

uted one half as if one had survived and one half as if the other survived. Where more than two joint tenants have died and there is no sufficient evidence that they died otherwise than simultaneously the property so held shall be divided into as many equal shares as there were joint tenants and the share allocable to each shall be distributed as if he had survived all the others.

Section 4. Where the insured and the beneficiary in a policy or contract of life or endowment insurance or insurance against accident have died and there is no sufficient evidence that they have died otherwise than simultaneously the proceeds of the policy or contract shall be payable as if the insured had survived the beneficiary.

Same subject.
Insurance beneficiaries.

Section 5. This chapter shall not apply to a will, living trust or deed wherein provision has been made for distribution different from the distribution under this chapter, or to a policy or contract of insurance wherein provision has been made for payment of its proceeds different from such payment under this chapter.

Disposition of property by will or trust, etc., not affected.

Section 6. This chapter shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those states which enact it.

Construction, etc.

Section 7. If any of the provisions of this chapter or the application thereof to any persons or circumstances is held invalid such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or application, and to this end the provisions of this chapter are declared severable.

Provisions of chapter severable.

Section 8. This chapter may be cited as the Uniform Simultaneous Death Law.

Citation of chapter.

SECTION 2. This act shall not apply to the distribution of the property of a person who has died before it takes effect, or to the distribution of property passing under an instrument, other than a will, executed before it takes effect.

When act does not apply.

Approved July 29, 1941.

AN ACT PROVIDING FOR THE ACQUISITION BY THE COMMONWEALTH FOR ARMORY PURPOSES OF A CERTAIN PARCEL OF LAND IN THE CITY OF LOWELL.

Chap. 550

Be it enacted, etc., as follows:

Subject to the approval of the governor and council, the armory commission is hereby authorized and directed to acquire, for the purpose of increasing the facilities of the state armory in the city of Lowell, the parcel of land in said city bounded and described as follows:— Northerly by Westford street, ninety-two feet; easterly by land now or formerly of the commonwealth of Massachusetts, one hundred and ninety-two and seventeen one hundredths feet; southerly by land now or formerly of one Butterfield, ninety-two and one tenth feet; and westerly by land now or formerly of one Burnham, one hundred and eighty-eight and thirty-

three one hundredths feet, more or less. For said purposes the armory commission may expend such sum, not exceeding two thousand dollars, as may hereafter be appropriated therefor.

Approved July 29, 1941.

Chap.551 AN ACT AUTHORIZING THE TOWN OF WELLESLEY TO USE FOR THE PURPOSES OF A PUBLIC WAY CERTAIN PARK LANDS IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Wellesley is hereby authorized to use, for the purposes of a public way to relieve traffic conditions in Wellesley Hills square, so called, so much of its park lands lying between Worcester street and Washington street, adjoining the property now known as the Clock Tower, formerly known as Elm park, acquired by purchase on October sixteenth, nineteen hundred and eight, from Georgianna S. Livermore, as the town may by vote determine.

Approved July 29, 1941.

Chap.552 AN ACT AUTHORIZING THE APPOINTMENT OF A RECREATION COMMISSION IN THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Brookline are hereby authorized and empowered to appoint a recreation commission consisting of five persons, which commission shall have the powers and perform the duties specified in section fourteen of chapter forty-five of the General Laws for an elected recreation commission. The members of said commission first appointed hereunder shall hold office for terms of one, two, three, four and five years, respectively, from the first Monday of May next following their appointment and until the qualification of their respective successors; and thereafter the selectmen shall annually, before the first Monday in May, appoint one member of such commission for a term of five years from said first Monday in May. Vacancies in such commission shall be filled in like manner for the residue of the unexpired term. The members of such commission shall serve without compensation. They may be removed by the selectmen for cause.

SECTION 2. This act shall take full effect upon its acceptance by the town of Brookline by a majority vote of the town meeting members present and voting thereon at a limited town meeting called for the purpose within one year of the passage of this act, but not otherwise.

Approved July 29, 1941.