

HOUSE No. 2357

By Mr. Quinn of Boston, petition of Robert H. Quinn relative to the admissibility in evidence of statements taken on recording instruments from persons claiming personal injuries. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Four.

AN ACT RELATIVE TO THE ADMISSIBILITY IN EVIDENCE OF A STATEMENT TAKEN ON A RECORDING INSTRUMENT FROM PERSONS CLAIMING PERSONAL INJURIES.

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 233 of the General Laws is hereby amended by strik-
2 ing out section 23A, as most recently amended by chapter 242 of
3 the acts of 1953, and inserting in place thereof the following
4 section:—

5 *Section 23A.* In any action to recover damages for personal
6 injuries or consequential damages, so called, resulting there-
7 from, no statement in writing signed by any party to the action
8 or statement taken on a recording instrument, concerning the
9 facts out of which the cause of action arose, given by such party,
10 or a person in his behalf, to any other party to the action, or
11 to his agent or attorney, or to the insurer of such other party,
12 or to the agent or attorney of such insurer, shall be admissible
13 in evidence in, or referred to at, the trial of such action or in
14 any proceeding connected therewith unless a copy of such state-
15 ment or verbatim written transcription of such recorded state-
16 ment is furnished to the party making the same or to his attorney
17 within ten days after written request therefor made by such
18 party or attorney to the adverse party or his attorney, or within
19 such further time as the court may allow on motion and notice.

The Constitution of the State

As amended by the Legislature

It is the policy of the State to provide for the health, safety and general welfare of its people, and to secure the most efficient government possible.

The State shall protect the public health, safety and general welfare, and shall secure the most efficient government possible.

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