

such office or on such question, the petitions for recount shall be void. If such difference in the votes so cast appears to be one half of one per cent or less of the total votes cast for such office or on such question, he shall forthwith order the clerk of each city and town of the commonwealth to transmit forthwith, and said clerk shall so transmit, the envelopes or containers containing the ballots, sealed except in the case of those containing ballots which have already been recounted in respect to said office or question under authority of this section, to the registrars of the city or town who shall, without unnecessary delay, open the envelopes or containers, recount the ballots cast for said office or on such question and determine the questions raised. If a state-wide recount is petitioned for, all ballots cast at a state election shall be held, except as otherwise provided herein, by the city and town clerks until the expiration of sixty days after said election.

G. L. (Ter. Ed.), 54, § 135, etc., further amended.

SECTION 2. Said section 135, as so amended, is hereby further amended by striking out the seventh paragraph, as appearing in said chapter 417, and inserting in place thereof the following paragraph:—

Discontinuance of state-wide recount, how effected.

If, after a petition for state-wide recount for an office has been filed, the leading candidate, together with every other candidate whose votes therefor are not exceeded in number by the votes of the leading candidate by more than one half of one per cent of the total number of votes cast for such office, shall file a written request with the state secretary that the recount petitioned for be discontinued, the state secretary shall immediately order such recount discontinued whereupon such proceedings shall terminate.

*Approved May 6, 1947.*

**Chap. 354** AN ACT PROVIDING FOR CERTAIN CHANGES IN THE REQUIREMENTS FOR PROMOTION TO HIGHER GRADE IN POLICE AND FIRE DEPARTMENTS.

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

G. L. (Ter. Ed.), 31, § 20, etc., amended.

Appointment and promotion of policemen and firemen.

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 20, as most recently amended by section 6 of chapter 704 of the acts of 1945, and inserting in place thereof the following section:— *Section 20.* Appointments and promotions in such police and fire forces of cities and towns as are within the official service and in the detective force of the state department of public safety and in the police force of the metropolitan district commission shall be made only by competitive examination, except as otherwise provided in this chapter, or in the rules of the commission relative to temporary or emergency appointments. No such examination shall be held until there are at least four applicants for appointment or promotion for one existing vacancy, except as to applicants for appointment to the lowest grade, and except as herein provided. No examination shall be required for promotion of call men

within the call fire forces of any city or town which are within the official service. In making appointments or promotions to all grades of service other than the lowest, the examination and appointment shall be limited to persons of the next lower grade; but if the number of applicants for examination in such lower grade is not sufficient to hold an examination, the next lower grades shall in succession be thrown open to the examination until at least the necessary number have applied; provided, that such applicants shall not be eligible to take any such examination for the first grade above the lowest grade in police or fire departments in cities and towns with a population in excess of fifty thousand and in the detective force of the state department of public safety and in the police force of the metropolitan district commission unless they have been employed in the lower grade for at least three years, and for all other grades unless they have been employed in the lower grade or grades admitted to the examination for at least one year. In cities and towns with a population of fifty thousand or under, such applicants shall not be eligible to take any such examination unless they have been employed in the lower grade or grades admitted to the examination for at least one year. If an examination has been thrown open to all the lower grades in succession and at least four do not apply therefor the director may hold the examination limited to such lesser number.

SECTION 2. This act shall apply to all examinations held on or after September first, nineteen hundred and forty-seven.

Application  
of act.

*Approved May 6, 1947.*

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AN ACT RELATIVE TO THE RETIREMENT OF THE CITY MESSENGER OF THE CITY OF HOLYOKE.

*Chap. 355*

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

Any provision of general or special law to the contrary notwithstanding, the city messenger of the city of Holyoke in office upon the effective date of this act may, upon his written request, be retired under the provisions of sections seventy-seven to seventy-nine, inclusive, of chapter thirty-two of the General Laws, commonly known as the laborers' pension law.

*Approved May 6, 1947.*

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AN ACT MAKING CERTAIN PROVISIONS OF THE RETIREMENT LAWS APPLICABLE TO THE PENSION RIGHTS OF HAROLD F. SHINE, A RETIRED FIREMAN OF THE CITY OF SPRINGFIELD.

*Chap. 356*

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

For the purpose of promoting the public good, and notwithstanding the provisions of any general or special law, the provisions of sections eighty-one A and eighty-one B of chapter thirty-two of the General Laws are hereby made applicable to the pension rights of Harold F. Shine, a retired fireman of the city of Springfield.

*Approved May 6, 1947.*