

take by gift, grant, devise or bequest, and hold real and personal estate, to an amount not exceeding one million dollars, and to sell, lease or otherwise dispose of the same.

Approved May 8, 1950.

Chap.419 AN ACT TO AUTHORIZE CERTAIN CITIES AND TOWNS TO PURCHASE, SELL AND DISTRIBUTE NATURAL GAS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 164, new § 69A, added.

Certain cities and towns may buy, sell and distribute natural gas.

Chapter 164 of the General Laws is hereby amended by inserting after section 69, as appearing in the Tercentenary Edition, the following section:— *Section 69A.* Any city or town which maintains or operates a municipal lighting plant which includes a gas plant may purchase, sell and distribute natural gas, and the provisions of sections thirty-four to sixty-nine, inclusive, so far as apt, shall apply to the purchase, sale and distribution by such city or town of natural gas. Every such city or town purchasing, selling and distributing natural gas shall have all the powers and be subject to all the liabilities of said sections, including the authority to borrow money for the establishment, extension or enlargement of a plant and providing facilities for the purchase, sale and distribution of natural gas.

Approved May 8, 1950.

Chap.420 AN ACT RELATIVE TO THE APPOINTMENT OF A SUCCESSOR GUARDIAN OR CONSERVATOR BY THE PROBATE COURT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 201, § 33, amended.

Removal, etc., of guardian, etc., and appointment of successor.

Section 33 of chapter 201 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the words:— by the same court, — so as to read as follows:— *Section 33.* If a guardian or conservator becomes insane or otherwise incapable of performing his trust or is unsuitable therefor, the probate court, after notice to him and to all other persons interested, may remove him. Upon the request of a guardian or conservator, the probate court may allow him to resign his trust. Upon such removal or resignation, and upon the death of a guardian or conservator, another may be appointed in his stead by the same court.

Approved May 8, 1950.

Chap.421 AN ACT PRESCRIBING THE NOTICE REQUIRED TO BE GIVEN OF THE ADOPTION OR AMENDMENT OF REGULATIONS RELATIVE TO APPROACHES TO AIRPORTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 40A, etc., amended.

Adoption or amendment of regulations to be recorded, etc.

Section 40A of chapter 90 of the General Laws, inserted by section 5 of chapter 537 of the acts of 1941, is hereby amended by striking out, in line 21, the word “registered”, — so that the fifth sentence will read as follows:— Such regulations or any amendments thereto shall as soon as may be after adoption and approval be recorded in the

registry of deeds of each county and district in which any portion of the land to which such regulations apply is located, and notice that such regulations or amendments have been adopted shall be sent by mail to the owner of every parcel of land to any portion of which such regulations or amendments are applicable.

Approved May 8, 1950.

AN ACT INCLUDING THE FALL WEBWORM AND WOODTICKS AS PUBLIC NUISANCES. Chap. 422

Be it enacted, etc., as follows:

The first sentence of section 11 of chapter 132 of the General Laws, as most recently amended by section 4 of chapter 761 of the acts of 1949, is hereby further amended by inserting after the word "moths" in line 7 the words: — , fall webworm, — and by inserting after the word "disease" in line 9 the words: — , and woodticks, — so as to read as follows: — The chief superintendent may, subject to the approval of the commissioner, make rules and regulations governing all operations by cities and towns or persons for the purpose of suppressing the gypsy and brown tail moths, their larvae, pupae, nests, eggs and caterpillars, and tent caterpillars, cankerworms, oriental hag moths, fall webworm and elm leaf beetles, which destroy forest and shade tree foliage, the Dutch elm disease and the beetles which spread said disease, and woodticks, all of which pests are hereby declared to be public nuisances. *Approved May 8, 1950.*

G. L. (Ter. Ed.), 132, § 11, etc., amended.

Webworm and woodticks declared a public nuisance.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 1, 1950.

The Honorable EDWARD J. CRONIN, *Secretary of the Commonwealth, State House, Boston.*

SIR: — I, Paul A. Dever, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures"; do declare that in my opinion, the immediate preservation of the public peace, health, safety, and convenience requires that the law passed on the eighth day of May in the year nineteen hundred and fifty, entitled, "An Act including the Fall Webworm and Woodticks as Public Nuisances" should take effect forthwith, that it is an emergency law and that the facts constituting the emergency are as follows:

Because the woodtick will have gone into its dormant stage within the next few weeks and delay until after ninety days would render ineffective the use of available public funds in the elimination and control of this pest during the coming summer.

Very truly yours,

PAUL A. DEVER,
Governor of the Commonwealth.