

spection department of the district police shall have authority in the pursuance of their duty to enter any premises on which a boiler or engine is situated, and any person who hinders or prevents or attempts to prevent any state boiler inspector from so entering shall be liable to the penalty as specified in this section, — so as to read as follows: —

Section 86. The boiler inspection department of the district police shall act as examiners and enforce the provisions of the eight preceding sections and whoever violates any of the provisions of said sections shall be punished by a fine of not less than ten nor more than three hundred dollars or by imprisonment for not more than three months. A trial justice shall have jurisdiction of complaints for violations of the provisions of the eight preceding sections, and in such cases, may impose a fine of not more than fifty dollars. All members of the boiler inspection department of the district police shall have authority in the pursuance of their duty to enter any premises on which a boiler or engine is situated, and any person who hinders or prevents or attempts to prevent any state boiler inspector from so entering shall be liable to the penalty as specified in this section.

Boiler inspection department of the district police to act as examiners, enforce provisions, etc.

SECTION 4. All acts and parts of acts inconsistent herewith are hereby repealed: *provided, however*, that this act shall not apply to the exemptions specified in section seventy-eight of chapter one hundred and two of the Revised Laws or that such repeal shall not invalidate any license granted under the acts repealed; and licensees holding licenses so granted shall have the powers given to licensees of the same class by section two of this act.

Repeal.
Proviso.

SECTION 5. This act shall take effect on the first day of July in the year nineteen hundred and five.

When to take effect.

Approved April 20, 1905.

AN ACT RELATIVE TO THE REGISTRATION OF AUTOMOBILES AND MOTOR CYCLES AND TO THE LICENSING OF THE OPERATORS THEREOF.

Chap. 311

Be it enacted, etc., as follows:

SECTION 1. In the administration of the law providing for registering automobiles and motor cycles and for licensing operators thereof, any member of the Massachusetts highway commission, or its secretary, may administer oaths and take testimony; and any person who wilfully

Registration of automobiles, etc., oaths, testimony, etc.

swears or affirms falsely in regard to any matter or thing respecting which such oath or affirmation is required by said commission shall be deemed guilty of perjury.

1903, 473, § 1,
amended.

SECTION 2. Section one of chapter four hundred and seventy-three of the acts of the year nineteen hundred and three is hereby amended by striking out the last sentence thereof and inserting in place thereof the following:— Upon the transfer of ownership of any automobile or motor cycle, its registration shall expire and the person in whose name such vehicle is registered shall immediately return the certificate of registration to the Massachusetts highway commission with a written notice containing the date of such transfer of ownership and the name, place of residence and address of the new owner. The Massachusetts highway commission, at its discretion, may assign to any person who so surrenders his registration certificate and who desires to register another automobile or motor cycle the distinguishing number or mark described in the surrendered certificate. No number or number plate other than those prescribed by the Massachusetts highway commission in its certificates of registration shall be displayed on any automobile or motor cycle operated in this Commonwealth: *provided, however*, that any automobile or motor cycle owned by a non-resident of this state who has complied with the laws relative to motor vehicles and the operation thereof of the state in which he resides may be operated by such owner on the roads and highways of this state for a period not exceeding fifteen days without the license, certificate of registration and number plates furnished by the Massachusetts highway commission. Every such vehicle shall have displayed upon it the distinguishing number or mark of the state in which the owner thereof resides and none other until the vehicle is registered in accordance with the provisions of this section, — so as to read as follows:— *Section 1.* All automobiles and motor cycles shall be registered by the owner or person in control thereof in accordance with the provisions of this act. Application for such registration may be made, by mail or otherwise, to the Massachusetts highway commission or any agent thereof designated for this purpose, upon blanks prepared under its authority. The application shall, in addition to such other particulars as may be required by said commission, contain a statement of the name, place of residence and address of the appli-

Registration of
automobiles
and motor
cycles.

