. L. 110.
- 587 Affected, 1917, 176. (See 1915, 247.) R. L. 42, 89.
- 589 See 1913, 587 § 4. R. L. 79.
- 592 Repealed, 1916, 33. R. L. 19.
- 593 Repealed and superseded, 1917, 327. (See 1913, 710; 1917, 92.) R. L. 16.
- 595 Amended, 1914, 598 § 24. R. L. 110.
- 603 Amended, 1913, 570. (See 1916, 139.) R. L. 56, 75.
- 604 In part repealed, 1913, 748 § 2. (See 1914, 509.) R. L. 160.
- 608 § 3 amended, 1914, 490. § 4 amended, 1913, 329. (See 1915, 109; 1917, 121.) R. L. 89, 90.
- 612 § 2 amended, 1913, 694. R. L. 12, 109.
- 614 See 1912, 726 § 5; 1913, 424, 610; 1914, 577. R. L. 104, 108.
- 623 § 4, see 1914, 661. § 6 amended, 1914, 643 § 1. (See 1913, 264.) § 8 affected, 1916, 22. § 9 amended, 1915, 38. § 10 amended, 1914, 643 § 2; 1915, 77. § 11 amended, 1914, 643 § 3. § 14 amended, 1914, 643 § 4. § 16 amended, 1914, 643 § 5. § 17 amended, 1914, 643 § 6. § 18 amended, 1914, 643 § 7. §§ 19-21, see 1915, 231 § 16. § 22 revised, 1917, 52. § 33 amended, 1914, 643 § 8. § 34 amended, 1914, 643 § 9. § 38, see 1914, 661; 1916, 142. R. L. 114.
- 632 See 1914, 605. R. L. 6.
- 635 § 7, see 1914, 792. §§ 19, 46, see 1913, 441, 786. § 54 amended, 1913, 614. §§ 55, 56 limited, 1913, 441. R. L. 25, 104.
- 637 § 1 superseded, 1917, 290. (See 1914, 408; 1916, 57, 197.) R. L. 25, 26, 75, 85.
- 641 Repealed, 1913, 835 § 503. R. L. 11.
- 648 See 1914, 673. § 1 amended, 1916, 109. R. L. 157, 160, 204.
- 649 §§ 1, 3 affected, 1914, 371. § 2 superseded, 1914, 409. (See 1914, 35.) §§ 8 and 9 amended, 1914, 35 §§ 3, 4. § 10 amended, 1913, 726; in part superseded, 1917, 262. § 11 amended, 1913, 430. (See 1913, 228, 289.) R. L. 160, 173.
- 651 See 1913, 709. R. L. 56, 214.
- 652 § 1 amended, 1917, 149 § 1. § 2 revised, 1917, 149 § 2. § 5 revised, 1917, 149 § 3. § 6 amended, 1917, 149 § 4. § 7 amended, 1917, 149 § 5. § 8 revised, 1917, 149 § 6. (See 1913, 538, 654; 1914, 545, 792; 1915, 55.) R. L. 56, 75.

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| 666 | See 1913, 807; 1914, 708 § 16. R. L. 106, 108. |
| 672 | Affected, 1917, 330. R. L. 160. |
| 674 | In part repealed, 1916, 226. R. L. 11. |
| 675 | § 1 amended, 1913, 638. § 2 amended, 1913, 347 § 1. § 5 amended, 1913, 347 § 2. § 6, see 1916, 208. R. L. 102, 189. |
| 678 | Superseded, 1916, 268 § 1. (See 1913, 498; 1914, 462.) R. L. 15. |
| 679 | §§ 2-4 repealed, 1916, 283. (See 1914, 456; 1915, 170.) R. L. 87. |
| 684 | Repealed, 1916, 40. R. L. 118. |
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| 695 | See 1913, 198 § 6. R. L. 12. |
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| 700 | § 5 amended, 1915, 201. § 7, see 1916, 305. R. L. 76. |
| 702 | § 2 amended, 1913, 443. § 3 repealed and superseded, 1916, 165. § 7 amended, 1913, 105. R. L. 16, 79. |
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| 720 | Repealed and superseded, 1917, 327. (See 1914, 460; 1916, 284.) R. L. 16. |
| 721 | See 1914, 370. R. L. 6. |
| 723 | § 1 affected, 1916, 225. R. L. 217. |
| 725 | I § 6, see 1915, 303. II § 2 amended, 1915, 157 § 1. §§ 4, 5 affected, 1913, 784 § 16. (See 1915, 303.) R. L. 111. |
| 726 | Affected, 1913, 766; 1914, 263, 474 § 2. § 5, see 1915, 57; 1916, 145; 1917, 342 § 24. § 8 amended, 1915, 74. § 13 repealed, 1913, 746 § 2. (See 1913, 424, 610, 655 §§ 42-47, 716, 813; 1914, 328, 726; 1915, 116, 117; 1916, 308.) § 14 amended, 1914, 533. R. L. 106-108. |

