

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.

*Approved May 28, 1920.*

AN ACT TO DEFINE AND PUNISH THE CRIME OF EAVES-DROPPING. Chap. 558

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

SECTION 1. Whoever, except when authorized by written permission of the attorney-general of the commonwealth, or of the district attorney for the district, secretly overhears, or attempts secretly to overhear or to have any other person secretly overhear, any spoken words in any building by using a device commonly known as a dictagraph or dictaphone, or however otherwise described, or any similar device or arrangement, or by tapping any wire, with intent to procure information concerning any official matter or to injure another, shall be guilty of the crime of eavesdropping and shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars, or by both such fine and imprisonment.

Penalty for procuring certain information by using a dictagraph or dictaphone, etc.

SECTION 2. Whoever, except when so authorized as aforesaid, either on his own account or as the servant or agent of another, permits or acquiesces in the installing of a device commonly known as a dictagraph or dictaphone or any similar device or arrangement, or the tapping of any wire, with intent to procure or knowing or intending that it will be used to procure information concerning any official matter or to injure another, shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars or by both such fine and imprisonment.

Penalty for permitting, etc., the installing of a dictagraph or dictaphone, etc., to procure certain information.

SECTION 3. Proof of the installation in any building of any device or arrangement which may be used for the purpose of violating the provisions of section one of this act by listening to any spoken words or proof of tapping of any wire, unless authorized as aforesaid and unless done with the consent of the owner or person in control of the building, shall be prima facie evidence of the commission of the crime of eavesdropping; but nothing contained in this act shall

Evidence of committing crime of eavesdropping, etc.

render it unlawful for any person to install and use such a device on premises under his exclusive control.

Form of indictment.

SECTION 4. The following form of complaint or indictment shall be sufficient to charge the offense of eavesdropping as defined in this act: That A. B. did commit the crime of eavesdropping.

Act not to apply to certain corporations, their employees, etc.

SECTION 5. This act shall not apply to a corporation subject to the jurisdiction of the department of public utilities of this commonwealth or to the jurisdiction of the interstate commerce commission, nor shall it apply to the employees of any such corporation while engaged in the conduct of its business.

*Approved May 28, 1920.*

*Chap. 559* AN ACT RELATIVE TO THE PUBLICATION OF LISTS OF CANDIDATES AND FORMS OF QUESTIONS BEFORE STATE AND CITY ELECTIONS.

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

1913, 835, § 269, etc., amended.

Section two hundred and sixty-nine of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by chapter fifty-four of the General Acts of nineteen hundred and nineteen, is hereby further amended by striking out the said section and substituting the following:—*Section 269.* Before every state election, the secretary of the commonwealth shall cause to be published a list of all candidates to be voted for in each senatorial district, except that in the county of Suffolk the publication shall be of all candidates to be voted for therein. He shall also publish with said lists the form of any question to be submitted to the voters. Before every city election, the city clerk, or in Boston the election commissioners, shall cause to be published a list of all candidates to be voted for in their respective cities, and the form of any question to be submitted to the voters at such election. Such lists and questions shall in all cases be in the form, as near as may be, in which they are to appear upon the official ballot, and for state elections shall be printed in at least four newspapers, if there be so many, published in English in each senatorial district, or in the county of Suffolk, as the case may be. Such publication shall, so far as is practicable, be in newspapers representing the two political parties, and at such reasonable cost as the secretary may determine. For city elections the publication shall be made in at least two news-

Lists of candidates, etc., state and city elections, to be published.