

water courses, streets, ways or bridges now existing or hereafter constructed, but in such a manner as not unnecessarily to obstruct or impede travel thereon; and may dig up any such street or way, and lay, maintain and repair conduits, pipe lines and other works beneath the surface thereof, putting any such street or way in as good repair as the same was in when the digging was begun.

SECTION 3. For the purpose of paying the necessary expenses and liabilities incurred or to be incurred under authority of this act, said city, acting through its said commission, may expend such sums as may be necessary, in accordance with and subject to the provisions of said chapter one hundred and sixty-four relative to municipal lighting plants, and shall dispose of the income received hereunder in accordance with said provisions.

*Approved April 25, 1947.*

AN ACT FIXING THE SALARIES OF THE CLERK AND THE ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK. Chap. 290

*Be it enacted, etc., as follows:*

SECTION 1. Section 49 of chapter 35 of the General Laws, as most recently amended by section 1 of chapter 512 of the acts of 1946, is hereby further amended by inserting after the word "Suffolk" in line 6 the words:—, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, — so as to read as follows:

— *Section 49.* Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, clerks and assistant clerks of the district courts other than the clerks and assistant clerks of district courts in the county of Suffolk except the municipal court of the city of Boston, and other than the clerks and assistant clerks of the central district court of Worcester, and excluding trial justices, other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred and twenty-one, court officers in attendance upon the municipal court of the city of Boston, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter

G. L. (Ter. Ed.), 35, § 49, etc., amended.

Classification of salaries of certain county officers.

established, shall be allocated by the board to its proper place in such classification. Offices and positions in the service of any department, board, school or hospital principally supported by the funds of the county or counties, or in the service of a hospital district established under sections seventy-eight to ninety-one, inclusive, of chapter one hundred and eleven, shall likewise be subject to classification as aforesaid. The word "salary", as used in this section, shall include compensation, however payable; but nothing in sections forty-eight to fifty-six, inclusive, and nothing done under authority thereof, shall prevent any person from continuing to receive from a county such compensation as is fixed under authority of other provisions of law or as is expressly established by law.

G. L. (Ter. Ed.), 221, § 94, etc., amended.

SECTION 2. Section 94 of chapter 221 of the General Laws, as most recently amended by section 2 of chapter 262 of the acts of 1946, is hereby further amended by inserting after the word "Suffolk" in line 5 the words: — and the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, — and by inserting after the third sentence the following sentence: — The salary of the clerk of the superior court for criminal business in the county of Suffolk shall be eighty-two hundred dollars and the salaries of the assistant clerks of said court shall be fifty-four hundred dollars, — so as to read as follows:—

*Section 94.* Except as provided in section ninety-three and except as hereinafter provided, the salaries of clerks and assistant clerks of the supreme judicial and superior courts, other than the clerk and assistant clerks of the superior court for civil business in the county of Suffolk and the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, shall be established in accordance with sections forty-eight to fifty-six, inclusive, of chapter thirty-five and shall be paid by their respective counties. The salary of the clerk of the supreme judicial court for Suffolk county shall be sixty-eight hundred dollars plus one hundred dollars additional for each fifty thousand population of Suffolk county above eight hundred and fifty thousand, as established by the next preceding state or national census, and fifteen hundred dollars of said salary shall be paid by the commonwealth. In the year following each state and national census, the treasurer of Suffolk county shall adjust the salary of said clerk of the supreme judicial court in accordance with the foregoing provision, on the basis of said census, and the salary so adjusted shall be allowed from January first in the year of adjustment. The salary of the clerk of the superior court for criminal business in the county of Suffolk shall be eighty-two hundred dollars and the salaries of the assistant clerks of said court shall be fifty-four hundred dollars. The assistant clerks of the superior court for criminal business in Suffolk county may receive their salary in bi-weekly instalments if they so request in writing.

*Approved April 25, 1947.*

Salaries of clerks and assistant clerks of courts.