

HOUSE No. 314.

[Bill accompanying the petition of William T. A. Fitzgerald. Joint
Judiciary.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-nine.

AN ACT

To fix the Liability for Personal Injuries received by
falling on Snowy or Icy Sidewalks.

*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 1. Any person exercising due care
2 and diligence, who shall hereafter receive or
3 suffer personal injuries by falling upon any side-
4 walk adjoining a street, highway or town way, by
5 reason or in consequence of snow or ice which
6 has been allowed or suffered to remain on such
7 sidewalk for the period of twenty-four hours or
8 more after the fall of said snow, shall have a right
9 of action jointly against the city or town in which
10 the injury was received and the owner or owners

11 of the premises immediately adjoining such side-
12 walk.

1 SECTION 2. Any damages recovered for per-
2 sonal injuries under the provisions of this act
3 shall be assessed in the proportion of one-third
4 against the city or town in which the injury
5 was received and two-thirds against the owner
6 or owners of the premises adjoining the sidewalk
7 upon which the injured person fell.

1 SECTION 3. This act shall take effect upon its
2 passage.

