

HOUSE No. 1775

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 18, 1946.

The committee on Municipal Finance on the part of the House, to whom was referred the Bill authorizing the establishment within the town of Weymouth of a hospital for the inhabitants of such town (House, No. 1681), report that the same ought to pass in the form of a new draft herewith submitted (House, No. 1775).

For the committee,

MICHAEL J. McCARTHY.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Six.

AN ACT AUTHORIZING THE ESTABLISHMENT WITHIN THE TOWN OF WEYMOUTH OF A HOSPITAL FOR THE INHABITANTS OF SUCH TOWN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Mrs. Gertrude A. Cassese, Clement N.
2 Curtis, Preston A. DePlacido, Allan C. Emery, John
3 Gallant, Roger P. Loud, Mrs. Lucy P. Mahoney,
4 Mrs. Emily L. McGovern, Honorable Kenneth L.
5 Nash, Timothy G. Osborn, George E. Pruden, A.
6 Wesley Sampson, Mrs. Marguerite W. Shaftoe,
7 Russell A. Stiles and C. Parker Whittle, Jr., all of
8 said Weymouth, and their successors who shall be
9 residents of said town, are hereby made a corporation
10 by the name of the Laban Pratt Hospital, for the
11 sole purpose of establishing and maintaining a public
12 hospital for the use of the inhabitants of the said
13 town and others who may be admitted thereto under
14 the provisions of the will and codicil of Laban Pratt
15 who may require medical and surgical treatment.

1 SECTION 2. Said corporation shall have authority
2 for the purpose aforesaid, and no other, to hold real
3 and personal estate to the amount of one million
4 dollars.

1 SECTION 3. The chairman of the board of select-
2 men, the town accountant and the town treasurer,
3 severally for the time being, and their successors, shall
4 be trustees, ex-officio during the terms of their respec-
5 tive offices, and together with the corporators above
6 named shall constitute the board of trustees, of whom
7 the chairman of the board of selectmen shall be ex-
8 officio chairman, and whose terms of office except as
9 above provided shall be as follows: The trustees shall
10 in the year next following the enactment of this act,
11 elect three of their members whose terms of office are
12 not fixed as above, who shall hold for the term of one
13 year from the first day of the following February, three
14 of their number who shall hold for the term of two years
15 from said first day of the following February, three of
16 their number who shall hold for the term of three years
17 from said first day of the following February, three of
18 their number who shall hold for the term of four years
19 from said first day of the following February, and the
20 remaining three shall be elected to hold for the term
21 of five years from the said first day of the following
22 February, and who shall severally hold for the terms
23 for which they are elected and until their successors
24 are chosen, and thereafter, as the terms of office expire
25 the town moderator shall annually appoint before
26 February three trustees for the term of five years each.
27 Six members of the board shall constitute a quorum.
28 Whenever a vacancy shall occur in the board of trus-
29 tees by reason of death, resignation or otherwise of the
30 members so elected or appointed the town moderator
31 shall fill the vacancy for the unexpired term. If the
32 board of trustees shall fail for three months to elect its
33 members in accordance with the provisions of this act,
34 the board of selectmen of the town of Weymouth shall

35 forthwith proceed to an election by concurrent vote.
36 No member of the board as such shall receive compen-
37 sation for his services. And the town of Weymouth is
38 hereby authorized and empowered to place in trust in
39 the hands of the trustees of said corporation all funds,
40 gifts and bequests, which are or may be held by it for
41 the purpose of establishing and maintaining said
42 hospital, especially all sums it has or may from time to
43 time receive from the trustees appointed under the
44 will of the said Laban Pratt, deceased. And said cor-
45 poration shall, upon the acceptance of this act by the
46 town of Weymouth as hereinafter provided, receive
47 and hold all past and future bequests and gifts that
48 may be made for the maintenance of said hospital, and
49 the same shall be appropriated, held and used by said
50 corporation for the sole use and purpose aforesaid as a
51 trust in behalf of and for the inhabitants of said town,
52 and to such other persons as may be permitted to
53 enjoy the benefits of said hospital in pursuance of the
54 provisions of said will. And said trustees shall render
55 to the board of selectmen annually as of the first of
56 January a report of their proceedings, with a state-
57 ment of the condition of the hospital, the property and
58 funds pertaining to the same, with an accurate account
59 of all receipts and expenditures, together with such
60 other information or suggestions they may deem desir-
61 able, which report shall be published by the board of
62 selectmen in the annual town report. And said trus-
63 tees shall in behalf of said town carefully and consider-
64 ately carry into execution the generous plan of the
65 testator as contemplated by the said will and codicil.

