

The corporation may deposit not more than two and one half per cent of its share liabilities or ten thousand dollars, whichever is the greater, in each and any banking association incorporated under the authority of the United States and located in this commonwealth, and in each and any trust company incorporated in this commonwealth; provided, that any such deposit, if it exceeds ten thousand dollars, shall not be more than twenty-five per cent of the capital stock and surplus fund of such association or trust company.

Co-operative banks, limit of deposits in commercial banks.

*Approved April 15, 1935.*

AN ACT AUTHORIZING THE TOWN OF BREWSTER TO APPROPRIATE MONEY FOR PUBLIC AMUSEMENTS.

*Chap. 175*

*Be it enacted, etc., as follows:*

SECTION 1. The town of Brewster may, by a two thirds vote, appropriate each year a sum not exceeding five hundred dollars for providing amusements or entertainments of a public character. Money so appropriated shall be expended under the direction of the board of selectmen.

SECTION 2. This act shall take effect upon its acceptance by vote of the inhabitants of said town at a regular or special town meeting.

*Approved April 15, 1935.*

AN ACT PERFECTING PROVISIONS OF LAW REGULATING THE NON-CRIMINAL DISPOSITION OF PARKING VIOLATIONS, SO CALLED.

*Chap. 176*

Whereas, The deferred operation of this act would defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

*Be it enacted, etc., as follows:*

Chapter ninety of the General Laws is hereby amended by striking out section twenty A, as appearing in section one of chapter three hundred and sixty-eight of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following:—*Section 20A.* It shall be the duty of any police officer who takes cognizance of a violation of any provision of any rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles established by any city or town or by any commission or body empowered by law to make such rules or regulations therein, forthwith to give to the offender a notice to appear before the clerk of the district court having jurisdiction, at any time during office hours not later than ten days after the time of said violation. Such notice shall be made in triplicate, and shall contain the name and address of the offender and, if served with notice in hand at the time of such violation, the number of his license, if any, to operate motor vehicles; the registration number of the vehicle involved, the time and place of the violation, the specific offence charged, and the time and place for appearance.

G. L. (Ter. Ed.), 90, § 20A, etc., amended.

Non-criminal disposition of certain parking violations.

Such notice shall be signed by the officer, and shall be signed by the offender whenever practicable in acknowledgment that the notice has been received. The officer shall if possible deliver to the offender at the time and place of the violation a copy of said notice. Whenever it is not possible to deliver a copy of said notice to the offender at the time and place of the violation, said copy shall be sent by the officer within twenty-four hours of the offence by registered mail directed to the address of the registrant of the motor vehicle involved, as appearing in the records of the registry of motor vehicles. At the completion of each tour of duty the officer shall give to his commanding officer two copies of each notice delivered or mailed as aforesaid. Said commanding officer shall retain and safely preserve one of said copies, and shall, at a time not later than the beginning of the next court day, deliver the other copy remaining in his possession to the clerk of the court before whom the offender has been notified to appear.

The clerk of each district court shall maintain a separate docket of all such notices to appear. In case any offender fails to appear in accordance with such notice issued to him, the clerk shall notify the registrar, who shall forthwith suspend the right of such person to operate motor vehicles, or his license, if any, to operate the same, and shall not reinstate such right or license or issue a renewal thereof to such person until after notice from the clerk of the court disposing of the resulting criminal case that the same has been disposed of in accordance with law.

Any person notified to appear before the clerk of a district court as provided herein, instead of appearing personally may appear through any person duly authorized by him in writing. Any such offender, or in his absence a person authorized, may request the clerk of the court that the offence charged be taken for confessed, and if it appears that it is the first offence charged against such offender for a violation of any provision mentioned in this section committed within the jurisdiction of such court within a calendar year, said clerk shall dismiss the charge without payment of any fine or forfeiture, which proceedings shall not be deemed criminal, and shall warn the offender or person authorized, as the case may be, that the offender will be subject to a fine or forfeiture for another such offence committed within such calendar year, and if it appears that it is a second or third offence as aforesaid so committed within such calendar year, the offender or person authorized may pay to said clerk one dollar, in case of such second offence, or two dollars, in case of such third offence. Whenever it becomes necessary to ascertain whether a person owning two or more motor vehicles is chargeable as such owner with a first, second, third, fourth or subsequent offence hereunder, such question shall, in the case of vehicles singly registered, be determined separately with respect to the particular vehicle involved in

such violation and, in the case of vehicles subject to section five, with respect to the particular register number plates used on the vehicle involved in such violation at the time thereof.

The payment of the fine or forfeiture to the clerk of the court in the manner herein provided shall operate as a final disposition of the case, and the proceedings shall not be deemed criminal.

Should any person notified to appear hereunder fail to appear and, if a fine or forfeiture is provided hereunder, to pay the same, or having appeared shall desire not to avail himself of the benefits of the procedure established by this section, or should the charge be the fourth or subsequent offence charged against such person for a violation of any provision mentioned in this section committed within the jurisdiction of the district court within a calendar year, the clerk shall as soon as may be notify the officer concerned, who shall forthwith make a complaint and follow the procedure established for criminal cases. The clerk of any court finally disposing of such a criminal case instituted because of failure to appear and, if a fine or forfeiture is provided hereunder, to pay the same, as hereinbefore provided, shall forthwith notify the registrar that such case has been so disposed of. The notice to appear, provided herein, shall be printed in such form as the chief justice of the municipal court of the city of Boston may prescribe for said court and as the administrative committee of district courts as created by section forty-three A of chapter two hundred and eighteen may prescribe for district courts other than said municipal court. The clerks of the district courts shall distribute such notices to the commanding officers of police departments upon request, and shall take a receipt therefor.

*Approved April 16, 1935.*

---

AN ACT AUTHORIZING THE TOWN OF NAHANT TO BORROW MONEY FOR THE PURPOSE OF RECONSTRUCTING TUDOR WHARF.

*Chap. 177*

*Be it enacted, etc., as follows:*

SECTION 1. For the purpose of reconstructing Tudor wharf, the town of Nahant may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, twelve thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Nahant Wharf Loan, Act of 1935. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy