

By Mr. Cole of Lexington, petition of the Board of Directors of the Massachusetts Bay Transportation Authority and Lincoln P. Cole, Jr., relative to the penalty for throwing or shooting of missiles. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT RELATING TO THE THROWING OR SHOOTING OF MISSILES.

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 104 of chapter 159 of the General Laws is hereby
2 amended by inserting after the word "wilfully" in line 1 the
3 words:—or negligently,—and also by inserting after the word
4 "missile" in line 1 the words:—or any object or other article,
5 —and also by inserting after the word "bus" in line 4 the
6 words:—or drops or releases any object, missile or other article
7 from any bridge or overpass onto any railroad or public trans-
8 portation right of way,—so as to read as follows:—*Section*
9 *104.* Whoever wilfully or negligently throws or shoots a mis-
10 sile or any object or other article at a locomotive engine, or
11 railroad or railway car or train, or at a motor bus or trackless
12 trolley vehicle, or at a school bus, or at a person on such engine,
13 car, train, motor bus or trackless trolley vehicle, or school bus,
14 or drops or releases any object, missile or other article from
15 any bridge or overpass onto any railroad or public transporta-
16 tion right of way, or in any way assaults or interferes with a
17 conductor, engineer, brakeman, motorman or operator while
18 in the performance of his duty on or near such engine, car,
19 train, motor bus or trackless trolley vehicle, or school bus, shall
20 be punished by a fine of not more than five hundred dollars or
21 by imprisonment for not more than one year, or both. A person
22 so offending may be arrested without a warrant by an officer
23 authorized to serve criminal process, or by any railroad, rail-
24 way or railway express police officer, and kept in custody in
25 jail or other convenient place not more than twenty-four

26 hours, Sundays and legal holidays excepted, at or before the
27 expiration of which time he shall be taken before a proper
28 court or magistrate and proceeded against according to law.
29 If such person commits such offence in the presence of such
30 officer and refuses to state his name and address at the request
31 of such officer, he may be arrested by him without a warrant.