

SENATE No. 132.

Commonwealth of Massachusetts.

IN SENATE, April 2, 1875.

The Committee on the Judiciary, to whom was committed the Bill to encourage the planting of shade-trees, laying out and ornamenting parks, and erecting and maintaining drinking-fountains for domestic animals, report that the Bill ought to pass.

For the Committee,

H. FULLER.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Five.

AN ACT

To encourage the planting of Shade-Trees, laying out and ornamenting Parks, and erecting and maintaining Drinking-fountains for domestic animals.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

1 SECT. 1. The trustees of any savings bank are
2 hereby appointed and made trustees of funds
3 deposited in said bank for any of the hereinafter
4 named purposes; said funds shall be placed upon
5 interest in said bank, and the interest and divi-
6 dends arising from said funds shall be paid semi-
7 annually to such town or city authorities as may
8 be designated by the donors or testators of said
9 fund; said interest and dividends to be expended
10 by such town or city authorities, within the pre-
11 cincts of such town or city, in setting out shade-
12 trees in streets and parks and in otherwise im-

13 proving the same, and in purchasing land for
14 parks and improving the same, and in erecting
15 and maintaining drinking-fountains in public
16 places for domestic animals; no part of the prin-
17 cipal of said funds, however, shall be expended,
18 and it shall be exempt from attachment or levy on
19 execution; and the interest and dividends shall be
20 expended as aforesaid.

1 SECT. 2. The funds held in accordance with
2 this act shall be known as the "Shade-Tree
3 Fund," and the treasurer of any savings bank in
4 which said funds are deposited shall give a certifi-
5 cate of gift to each donor of such funds, and shall
6 send by mail, or deliver, in the month of January
7 every third year after the first deposit, to the
8 mayor of any city or the chairman of the select-
9 men of any town for whose benefit funds have
10 been so deposited, a written statement, signed by
11 such treasurer, of the amount of funds on deposit
12 for said city or town for the purposes aforesaid,
13 and said statement shall be recorded in full in the
14 office of the clerk for said city or town.

1 SECT. 3. In case any savings bank holding
2 such funds shall surrender its charter or cease
3 to do business, the supreme judicial court is here-
4 by authorized to order said funds transferred and
5 deposited in some other savings bank, upon the
6 same trusts as aforesaid; and if the laws author-
7 izing such banks shall be repealed, said court is
8 hereby authorized to order said funds transferred
9 and deposited in such banking institution as said

10 court may deem proper and for the best interest of
11 said funds, and to be by it held upon the trusts
12 aforesaid.

1 SECT. 4. This act shall take effect on its
2 passage.