

# A BILL

FOR AN ACT FOR THE PROTECTION AND RELIEF OF RAILROAD EMPLOYES; FORBIDDING CERTAIN RULES, REGULATIONS, CONTRACTS AND AGREEMENTS, AND DECLARING THEM UNLAWFUL, AND DECLARING IT UNLAWFUL TO USE CARS OR LOCOMOTIVES WHICH ARE DEFECTIVE, OR DEFECTIVE MACHINERY OR ATTACHMENTS THERETO BELONGING.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That it shall be unlawful for any railroad or railway corporation or company, owning and operating, or operating, or that may hereafter own or operate a railroad, in whole or in part, in this state, to adopt or promulgate any rule or regulation for the government of its servants or employes, or make or enter into any contract or agreement with any person engaged in or about to engage in its service in which or by the terms of which, such employe in any manner, directly or indirectly, promises or agrees to hold such corporation or company harmless, on account of any injury he may receive by reason of any accident to breakage, defect or insufficiency in the cars or machinery and attachments thereto belonging, upon any cars so owned and operated, or being run and operated by such corporation or company, being defective, and any such rule, regulation, contract or agreement shall be of no effect. It shall be unlawful for any corporation to compel or require, directly or indirectly, an employe to join any company association whatsoever, or to withhold any part of an employe's wages or his salary for the payment of dues or assessments in any society or organization whatsoever, or demand or require either as a condition precedent to securing employment or being employed, and said railroad or railway company shall not discharge any employe because he refuses or neglects to become a member of any society or organization. And if any employe is discharged, he may, at any time within ten days after receiving a notice of his discharge, demand the reason of said discharge, and said railway or railroad company thereupon shall furnish said reason to said discharged employe in writing. And no railroad company, insurance society or association, or other person shall demand, accept, require, or enter into any contract, agreement, stipulation with any person about to enter, or in the employ of any railroad company whereby such person stipulates or agrees to surrender or waive any right to damages against any railroad company thereafter arising for personal injury or death, or whereby he agrees to surrender or waive in case he asserts the same, any other right whatsoever, and all such stipulations and agreements shall be void, and every corporation, association or person violating or aiding or abetting in the violation of this section shall, for each offense, forfeit and pay to the person wronged or deprived of his rights hereunder, the sum not less than fifty dollars (\$50.00), not more than five hundred dollars (\$500.00), to be recovered in a civil action.

SEC. 2. It shall be unlawful for any such corporation to knowingly or negligently use or operate any  
2 car or locomotive that is defective, or any car or locomotive upon which the machinery or attachments  
3 thereto belonging, are in any manner defective. If the employe of any such corporation shall receive any  
4 injury by reason of any defect in any car or locomotive, or the machinery or attachments thereto belonging,  
5 owned and operated, or being run and operated by such corporation, such corporation shall be deemed to  
6 have had knowledge of such defect before and at the time such injury is so sustained; and when the fact of  
7 such defect shall be made to appear in the trial of any action in the courts of this state, brought by such  
8 employe, or his legal representatives, against any railroad corporation for damages, on account of such  
9 injuries so received, the same shall be *prima facie* evidence of negligence on the part of such corporation.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication  
2 in the Iowa State *Register* and Des Moines *Leader*, newspapers published at Des Moines, Iowa.