

court instead of by a jury, but not, however, unless all the defendants, if there are two or more, shall have exercised such election before a jury has been impanelled to try any of the defendants; and in every such case the court shall have jurisdiction to hear and try such cause and render judgment and sentence thereon, — so as to read as follows:

— *Section 6.* A person indicted for a crime shall not be convicted thereof except by confessing his guilt in open court, by admitting the truth of the charge against him by his plea or demurrer or by the verdict of a jury accepted and recorded by the court or, in any criminal case other than a capital case, by judgment of the court rendered as hereinafter provided. Any defendant in the superior court in a criminal case other than a capital case, whether begun by indictment or upon complaint, may, if he shall so elect, when called upon to plead, or later and before a jury has been impanelled to try him upon such indictment or complaint, waive his right to trial by jury by signing a written waiver thereof and filing the same with the clerk of the court, whereupon he shall be tried by the court instead of by a jury, but not, however, unless all the defendants, if there are two or more, shall have exercised such election before a jury has been impanelled to try any of the defendants; and in every such case the court shall have jurisdiction to hear and try such cause and render judgment and sentence thereon.

Persons indicted for crime, how convicted.

Defendants in superior court in criminal cases, other than capital cases, may elect, under certain circumstances, to be tried by court instead of by jury.

SECTION 2. Section two of chapter two hundred and seventy-eight of the General Laws is hereby amended by adding at the end thereof the following: —, unless the person indicted or complained against elects to be tried by the court as provided by law, — so as to read as follows: — *Section 2.* Issues of fact joined upon an indictment or complaint shall, in the superior court, be tried by a jury drawn and returned in the manner provided for the trial of issues of fact in civil causes, unless the person indicted or complained against elects to be tried by the court as provided by law.

G. L. 278, § 2, amended.

Issues of fact, how tried.

SECTION 3. This act shall become operative on September first of the current year. *Approved April 3, 1929.*

When operative.

AN ACT TO PROVIDE THAT THE RULE MAKING POWER OF THE SUPREME JUDICIAL AND SUPERIOR COURTS SHALL INCLUDE THE MAKING OF RULES OF PROCEDURE FOR SECURING THE INTERPRETATION OF WRITTEN INSTRUMENTS WITHOUT OTHER RELIEF.

Chap. 186

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter two hundred and thirteen of the General Laws is hereby amended by adding after clause "Tenth" the following new clause: — Tenth A, Providing that an action at law or a suit in equity shall not be open to objection on the ground that a mere judgment, order or decree interpreting a written instrument or written instruments is sought thereby, and providing procedure for

G. L. 213, § 3, new clause after clause Tenth.

Rule making power of supreme judicial and superior courts to include making of rules of procedure for

securing the interpretation of written instruments without other relief.
 Proviso.

cedure under which the court may make binding determinations of right interpreting the same, whether any consequential judgment or relief is or could be claimed or not, provided that nothing contained herein shall be construed to authorize the change, extension or alteration of the law regulating the method of obtaining service on, or jurisdiction over, parties or to affect their right to jury trial.

When operative.

SECTION 2. This act shall become operative on September first of the current year. *Approved April 3, 1929.*

Chap. 187 AN ACT RELATIVE TO THE HOLDING OF RELIGIOUS MEETINGS AND POLITICAL MEETINGS OR RALLIES IN PUBLIC WAYS AND PLACES.

Be it enacted, etc., as follows:

G. L. 140, new section after § 50.

Licenses for the holding of religious meetings and political meetings or rallies in public ways and places.

Chapter one hundred and forty of the General Laws is hereby amended by inserting after section fifty the following new section:— *Section 50A.* The board of street commissioners of the city of Boston, the city council of any other city or the selectmen of any town may, if in their opinion public convenience so requires, license the holding of religious meetings, or of political meetings or rallies to further the interests of candidates for nomination or election to public office, in such parts of any public ways or places and during such periods of time as they may designate; provided, that public travel is not incommoded thereby and that no license as aforesaid shall be granted to use any part of a highway the fee in which is not owned by the city or town unless the owners of the land abutting on that part of the way consent in writing to the granting thereof. Any such license may be revoked by them at any time. *Approved April 3, 1929.*

Proviso.

Revocation.

Chap. 188 AN ACT TO MAKE AVAILABLE FOR THE EXTENSION OF THE NEW MYSTIC VALLEY MAIN SEWER THE UNEXPENDED BALANCES OF CERTAIN METROPOLITAN DISTRICT SEWER LOANS.

Be it enacted, etc., as follows:

Unexpended balances of certain metropolitan district sewer loans made available for the extension of the new Mystic valley main sewer.

The unexpended proceeds of loans, issued under authority of chapter one hundred and sixteen of the acts of nineteen hundred and twenty-four for the construction of additional sewers in the north metropolitan sewerage district, not required for the purposes of said chapter one hundred and sixteen or of chapter two hundred and thirteen of the acts of nineteen hundred and twenty-six, may be expended for the purposes of chapter one hundred and eighty-four of the acts of nineteen hundred and twenty-seven, and the amount authorized by said chapter one hundred and eighty-four to be borrowed for the purposes thereof is hereby reduced accordingly. *Approved April 3, 1929.*