1 SECTION 4. And said trustees shall appoint the
2 town treasurer as treasurer, and shall require of him

3 a bond with satisfactory sureties in the penal sum of
4 not less than twenty-five thousand dollars for the
5 faithful discharge of his duties, and his books of ac-
6 count and vouchers shall at all times be open to the
7 trustees aforesaid, or any one of them.

8 The trustees shall also appoint from their own
9 membership a board of audit and control of not less
10 than three, who shall examine all bills and pay rolls,
11 and no such bill of pay roll shall be paid by the
12 treasurer unless approved by a majority of said board.

1 SECTION 5. The trustees shall appoint a clerk
2 whose duty it shall be to keep a full and fair record
3 of the proceedings of the board, and to discharge
4 such other duties as they shall from time to time
5 prescribe. The compensation of the treasurer and
6 clerk shall be fixed by the board of trustees.

1 SECTION 6. The trustees shall have full power to
2 elect such other officers as they may from time to
3 time think necessary or expedient, and to determine
4 the tenure of their offices, and of that of the clerk; to
5 remove any trustee who shall be incapable through
6 age, removal from the town, infirmity or otherwise
7 for the discharge of his duties as said trustee, or who
8 by unreasonable absence from the meetings of the
9 board shall fail to discharge the duties of his office,
10 and generally to do all acts and things necessary or
11 expedient to be done for the purpose of carrying into
12 full effect the provisions and purposes of this act.

1 SECTION 7. It shall be the duty of the trustees
2 to safely and securely invest, or to hold invested, the
3 trust funds derived under said will or otherwise, and

4 they shall have regard at all times to all the provisions
5 of said will affecting said trust and the desire of the
6 testator as expressed therein.

1 SECTION 8. Nothing in this act contained shall
2 be held to alter or impair any trust created by said
3 will. And the corporation hereby created, acting
4 through its trustees and proper officers, shall be
5 deemed the agent of said town of Weymouth for
6 the proper execution of all trusts arising under the
7 provisions of said will. And nothing in this act
8 contained shall be construed as releasing the town
9 of Weymouth from any obligation arising from the
10 acceptance of said bequest under said will or from
11 any condition made therein. And the said Allan C.
12 Emery is hereby authorized and empowered to
13 prescribe the time and place for the holding of the
14 first meeting of said trustees and to notify them
15 thereof.

1 SECTION 9. Chapter four hundred and four of
2 the acts of nineteen hundred and forty-three is hereby
3 repealed.

1 SECTION 10. This act shall take full effect upon its
2 acceptance by a majority of the town meeting mem-
3 bers of the town of Weymouth present and voting
4 thereof at a meeting legally called for this purpose
5 not later than five years after the date of the enact-
6 ment of this act, but not otherwise.

HOUSE

REPORTS

For the year ending 1900
The following reports were
presented to the House
of Representatives on the
20th day of January 1901

REPORT OF THE SECRETARY OF THE INTERIOR

On the subject of the
lands of the United States
under the management of
the Department of the Interior

By the Secretary of the Interior,
GEO. H. WOODRUFF

WASHINGTON:
GOVERNMENT PRINTING OFFICE:
1901

Price, 10 cents

