

HOUSE No. 3160

By Mr. Murphy of Brockton, petition of Bernard Cohen relative to the evidence of a defect or foreign substance upon the premises of another resulting in injury or death. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven

AN ACT RELATIVE TO THE EVIDENCE OF A DEFECT OR FOREIGN SUBSTANCE UPON THE PREMISES OF ANOTHER.

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 84 of the General Laws is hereby amended by in-
2 serting after section 21, as most recently amended by chapter
3 505 of the acts of 1955, the following section:—

4 *Section 21A.* In the event that a person is injured or dies as
5 the result of a defect or foreign substance upon the defendant's
6 premises, the fact that said defect or foreign substance was
7 present shall be prima facie evidence of neglect on the part of
8 the defendant.

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