

Penalty for destruction or injury of any drainage or sewerage work, etc.

SECTION 4. No person shall destroy or injure any drainage or sewerage work of said town, or without lawful authority pollute any natural water course in said town, or put or maintain any obstruction therein. Whoever violates any provision of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than three months, or both.

SECTION 5. This act shall take effect upon its passage.
Approved February 14, 1933.

Chap. 21

Emergency preamble.

AN ACT RELATIVE TO MARRIAGE CERTIFICATE FEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, 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.), 262, § 34, amended.

Section thirty-four of chapter two hundred and sixty-two of the General Laws, as appearing in the Tercentenary Edition thereof, is hereby amended by striking out, in the fourth line, the words "one dollar" and inserting in place thereof the words:—two dollars,—so as to read as follows:—*Section 34.* The fees of town clerks shall be as follows:

Fees of town clerks.

For entering notice of an intention of marriage and issuing the certificate thereof, and for entering the certificate of marriage which is filed by persons married out of the commonwealth, two dollars, which shall be paid at the time of such entry or filing.

For a certificate of a birth or death, twenty-five cents.

Approved February 14, 1933.

Chap. 22

AN ACT EMPOWERING THE UNITED HEBREW BENEVOLENT ASSOCIATION OF BOSTON TO TRANSFER ITS PROPERTY TO THE ASSOCIATED JEWISH PHILANTHROPIES, INC.

Be it enacted, etc., as follows:

United Hebrew Benevolent Association of Boston may transfer its property to the Associated Jewish Philanthropies, Inc.

SECTION 1. The United Hebrew Benevolent Association of Boston, incorporated under general law, is hereby empowered to transfer, assign, set over, and convey all funds and property held by it to the Associated Jewish Philanthropies, Inc., incorporated under general law, and the said Associated Jewish Philanthropies, Inc. is hereby empowered to receive the same and to hold, manage and dispose of all such funds and property charged with any trust, upon the same trusts, uses and purposes as if the same had continued to be held by the said United Hebrew Benevolent Association of Boston for the fulfillment of the charitable purposes of said corporation.

Power granted to be exercised only in conformity with decree, etc.

SECTION 2. The power hereby granted shall be exercised only in conformity with such a decree, if any, of the supreme judicial court, sitting in equity for the county of Suffolk,

as may be entered within one year after the passage of this act.

SECTION 3. This act shall not take effect until it shall have been accepted by the votes of the board of directors, or the officers having the powers of directors, of each of said corporations and copies of the respective votes of acceptance shall have been filed with the secretary of the commonwealth.

Effective upon acceptance, etc.

Approved February 14, 1933.

AN ACT RELATIVE TO GUARANTY CAPITAL OF CERTAIN DOMESTIC MUTUAL INSURANCE COMPANIES.

Chap. 23

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-five of the General Laws, as appearing in the Tercentenary Edition thereof, is hereby amended by striking out section seventy-nine and inserting in place thereof the following: —
Section 79. A mutual fire company may, at the time of its formation or, if two thirds of the votes of its policyholders cast at a meeting duly called for the purpose are recorded in favor of such action, at any time after its formation, establish a guaranty capital of not less than twenty-five thousand nor more than two hundred thousand dollars, divided into shares of a par value of one hundred dollars each, to be invested as provided by this chapter for the investment of the capital stock of domestic stock companies. Any such company may, at any time by a like vote and with the written approval of the commissioner, increase said guaranty capital to an amount not exceeding two hundred thousand dollars. The holders of shares of guaranty capital shall be entitled to a semi-annual dividend of not more than three and one half per cent on their respective shares if the net profits or unused premiums, left after all expenses, losses and liabilities then incurred, with the reserve for reinsurance, are provided for, shall be sufficient to pay the same. Shareholders and members of such companies shall, except as otherwise provided herein, be subject to the same provisions of law relative to their right to vote as apply respectively to shareholders in stock companies and policyholders in mutual fire companies. The guaranty capital shall be applied to the payment of losses only when the company has exhausted its assets, exclusive of uncollected premiums; and when thus impaired, the directors may make good the whole or any part of it by assessments upon the contingent funds of the company at the date of such impairment. Such guaranty capital shall be retired by the directors of the company at par when the profits accumulated under section eighty equal two per cent of its insurance in force; and such guaranty capital may, upon the recording in favor of such action of two thirds of the votes cast at a meeting duly called for the purpose and with the written approval of the

G. L. (Ter. Ed.), 175, § 79, amended.

Guaranty capital of certain domestic mutual insurance companies.