

HOUSE No. 1244

Bill accompanying the petition of Louis A. Foley for legislation relative to the determination of questions of due care and negligence by juries. Joint Judiciary. January 19.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

Relative to the Determination of Questions of Due Care and Negligence by Juries.

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

1 In all actions of tort tried before a jury where ques-
2 tions of due care or negligence of any party to such actions
3 are involved those questions shall be left to the jury for
4 their determination, and it shall be in every such case for
5 the jury and not for the court to determine on all the evi-
6 dence of the case whether due care or negligence has been
7 proven and whether from all the facts and circumstances
8 in the case there is any evidence of such due care or neg-
9 ligence.

