

porary mayor", and shall exclusively, during the period beginning with said effective date and ending upon the return of the present incumbent of the office of mayor to active duties at the city hall of said city or, in case prior to such return a vacancy occurs in said office of mayor, until the qualification of the person first elected by popular vote after said effective date to the office of mayor of said city, possess all the rights and powers, perform all the duties and be subject to all the obligations of mayor of said city and during said period shall receive compensation at the rate now provided for the mayor, but shall not receive any compensation as city clerk. During said period he shall be deemed to be on leave of absence from the office of city clerk, and the duties of said office shall be performed by the assistant city clerk. At the end of said period said city clerk shall be entitled to return to and resume the duties of the office of city clerk and thereafter he shall hold said office during good behavior, subject only to removal in the manner provided by the civil service laws and rules.

SECTION 2. This act shall take effect upon its passage.

*Approved June 26, 1947.*

*Chap. 581* AN ACT CREATING THE FIRST CHURCH OF DEERFIELD AND AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY BY THE FIRST CONGREGATIONAL PARISH OF DEERFIELD, THE DEERFIELD CHURCH, AND ORTHODOX CONGREGATIONAL CHURCH OF DEERFIELD TO SAID THE FIRST CHURCH OF DEERFIELD.

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

SECTION 1. The voluntary religious association, commonly known as the First Congregational Church of Deerfield or the First Congregational Parish Church of Deerfield, or the Unitarian Church, or the Unitarian Church of Deerfield, or the Brick Church, affiliated with the First Congregational Parish of Deerfield, a voluntary religious association, and situated in Deerfield, and secondly, The Deerfield Church, a voluntary religious association, and thirdly, the members of the Orthodox Congregational Church of Deerfield, said church being a corporation organized under general law (including the members, if any, of the Orthodox Congregational Society of Deerfield, also known as the Orthodox Congregational Parish, or the Orthodox Society, an unincorporated religious society) upon acceptance of this act by a two thirds vote of the members of each of said respective organizations present and voting at meetings called by each of said respective organizations for the purpose, and by the recording with the secretary of the commonwealth and in the registry of deeds for the county of Franklin of certificates of said votes, duly made and sworn to by the respective clerks of said meetings, shall hereafter be a corporation by the name of The First Church of Deerfield. Said The First Church of Deerfield shall have all the powers, rights, fran-

chises, and privileges which the said voluntary religious associations and the members of said Orthodox Congregational Church have heretofore acquired or enjoyed by statute, vote, gift, grant, usage, prescription or otherwise, and subject to all the duties and liabilities to which the said voluntary religious associations and said members have heretofore been subject. Said The First Church of Deerfield shall have, except as may be provided otherwise in this act, all the rights, powers, and privileges, and be subject to all the duties and liabilities, of religious corporations instituted under general law; and upon acceptance of this act as aforesaid, all members of said voluntary associations and of said Orthodox Congregational Church shall be members of said new corporation, The First Church of Deerfield.

SECTION 2. The corporation created by section one is hereby authorized to receive and hold, or disburse for religious, benevolent and charitable purposes, gifts, grants, bequests and devises of real and personal property to an amount, exclusive of all buildings and the land pertaining thereto, occupied or used by it for said purposes, not exceeding the sum of five hundred thousand dollars, with full power to sell and convey, in accordance with the terms of any trust upon which the same is held, any part or the whole of its said property, including said land and buildings, for purposes of investment and reinvestment, for the improvement, alteration or relocation of any of its said buildings, or for benevolences and charities and upon any such sale the proceeds thereof shall be held upon the same trusts upon which the property thus sold was held; and the purchaser shall not be responsible for the application of the purchase money.

SECTION 3. At any time after the acceptance of this act, as provided in section one, the said First Congregational Parish of Deerfield may, by a two thirds vote of its members present and voting at a meeting called for the purpose, authorize one or more persons in its name and on its behalf to execute, acknowledge and deliver proper deeds and other instruments conveying and transferring in fee simple any or all of its property, real and personal, except such as may be held or owned by it for or in connection with specific and limited charitable uses and trusts, to the corporation created by section one. Upon the acceptance of said conveyance by the corporation created by section one by a two thirds vote of its members present and voting at a meeting duly called for the purpose, and upon the recording in the registry of deeds in the county of Franklin of said deeds and other instruments of transfer, together with certificates, duly made and sworn to by the clerks of said meetings, respectively, of the said votes authorizing the said conveyance and the acceptance thereof, the members of said corporation, the First Congregational Parish of Deerfield, shall become members of the corporation created by section one with all the rights of any members thereof.

SECTION 4. At any time after the acceptance of this act, as provided in section one, the said First Congregational Parish of Deerfield, as, if and when authorized by decree of the probate court for the county of Franklin, may, by a two thirds vote of its members present and voting at a meeting called for the purpose, convey and transfer real estate owned or held by it for or in connection with any and all specific and limited charitable uses and trusts to the corporation created by section one.

SECTION 5. At any time after the acceptance of this act, as provided in section one, the said Orthodox Congregational Church of Deerfield may, by a two thirds vote of its members present and voting at a meeting called for the purpose, authorize one or more persons in its name and on its behalf to execute, acknowledge and deliver proper deeds and other instruments conveying and transferring in fee simple any or all of its property, real and personal, except such as may be held or owned by it for or in connection with specific and limited charitable uses and trusts, to the corporation created by section one. Upon the acceptance of said conveyance by the corporation created by section one by a two thirds vote of its members present and voting at a meeting duly called for the purpose, and upon the recording in the registry of deeds in the county of Franklin of said deeds and other instruments of transfer, together with certificates, duly made and sworn to by the clerks of said meetings, respectively, of the said votes authorizing the said conveyance and the acceptance thereof, the members of said corporation, the Orthodox Congregational Church of Deerfield, shall become members of the corporation created by section one with all the rights of any members thereof.

