

to defend the action, the said town may recover of the fire district, in addition to the damages, all costs of both plaintiff and defendant in the action.

SECTION 20. This act shall take effect upon its passage.

*Approved March 29, 1888.*

AN ACT TO ESTABLISH THE SALARY OF THE JUSTICE OF THE SECOND DISTRICT COURT OF SOUTHERN WORCESTER.

*Chap. 173*

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

SECTION 1. The salary of the justice of the second district court of southern Worcester, beginning with the first day of April, eighteen hundred and eighty-eight, shall be fourteen hundred dollars a year.

Salary of justice.

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

*Approved March 29, 1888.*

AN ACT TO AMEND AN ACT IN RELATION TO PENSIONING DISABLED MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF BOSTON, AND FOR OTHER PURPOSES.

*Chap. 174*

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

SECTION 1. Section one of chapter one hundred and seven of the acts of the year eighteen hundred and eighty is hereby amended so as to read as follows:— *Section 1.* The board of fire commissioners of the city of Boston, by the affirmative vote of all the members, and with the approval of the mayor, may retire from office in the fire department any member thereof who has become disabled while in the actual performance of duty, or any member who has performed faithful service in the department for a period of not less than fifteen consecutive years, and place the member so retired upon a pension roll. No such member shall be placed on the pension roll unless it shall be certified to the board in writing by the city physician that such member is permanently incapacitated, either mentally or physically, from performing his duty as a member of the department. In case of total disability caused or induced by the actual performance of his duty, the amount of annual pension shall be one-half of the annual compensation allowed to men of the grade in which such disabled member served, or such less sum as the said board may determine. The pension of members of the permanent force who have served fifteen years shall be an amount not exceeding one-third the annual salary

Retirement from office of disabled members of the Boston fire department. 1880, 107, § 1.

Members may be pensioned if permanently incapacitated.