

and regulations relating to permanent members of fire departments in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but the person holding said office on said effective date shall continue to serve therein only until the expiration of his term of office unless prior thereto he passes a non-competitive qualifying examination to which he shall be subjected by the division of civil service.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the year nineteen hundred and forty-six in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and forty-five, entitled 'An Act authorizing the Placing of the Office of Chief of the Fire Department of the Town of North Andover under the Civil Service Laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved June 14, 1945

Chap.426 AN ACT ESTABLISHING A FORTY-EIGHT-HOUR WEEK IN COUNTY INSTITUTIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149.
§ 40, amended.

Hours of labor
in county
institutions.

SECTION 1. Chapter one hundred and forty-nine of the General Laws is hereby amended by striking out section forty, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 40.* The hours of labor of laborers, workmen and mechanics, of ward attendants, ward nurses, industrial and occupational therapists and watchmen, and of employees in kitchen, dining-room and domestic services, in county institutions, and of officers and instructors of county penal and reformatory institutions, shall not exceed forty-eight in each week. Any person whose hours of labor are regulated by this section and whose presence is required at any such institution seven days a week shall be given at least four days off in each month, without loss of pay, in addition to the regular annual vacation. The words "hours of labor" as used in this section shall not be deemed to include any period of time during which a person is in his living quarters wherever located although his presence there is required for the purpose of exercising a measure of supervision over patients or inmates through availability for duty during such time. This section shall not prevent the superintendent, warden or executive officer from requiring the services of any person in any emergency where the health or safety of patients or inmates would otherwise be endangered, or in any extraordinary emergency, or in apprehending an escaped inmate, nor shall it apply to the hours of labor of any person whose position

entitles him to family maintenance as a part of his compensation.

SECTION 2. This act shall take effect at the expiration of ninety days after the termination of the existing states of war between the United States and any foreign country has been officially proclaimed. Effective date.
Approved June 14, 1945.

AN ACT AUTHORIZING THE BOSTON AND MAINE RAILROAD TO ACQUIRE AND HOLD ALL OF THE CAPITAL STOCK OF NORTH STATION INDUSTRIAL BUILDING, INC. Chap.427

Be it enacted, etc., as follows:

The Boston and Maine Railroad is hereby authorized to acquire and hold all of the capital stock of North Station Industrial Building, Inc., a corporation organized under the laws of the commonwealth for the purpose of owning or leasing the premises at the corner of Beverly and Causeway streets in the city of Boston, being numbered one hundred and fifty on Causeway street. *Approved June 14, 1945.*

AN ACT PROVIDING FOR EMERGENCY JURORS AND FOR THE WAIVER OF A FULL JURY. Chap.428

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and thirty-four of the General Laws is hereby amended by striking out sections twenty-five and twenty-six, as appearing in the Tercentenary Edition, and inserting in place thereof the four following sections: — *Section 25.* On the day when jurors are summoned to attend at court for the trial of civil or criminal cases, except capital cases, the clerk of the court shall cause the name, place of abode and occupation of each person so summoned to be written on separate ballots, substantially of uniform size, and shall cause them to be placed in a box provided therefor. When a case is ready for trial the clerk in open court, after shaking the ballots thoroughly, shall draw them out in succession until the names of twelve or such greater number as the court may order under section twenty-six B are drawn who appear and are not excused or set aside. The men so drawn shall be duly sworn and impanelled and, subject to said section twenty-six B, shall be the jury to try the issue, and one of them shall be appointed foreman by the court. The ballots containing names of the jurors so sworn shall be kept apart by the clerk until the verdict of such jury has been recorded or such jury has been discharged, when such ballots shall be returned to the box. If a case is ready for trial before the verdict in the preceding case has been recorded or the jury discharged, the court may order a jury for the trial of such issue to be impanelled by the drawing in the manner aforesaid of ballots from those remaining in the box.

G. L. (Ter. Ed.), 234, §§ 25 and 26, amended, and §§ 26A and 26B, added.
 Impanelling.

Section 26. If a jury is to be impanelled for the trial of a capital case, the clerk of the court shall cause the name

Same in capital cases.