

SENATE No. 560

The Commonwealth of Massachusetts.

SENATE, May 26, 1919.

The committee on Bills in the Third Reading, to which was referred the bill to provide for the payment of compensation and to establish a fund for the payment of part of the compensation due employees receiving second injuries which cause total incapacity for work (Senate, No. 526), reports recommending that the same be amended as follows, and that, when so amended, it will be correctly drawn:—
by the substitution of a new draft herewith submitted.

For the committee,

SAMUEL B. FINKEL.

The Commonwealth of Massachusetts.

■ In the Year One Thousand Nine Hundred and Nineteen.

AN ACT

To establish a Special Fund in the Custody of the Treasurer and Receiver-general for the Purpose of Paying Additional Compensation to certain Injured Employees.

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 1. For every case of personal injury
2 resulting in death, covered by the provisions of
3 chapter seven hundred and fifty-one of the acts of
4 nineteen hundred and eleven and acts in amend-
5 ment thereof and in addition thereto, where there
6 are no dependents, the insurance company in-
7 suring the liability of the employer shall pay into
8 the treasury of the commonwealth the sum of one
9 hundred dollars. All payments hereunder shall
10 constitute a special fund, of which the treasurer
11 and receiver-general shall be the custodian. He
12 shall make payments therefrom for the purposes
13 specified in the following section upon the written
14 order of the industrial accident board or a member
15 thereof.

1 SECTION 2. Whenever an employee who has
2 previously suffered a personal injury resulting in

3 the loss by severance or the permanent incapacity
4 of one hand, at or above the wrist, one foot at or
5 above the ankle, or the reduction to one tenth of
6 normal vision of one eye, incurs further disability
7 by reason of the occurrence of a subsequent per-
8 sonal injury arising out of and in the course of his
9 employment, through the loss by severance or the
10 permanent incapacity of either a hand, at or above
11 the wrist, or a foot, at or above the ankle, or the
12 reduction to one tenth of normal vision in an eye,
13 he shall be paid the compensation provided by
14 sections nine and ten of Part two of said chapter
15 seven hundred and fifty-one; or if death results
16 from such subsequent injury, his dependents shall
17 be paid the compensation provided by sections
18 six and seven of said Part two, in the following
19 manner: One half of such compensation shall be
20 paid by the treasurer and receiver general from
21 the fund established under section one, and the
22 other half by the insurance company insuring the
23 liability of the employer at the time of the sub-
24 sequent injury; except that the additional com-
25 pensation due under section eleven of said Part
26 two, for the specified injury so sustained, shall be
27 paid solely by the company insuring liability at
28 the time of the subsequent injury.

1 SECTION 3. All cases not specifically provided
2 for in the above section shall be covered by, and
3 compensation shall be paid under, the provisions
4 of said chapter seven hundred and fifty-one and
5 acts in amendment thereof and in addition thereto.

