

child is under the age of eighteen or over said age and physically or mentally incapacitated from earning; and, if there is any such child and no widow or the widow later dies, such an annuity as would have been payable to the widow had there been one or had she lived, to or for the benefit of such child, or of such children in equal shares, during the time aforesaid; and, if there is any such child and the widow remarries, in lieu of the aforesaid annuity to her, an annuity not exceeding two hundred and sixty dollars to or for the benefit of each such child during the time aforesaid; and, if there is no widow and no such child, an annuity not exceeding one thousand dollars to or for the benefit of the father or mother of the deceased if dependent upon him for support at the time of his death, during such time as such beneficiary is unable to support himself or herself and does not remarry. The total amount of all such annuities shall not exceed the annual rate of compensation received by such deceased officer at the date of his death, except that if he was a call officer, said total amount shall not exceed the annual rate of compensation payable to a permanent officer of said police department for the first year of service therein. The amount of any such annuity shall, from time to time, be determined within the limits aforesaid by the said commission. The provisions of this and the two preceding sections as to pensions or annuities for disability or death resulting from injuries received in the performance of duty shall apply to officers assigned to duty under the commissioner of public safety as provided in section four of chapter one hundred and forty-seven.

Total amount, except, etc.

Determination of amount, etc.

Application of act.

SECTION 3. This act shall apply to deaths of reserve, special or call policemen and reserve or call firemen occurring on or after January first, nineteen hundred and thirty.

*Approved June 4, 1931.*

*Chap. 386* AN ACT RELATIVE TO THE USE OF ANSWERS TO INTERROGATORIES IN CASE OF THE DEATH OF THE PARTY INTERROGATED.

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

Chapter two hundred and thirty-three of the General Laws is hereby amended by inserting after section sixty-five the following new section: — *Section 65A.* If a party to an action or suit who has filed answers to interrogatories under sections sixty-one to sixty-seven, inclusive, of chapter two hundred and thirty-one dies, so much of such answers as the court finds have been made upon the personal knowledge of the deceased shall not be inadmissible as hearsay or self-serving if offered in evidence in said action or suit by a representative of the deceased party.

*Approved June 4, 1931.*

G. L. 233, new section after § 65.

Use of answers to interrogatories in case of death of party interrogated.