Submission to voters.

Section 5. The state secretary shall cause to be placed on the official ballot to be used in each of the several cities and towns of Acushnet, Attleboro, Berkley, Dartmouth, Dighton, Easton, Fairhaven, Freetown, Mansfield, North Attleborough, Norton, Raynham, Rehoboth, Seekonk, Somerset, Swansea, Taunton and Westport at the biennial state election in the year nineteen hundred and forty-six the following question: — "Shall an act passed by the general court in the year nineteen hundred and forty-five entitled 'An Act providing that the trustees of the county tuberculosis hospital within the county of Bristol shall be appointed by the governor' be accepted?" If a majority of the voters voting thereon in the district comprising the cities and towns above referred to vote in the affirmative in answer to the above question, this act shall thereupon take full effect; but not otherwise. *Approved June 11, 1945.*

Chap. 399 An Act authorizing making certain fire insurance policies payable to mortgagees under present or future mortgages.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 97, etc., amended.

Section 1. Section ninety-seven of chapter one hundred and seventy-five of the General Laws, as amended by chapter thirty-one of the acts of nineteen hundred and thirty-three, is hereby further amended by adding at the end the following sentences: — A fire insurance policy when it is issued, or by means of an endorsement thereon or a rider attached thereto, may be made payable to a mortgagee or mortgagees as their interests may appear under any present or future mortgage or mortgages. Nothing herein contained shall prevent policies being made payable to a mortgagee or mortgagees in any other lawful manner.

Payment of proceeds of fire insurance policies to mortgagees.

Section 2. The provisions of this act shall not affect the rights of any mortgagee under any policy of fire insurance in force upon the effective date of this act.

Approved June 11, 1945.

Chap. 400 An Act making certain corrections in the laws relative to carriers of property by motor vehicle.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 159B, § 3, etc., amended.

Section 1. Section three of chapter one hundred and fifty-nine B of the General Laws is hereby amended by adding at the end of the introductory paragraph, as appearing in section one of chapter four hundred and eighty-three of the acts of nineteen hundred and thirty-eight, the words: — authorizing the operations to be performed by such person, — so that said introductory paragraph will read as follows: — No person shall engage in the business of a common carrier by motor vehicle upon any way unless there is in effect

Certificate required before operating as

with respect to such carrier a certificate issued by the department authorizing the operations to be performed by such person. a common carrier.

Section 2. Said section three is hereby further amended by striking out paragraph (*c*), as so appearing, and inserting in place thereof the following paragraph: — G. L. (Ter. Ed.), 159B, § 3 etc., further amended.

(*c*) Any regular or irregular route common carrier who, during any period of not less than sixty consecutive days, refuses to render any part of the service authorized by his certificate except for the reason that the ways over which he must operate are impassable because of floods, condition of the highways or other causes of like nature not within his control, shall be deemed to have abandoned that part of the service authorized by his certificate, and if, after a hearing, the department finds that such carrier has so refused to render service in accordance with his certificate, and not for any reason set forth in the foregoing exceptions, his rights thereto to the extent of his refusal to render service shall be forfeited and the department shall reissue his certificate subject to the resulting limitations. Forfeiture of certificate due to refusal to order service authorized.

Section 3. Section four of said chapter one hundred and fifty-nine B is hereby amended by striking out the second paragraph, as appearing in said section one of said chapter four hundred and eighty-three, and inserting in place thereof the following paragraph: — G. L. (Ter. Ed.), 159B, § 4, etc., amended.

No person shall engage in the business of a contract carrier by motor vehicle upon any way unless there is in effect with respect to said carrier a permit issued by the department, authorizing him to transport property for the concerns specified, and within the limits set forth, in such permit. Regulation of business of a contract carrier.

Section 4. The first paragraph of section twelve of said chapter one hundred and fifty-nine B, as amended by section four of chapter six hundred and fifty-three of the acts of nineteen hundred and forty-one, is hereby amended by inserting after the word "be" in the sixth line the words: — suspended or, — so that the second sentence of said paragraph will read as follows: — Any permit, certificate or license, upon written application of the holder thereof to the department, may, without such notice and hearing, be suspended or revoked in whole or in part. G. L. (Ter. Ed.), 159B, § 12, etc., amended. Suspension or revocation of permit, etc.

Section 5. Section thirteen of said chapter one hundred and fifty-nine B, as amended by chapter six hundred and ninety-two of the acts of nineteen hundred and forty-one, is hereby further amended by striking out the word "for" in the tenth line and inserting in place thereof the words: — directly under, — so as to read as follows: — *Section 13.* Motor vehicles owned by the commonwealth or any of its political subdivisions, and any motor vehicle while engaged in the transportation of property for the commonwealth or any of its political subdivisions if the owner of such vehicle has no interest, directly or indirectly, in any other motor vehicle, shall be subject to section eighteen, but shall be exempt from all other provisions of this chapter. Motor G. L. (Ter. Ed.), 159B, § 13, etc., amended. State and municipal vehicles subject to section eighteen.

vehicles while engaged exclusively in the delivery of the United States mail or any other work directly under the United States shall be exempt from all provisions of this chapter except section eighteen, but shall be subject to said section so far as may be permissible under the constitution and laws of the United States.

