

HOUSE No. 1378.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 30, 1902.

The joint committee on the Judiciary, to whom was referred the petition (with accompanying bill, House, No. 141) of Frederic O. MacCartney for further legislation relative to the recovery of damages for injuries received by employees in the course of their employment; and on the bill (introduced on leave) relative to injuries upon or about railroads and railways (House, No. 672), report the accompanying bill.

For the Committee,

JOHN J. MANSFIELD.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Two.

AN ACT

Relative to Injuries upon or about Railroads or Railways.

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

1 Whenever upon any railroad or railway any
2 part of any car or locomotive, or of any propelling
3 or drawing engine, machine or appliance, used on
4 or in connection with such railroad or railway, or
5 any pin, link, coupler or attachment used on,
6 about or in connection with any car, engine or
7 machine on such railroad or railway, breaks, gives
8 way, comes off or fails to operate properly, such
9 fact shall, in any action to recover for an injury
10 or death, or both, caused thereby, be deemed
11 prima facie evidence of the negligence of the per-
12 son, persons or corporation owning, managing,
13 controlling or operating said railroad or railway.