

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 281

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT defining the liability of employers in certain cases
of injuries to employees.

Be it enacted by the People of the State of Maine, as follows:

Section 1. When a personal injury is received by a ser-
2 vant or employee in the service or business of the master or
3 employer, the master or employer is liable to answer in dam-
4 ages to such servant or employee in the following cases:

1. When the injury is caused by reason of any defect in
6 the condition of the ways, works, machinery, or plant con-
7 nected with or used in the business of the master or employer,
8 which defect arose from or had not been discovered or rem-
9 edied in consequence of the negligence of the master or
10 employer or of a person in his service who had been en-

11 trusted by him with the duty of seeing that the ways, works
12 or machinery were in proper condition.

2. When the injury is caused by the negligence of any
14 person in the service or employment of the master or em-
15 ployer, who has any superintendence entrusted to him, while
16 in the exercise of such superintendence.

3. When the injury is caused by reason of the negligence
18 of any person in the service or employment of the master or
19 employer, to whose orders or directions the servant or em-
20 ployee, at the time of the injury, was bound to conform, and
21 did conform, if such injuries resulted from his having so
22 conformed.

4. When the injury is caused by reason of the act or omis-
24 sion of any person in the service or employment of the mas-
25 ter or employer done or made in obedience to the rules and
26 regulations or by-laws of the master or employer, or, in
27 obedience to particular instructions given by him or by any
28 person designated with his authority in that behalf.

5. When the injury is caused by reason of the negligence
30 of any person in the service or employment of the master or
31 employer, who has the charge or control of any signal,
32 points, locomotive, engine, switch, car, or train upon a rail-
33 way, or of any part of the track of the railway.

6. If such injury results in the death of the servant or
35 employee the action to recover damages shall be brought in
36 the time and manner and damages recovered and paid ac-
37 cording to the provisions of section ten, of chapter eighty-
38 nine of the Revised Statutes.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, Feb. 22, 1909.

Reported by Mr. PETERS from Committee on Judiciary and
ordered printed and recommitted.

E. M. THOMPSON, *Clerk.*