

**Chap. 695.** AN ACT RELATIVE TO THE AUTHORITY OF JUSTICES OF DISTRICT COURTS, INCLUDING THE MUNICIPAL COURT OF THE CITY OF BOSTON, TO SIT IN THE SUPERIOR COURT ON MOTOR TORT CASES AND ON MISDEMEANORS IN CRIMINAL CASES.

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

SECTION 1. Chapter 212 of the General Laws is hereby amended by striking out section 14B, as most recently amended by section 18 of chapter 810 of the acts of 1963, and inserting in place thereof the following section: —

*Section 14B.* A justice of the district courts, including the municipal court of the city of Boston, shall, at the written request of the chief justice of the superior court, sit in the superior court at the trial or disposition with or without a jury in any part of the commonwealth of any motor vehicle tort action, or of any violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer, or of any misdemeanor except libel, and during the continuance of such request shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has an interest. No justice of the district courts other than the municipal court of the city of Boston shall so sit in the superior court as aforesaid unless his name appears on a list submitted to the chief justice of the superior court for the purpose of this section by the chief justice of the district courts or, in the case of a justice of the municipal court of the city of Boston, by the chief justice of said municipal court.

In the event that by reason of his physical or mental disability, death, resignation, retirement or removal any justice presiding at a trial pursuant to this section shall fail to sign or return exceptions taken at the trial, to make a report after he has reserved the case for report to the supreme judicial court, to enter a verdict or finding after reserving leave, with the assent of the jury, to do so, to set aside the verdict in a civil action and order a new trial, for a cause for which a new trial may by law be granted, or otherwise to exercise any of the powers and duties granted to him by this section in the disposition of such case, the chief justice of the superior court may assign any other justice authorized to sit in the superior court pursuant to this section, or any justice of the superior court, to have and exercise such powers and duties.

The chief justice of the superior court may arrange for the holding of such sessions for the trial and disposition of cases under the provisions of this section and for the attendance of such number of jurors therefor as the interests of justice and the prompt disposition of such cases may in his judgment require. Such sessions may be held simultaneously with other sessions of the superior court or at other times in the discretion of the chief justice.

SECTION 2. Any district court justice sitting in the superior court pursuant to the provisions of section two of chapter five hundred and thirty-five of the acts of nineteen hundred and sixty-one, as amended, at the trial of any case prior to the effective date of this act, shall continue thereafter, upon assignment by the chief justice of the superior

court, to have and exercise all the powers and duties granted to him by said chapter five hundred and thirty-five, as amended, in the disposition of such case.

*Approved September 6, 1966.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, September 8, 1966.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 695 of the Acts of 1966, entitled "An Act relative to the Authority of Justices of District Courts, including the Municipal Court of the City of Boston, to Sit In the Superior Court on Motor Tort Cases and on Misdemeanors in Criminal Cases." and the enactment of which received my approval on September 6, 1966, should take effect forthwith.

Postponement of the operation of this act would defeat its purpose which is to assist in making possible the prompt trial of cases in the Superior Court in certain cases.

Sincerely,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, September 9, 1966.

I, Kevin H. White, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and thirty minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and ninety-five of the acts of nineteen hundred and sixty-six.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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**Chap. 696.** AN ACT AUTHORIZING THE BOSTON HOUSING AUTHORITY TO CONTRACT WITH THE CITY OF BOSTON FOR THE POLICING OF BUILDINGS AND GROUNDS OF THE AUTHORITY.

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

Section 26N of chapter 121 of the General Laws, as appearing in section 1 of chapter 574 of the acts of 1946, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — So far as practicable, a housing authority shall make use of the services of the agencies, officers and employees of the city or town in which such an authority is organized and such city or town shall, if requested, make available such services, except, that, in the city of