

HOUSE . . . . . No. 191.

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**Commonwealth of Massachusetts.**

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HOUSE OF REPRESENTATIVES, Feb. 28, 1879.

The Committee on Insurance, to whom was referred the petition of S. D. Howland and others relative to the incorporation of the Fall-River Insurance Brigade, having duly considered the same, report the accompanying Bill.

For the Committee,

W. A. S. SMYTH.

## Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-nine.

### AN ACT

To incorporate the Fall-River Insurance Brigade.

*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. Samuel D. Howland, J. Augustus  
2 Remington, William S. Greene, Griffiths M. Hal-  
3 fords, Jeremiah M. Shepard, Jr., Albion K. Slade,  
4 Jr., and all other officers for the time being of any  
5 incorporated company or association, and any agent,  
6 doing the business of fire insurance in the city of  
7 Fall River, who may become associated with them,  
8 and their successors, are hereby created a body cor-  
9 porate by the name of "The Fall-River Insurance  
10 Brigade," with power to sue and be sued, and may  
11 hold, by purchase, devise, or otherwise, real or per-  
12 sonal property, for the use of said corporation, to an  
13 amount not exceeding one hundred thousand dollars,  
14 and may sell and convey any part thereof, subject,  
15 however, to the laws of this Commonwealth.

1   SECT. 2. Said corporation shall have power to  
2 provide and maintain a corps of men, with proper  
3 officers, whose duty it shall be, so far as practicable,  
4 to discover and prevent fires, and shall provide suitable  
5 apparatus to save and preserve life and property  
6 at or after a fire; and power is hereby granted to  
7 such corps and its officers to enter any building on  
8 fire, or which in their judgment is immediately ex-  
9 posed to or in danger of taking fire from other burn-  
10 ing buildings, to protect and save life and property  
11 therein, and to remove such property, or any part  
12 thereof, at or immediately after a fire: *provided, how-*  
13 *ever,* that nothing in this act shall be so construed as  
14 to lessen in any way the authority of the officers or  
15 members of the Fall-River Fire Department, or to  
16 warrant or justify any interference with them in the  
17 performance of their duties; nor shall it in any way  
18 justify the owner of any building or personal prop-  
19 erty in the abandonment of his property.

1   SECT. 3. The officers and men of the Fall-River  
2 Insurance Brigade, with their teams and apparatus,  
3 shall have the right of way, while going to a fire,  
4 through any street, lane, or alley, in the city of Fall  
5 River, subject to such rules and regulations as the  
6 city council may prescribe, and subject also to the  
7 rights of the Fall-River Fire Department; and any  
8 violation of the street-rights of the Fall-River Insur-  
9 ance Brigade shall be punished in the same manner  
10 as is provided for the punishment of violations of  
11 the rights of the fire-department of the city of Bos-  
12 ton in chapter three hundred and seventy-four of the  
13 acts of eighteen hundred and seventy-three.

1 SECT. 4. In the month of June, eighteen hundred  
2 and seventy-nine, and in the month of June in every  
3 year thereafter, there shall be held a meeting of the  
4 corporation hereby created, of which ten days' pre-  
5 vious notice shall be inserted in at least two news-  
6 papers published in the city of Fall River, at which  
7 meeting each incorporated insurance company or as-  
8 sociation doing business in the city of Fall River,  
9 whether its officers or its agents be members of this  
10 corporation or not, shall have the right to be repre-  
11 sented by one of such officers or agent, and each  
12 organization represented at such meeting shall be  
13 entitled to one vote. A majority of the whole num-  
14 ber so represented shall have power to decide upon  
15 the question of sustaining the corps hereinbefore  
16 mentioned, and of fixing the maximum amount of  
17 expenses which shall be incurred therefor during the  
18 fiscal year next to ensue; and the whole of such  
19 amount, or so much thereof as may be necessary,  
20 may be assessed upon the organizations belonging to  
21 this corporation, and upon all other organizations  
22 and agencies as hereinbefore mentioned, in propor-  
23 tion to the several amounts of premiums returned as  
24 received by each as hereinafter provided, and such  
25 assessment shall be collectable by this corporation in  
26 any court of law in the state of Massachusetts;  
27 *provided* that the premiums received by insuring  
28 shall be subject to but one-half of the rate of assess-  
29 ment laid on premiums received for insuring other  
30 property.

1    SECT. 5. To provide for the payment of persons  
2 employed, and to maintain the apparatus for saving  
3 life and property contemplated, this corporation is  
4 empowered to require a statement to be furnished  
5 semi-annually, by all corporations, associations, under-  
6 writers, agents, or persons, of the aggregate amount  
7 of premiums received for insuring buildings, and of  
8 the aggregate amount of premiums received for in-  
9 suring other property in the city of Fall River, for  
10 and during the six months next preceding the first  
11 day of March and the first day of September of each  
12 year; which statement shall be sworn to by the  
13 president or secretary of the corporation or associ-  
14 ation, or by the agent or person so acting and effect-  
15 ing such insurance in said city, and shall be handed  
16 to the treasurer of this corporation within thirty  
17 days after the time to which such returns are to be  
18 made.

1    SECT. 6. It shall be lawful for the treasurer, or  
2 other appointed officer of this corporation, within  
3 ten days after the first day of March and the first  
4 day of September in each year, by written or printed  
5 demand, signed by him, to require from every cor-  
6 poration, association, underwriter, agent, or person,  
7 engaged in the business of fire insurance in the city  
8 of Fall River, the statement provided for in the last  
9 preceding section of this act; and every officer of  
10 such corporation or association, and every individual,  
11 agent, or underwriter, who shall, for thirty days after  
12 such demand, neglect to render the account, shall  
13 forfeit fifty dollars for the use of the said corpora-

14 ation created by this act; and he shall also forfeit  
15 for their use five dollars in addition for every day  
16 he shall so neglect after the expiration of the said  
17 thirty days; and such additional penalty may be  
18 computed and recovered up to the time of the trial  
19 of any suit for the recovery thereof; which penalty  
20 may be sued for and recovered, with cost of suit, in  
21 any court of record within this state.

1 SECT. 7. This act shall take effect upon its pas-  
2 sage.