

AN ACT RELATIVE TO PROCEEDINGS FOR DIVORCE.

*Chap.390*

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

Any justice of the superior court may, if he deems it advisable, appoint an attorney to investigate and report to the court in relation to any suit for divorce or any suit to have a marriage declared void, and may direct such attorney, or any other attorney, to defend the suit. The attorney may be appointed either before or after a decree of divorce nisi has been granted, and may enter objections to such decree nisi becoming absolute in the same manner as the libellee. The compensation for his services shall be fixed by the court, and shall be paid by the county in which the suit is pending, together with any expenses approved by the court, upon certificate by a justice thereof to the county treasurer. The district police, local police and probation officers shall assist the attorney so appointed, if he requests their assistance. *Approved May 8, 1907.*

Investigation and report relative to suit for divorce, etc.

Compensation of attorney.

AN ACT TO AUTHORIZE THE BOARD OF RAILROAD COMMISSIONERS TO PERMIT THE CONNECTION OF CERTAIN SIDINGS WITH THE TRACKS OF THE BOSTON AND MAINE RAILROAD IN THE CITY OF EVERETT.

*Chap.391*

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

SECTION 1. The board of railroad commissioners shall have authority, upon the petition of the owners of that parcel of land situated in the city of Everett, in the county of Middlesex, known as the New England Gas and Coke Company property, after due notice and a hearing, if they find it consistent with public safety and with the proper operation of the railroads hereinafter referred to, to require the construction of such crossing or cross-over upon, under or over the location of either or both of the railroad companies whose locations are adjacent to said property, in such manner as will permit the owners of said property to connect their sidings with the tracks of the Boston and Maine Railroad, and to prescribe the manner and limits of such construction; to determine by whom the work shall be done and who shall pay the expense thereof, or to apportion the expense thereof between the railroad companies and the said owners; to determine the manner and conditions in and under which said cross-

Connection of certain railroad sidings in the city of Everett.

Apportionment by a jury.

ing or cross-over may be used and the compensation, if any, to be paid for such use. If either of the said railroad companies or the said owners be dissatisfied or aggrieved by the finding of the railroad commissioners in the apportionment of the expenses of said crossing or cross-over, or in determining the compensation to be paid for the use thereof, they may, at any time within thirty days after such finding, apply by petition to the superior court to have the same apportioned or determined by a jury in the manner provided in section one hundred and nine of chapter forty-eight of the Revised Laws, so far as the provisions thereof may be applicable.

Authority of railroad commissioners.

SECTION 2. The railroad commissioners shall have authority from time to time upon petition of any party in interest, after due notice and a hearing, to revise, amend or revoke any finding or order made by them under authority of this act.

Authority of supreme judicial court.

SECTION 3. The supreme judicial court shall have authority on the petition of any party in interest to enforce compliance with any order made by the board of railroad commissioners in the premises. *Approved May 8, 1907.*

*Chap. 392* AN ACT TO INCREASE THE PENALTY IMPOSED ON A RAILROAD OR STREET RAILWAY CORPORATION FOR LOSS OF LIFE THROUGH ITS NEGLIGENCE.

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

1906, 463, § 63, Part I, amended.

SECTION 1. Section sixty-three, Part I, of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six is hereby amended by striking out the word "gross", in the third line, by striking out the words "five thousand", in the eighth and twenty-first lines, and inserting in place thereof in each case the words: — ten thousand, — and by striking out the words "in the same manner and to the same extent", in the thirty-first and thirty-second lines, and inserting in place thereof the words: — in the sum of not less than five hundred nor more than five thousand dollars, in the same manner, — so as to read as follows: — *Section 63.* If a corporation which operates a railroad or a street railway, by reason of its negligence or by reason of the unfitness or negligence of its agents or servants while engaged in its business, causes the death of a passenger, or of a person who is in the exercise of due care and who is not a passenger or in

Penalty on corporation for loss of life through negligence, etc.