

HOUSE No. 1284

By Mr. Luitwieler of Newton, petition of John E. Daniels that the word "incapacity" as used in the Workmen's Compensation Act be defined further. Labor and Industries.

The Commonwealth of Massachusetts

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

An Act defining "Incapacity" under the Workmen's Compensation Act.

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 one of chapter one hundred and fifty-two
2 of the General Laws is hereby amended by adding at
3 the end of the section the following clause:—

4 (9) "Incapacity," such physical incapacity for
5 work as results from a personal injury arising out of
6 and in the course of employment, including occupa-
7 tional or industrial disease; but if the degree or dura-
8 tion of the incapacity is increased or prolonged by
9 reason of a pre-existing injury or infirmity or disease
10 of non-industrial origin, or of industrial origin con-
11 tracted outside the jurisdiction of the act, the insurer
12 shall be liable only for the incapacity that would have
13 resulted from injury had the earlier injury or infirmity
14 or disease not existed.

The Committee on the Judiciary of the House of Representatives, to which the bill was referred, has the honor to report the same with amendments, and to recommend that the bill do pass with amendments.

The Committee on the Judiciary of the House of Representatives

has the honor to report the following bill, with amendments, and to recommend that the bill do pass with amendments.

That the bill be read twice, and then the yeas and nays be taken thereon.

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