cant, with a brief description of the automobile or motor cycle, including the name of the maker, the number, if any, affixed by the maker, the character of the motor power, and the amount of such motor power stated in figures of horse power; and with such application shall be deposited a registration fee of two dollars. The said commission or its duly authorized agent shall then register, in a book to be kept for the purpose, the automobile or motor cycle described in the application, giving to such automobile or motor cycle a distinguishing number or other mark, and shall thereupon issue to the applicant a certificate of registration. Said certificate shall contain the name, place of residence and address of the applicant and the registered number or mark, shall prescribe the manner in which said registered number or mark shall be inscribed or displayed upon the automobile or motor cycle, and shall be in such form and contain such further provisions as the commission may determine. A proper record of all applications and of all certificates issued shall be kept by the commission at its main office, and shall be open to the inspection of any person during reasonable business hours. The certificate of registration shall always be carried in some easily accessible place in the automobile or motor cycle described therein. Upon the transfer of ownership of any automobile or motor cycle, its registration shall expire and the person in whose name such vehicle is registered shall immediately return the certificate of registration to the Massachusetts highway commission with a written notice containing the date of such transfer of ownership and the name, place of residence and address of the new owner. The Massachusetts highway commission, at its discretion, may assign to any person who so surrenders his registration certificate and who desires to register another automobile or motor cycle the distinguishing number or mark described in the surrendered certificate. No number or number plate other than those prescribed by the Massachusetts highway commission in its certificates of registration shall be displayed on any automobile or motor cycle operated in this Commonwealth: *provided, however*, that any automobile or motor cycle owned by a non-resident of this state who has complied with the laws relative to motor vehicles and the operation thereof of the state in which he resides may be operated by such owner on the roads and highways of this state for a period not exceeding fif-

Fee, etc.

Certificate of registration.

Record of applications and certificates to be kept, etc.

Certificate to be returned in certain cases, etc.

Only number or number plate prescribed by commission to be displayed, etc.

Proviso.

teen days without the license, certificate of registration and number plates furnished by the Massachusetts highway commission. Every such vehicle shall have displayed upon it the distinguishing number or mark of the state in which the owner thereof resides and none other until the vehicle is registered in accordance with the provisions of this section.

1903, 473, § 2,
amended.

SECTION 3. Section two of said chapter four hundred and seventy-three is hereby amended by striking out the word "license", in the last sentence thereof, and inserting in place thereof the words: — certificate of registration, — so as to read as follows: — *Section 2.* Every manufacturer of or dealer in automobiles or motor cycles may, instead of registering each automobile or motor cycle owned or controlled by him, make application upon a blank provided by said commission for a general distinguishing number or mark, and said commission may, if satisfied of the facts stated in said application, grant said application, and issue to the applicant a certificate of registration containing the name, place of residence and address of the applicant, and the general distinguishing number or mark assigned to him, and made in such form and containing such further provisions as said commission may determine; and all automobiles and motor cycles owned or controlled by such manufacturer or dealer shall, until sold or let for hire or loaned for a period of more than five successive days, be regarded as registered under such general distinguishing number or mark. The fee for every such certificate of registration shall be ten dollars.

Distinguishing numbers or marks may be issued to manufacturers and dealers, etc.

Fee for certificate of registration.
1903, 473, § 4,
amended.

SECTION 4. Section four of said chapter four hundred and seventy-three is hereby amended by inserting after the word "each", in the twenty-first line, the word: — original, — by inserting after the word "dollars", in the same line, the words: — and the fee for the renewal of each license to operate for hire shall be fifty cents, — and by adding at the end of said section the words: — The provisions of this section shall not prevent the operation of automobiles by unlicensed persons if riding with or accompanied by a licensed chauffeur or operator. The operator's license shall always be carried by the licensee when he is operating an automobile or motor cycle, — so as to read as follows: — *Section 4.* Licenses for operating automobiles and motor cycles shall be issued by the Massachusetts highway commission or duly authorized agents

Licenses to be issued by the Massachusetts highway commission, etc.

thereof. Application shall be made upon blanks prepared by the commission for this purpose, and the licenses issued shall be in such form and shall contain such provisions as said commission may determine. To each licensee shall be assigned some distinguishing number or mark, and a proper record of all applications for license and of all licenses issued shall be kept by the commission at its main office, and shall be open to the inspection of any person during reasonable business hours. Each license shall state the name, place of residence and address of the licensee and the distinguishing number or mark assigned to him. Special licenses for operating automobiles or motor cycles for hire shall be issued by the commission, but no such license shall be issued until the commission or its authorized agent shall have satisfied itself or himself that the applicant is a proper person to receive it. Such licenses shall be granted for one year only. The fee for each original license to operate shall be two dollars, and the fee for the renewal of each license to operate for hire shall be fifty cents. All fees shall be deposited at the time of making the application. The commission may at any time suspend or revoke any license for any misconduct of the licensee. Before a license to operate is granted, the applicant shall pass such examination as to his qualifications as may be required by the state highway commission. The provisions of this section shall not prevent the operation of automobiles by unlicensed persons if riding with or accompanied by a licensed chauffeur or operator. The operator's license shall always be carried by the licensee when he is operating an automobile or motor cycle.

Form of license.

Special licenses.

Term, fee, etc.

Licenses may be revoked, etc.

Applicant to be examined.