G. L. (Ter. Ed.), 159B, § 14, etc., amended.

SECTION 6. Section fourteen of said chapter one hundred and fifty-nine B, as amended by section five of said chapter six hundred and fifty-three, is hereby further amended by striking out, wherever they appear in said section, the words "investigator and examiner", and inserting in place thereof, in each instance, the words: — investigator or examiner, — and by inserting a comma after the word "way", in the second line, — so as to read as follows: — *Section 14.* Every motor carrier while operating on any way, when requested by an investigator or examiner of the commercial motor vehicle division of the department, who is in uniform or who displays the proper insignia of his office, shall stop and submit to said investigator or examiner all transportation documents, including bills of lading, way bills and other papers relating to his cargo which are in his possession and shall submit the cargo and other contents, if any, of his motor vehicle to such reasonable examination as may be necessary to inform the investigator or examiner of the nature and weight thereof. No such investigator or examiner shall make a detailed examination of the cargo or other contents of the motor vehicle at a place where the motor vehicle does not stop for purposes of loading or delivery, and no motor vehicle shall be unduly delayed for the purpose of weighing or be required to turn back upon or substantially to detour from the route upon which it was travelling when stopped by the investigator or examiner. Any such carrier who, personally or by his agent, violates any provision of this section shall be punished by a fine of not more than twenty-five dollars.

Display of papers relating to cargo.

Penalty.

G. L. (Ter. Ed.), 268, § 33, etc., amended.

SECTION 7. Section thirty-three of chapter two hundred and sixty-eight of the General Laws, as most recently amended by chapter seventy-one of the acts of nineteen hundred and forty-one, is hereby further amended by striking out, in the sixth line, the words "or investigator" and inserting in place thereof the words: — , investigator or examiner, — so as to read as follows: — *Section 33.* Whoever falsely assumes or pretends to be a justice of the peace, notary public, sheriff, deputy sheriff, medical examiner, associate medical examiner, constable, police officer, probation officer, or examiner or investigator appointed by the registrar of motor vehicles, or inspector, investigator or examiner of the department of public utilities, or investigator or other officer of the alcoholic beverages control commission, and acts as such or requires a person to aid or assist him in a matter pertaining to the duty of such officer, shall be punished by a fine of not more than four hundred dollars or by imprisonment for not more than one year.

Falsely assuming to be a notary public or certain other officers.

Penalty.

Section 8. Paragraph (*c*) of section three of chapter one hundred and fifty-nine B of the General Laws, as amended by section two of this act, shall not apply to irregular route common carriers until after the termination of the existing states of war between the United States and any foreign country. *Approved June 11, 1945.*

Certain provisions not applicable to irregular route common carriers until, etc.

An Act relative to the suppression of gypsy and brown tail moths and tent caterpillars on land of the commonwealth. *Chap.* 401

Be it enacted, etc., as follows:

Chapter one hundred and thirty-two of the General Laws is hereby amended by inserting after section twelve the following section: — *Section 12A.* All persons in charge of land under the control of the commonwealth, including in such term the metropolitan district commission, may at the expense of the commonwealth or district destroy the eggs, caterpillars, pupae and nests of the gypsy and brown tail moths and tent caterpillars on the land within their charge and use such other lawful means of suppressing said moths and tent caterpillars as the forester may require. All such work shall be performed with the advice of the forester. *Approved June 11, 1945.*

G. L. (Ter. Ed.), 132, new § 12A, added.

Suppression of gypsy moths, etc., on land of the commonwealth.

An Act requiring the teaching of the Polish language in public schools in certain cases. *Chap.* 402

Be it enacted, etc., as follows:

Chapter seventy-one of the General Laws is hereby amended by inserting after section thirteen B, inserted by chapter three hundred and eleven of the acts of nineteen hundred and thirty-nine, the following section: — *Section 13C.* In every public high school having not less than one hundred and fifty pupils, the Polish language shall be taught upon the written request of the parents or guardians of not less than twenty-five pupils and the enrolment of not less than twenty-five properly qualified pupils; provided, that said request is made, and said enrolment is completed, before the preceding August first. *Approved June 11, 1945.*

G. L. (Ter. Ed.), 71, new § 13C, added.

Teaching of Polish language in public schools.

An Act relative to voting rights under general or blanket policies of accident or health insurance. *Chap.* 403

Be it enacted, etc., as follows:

Section 1. Subdivision (1) of the second paragraph of section one hundred and ten of chapter one hundred and seventy-five of the General Laws, as most recently amended by section one of chapter five hundred and thirty-two of the acts of nineteen hundred and forty-three, is hereby further amended by inserting after the word "life" in the

G. L. (Ter. Ed.), 175, § 110, etc., amended.