

Chap. 692. AN ACT PROVIDING FOR A FOURTH AND FIFTH ASSISTANT CLERK FOR THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by inserting after the third paragraph, as most recently amended by chapter 778 of the acts of 1963, the following paragraph: —

A fourth and fifth assistant clerk with salaries payable by the county may be appointed in the third district court of eastern Middlesex.

Approved July 3, 1964.

Chap. 693. AN ACT PROVIDING THAT PAYMENT FOR CERTAIN PUBLIC CONSTRUCTION CONTRACTS SHALL NOT BE BARRED BY REASON OF BEING IN EXCESS OF APPROPRIATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 44 of the General Laws is hereby amended by inserting after section 31B the following section: —

Section 31C. No contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or public work by any city or town costing more than two thousand dollars shall be deemed to have been made until the auditor or accountant or other officer of the city or town having similar duties has certified thereon that an appropriation in the amount of such contract is available therefor. No order to the contractor for a change in or addition to the work to be performed under a contract subject to this section, whether in the form of a drawing, plan, detail or any other written instruction, unless it is an order which the contractor is willing to perform without any increase in the contract price, shall be deemed to have been given until the auditor or accountant, or other officer of the city or town having similar duties, has certified thereon that an appropriation in the amount of such order is available therefor; but such certificate shall not be construed as an admission by the city or town of its liability to pay for such work. The certificate of the auditor or accountant or other officer of the city or town having similar duties, that an appropriation in the amount of such contract or order is available shall bar any defense by the city or town on the grounds of insufficient appropriation; and any law barring payment in excess of appropriations shall not apply to amounts covered by any certificate under this section.

SECTION 2. This act shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the effective date of this act.

Approved July 3, 1964.

Chap. 694. AN ACT RELATIVE TO THE SALARY OF THE JUSTICE OF THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 76, as most recently amended by section 13 of chapter 810 of the acts of 1963, and inserting in place thereof the follow-

ing section: — *Section 76.* The salary of the justice of the Boston juvenile court shall be twenty thousand dollars.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-four.

Approved July 3, 1964.

Chap. 695. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF SOUTHERN ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out *Class V*, as appearing in section 2 of chapter 841 of the acts of 1963, and inserting in place thereof the following: —

Class V. — The Boston juvenile court,
 district court of southern Essex,
 first district court of eastern Middlesex,
 third district court of eastern Middlesex,
 first district court of southern Middlesex,
 district court of Newton,
 district court of East Norfolk,
 municipal court of the Brighton district,
 municipal court of the Charlestown district,
 district court of Chelsea,
 municipal court of the Dorchester district,
 municipal court of the East Boston district,
 municipal court of the Roxbury district,
 municipal court of the South Boston district,
 municipal court of the West Roxbury district,
 district court of Springfield, and
 central district court of Worcester.

SECTION 2. *Class IV* of said paragraph (1) of said section 79 of said chapter 218, as appearing in chapter 725 of the acts of 1962, is hereby amended by striking out line 8, reading “district court of southern Essex.”

Approved July 3, 1964.

Chap. 696. AN ACT PERMITTING IMPLAIDER IN CIVIL CASES.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 4A the following section: —

Section 4B. Before the filing of his answer, or within thirty days thereafter, a defendant, on notice to plaintiff, may, as third-party plaintiff, enter a writ and have served a summons and third-party declaration upon a person not a party to the action who is or may be liable to him for all or part of the plaintiff’s claim against him. Subsequent to thirty days after filing his answer, the defendant may move on notice to the plaintiff for leave so to enter a writ and have served a summons and declaration upon such person, hereinafter entitled the third-party