SECTION 6. At any time after the acceptance of this act, as provided in section one, the said Orthodox Congregational Church of Deerfield, as, if and when authorized by decree of the probate court for the county of Franklin, may, by a two thirds vote of its members present and voting at a meeting called for the purpose, convey and transfer real estate owned or held by it for or in connection with any and all specific and limited charitable uses and trusts to the corporation created by section one of this act.

SECTION 7. At any time after the acceptance of this act, as provided in section one, the said The Deerfield Church may, by a two thirds vote of its members present and voting at a meeting called for the purpose, authorize one or more persons in its name and on its behalf to execute, acknowledge, and deliver proper deeds and other instruments conveying and transferring in fee simple any or all of its property, real and personal, to the corporation created by section one, and upon the acceptance of said conveyance by the corporation created by section one by a two thirds vote of its members present and voting at a meeting duly called for the purpose, and upon the recording in the registry of deeds in the county of Franklin of said deeds and other instruments of transfer

together with certificates, duly made and sworn to by the clerks of said meetings, respectively, of the said votes authorizing the said conveyance and the acceptance thereof, the members of said association, The Deerfield Church, shall become members of the corporation created by section one with all the rights of any members thereof and the existence of said The Deerfield Church shall cease and determine.

SECTION 8. The property conveyed to, or vested in, the corporation created by section one, under the provisions of this act, shall not, after such conveyance and vesting, be applied or apportioned with reference to the source or the religious body aforesaid from which it was derived under the provisions of this act, but shall be administered and applied by the corporation created by section one, for its general church and charitable purposes and as a single consolidated property and fund.

SECTION 9. In case of doubt as to the manner in which any property, held in trust or otherwise, conveyed to or vested in the corporation created by section one, under the provisions of this act, or the income thereof, should be held, administered or applied by the said corporation, the matter may be determined by the supreme judicial court upon the application of any person interested or of the attorney general; and, until said court shall otherwise order, such property and the income thereof shall be held, administered and applied by the said corporation in accordance with the terms of the original trusts or as nearly in accordance therewith as is possible. Any person aggrieved by any provision of this act may, at any time within six months after the recording of such of the various deeds or other instruments in this act provided for, as is alleged to be the cause of such injury, apply by petition to the supreme judicial court to have his damages determined by a jury therein, or by or under the direction of said court; and damages so awarded, with the costs of suit allowed by statute in civil cases, attending such award, shall be paid by the corporation created by section one.

SECTION 10. The said First Congregational Parish of Deerfield and the said Orthodox Congregational Church of Deerfield from time to time hereafter, after the acceptance of this act as provided in section one, may each, by a two thirds vote of its members present and voting at meetings called for the purpose, authorize The First Church of Deerfield, the corporation formed by section one, to act as its or their agent for the purpose of carrying out the specific and limited charitable uses and trusts for which funds are held by either or both.

SECTION 11. The said First Congregational Church of Deerfield or the said Orthodox Congregational Church of Deerfield from time to time hereafter, after the acceptance of this act, as provided in section one, may each, by a two thirds vote of its members present and voting at meetings called for the purpose, convey and transfer to the corporation formed by section one, real and personal property here-

after received by each in the same manner as is provided in sections three, four, five, and six.

SECTION 12. After the acceptance of this act as provided in section one, all gifts, grants, bequests and devises made to or for the benefit of said The Deerfield Church, however described, shall vest in the corporation formed by section one.

SECTION 13. The first meeting of the corporation created by section one shall be held on or before November thirtieth, nineteen hundred and forty-seven.

SECTION 14. This act shall take effect upon its passage.

*Approved June 26, 1947.*

*Chap.582* AN ACT AUTHORIZING THE TRUSTEES OF THE BRADFORD DURFEE TECHNICAL INSTITUTE OF FALL RIVER TO ERECT, REPAIR AND EQUIP CERTAIN BUILDINGS.

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

SECTION 1. The trustees of the Bradford Durfee Technical Institute of Fall River are hereby authorized to construct additions and make alterations and repairs to the buildings of said institute and purchase equipment therefor, and for such purposes may expend such sums, not exceeding, in the aggregate, two hundred thousand dollars, as may be appropriated therefor.

SECTION 2. This act shall take effect upon its passage.

*Approved June 26, 1947.*

*Chap.583* AN ACT ABOLISHING THE METROPOLITAN DISTRICT WATER SUPPLY COMMISSION AND TRANSFERRING ITS FUNCTIONS TO THE METROPOLITAN DISTRICT COMMISSION.

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

SECTION 1. The metropolitan district water supply commission, however constituted, is hereby abolished, and all its functions, rights, powers, duties, obligations and properties are hereby transferred to and shall hereafter be exercised, performed and held by the metropolitan district commission, which shall be its lawful successor. Subject to the provisions of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six and chapter seven hundred and five of the acts of nineteen hundred and forty-five, and acts in amendment thereof or in addition thereto, so far as applicable, said metropolitan district commission, to the extent that funds have been made available, shall construct all water and sewerage system projects now under construction by said metropolitan district water supply commission, and those authorized for future construction by said commission. All funds subject to expenditure by said metropolitan district water supply commission are hereby made available to said metropolitan district commission for the same purposes. All existing contracts and obligations of said metropolitan district water supply commission shall