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 48 § 1 in part repealed, 1916, 275. R. L. 106.
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 81 Superseded, 1914, 406. R. L. 175.

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- 95 Amended, 1915, 16 § 6. R. L. 52, 102.
- 106 See 1913, 443. R. L. 16.
- 116 See 1913, 803. R. L. 52, 102.
- 123 § 1 superseded, 1916, 290. (See 1913, 803.) R. L. 47, 52, 54, 102.
- 124 § 1 superseded, 1916, 34. (See 1913, 449.) R. L. 91.
- 130 See 1916, 198. R. L. 6, 113, 116, 132.
- 164 Amended, 1913, 801; 1917, 14. R. L. 62.
- 174 Amended, 1917, 238 § 1. R. L. 118.
- 176 Amended, 1915, 43. R. L. 62.
- 177 See 1915, 231 § 4. R. L. 115.
- 181 See 1913, 510. R. L. 118.
- 205 See 1913, 368. R. L. 42.
- 206 Superseded, 1916, 37. R. L. 116.
- 209 Superseded, 1915, 259. (See 1913, 610.) R. L. 102, 105, 108.
- 214 § 1 amended, 1914, 76. R. L. 75, 207, 213.
- 223 Repealed, 1917, 344, Part 8, § 1, and superseded, 1917, 344, Part 7, § 6. R. L. 54.
- 235 Amended, 1913, 541. (See 1913, 334.) R. L. 118.
- 236 § 1 amended, 1913, 728. R. L. 208, 217.
- 237 See 1916, 269 § 18. R. L. 13.
- 240 Amended, 1914, 209; 1917, 226. (See 1914, 276.) R. L. 124.
- 246 Amended, 1917, 12.
- 249 See 1913, 479. R. L. 92, 102.
- 254 Superseded, 1914, 742 §§ 186, 199. R. L. 121.
- 255 See 1915, 56. R. L. 13.
- 257 See 1914, 626. R. L. 126, 167.
- 263 See 1913, 331 § 4. R. L. 42.
- 264 See 1914, 38. R. L. 114.
- 268 Repealed and superseded, 1917, 327. R. L. 16.
- 270 Amended, 1917, 170 § 3. R. L. 92.
- 272 Repealed, 1917, 208 § 12. R. L. 75.
- 280 See 1914, 196, 791; 1915, 169; 1917, 327 § 49. R. L. 104.
- 281 See 1915, 125. R. L. 212.
- 286 Repealed, 1913, 835 § 503. R. L. 11.
- 291 Amended, 1915, 273 § 2. R. L. 113, 116.
- 294 See 1915, 231 § 4. R. L. 115.
- 310 See 1913, 657; 1914, 419; 1915, 198. R. L. 106.
- 313 See 1913, 657. R. L. 106.
- 317 Superseded, 1914, 742 §§ 135, 178, 199. (See 1914, 767 § 3.) R. L. 121.
- 318 See 1912, 546; 1915, 97. R. L. 26, 106.
- 319 Amended, 1914, 267 § 1. R. L. 89.
- 321 Repealed and superseded, 1917, 327. R. L. 16.
- 323 See 1914, 587 § 3. R. L. 79.
- 325 See 1914, 634. R. L. 56, 102.
- 328 § 2, see 1914, 792. R. L. 75.

