

HOUSE . . . No. 343.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 30, 1869.

The Committee on the Judiciary, to whom was referred the Bill concerning the liability of railroad corporations, with instructions, report the accompanying Bill.

Per order,

T. L. NELSON, *Chairman.*

Commonwealth of Massachusetts.

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

AN ACT

Concerning the Liability of Railroad Corporations for Loss of Life and Injury to Persons in their Employment.

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

1 SECT. 1. If by reason of the negligence or careless-
2 ness of a railroad corporation or of the unfitness or
3 gross negligence or carelessness of its servants or
4 agents while engaged in its business, the life of any
5 person being in the employment of the corporation
6 and in the exercise of due diligence, is lost, the cor-
7 poration shall be punished by a fine not exceeding
8 five thousand nor less than five hundred dollars, to be
9 recovered by indictment and paid to the executor or
10 administrator for the use of the widow and children
11 of the deceased, in equal moieties; but if there are

12 no children, to the use of the widow ; or if no widow,
13 to the use of the next of kin.

1 SECT. 2. If any person being in the employment
2 of a railroad corporation and in the exercise of due
3 care, suffers or receives bodily injury through the
4 negligence or carelessness of the corporation or of its
5 servants or agents while engaged in its business, he
6 may recover of the corporation in an action of tort
7 the amount of his damage sustained thereby.

