

SENATE No. 211.

Commonwealth of Massachusetts.

SENATE, March 22, 1895.

The committee on Insurance, to whom was referred the recommendations and suggestions of the Insurance Commissioner, report, in part, the accompanying Bill.

For the Committee,

E. B. ATWOOD.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-five.

AN ACT

Relative to Warranties in Life Insurance Policies.

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

1 SECTION 1. Section twenty-one of chapter
2 five hundred twenty-two of the acts of the year
3 eighteen hundred and ninety-four is hereby
4 amended by inserting after the word "mis-
5 representation," in the first line, the words
6 "or warranty," and also by inserting after the
7 word "misrepresentation," in the fifth line, the
8 words "or warranty," and also by inserting after
9 the word "misrepresented," in the sixth line,
10 the words "or made a warranty," so that the
11 section shall read as follows:—

12 *Section 21.* No oral or written misrepresent-
13 ation or warranty made in the negotiation of a
14 contract or policy of insurance, by the assured or
15 in his behalf, shall be deemed material or defeat
16 or avoid the policy, or prevent its attaching,

17 unless such misrepresentation or warranty is made
18 with actual intent to deceive, or unless the matter
19 misrepresented or made a warranty increased the
20 risk of loss.

1 SECT. 2. This act shall take effect upon its
2 passage.

