

caster shall not enter upon, construct or lay any pipes, conduits, mains, aqueducts or other works hereunder within the location of any railroad corporation except at such times and in such manner as it may agree upon with such corporation or, in case of failure so to agree, as may be approved by the department of public utilities.

*Approved May 25, 1936.*

AN ACT EXTENDING THE TERM OF OFFICE OF THE MILK CONTROL BOARD. Chap.300

*Whereas*, The deferred operation of this act would defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

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

Chapter three hundred and seventy-six of the acts of nineteen hundred and thirty-four is hereby amended by striking out section twenty-two and inserting in place thereof the following: — *Section 22.* The board shall continue with all the duties and responsibilities prescribed and imposed by this act until June thirtieth, nineteen hundred and thirty-eight, and thereafter only if and during such period of time as the governor, after investigation, shall declare that the emergency still exists. On and after the date when this act ceases to be operative any and all obligations which shall have arisen prior to such date or which may arise thereafter in connection therewith, and any violations which shall have occurred prior to such date, shall be deemed not to be affected, terminated or waived by reason of the fact that this act has ceased to be operative.

*Approved May 26, 1936.*

AN ACT RELATIVE TO THE REFUNDING OF CONTRIBUTIONS OF MEMBERS AND FORMER MEMBERS OF ANY COUNTY RETIREMENT ASSOCIATION AND TO THE PAYMENT OF CERTAIN BENEFITS FROM THE FUNDS OF SUCH AN ASSOCIATION, IN CASE OF THEIR DECEASE. Chap.301

*Whereas*, The deferred operation of this act would tend to defeat its purpose, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

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

SECTION 1. Section twenty-five of chapter thirty-two of the General Laws is hereby amended by striking out paragraph (2) A (b), as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: — G. L. (Ter. Ed.), 32, § 25, amended.

(b) Should a member or a former member of the association die before becoming entitled to a pension, all the money contributed by him under section twenty-four (2) A, with Refunds.

such interest as shall have been earned thereon, shall be paid to his legal representatives, subject to paragraph (2) *F* of this section.

G. L. (Ter. Ed.), 32, § 25, further amended.

SECTION 2. Said section twenty-five of said chapter thirty-two is hereby further amended by striking out paragraph (2) *B* (b), as so appearing, and inserting in place thereof the following new paragraph: —

Annuities.

(b) A life annuity of less amount, payable monthly, with the provision that if the annuitant dies before receiving annuity payments equal to the amount used to purchase the annuity, the difference shall be paid to his legal representatives, subject to paragraph (2) *F* of this section.

G. L. (Ter. Ed.), 32, § 25, further amended.

SECTION 3. Said section twenty-five of said chapter thirty-two, as so appearing, is hereby further amended by adding at the end the following new paragraph: —

Payments to beneficiaries of deceased members, regulated.

*F*. Any sum of money otherwise payable to the legal representatives of a deceased member or former member under paragraph (2) *A* (b) or (2) *B* (b) of this section shall be paid, subject to the following conditions, to the beneficiary or beneficiaries nominated as hereinafter provided, if any, surviving at the death of such member or former member, as appearing in the records of the association at his death, and such payment or payments shall bar the recovery by any other person of such sum. Any such member, by a written instrument duly executed by him and filed with the board prior to his death, upon a form to be furnished by the board, may nominate, and from time to time change, one or more beneficiaries to receive, in designated proportion, but not in the alternative, any such sum; and any such person so nominated by a minor shall be of his kindred. The sum which would have been paid to any beneficiary if he had survived such member or former member shall be paid to the legal representatives of such member or former member, subject to the conditions hereinafter provided in this paragraph. Any question arising hereunder as to survivorship shall be finally determined by the board. If any sum otherwise payable to the legal representatives of a member or former member under paragraph (2) *A* (b) or (2) *B* (b) of this section and under this paragraph does not exceed one hundred dollars, and if there has been no demand upon the board for payment of such sum by a duly appointed executor or administrator of the estate of such member or former member, and the board has not otherwise been informed that probate proceedings relative to such estate have been commenced, such sum may be paid, after the expiration of three months from the date of death of such member or former member, to the persons appearing, in the judgment of the board, to be entitled thereto, and such payments shall bar recovery by any other person.

G. L. (Ter. Ed.), 32, § 33, amended.

SECTION 4. Section thirty-three of said chapter thirty-two, as so appearing, is hereby amended by inserting after the word "inclusive" in the third line the following: — , and sections twenty to twenty-five, inclusive, — so as to read as

follows: — *Section 33.* Should there be due to the estate of a deceased member of any of the retirement associations established under the preceding sections, except sections one to five, inclusive, and sections twenty to twenty-five, inclusive, any sum of money payable from the funds of the association, the same shall be paid to his legal representatives; provided, that if the sum so due does not exceed three hundred dollars if due from the funds of the teachers' retirement association, or one hundred dollars if due from the funds of any other such association, and there has been no demand therefor by a duly appointed executor or administrator, payment may be made, after the expiration of three months from the date of the death of such member, to the persons appearing, in the judgment of the board, to be entitled thereto, and such payment shall be a bar to recovery by any other person.

Payments to beneficiaries of deceased members of city or town retirement systems.

*Approved May 28, 1936.*

AN ACT RELATIVE TO THE ISSUANCE OF LICENSES TO CARRY A PISTOL OR REVOLVER FOR THE PURPOSE OF TARGET PRACTICE AND RELATIVE TO THE CONTENTS OF LICENSES TO CARRY SUCH A WEAPON OR TO POSSESS A MACHINE GUN.

*Chap. 302*

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

Chapter one hundred and forty of the General Laws is hereby amended by striking out section one hundred and thirty-one, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 131.* The justice of a court or a trial justice, the board of police or mayor of a city, the selectmen of a town or the commissioner of public safety, or persons authorized by them, respectively, may, upon the application of any person residing or having a place of business within their respective jurisdictions, except an alien, a person who has been convicted of a felony or of the unlawful use or sale of drugs or a minor other than one fifteen years of age or over in the employ of a bank, public utility corporation or business of a similar nature whose application is endorsed by his employer, issue a license to such applicant to carry a pistol or revolver in the commonwealth or to possess therein a machine gun, if it appears that he is a suitable person to be so licensed and that he has good reason to fear an injury to his person or property or for any other proper purpose, and the carrying of a pistol or revolver for use for target practice only shall be held to be a proper purpose aforesaid. Such license shall be issued for a term not to exceed one year, but may be for a less period, and all such licenses shall be revocable at the will of the person or body issuing the same, who shall forthwith send written notice of such revocation to the commissioner of public safety. Said licenses shall be issued on forms furnished by said commissioner. Said form shall contain blank spaces to be filled in with the following information relat-

G. L. (Ter. Ed.), 140, § 131, amended.

License to carry pistol, etc.