

## A BILL

FOR AN ACT TO PROTECT EMPLOYEES OF RAILWAY CORPORATIONS ENGAGED  
IN THE TRANSPORTATION OF FREIGHT IN RAILWAY CARS WITHIN THE  
STATE OF IOWA.

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

SECTION 1. That on and after the first day of September, Anno Domini eighteen hundred  
2 and eighty-six, every person or railway corporation engaged in the transportation of freight  
3 in railway cars within this State, shall be required to have all new freight cars which may  
4 be built, purchased, leased or placed in service by said person or corporation so equipped  
5 that they may be coupled or uncoupled without requiring an employe to go between the  
6 cars for that purpose.

SEC. 2. That on and after the first day of September, Anno Domini eighteen hundred and  
2 eighty-six, every such person or corporation shall, whenever it is necessary to make any re-  
3 pairs on such cars as he or they may have been using prior to that date, so change the  
4 drawbar equipment as to make it correspond with the requirements of section one (1) of this  
5 act, before the said car or cars are again placed in use; *provided*, that the provisions of this  
6 act shall not apply to cars operated by other than steam power; and *provided, further*, that  
7 the improved or safety coupling contemplated by this act shall be such as will lessen the  
8 risk of injury to employes when coupling same with any drawbar now in common use com-  
9 pared to what such employe is now subject to in coupling together two such common draw-  
10 bars.

SEC. 3. That every person or railway corporation engaged in the transportation of freight  
2 in railway cars within this State shall be required on and after the first day of September,  
3 Anno Domini eighteen hundred and eighty-six, to have all new freight cars which may be  
4 built, purchased leased or placed in service by said person or corporation, and all freight  
5 cars sent to the shops for repairs from and after said date so equipped with some sort of au-  
6 tomatic or power brake to the end that the train can be controlled and the speed regulated  
7 without the necessity of train men going upon the tops of the cars to handle the brakes as  
8 is now the practice; *provided*, that all such automatic or power brakes shall lessen the dan-  
9 ger to life and limb of train men that now exists by using the common hand brake.

SEC. 4. That on and after the first day of September, Anno Domini eighteen hundred  
2 and eighty-eight (1888), no person or corporation operating any railroad in this State shall

3 use any cars of their own or any leased cars for transporting freight in this State nor shall  
4 receive from connecting roads outside of this State for the transportation of freight over  
5 the roads in this State, any car or cars which will not couple automatically with another, or  
6 without the necessity of men going between said cars or between said cars and the cars in  
7 use in this State in order to couple them ; neither shall any person or corporation operating  
8 a railroad in this State use cars either of their own or leased cars or cars from connecting  
9 roads which are equipped with the common hand brakes alone, or such as compel men to go  
10 on top of the cars to handle them, or have such for general use as will expose men to danger  
11 who handle them.

SEC. 5. That whenever an employe of such person or corporation shall sustain personal  
2 and disabling injury by reason of having to go between freight cars, or between passenger  
3 cars and freight cars, or between an engine or tender and other cars for the purpose of coup-  
4 ling or uncoupling them, where any or either of said cars are in use in violation of the let-  
5 ter or spirit of the provisions of this act, or by having to go on top of freight cars to handle  
6 and use brakes, then the person or corporation shall become and be held absolutely liable  
7 for all injuries sustained by such employe in such work, and shall forfeit to such injured  
8 employe or to his heirs, if he shall die from such injury, the sum of five hundred dollars  
9 (\$500), as a penalty for the violation of the provisions of this act, to be recovered by such  
10 injured employe or his heirs in any court of competent jurisdiction, and shall pay all costs  
11 prosecution and reasonable attorneys fees as fixed by the court ; *provided*, that the recovery  
12 of said sum of five hundred dollars (\$500) shall be no bar to the recovery of any further  
13 sum in damages which any competent court may award.

SEC. 6. That any agreement or contract which may be entered into between the person  
2 or corporation using freight cars in violation of the provisions of this act, and an employe,  
3 made prior to the date of injury of such employe as described in section five of this act,  
4 wherein said employe agrees to waive his right to recover damages for such injury, is hereby  
5 declared null and void.