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| 330 | § 1 amended, 1914, 368 § 4. (See 1915, 65.) R. L. 106. |
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| 336 | See 1914, 605. R. L. 6. |
| 337 | See 1911, 471. R. L. 42. |
| 344 | § 1 amended, 1914, 440. R. L. 19, 106. |
| 346 | Amended, 1915, 293; 1917, 55 § 1 (See 1917, 218.) R. L. 76. |
| 349 | See 1913, 829. R. L. 225. |
| 356 | Amended, 1914, 443 § 2; 1915, 90; 1916, 102 § 2. R. L. 43. |
| 360 | See 1913, 752. R. L. 151. |
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| 367 | Amended, 1914, 765; 1915, Sp. Act 63. Extended, 1914, 536. (See 1913, 657.) R. L. 106. |
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| 396 | See 1913, 779 § 1. R. L. 42. |
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| 410 | § 2 amended, 1915, 200. R. L. 100. |
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| 426 | § 1 amended, 1914, 241; 1915, 27. R. L. 75, 106. |
| 431 | Repealed, 1913, 835 § 503. R. L. 11. |
| 445 | Amended, 1913, 696; 1914, 708 § 6. (See 1913, 807; 1914, 618; 1915, 183, 287.) R. L. 106, 108. |
| 447 | § 3 superseded, 1915, 118 § 1. § 6 Cl. 2 superseded, 1915, 118 § 3. Two new sections added, 1915, 118 § 2. R. L. 110. |
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| 452 | Superseded, 1916, 162. (See 1914, 795 §§ 3, 6.) R. L. 32. |
| 453 | § 1 amended, 1914, 198 § 5. § 2 superseded, 1914, 198 § 6. R. L. 14. |
| 454 | See 1914, 471, 742 § 148, 770 § 10; 1915, 20 § 2, 238 § 5. R. L. 109, 116. |
| 457 | Repealed, 1914, 465. (See 1913, 471; 1914, 272.) R. L. 86, 217. |
| 458 | Affected, 1915, 137. (See 1914, 198 § 2.) R. L. 12. |
| 464 | Amended, 1914, 570; 1917, 265. Affected, 1917, 289. (See 1913, 604, 678, 810; 1915, 255; 1916, 36.) R. L. 1, 206. |
| 467 | § 1 amended, 1916, 82. (See 1914, 590; 1915, 81.) R. L. 44. |
| 468 | Repealed and superseded, 1917, 327. R. L. 16. |
| 471 | § 2, see 1914, 207, 272. R. L. 46, 83, 86, 160. |
| 480 | See 1913, 834. R. L. 108. |
| 485 | § 2 amended, 1915, 45. R. L. 35. |
| 487 | § 1 amended, 1914, 138; construed, 1916, 119. R. L. 25, 26, 32. |
| 488 | See 1913, 691. R. L. 160. |
| 489 | Amended, 1916, 135. R. L. 118. |

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- 498 Superseded, 1916, 268 § 1. (See 1913, 689.) R. L. 15.
- 499 Affected, 1914, 742 §§ 173, 199. R. L. 121.
- 509 § 2 superseded, 1914, 742 §§ 150, 199. § 4 superseded, 1914, 742 §§ 151, 199. § 5, see 1914, 742 § 152. § 6, see 1914, 742 § 153. § 7, see 1914, 742 § 154. R. L. 121.
- 515 Amended, 1913, 840. (See 1914, 778 § 1.) R. L. 159, 166.
- 516 Repealed, 1913, 833 § 503. R. L. 11.
- 517 Amended, 1915, 86. R. L. 91.
- 520 Amended, 1913, 825. (See 1913, 669.) R. L. 25, 27.
- 523 Superseded, 1917, 54. R. L. 91.
- 524 Repealed and superseded, 1917, 327. R. L. 16.
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The Commonwealth of Massachusetts.

OFFICE OF THE SECRETARY, BOSTON, October 1, 1917.

I certify that the general acts contained in this volume are true copies of the originals, and that the lists of members and officers of the civil government for 1917 are transcripts of official records and returns.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the governor, in accordance with the provisions of chapter 449, Acts of 1914.

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

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GENERAL ACTS
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