

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Sixty-Eighth Legislature.

SENATE.

No. 18.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-SEVEN

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:*

Section 1. When property is destroyed or damaged by
2 fire it shall be the duty of municipal officers in cities and
3 towns to immediately notify the insurance commissioner
4 of the same, and to investigate or cause to be investigated
5 the cause, circumstances and origin of the fire, and
6 especially to examine whether it was the result of careless-
7 ness or of design. The investigation shall be commenced
8 within three days after the occurrence of the fire, not
9 including the Lord's day, and the insurance commissioner

10 shall have the right to supervise and direct such investiga-
11 tion whenever he deems it expedient or necessary.

Sect. 2. When the municipal officers have completed
2 their investigation, which shall be within two weeks after
3 the occurrence of the fire, they shall immediately file with
4 the insurance commissioner a written statement of all the
5 facts relating to the cause, circumstances and origin of the
6 fire; the kind, value and ownership of the property
7 destroyed or damaged, and such other information as may
8 be required by said commissioner.

The insurance commissioner shall make a record of all
10 fires investigated under this act, together with all facts,
11 statistics and circumstances connected therewith. Such
12 record shall at all times be open to public inspection, and
13 such portions of it as the commissioner deems expedient
14 shall be published in his annual report to the Governor
15 and Council.

Sect. 3. It shall be the duty of the insurance commis-
2 sioner, whenever he deems it expedient or advisable, to
3 examine or cause to be examined the cause, circumstances
4 and origin of all fires occurring in the cities and towns
5 within the State, of which he has knowledge, by which
6 property is damaged or destroyed, and to specially examine
7 and decide whether the same was the result of carelessness
8 or design. The insurance commissioner shall, when in his
9 opinion said proceedings are necessary, take or cause to be
10 taken the testimony on oath of all persons supposed to be

11 cognizant of any facts or to have means of knowledge in
12 relation to the matters as to which an examination is herein
13 required to be made, and may cause the same to be reduced
14 to writing. If he shall be of the opinion that there is
15 evidence sufficient to charge any person with the crime of
16 arson or incendiarism, he shall cause such person to be
17 arrested and charged with such offense, and shall furnish
18 to the proper county attorney all such evidence, together
19 with the names of witnesses and all information obtained
20 by him, including a copy of all pertinent and material testi-
21 mony in the case.

Sect. 4. The insurance commissioner, the deputy insur-
2 ance commissioner and the municipal officers of cities and
3 towns shall each have the powers of a trial justice for the
4 purpose of summoning and compelling the attendance of
5 witnesses before them or either of them, to testify in rela-
6 tion to any matter which is by the provisions of this act a
7 subject of inquiry and investigation.

Said insurance commissioner, deputy insurance commis-
9 sioner and municipal officers may also administer oaths
10 and affirmations to persons appearing as witnesses before
11 them; and false swearing in any matter or proceeding
12 aforesaid shall be deemed perjury and shall be punished as
13 such. Said insurance commissioner and his subordinates
14 shall have authority, at all times of the day or night, in the
15 performance of the duties imposed by this act, to enter
16 upon and examine any building or premises where a fire is

17 in progress or has occurred, and other buildings or premises
18 adjoining or near the same. All investigations held by or
19 under the direction of the insurance commissioner, deputy
20 insurance commissioner or the municipal officers may in
21 their discretion be private, and persons other than those
22 required to be present by the provisions of this act may be
23 excluded from the place where such investigation is held,
24 and witnesses may be kept separate and apart from one
25 another and not allowed to communicate with one another
26 until they have been examined.

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

Sect. 6. The insurance commissioner and his deputy
2 shall receive as compensation for the services required by
3 this act five dollars per diem for time actually expended
4 and said commissioner may employ such clerks and
5 assistants, provide such blanks, and incur such expenses
6 as may be necessary to carry out the provisions of this act,
7 and all bills and expenses incurred shall be audited by the
8 Governor and Council.

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

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

Sect. 9. Chapter ninety-eight of the Public Laws of 1895
2 and all acts and parts of acts inconsistent herewith are
3 hereby repealed.

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

STATE OF MAINE.

IN SENATE, January 27, 1897.

Presented by Mr. PARSONS of Piscataquis, and laid on table to be printed, pending reference, on motion by same Senator.

KENDALL M. DUNBAR, Secretary.