

AN ACT RELATIVE TO COMPENSATION FOR OVERTIME SERVICE IN CERTAIN CASES BY POLICE OFFICERS OF THE CITY OF BOSTON. Chap. 426

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

SECTION 1. Notwithstanding the provisions of section thirteen of chapter two hundred and ninety-one of the acts of nineteen hundred and six, as amended, any police officer of the city of Boston who is required to perform any service beyond his regular established hours of service on primary day, election day or at any parade or while police listing, shall be compensated for such additional hours of service at the rate by the hour of his regular compensation.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved June 14, 1949.*

AN ACT RELATIVE TO ACTIONS FOR DEATH AND INJURIES RESULTING IN DEATH. Chap. 427

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

SECTION 1. Chapter 229 of the General Laws is hereby amended by striking out section 1, as amended by section 1 of chapter 506 of the acts of 1947, and inserting in place thereof the following: — *Section 1.* If the life of a person is lost by reason of a defect or a want of repair of or a want of a sufficient railing in or upon a way, causeway or bridge, the county, city, town or person by law obliged to repair the same shall, if it or he had previous reasonable notice of the defect or want of repair or want of railing, be liable in damages not exceeding one thousand dollars, to be assessed with reference to the degree of culpability of the defendant and recovered in an action of tort commenced within two years after the injury causing the death by the executor or administrator of the deceased person, to the use of the following persons and in the following shares: —

G. L. (Ter. Ed.), 229, § 1, etc., amended.

Damages for death from a defective way.

(1) If the deceased shall have been survived by a wife or husband and no children or issue surviving, then to the use of such surviving spouse.

(2) If the deceased shall have been survived by a wife or husband and by one child or by the issue of one deceased child, then one half to the use of such surviving spouse and one half to the use of such child or his issue by right of representation.

(3) If the deceased shall have been survived by a wife or husband and by more than one child surviving either in person or by issue, then one third to the use of such surviving spouse and two thirds to the use of such surviving children or their issue by right of representation.

(4) If there is no surviving wife or husband, then to the use of the next of kin.