

and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage.

SECTION 15. Section 2 of chapter 254 of the acts of 1914, as amended by section 1 of chapter 339 of the acts of 1926, is hereby further amended by striking out, in line 2, the words "towns of Swansea and Dighton and their" and inserting in place thereof the words:— town of Dighton and its.

SECTION 16. Section 3 of said chapter 254, as amended by section 2 of said chapter 339, is hereby further amended by striking out, in line 7, the words "towns of Somerset or Swansea" and inserting in place thereof the words:— town of Somerset.

SECTION 17. Said chapter 254 is hereby further amended by striking out section 4, as amended by section 3 of said chapter 339, and inserting in place thereof the following section:— *Section 4.* Said town of Somerset shall have the right to lay its pipes or conduits in the town of Dighton along a direct road from the source of supply, in the public streets of such town or through private lands acquired in accordance with section three; provided, that no conduits or pipes shall be laid in a public way except under the direction of the selectmen of said town or of the state department of public works in the case of a state highway; and provided, further, that any public way in which work is done under this act shall be restored by said town of Somerset to a condition satisfactory to said state department or to said selectmen, as the case may be. *Approved April 4, 1949.*

AN ACT RELATIVE TO LIABILITIES INCURRED BY DEPARTMENTS OF CERTAIN CITIES AND TOWNS IN CASES OF EXTREME EMERGENCY.

Chap. 138

Be it enacted, etc., as follows:

Chapter 44 of the General Laws is hereby amended by striking out section 31, as amended by section 23 of chapter 358 of the acts of 1946, and inserting in place thereof the following section:— *Section 31.* No department financed by municipal revenue, or in whole or in part by taxation, of any city or town, except Boston, shall incur a liability in excess of the appropriation made for the use of such department, each item recommended by the mayor and voted by the council in cities, and each item voted by the town meeting in towns, being considered as a separate appropriation, except in cases of extreme emergency involving the health or safety of persons or property, and then only by a vote in a city of two thirds of the members of the city council, and in a town by a vote of two thirds of the selectmen. Payments of liabilities incurred under authority of this section may be made, with the written approval of the director, from any available funds in the

G. L. (Ter. Ed.), 44, § 31, etc., amended.

Liabilities incurred by departments of certain cities and towns in cases of extreme emergency, regulated.

treasury, and the amounts of such liabilities incurred shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors who shall include the amounts so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless the city or town has appropriated amounts specified to be for such liabilities; provided, that, if proceedings are brought in accordance with provisions of section fifty-three of chapter forty, no payments shall be made and no amounts shall be certified to the assessors until the termination of such proceedings.

Approved April 4, 1949.

Chap. 139 AN ACT RELATIVE TO CENTRAL POOLS OF JURORS SUMMONED FOR ATTENDANCE UPON THE SUPERIOR COURT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 212, new § 20A, added.

Central pools of jurors for attendance upon the superior court, authorized.

Chapter 212 of the General Laws is hereby amended by inserting after section 20, as appearing in the Tercentenary Edition, the following section: — *Section 20A*. The superior court may in counties where more than one session is held simultaneously for civil or criminal business or for civil and criminal business require that jurors be held in a central pool and assigned to the several sessions in such manner as the court shall order. It may in its discretion order that writs of venire facias for jurors issue for the total number of jurors required for all sessions at any sitting without specifying therein that they are required for civil or criminal business. Jurors so drawn shall be subject to be used interchangeably for civil or criminal business.

The justices of the superior court may designate not more than two officers appointed under section seventy of chapter two hundred and twenty-one to attend the central pool of jurors in the county for which they are appointed. The officers so designated shall perform their duties under the direction of the court, and receive such compensation to be paid by the county as the justices shall establish.

Approved April 4, 1949.

Chap. 140 AN ACT TO PERMIT THE APPORTIONMENT BETWEEN PRINCIPAL AND INCOME OF THE EXPENSES, COSTS AND COUNSEL FEES OF CERTAIN FIDUCIARIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 206, § 16, etc., amended.

Compensation and expenses of executor, etc.

Chapter 206 of the General Laws is hereby amended by striking out section 16, as amended by chapter 36 of the acts of 1941, and inserting in place thereof the following section: — *Section 16*. An executor, administrator, guardian, conservator or trustee shall be allowed his reasonable expenses, costs and counsel fees incurred in the execution of his trust, and shall have such compensation for services