

to be done for the purpose of carrying into full effect the provisions and purposes of this act.

SECTION 7. It shall be the duty of the trustees to safely and securely invest, or to hold invested, the trust funds derived under said will or otherwise, and they shall have regard at all times to all the provisions of said will affecting said trust and the desire of the testator as expressed therein.

SECTION 8. Nothing in this act contained shall be held to alter or impair any trust created by said will. The corporation hereby created, acting through its trustees and proper officers, shall be deemed the agent of said town of Weymouth for the proper execution of all trusts arising under the provisions of said will. Nothing in this act contained shall be construed as releasing the town of Weymouth from any obligation arising from the acceptance of said bequest under said will or from any condition made therein. The said Allan C. Emery is hereby authorized and empowered to prescribe the time and place for the holding of the first meeting of said trustees and to notify them thereof.

SECTION 9. Chapter four hundred and four of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 10. This act shall take full effect upon its acceptance by a majority of the town meeting members of the town of Weymouth present and voting thereon at a meeting legally called for this purpose not later than five years after the date of the passage of this act, but not otherwise.

*Approved April 26, 1946.*

**Chap. 247** AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO RETIRE HARRY A. PENNIMAN ON HALF PAY.

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

SECTION 1. The city of Cambridge is hereby authorized to retire Harry A. Penniman, who has been election commissioner of said city continuously since the year nineteen hundred and twenty, and to pay to him a pension equal to one half of the salary received by him as such commissioner in the year nineteen hundred and forty-five. The retiring authority under this act shall be the city manager.

SECTION 2. This act shall take effect upon its passage.

*Approved April 29, 1946.*

**Chap. 248** AN ACT RELATIVE TO A FIFTH ASSISTANT CLERK OF COURTS FOR THE COUNTY OF MIDDLESEX.

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

SECTION 1. Chapter two hundred and twenty-one of the General Laws is hereby amended by striking out section four, as most recently amended by section one of chapter three hundred and thirty-six of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section: — *Section 4.* The justices of the supreme judicial

G. L. (Ter. Ed.), 221, § 4, etc., amended.

court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

For the county of —

Barnstable, an assistant;

Bristol, an assistant, and a second assistant;

Essex, an assistant, a second assistant, a third assistant, a fourth assistant and a fifth assistant;

Hampden, an assistant, a second assistant and, subject to the approval of the county commissioners, a third assistant;

Middlesex, an assistant, a second assistant, a third assistant, a fourth assistant and a fifth assistant;

Norfolk, an assistant;

Plymouth, an assistant;

Suffolk, an assistant of the supreme judicial court;

Worcester, an assistant, a second assistant, a third assistant and a fourth assistant.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

SECTION 2. This act shall take effect upon its passage.

*Approved April 29, 1946.*

AN ACT ESTABLISHING THE AUTHORITY OF THE TRUSTEES OF THE CUSHING ACADEMY TO BORROW MONEY AND TO MORTGAGE REAL ESTATE AS SECURITY THEREFOR. Chap. 249

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

The Trustees of the Cushing Academy, a corporation incorporated by chapter two hundred and sixty-five of the acts of eighteen hundred and sixty-five, is hereby authorized and empowered for the purposes set forth in said act to borrow money from time to time to an amount not in excess of three hundred thousand dollars, and said corporation is hereby authorized and empowered to mortgage real estate owned by it and situated in the town of Ashburnham as security for any such loan or loans.

*Approved April 29, 1946.*

AN ACT TO BROADEN THE LAWS RELATIVE TO THE ISSUANCE OF PARTICIPATING POLICIES BY FOREIGN STOCK INSURANCE COMPANIES AUTHORIZED TO TRANSACT BUSINESS WITHIN THE COMMONWEALTH, BY PROVIDING THAT SUCH COMPANIES MAY ISSUE SUCH POLICIES IF AUTHORIZED TO DO SO BY THE LAWS OF THEIR STATE OR GOVERNMENT. Chap. 250

*Whereas*, The deferred operation of this act would tend to defeat its purpose by depriving the people of this commonwealth of the opportunity of obtaining forthwith from certain insurance companies participating policies of insurance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.