
To accompany the petition of Maurice A. Donahue for legislation relative to indemnification or protection of certain officers and employees of the Soldiers' Home in Holyoke in connection with actions for personal injuries. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT RELATIVE TO INDEMNIFICATION OR PROTECTION OF CERTAIN OFFICERS AND EMPLOYEES OF THE SOLDIERS' HOME IN HOLYOKE IN CONNECTION WITH ACTIONS FOR PERSONAL INJURIES.

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

1 Chapter 12 of the General Laws is hereby amended by
2 inserting after section 3D, inserted by chapter 326 of the
3 acts of 1954, the following section:—
4 *Section 3E.* Upon the filing with the attorney gen-
5 eral of a written request by any officer or employee of
6 the Soldiers' Home in Holyoke, that the attorney gen-
7 eral defend him against an action for damages for bodily
8 injuries or infections, physical or mental agony or pain,
9 death of any person, or any damage to property of an-
10 other on the grounds of said Home, arising out of the
11 operation of said Home, the attorney general shall, if
12 after investigation it appears to him that such officer or
13 employee was at the time the cause of action arose act-
14 ing within the scope of his official duties or employment,
15 take over the management and defence of such action.
16 The attorney general may adjust or settle any such ac-
17 tion at any time before, during or after trial, if he finds
18 after investigation that the plaintiff is entitled to dam-

19 ages from such officer or employee, and in such case
20 there shall be paid from the state treasury for settle-
21 ment in full of such action from such appropriation as
22 may be made by the general court for the purposes of
23 this section such sum, not exceeding five thousand dol-
24 lars on account of injury to or death of one person and
25 not exceeding five thousand dollars on account of dam-
26 age to property, as the attorney general shall determine
27 to be just and reasonable and as the governor and coun-
28 cil shall approve. If an execution issued on a final
29 judgment in such an action is presented to the state
30 treasurer by an officer qualified to serve civil process
31 and if there is also presented to or on file with said
32 state treasurer a certificate of the attorney general cer-
33 tifying that said execution was issued on a judgment in
34 an action in which he appeared for and defended the de-
35 fendant in accordance with the provisions of this section,
36 there shall be paid from the state treasury from the ap-
37 propriation above referred to the amount of the execu-
38 tion, including costs and interest, up to but not in excess
39 of the respective limits hereinabove set forth.