

By Mr. Finkelstein of Boston, petition of James M. Curley, mayor, relative to certain legal proceedings under the zoning law of the city of Boston. Judiciary (Joint).

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-One.

An Act relative to Certain Legal Proceedings under the Zoning Law of the City of Boston.

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

1 SECTION 1. Section nineteen of chapter four
2 hundred and eighty-eight of the acts of nineteen
3 hundred and twenty-four, as amended by section
4 eleven of chapter two hundred and nineteen of the
5 acts of nineteen hundred and twenty-five and section
6 one of chapter three hundred and fifty of the acts
7 of nineteen hundred and twenty-six, is hereby fur-
8 ther amended by adding at the end thereof the
9 following new paragraphs:—

10 Upon motion by any of the parties to said
11 certiorari proceedings the court may in its discre-
12 tion, at any stage of the proceedings, order the
13 petitioner to give bond with such sureties and in
14 such amount as the court may decide to indemnify
15 the owner of premises in whose favor the decision
16 of the board was made against the loss and damage
17 caused by the proceeding. The court, in fixing the

18 amount of such bond, shall consider all the circum-
19 stances of the case and make it in such sum as seems
20 reasonable, whether it will fully indemnify said
21 owner or not. Such order for a bond should fix
22 the time within which the bond shall be filed and
23 if no bond shall be filed within the time so fixed,
24 the petitioner shall be deemed to have waived any
25 further right to the action.

26 The owner of the premises in whose favor the
27 decision of the board was made may, upon motion,
28 be admitted as party respondent in the action.

29 The petitioner filing the writ of certiorari shall on
30 the same day file a lis pendens in the registry of
31 deeds, giving a brief description of the premises
32 affected by the proceeding and the names of the
33 record owners thereof.

34 Under the entry of any case brought under the
35 provisions of this section the court shall, at the
36 request of either party, advance the case, so that
37 it may be heard and determined with as little delay
38 as possible.

1 SECTION 2. Section twenty of said chapter four
2 hundred and eighty-eight, as amended by section
3 twelve of said chapter two hundred and nineteen of
4 the acts of nineteen hundred and twenty-five, sec-
5 tion two of said chapter three hundred and fifty of
6 the acts of nineteen hundred and twenty-six and
7 section six of chapter two hundred and twenty of
8 the acts of nineteen hundred and twenty-seven, is
9 hereby further amended by adding at the end
10 thereof the following: —

11 Upon motion of any of the parties in said
12 certiorari proceedings the court may, in its discre-

13 tion, at any stage of the proceedings order the
14 petitioner to give bond with such sureties and in
15 such amount as the court may decide to indemnify
16 the owner of premises in whose favor the decision
17 of the board was made against loss and damage
18 caused by the proceedings. The court, in fixing
19 the amount of such bond, shall consider all the
20 circumstances of the case and make it in such sum
21 as seems reasonable, whether it will fully indemnify
22 said owner or not. Such order for a bond shall
23 fix the time within which the bond shall be filed
24 and if no bond shall be filed within the time so
25 fixed, the petitioner shall be deemed to have waived
26 any further right to the action.

27 The owner of the premises in whose favor the de-
28 cision of the board was made may, upon motion, be
29 admitted as party respondent in the action.

30 The petitioner filing the writ of certiorari shall,
31 on the same day, file a lis pendens in the registry
32 of deeds, giving a brief description of the premises
33 affected by the proceeding and the names of the
34 record owners thereof.

35 Under the entry of any case brought under the
36 provisions of this section the court shall, at the re-
37 quest of either party, advance the case so that it
38 may be heard and determined with as little delay
39 as possible.

1 SECTION 3. This act shall take effect upon its
2 passage.

The first part of the paper is devoted to a general discussion of the problem of the origin of life. It is shown that the origin of life is a problem of the first importance, and that it is one of the most interesting and important problems of the present day. The author discusses the various theories of the origin of life, and shows that the most plausible is the theory of spontaneous generation. He then discusses the evidence in favor of this theory, and shows that it is supported by the facts of the case. The second part of the paper is devoted to a discussion of the evidence in favor of the theory of spontaneous generation. It is shown that the evidence is of a very convincing nature, and that it is supported by the facts of the case. The author discusses the various experiments which have been conducted, and shows that they all support the theory of spontaneous generation. He then discusses the various objections which have been raised against this theory, and shows that they are all unavailing. The third part of the paper is devoted to a discussion of the evidence in favor of the theory of spontaneous generation. It is shown that the evidence is of a very convincing nature, and that it is supported by the facts of the case. The author discusses the various experiments which have been conducted, and shows that they all support the theory of spontaneous generation. He then discusses the various objections which have been raised against this theory, and shows that they are all unavailing.