

HOUSE No. 672

By Mr. Jones of Peabody, petition of John A. Jones that cities and towns be made liable for torts committed in the exercise of governmental powers. Judiciary (Joint). Jan. 17.

The Commonwealth of Massachusetts

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

An Act making Cities and Towns Liable for Torts committed in the Exercise of Governmental Powers.

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 forty of the General Laws is hereby
2 amended by striking out section two and inserting
3 in place thereof the following:—

4 *Section 2.* A town may in its corporate capacity
5 sue and be sued by its name, and may appoint neces-
6 sary agents therefor, and shall be liable for torts
7 committed by its officers or agents in the course of
8 their employment, whether or not acting as public
9 officers at the time of the commission of such tort.

