

marked "43,000 square feet" on a "Plan of Land, Town of Winchester — Beggs and Cobb, Swanton Street, Winchester, Mass., November, 1947, Parker Holbrook, Town Engineer."

SECTION 2. This act shall take full effect upon its acceptance by a majority of the town meeting members of the town of Winchester present and voting thereon at a meeting called for the purpose.

*Approved January 27, 1948.*

*Chap. 15* AN ACT FURTHER REGULATING THE PAYMENT OF COMPENSATION TO FORMER PUBLIC EMPLOYEES WHO HAVE BEEN RETIRED, AND RELATIVE TO THE TERMINATION OF ELECTIVE OFFICE HELD BY MEMBERS OF CONTRIBUTORY RETIREMENT SYSTEMS.

Emergency preamble.

*Whereas*, There is serious doubt as to the proper interpretation of the law relative to certain vacancies in town offices to be filled at the forthcoming town elections, this act is necessary to insure the orderly conduct of such elections, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

G. L. (Ter. Ed.), 32, § 5, etc., amended.

SECTION 1. Paragraph (d) of subdivision (1) of section 5 of chapter 32 of the General Laws, as most recently amended by section 5 of chapter 660 of the acts of 1947, is hereby further amended by striking out, in lines 15 and 16, as appearing in section 1 of chapter 658 of the acts of 1945, the words "election and qualification of his successor at the", — so as to read as follows: — (d) Any member holding office by popular election at the time of attaining the maximum age for his group, whether or not he is then entitled to a superannuation retirement allowance, may continue to serve in such office after attaining such maximum age but only until the next regular election; provided, that no deductions shall be made from his regular compensation after he has attained such maximum age and when eligible for retirement he shall receive a superannuation retirement allowance equal to that to which he would have been entitled if retired at the maximum age for his group. Nothing contained in this paragraph shall prevent any member from holding an office to which he is elected by popular vote after attaining the maximum age for his group.

Member holding office by popular election.

G. L. (Ter. Ed.), 32, § 91, etc., amended.

SECTION 2. Section 91 of said chapter 32, as most recently amended by chapter 462 of the acts of 1947, is hereby further amended by striking out the first sentence and inserting in place thereof the following: — No person while receiving a pension or retirement allowance from the commonwealth or from any county, city or town, shall, after the date of his retirement be paid for any service rendered to the commonwealth or any county, city, town or district, except upon his return and restoration to active service as ordered by the appropriate retirement board after re-examination in case of retirement for disability, for jury service,

Pensioners not to be paid for services.

or for service rendered in an emergency under section sixty-eight, sixty-nine or eighty-three, or for service in a public office to which he has thereafter been elected by direct vote of the people, or for service as a member of the executive council after having been chosen or appointed under the provisions of Article XXV of the Amendments to the Constitution of the commonwealth, or for service in a confidential capacity under section seven of chapter thirty in the executive department, or in the department of the state secretary, the state treasurer, the state auditor or the attorney general; provided, that there shall be deducted from the compensation for the services of any person employed in a confidential capacity as aforesaid an amount equal to the retirement allowance or pension received by him.

SECTION 3. Chapter 50 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after section 6 the following section: — *Section 6A*. If an elected state, city, or town officer is to be retired on or before the next regular election by reason of superannuation before the completion of the term of office to which he was elected, thereby causing a vacancy in said office, such vacancy shall be filled at said regular election as provided by law for such office.

G. L. (Ter. Ed.), 50, new § 6A, added.

Filling of vacancy caused by retirement of elected official, regulated.

The retiring authority shall notify the county commissioners, mayor and aldermen in cities, or the selectmen in towns, as the case may be, of the impending retirement of such elected officer at least six months preceding the next state, city, or town election, as the case may be.

*Approved January 29, 1948.*

AN ACT TO ENABLE THE OLD SOUTH SOCIETY, IN BOSTON TO ADD TO ITS MEMBERSHIP PERSONS WHO ARE NOT PROPRIETORS OF PEWS.

*Chap. 16*

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

SECTION 1. The members of the religious society now having the corporate name of Old South Society, in Boston, incorporated by chapter two hundred and twenty-nine of the acts of eighteen hundred and forty-five under the name of Old South Church, in Boston which name was changed to Old South Society, in Boston by chapter eighty-eight of the acts of eighteen hundred and fifty-nine, shall after the effective date of this act include, in addition to proprietors of pews in the Old South Meeting-house in Boston, such other persons as the members for the time being of the said Old South Society, in Boston shall from time to time elect to membership for such term and subject to such conditions as the by-laws of said society shall prescribe. The corporation as so constituted shall have all the powers and privileges and shall be subject to all the duties, liabilities and restrictions contained in the act of incorporation as heretofore amended.

SECTION 2. This act shall take full effect on its acceptance by vote of the said Old South Society, in Boston at its