
By Mr. Brennan of Boston, petition of Thomas B. Shea relative to the right of employees to claim compensation in actions brought against third persons under the workmen's compensation law. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT TO ENLARGE EMPLOYEES' RIGHT TO CLAIM COMPENSATION AFTER ACTION BROUGHT AGAINST THIRD PERSON LIABLE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 15 of chapter 152 is hereby amended by
2 striking out the period at the end of the last sentence
3 of the same as it now stands, by inserting a semicolon
4 in place of said period and by adding the following
5 proviso:— and further provided, that upon the
6 employee's election before trial to take compensa-
7 tion, notice to the insurer to such effect shall be
8 sufficient to constitute election to take compensation,
9 the employee need not discontinue such action, and
10 the insurer shall upon motion by it, be substituted as
11 party plaintiff in the action brought by the employee
12 and thereupon the insurer may proceed in such action
13 to enforce the liability, if any, of such third person,
14 and if the recovery in such action exceeds the amount
15 of compensation paid, four fifths of such excess shall
16 be paid to the employee.

The Commission on the Judiciary

in the Year One Thousand One Hundred and Twenty-Nine

As the Commission on the Judiciary has the honor to acknowledge the receipt of your letter of the 15th inst. in relation to the proposed amendments to the Constitution of the United States, it is pleased to inform you that the Commission has taken the same into consideration and has thereupon reported to the Senate and House of Representatives on the 27th inst. a report containing the following recommendations:

The Commission is of the opinion that the proposed amendments to the Constitution of the United States are in general well adapted to the needs of the country and that they should be adopted.

1. That the proposed amendments to the Constitution of the United States be adopted.
2. That the proposed amendments to the Constitution of the United States be adopted in the following order: first, the amendment relating to the election of Senators; second, the amendment relating to the election of Representatives; third, the amendment relating to the election of the President and Vice-President; fourth, the amendment relating to the election of the Justices of the Supreme Court; fifth, the amendment relating to the election of the Justices of the Federal Circuit Courts; sixth, the amendment relating to the election of the Justices of the State Courts; seventh, the amendment relating to the election of the Justices of the District Courts; eighth, the amendment relating to the election of the Justices of the County Courts; ninth, the amendment relating to the election of the Justices of the Municipal Courts; tenth, the amendment relating to the election of the Justices of the City Courts; eleventh, the amendment relating to the election of the Justices of the Village Courts; twelfth, the amendment relating to the election of the Justices of the Town Courts; thirteenth, the amendment relating to the election of the Justices of the County Courts; fourteenth, the amendment relating to the election of the Justices of the State Courts; fifteenth, the amendment relating to the election of the Justices of the Federal Circuit Courts; sixteenth, the amendment relating to the election of the Justices of the Supreme Court.