

# HOUSE . . . . No. 925

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By Messrs. Butterworth of Nahant, and Morley of Swampscott, petition of Edward R. Butterworth and Lester B. Morley relative to mental or physical examination of an adverse party in actions at law. Legal Affairs.

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## The Commonwealth of Massachusetts

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

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AN ACT RELATIVE TO A MENTAL OR PHYSICAL EXAMINATION OF AN ADVERSE PARTY IN AN ACTION AT LAW.

*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 two hundred and thirty-one of the General  
2 Laws is hereby amended by inserting after section  
3 fifty-seven the following section:—

4 *Section 57A.* The defendant in an action of tort  
5 for personal injuries in any court or other tribunal  
6 in the commonwealth may request a mental or  
7 physical examination of the injured party and shall  
8 thereupon furnish the person examined, or his at-  
9 torney, with a copy of the report of the mental or  
10 physical examination, and upon refusal to submit to  
11 such examination or to furnish the said copy shall be  
12 non-suited, or defaulted, as the case may be.

The Constitution of the United States

Article I, Section 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch in that State.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for a Term of six Years; and each Senator shall have the Qualifications requisite for Senators of the most numerous Branch in that State.

Section 4. The Times, Places and Manner of holding the Elections of Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law alter or add to the Rules and Regulations of the Electors in any State.

Section 5. The Congress shall assemble at least once in every Year, and such Meeting shall begin at Noon on the first Monday in December, unless they shall by Law provide otherwise.