

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1897.

CHAP. 267

—annual report, number of copies, and distribution of.

the natural resources of the state. He shall compile statistics relating to the public ways in the cities and towns of the state, and make such investigation relating thereto as he shall deem expedient in order to secure better and more improved highways in the state, and in his annual report shall make such statements bearing upon the construction or maintenance of ways and suggestions and recommendations concerning the same as he deems appropriate, including recommendations for any legislation which to him seems expedient or necessary. County commissioners, municipal officers and all other officers having the care and authority over public ways and bridges throughout the state shall, on request, furnish said secretary any information which they possess. He shall, annually, by the third Wednesday in January, present to the governor and council, a report of the doings of the board, and the results of his own labors and investigations, together with useful communications, suggestions and recommendations. Twelve thousand copies of said report shall be printed, all bound in cloth, one-half of such for the legislature, and the remainder, after reserving a suitable number for foreign exchanges, for distribution, under the direction of the board, among the agricultural associations and the people of the state.'

Approved March 23, 1897.

Chapter 267.

An Act to provide for an investigation of the causes of Fires, and the publication of statistics relating to the same.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Municipal officers shall investigate origin of all fires and insurance commissioner shall be notified.

—commissioner shall have right to direct investigation.

Sect. 1. When property is destroyed or damaged by fire it shall be the duty of municipal officers in cities and towns to immediately notify the insurance commissioner of the same, and to investigate, or cause to be investigated, the cause, circumstances and origin of the fire, and especially to examine whether it was the result of carelessness or of design. The investigation shall be commenced within three days after the occurrence of the fire, not including the Lord's day, and the insurance commissioner shall have the right to supervise and direct such investigation whenever he deems it expedient or necessary.

Sect. 2. When the municipal officers have completed their investigation, which shall be within two weeks after the occurrence of the fire, they shall immediately file with the insurance commissioner a written statement of all the facts relating to the cause, circumstances and origin of the fire; the kind, value and ownership of the property destroyed or damaged, and such other information as may be required by said commissioner. The insurance commissioner shall make a record of all fires investigated under this act, together with all facts, statistics and circumstances connected therewith. Such record shall at all times be open to public inspection, and such portions of it as the commissioner deems expedient shall be published in his annual report to the governor and council.

Municipal officers shall file with commissioner, statement of facts relating to cause of fire.

—commissioner shall make record, which shall be open to the public.

Sect. 3. It shall be the duty of the insurance commissioner, whenever he deems it expedient or advisable, to examine or cause to be examined the cause, circumstances and origin of all fires occurring in the cities and towns within the state, of which he has knowledge, by which property is damaged or destroyed, and to specially examine and decide whether the same was the result of carelessness or design. The insurance commissioner shall, when in his opinion said proceedings are necessary, take or cause to be taken the testimony on oath of all persons supposed to be cognizant of any facts or to have means of knowledge in relation to the matters as to which an examination is herein required to be made, and may cause the same to be reduced to writing. If he shall be of the opinion that there is evidence sufficient to charge any person with the crime of arson or incendiarism, he shall cause such person to be arrested and charged with such offense, and shall furnish to the proper county attorney all such evidence, together with the names of witnesses and all information obtained by him, including a copy of all pertinent and material testimony in the case.

Commissioner may examine into cause and origin of all fires,

—may take testimony on oath.

—if evidence is sufficient, he shall cause arrest of person charged with the crime of arson.

Sect. 4. The insurance commissioner, the deputy insurance commissioner and the municipal officers of cities and towns shall each have the powers of a trial justice for the purpose of summoning and compelling the attendance of witnesses before them or either of them, to testify in relation to any matter which is by the provisions of this act a subject of inquiry and investigation. Said insurance commissioner, deputy insurance commissioner and municipal officers may also administer oaths and affirmations to persons appearing as witnesses before

Witnesses may be compelled to attend hearing.

—and give testimony under oath.

CHAP. 267

—commissioner may enter any building when fire is in progress.

—Investigations may be private.

Duty of insurance companies to report to commissioner, adjustment of all losses.

Appropriation to carry out provisions of this act.

Municipal officers shall keep record of returns.

Penalty for neglect.

Chapter 98, laws, 1895, repealed.

When act shall take effect.

them; and false swearing in any matter or proceeding aforesaid shall be deemed perjury and shall be punished as such. Said insurance commissioner and his subordinates shall have authority, at all times of the day or night, in the performance of the duties imposed by this act, to enter upon and examine any building or premises where a fire is in progress or has occurred, and other buildings or premises adjoining or near the same. All investigations held by or under the direction of the insurance commissioner, deputy insurance commissioner or the municipal officers may in their discretion be private, and persons other than those required to be present by the provisions of this act may be excluded from the place where such investigation is held, and witnesses may be kept separate and apart from one another and not allowed to communicate with one another until they have been examined.

Sect. 5. It shall be the duty of every fire insurance company or association transacting business in this state to report to the insurance commissioner, within ten days after the adjustment of every loss, the amount of all policies issued by said company on the property destroyed or damaged, the amount paid or payable on account of such loss, and such other information relating to the matter as the commissioner may require.

Sect. 6. The insurance commissioner may employ such clerks and assistants, provide such blanks, and incur such expenses as may be necessary to carry out the provisions of this act, not to exceed two thousand dollars in any year, and all bills and expenses incurred shall be audited by the governor and council.

Sect. 7. It shall be the duty of the municipal officers to record or cause to be recorded, in a book provided by the insurance commissioner, all returns made under the provisions of this act.

Sect. 8. Any city or town officer, or any insurance company neglecting or refusing to perform any duty required by the provisions of this act shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense.

Sect. 9. Chapter ninety-eight of the public laws of eighteen hundred and ninety-five and all acts and part of acts inconsistent herewith are hereby repealed.

Sect. 10. This act shall take effect on the first day of May, eighteen hundred and ninety-seven.

Approved March 23, 1897.