Not to prevent the operation of automobiles by unlicensed persons in certain cases, etc.

1903, 473, § 9, amended.

SECTION 5. Section nine of said chapter four hundred and seventy-three is hereby amended by inserting after the word "license", in the third line, the words:— or certificate,— by striking out the word "section", in the third and fourth lines, and inserting in place thereof the words:— sections two and,— by striking out the word "shall", in the sixth line, and inserting in place thereof the word:— may,— and by striking out all after the word "for", in the eighth line, and inserting in place thereof the following:— a second offence, and not exceeding one hundred dollars for subsequent offences committed during each calendar year; and the penalties imposed for violations of any provision of this act for any calendar year shall be imposed without regard to violations thereof

committed in any previous calendar year. Any person convicted of operating an automobile or motor cycle in this Commonwealth after his license to operate has been suspended or revoked, and any person convicted of operating or causing or permitting any other person to operate an automobile or motor cycle after the certificate of registration for such vehicle has been suspended or revoked, shall be punished by a fine not exceeding one hundred dollars or by imprisonment for a term of ten days, or by both such fine and imprisonment, — so as to read as follows: — *Section 9.* The commission may, after due hearing, suspend or revoke a certificate issued under section one of this act, or the license or certificate issued to any person under sections two and four of this act, for any cause which it may deem sufficient; and any person convicted of violating any provision of this act may be punished by a fine not exceeding twenty-five dollars for a first offence, and not exceeding fifty dollars for a second offence, and not exceeding one hundred dollars for subsequent offences committed during each calendar year; and the penalties imposed for violations of any provision of this act for any calendar year shall be imposed without regard to violations thereof committed in any previous calendar year. Any person convicted of operating an automobile or motor cycle in this Commonwealth after his license to operate has been suspended or revoked, and any person convicted of operating or causing or permitting any other person to operate an automobile or motor cycle after the certificate of registration for such vehicle has been suspended or revoked, shall be punished by a fine not exceeding one hundred dollars or by imprisonment for a term of ten days, or by both such fine and imprisonment.

Penalties.

Record of cases of conviction to be kept, etc.

SECTION 6. A full record shall be kept by every court or trial justice in this Commonwealth of every case in which a person is convicted under the provisions of said chapter four hundred and seventy-three or of any other act relative to automobiles or motor cycles, and a certified copy of such record shall be sent forthwith by the court or trial justice to the Massachusetts highway commission. Said courts and trial justices shall furnish to the Massachusetts highway commission the details of any particularly flagrant cases which may be heard before them, and they may make such recommendations to said commission as to the suspension or revocation of the license or cer-

Highway commission to be furnished with details of certain cases, etc.

tificate of registration of the persons defendant in such cases as they may deem necessary. Said commission shall keep such records in its main office, and they shall be open to the inspection of any person during reasonable business hours.

SECTION 7. Section six of chapter four hundred and seventy-three of the acts of the year nineteen hundred and three is hereby repealed. *Approved April 20, 1905.* Repeal.

AN ACT TO AUTHORIZE THE CITY OF NEWBURYPORT TO RAISE MONEY IN EXCESS OF ITS TAX LIMIT FOR FIRE PROTECTION AND FOR USE OF WATER IN PUBLIC BUILDINGS. Chap.312

Be it enacted, etc., as follows:

SECTION 1. The city of Newburyport may, for a period of ten years, raise annually, by taxation, in excess of the statutory limit of taxation for said city, a sum not exceeding five thousand dollars, for fire protection and for use of water in public buildings. City of Newburyport may raise certain sums for fire protection, etc.

SECTION 2. All moneys so raised shall be paid to the board of water commissioners of Newburyport, and shall be expended by them for the maintenance, reconstruction or extension of the Newburyport water works. To be expended for the maintenance, etc., of the Newburyport water works.

SECTION 3. Nothing in this act shall be construed as permitting the board of water commissioners of Newburyport to expend more than ten thousand dollars for new construction in any one year. Amount to be expended for new construction in any one year limited.

SECTION 4. This act shall take effect upon its passage. *Approved April 20, 1905.*

AN ACT RELATIVE TO VOTING MACHINES, BALLOT BOXES AND COUNTING APPARATUS. Chap.313

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter three hundred and sixty-eight of the acts of the year nineteen hundred and three is hereby amended by inserting after the word "expense", in the fifth line, the words:— Such persons shall also give a bond with sufficient sureties, conditioned to defend and indemnify cities and towns purchasing and using voting machines, counting machines or ballot boxes, against any suit at law or in equity, and for any expense, damage or inconvenience which they may incur or suffer 1903, 368, § 3, amended.