

said membership, and shall be held in the ward or town within the senatorial district which cast the highest vote at the preceding biennial state election for the political party candidate for governor.

Said convention shall elect from among its members a chairman and a secretary and shall make suitable rules for the conduct of its business. Each ward and town committee represented at such convention shall be entitled to one vote and one additional vote for every fifteen hundred votes or major fraction thereof above the first fifteen hundred votes cast at the preceding biennial state election in such ward or town for the political party candidate for governor.

Every certificate of nomination of a candidate endorsed for nomination by such a convention shall state that the nominee has been endorsed by such convention, and shall include such facts as are required by section eight. Such certificate shall be signed, sworn to and filed with the state secretary as required by section five.

Each candidate endorsed by such a convention shall within ten days from the day when the convention terminates file with the state secretary his written acceptance of the nomination, otherwise his name shall not be printed on the ballot as a candidate for member of the state committee for which he was nominated. Such candidate may not withdraw such acceptance.

The names of any candidates endorsed as herein provided shall be placed first on the primary ballot in alphabetical order according to their surnames, and the names of other candidates for election as members of the state committee from the senatorial district from which they are candidates shall follow in such order. Against the name of each such endorsed candidate shall be printed the words "Endorsed by Ward Committees", "Endorsed by Town Committees" or "Endorsed by Ward and Town Committees", as the case may be.

*Approved June 7, 1938.*

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AN ACT PROVIDING FOR MODIFICATION OF THE TERMS AND CONDITIONS UNDER WHICH THE BOSTON ELEVATED RAILWAY COMPANY HAS BEEN GRANTED THE USE OF CERTAIN SUBWAY PREMISES AND EQUIPMENT AND MAKING CERTAIN CHANGES RELATIVE TO PAYMENTS IN CONNECTION WITH SUCH USE. *Chap. 398*

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

SECTION 1. Section seven of Part II of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as affected by chapter one hundred and fifty-nine of the acts of nineteen hundred and thirty-seven, is hereby amended by striking out, in the thirty-fourth and in the forty-fifth lines, the word "June" and inserting in place thereof, in each instance, the word: — March, — and by striking out, in the thirty-second line, the word "July"

and inserting in place thereof the word: — April, — so as to read as follows: — *Section 7.* No construction work shall be done under Part II of this act, however, unless and until a plan therefor shall be approved by the commission of the department of public utilities and the mayor of the city and unless and until a contract between the city and the company shall have been executed for the sole and exclusive use by the company of the premises and equipment for a term beginning with the use thereof and ending upon the termination of the lease or contract for use as at present extended of the Boylston street subway. Any plan so approved may be altered at any time by a new plan approved in like manner except that after the execution of said contract for use no such alteration shall be made without the consent thereto of the company in writing nor at any time except with the approval of said emergency finance board, the governor and such approvals as may be required under the provisions of the National Industrial Recovery Act or regulations made thereunder. The contract shall be in the same general form as that authorized by said chapter four hundred and eighty, except in so far as any other provision may be agreed upon by the department and the company as specially applicable to the demised premises. The net cost of the premises and equipment shall be determined in the manner provided in said chapter four hundred and eighty, except that there shall be deducted from the amount so determined all amounts received by the city as direct grants, or by remission of bonds or other obligations, or in any manner or form whatsoever amounting in substance directly or indirectly to a contribution to the cost of the premises and equipment under the National Industrial Recovery Act. The rental shall be payable annually on the twenty-fifth day of April in each year. Such contract for use shall provide that the company shall pay to the city for each full year ending with the last day of March, and ratably for any portion of the year, an annual rental which shall be sufficient to provide an amount equal to one half of one per cent of the net cost of the premises and equipment in addition to the annual amount of interest on bonds issued to pay for said net cost, but not less than four and one half per cent of said net cost in any event; provided, however, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of March the amount originally established; provided, however, that such excess shall be determined and the obligation to pay the rental shall accrue only after deducting from said reserve fund the full amount of the rental payable under any contracts executed under the authority of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five as amended and after fully reimbursing the commonwealth as provided in sections eleven and thirteen of said chapter

one hundred and fifty-nine. If by virtue of the foregoing provisos the company is not required to make the full rental payment as above provided for the premises and equipment authorized by this act, the city shall place any amounts so unpaid in its next ensuing tax levy.

SECTION 2. The acceptance of this act by the Boston Elevated Railway Company and the city of Boston, as hereinafter provided, shall constitute an agreement on the part of the city and the company to execute a contract modifying, in accordance with the provisions of this act, the existing contract between the city and the company for the use by the company of the premises and equipment authorized to be acquired, constructed and provided pursuant to the provisions of Part II of said chapter three hundred and sixty-six.

SECTION 3. This act shall take effect upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary; provided, that such acceptances, approval and filing occur during the current year. *Approved June 7, 1938.*

AN ACT RELIEVING THE CITY OF QUINCY AND THE TOWNS OF BRAintree AND WEYMOUTH FROM THE OBLIGATION OF PAYING THE COMPENSATION OF THE DRAW-TENDERS EMPLOYED AT THE NEW HIGH LEVEL BRIDGE OVER THE WEYMOUTH FORE RIVER. Chap. 399

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

Section four of chapter three hundred and forty-eight of the acts of nineteen hundred and thirty-three is hereby amended by striking out all after the word "highway", in the sixth line, — so as to read as follows: — *Section 4.* When the work authorized herein shall have been completed, any new location of the Fore River Railroad Corporation established hereunder shall be conveyed to it by the commonwealth, and the permanent bridge referred to in section one, with its abutments and draw, shall become and be maintained as a state highway. *Approved June 7, 1938.*

AN ACT REGULATING APPEALS TO THE ALCOHOLIC BEVERAGES CONTROL COMMISSION BY PERSONS AGGRIEVED BY THE ACTION OF THE LOCAL LICENSING AUTHORITIES. Chap. 400

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

Section sixty-seven of chapter one hundred and thirty-eight of the General Laws, as most recently amended by section forty-two of chapter four hundred and forty of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting after the word "period" in the ninth line the following: —, upon petition in writing, setting

G. L. (Ter. Ed.), 138, § 67, etc., amended.