

# HOUSE . . . . No. 1314

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By Mr. Gibbons of Stoneham, petition of the Boston Chamber of Commerce relative to fires of suspicious origin occurring in the city of Boston. Military Affairs and Public Safety.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-Two.

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### AN ACT RELATIVE TO FIRES OF SUSPICIOUS ORIGIN OCCURRING IN THE CITY OF BOSTON.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 148 of the General Laws is hereby amended  
2 by striking out section 3, as amended by section 4 of  
3 chapter 700 of the acts of 1945, and inserting in place  
4 thereof the following section:—

5 *Section 3.* The marshal shall investigate or cause  
6 to be investigated the circumstances of all fires of  
7 suspicious origin of which he has notice except such  
8 fires occurring in the city of Boston, and may inves-  
9 tigate or cause to be investigated the circumstances of  
10 any fire occurring anywhere within the common-  
11 wealth. For such purposes the marshal, or some per-  
12 son designated by the commissioner, may summon  
13 and examine on oath, administered by the marshal  
14 or such person so designated, any person supposed to

15 know or have means of knowing any material facts  
16 touching the subject of investigation. Such witnesses  
17 may be kept apart and examined separately, and such  
18 examination shall be reduced to writing, and false  
19 testimony therein shall be perjury. Any justice of a  
20 district court or of the superior court, upon applica-  
21 tion of the marshal, or person so designated, may  
22 compel the attendance of such witnesses and the  
23 giving of such testimony in the same manner and to  
24 the same extent as before said court. If, upon such  
25 investigation, the marshal, or person so designated,  
26 believes that the evidence is sufficient to charge any  
27 person with crime, he shall make a complaint therefor,  
28 and shall furnish the proper officers with the evidence  
29 and names of witnesses obtained by him. The mar-  
30 shal shall, when required, report to the commissioner  
31 of insurance his proceedings and the progress of prose-  
32 cutions instituted hereunder. In respect to fires of  
33 suspicious origin occurring in the city of Boston, the  
34 head of the fire department of said city shall have and  
35 exercise all the powers and duties conferred or im-  
36 posed by this section on the commissioner or on the  
37 marshal, and any person designated by the said head  
38 of the fire department shall have and exercise all the  
39 duties conferred or imposed as aforesaid on such per-  
40 son as the commissioner is hereinbefore authorized  
41 to designate. The head of the fire department shall  
42 report to the marshal the results of any investigation  
43 as to such fires held by said head of the fire depart-  
44 ment or by a person designated by him.