

# HOUSE . . . . . No. 52

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Bill accompanying the petition of Alfred Davenport that the jurisdiction of the Fire Prevention Commissioner for the Metropolitan District be extended to all the cities and towns of the Commonwealth. Administration and Commissions. January 3.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nineteen.

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### AN ACT

To extend the Jurisdiction of the Fire Prevention Commissioner for the Metropolitan District to All the Cities and Towns of the Commonwealth.

*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. The jurisdiction of the fire prevention  
2 commissioner for the metropolitan district established by  
3 chapter seven hundred and ninety-five of the acts of nine-  
4 teen hundred and fourteen, is hereby extended to include  
5 all the cities and towns of the commonwealth, and the  
6 provisions of said chapter seven hundred and ninety-five  
7 and amendments thereof relating to the prevention offices  
8 in the metropolitan district, as defined in said chapter,  
9 shall hereafter apply to the entire commonwealth.

1 SECTION 2. The commissioner shall appoint not more  
2 than six fire prevention inspectors who shall be appointed  
3 and serve subject to the civil service laws and regulations:  
4 *provided, however,* that such appointees may be taken from  
5 a list of applicants to be prepared by the civil service  
6 commission in accordance with general qualifications and  
7 special training along the fire prevention lines indicated in  
8 the requisition. The fire prevention inspectors shall make  
9 such inspections and reports as the commissioner shall  
10 direct, shall devote their entire time to the work, and  
11 shall each receive an annual salary of twenty-four hundred  
12 dollars.

1 SECTION 3. The commissioner shall also appoint not  
2 more than twelve fire inspectors who shall have the  
3 powers of district police officers and shall make such in-  
4 vestigations into the cause and circumstances of fires as  
5 may be required. They shall devote their entire time to  
6 the work, and each shall receive an annual salary of two  
7 thousand dollars. Applicants for the position of fire in-  
8 spector shall be certified to the commissioner by the civil  
9 service commission from a special list to be made by it,  
10 and shall have all the qualifications required for appoint-  
11 ment to the police force of the city of Boston except resi-  
12 dential requirements; otherwise such inspectors shall be  
13 in all respects subject to and shall have the benefit of the  
14 civil service laws and regulations.

1 SECTION 4. All the powers and duties exercised by the  
2 state fire marshal or the detective department of the dis-  
3 trict police by sections one to eight, inclusive, of chapter  
4 thirty-two of the Revised Laws and by chapter four hun-  
5 dred and thirty-three of the acts of nineteen hundred and  
6 four, and of acts in addition thereto or in amendment

7 thereof are hereby transferred to and vested in the com-  
8 missioner.

1 SECTION 5. The commissioner shall investigate the  
2 cause and circumstance of every fire of suspicious or un-  
3 known origin and may investigate the cause and circum-  
4 stance of any fire by which property has been destroyed  
5 or damaged or in which one or more lives have been lost,  
6 and shall especially ascertain whether it was caused by  
7 carelessness or design. For these purposes, the commis-  
8 sioner or his deputies shall have the power to summon  
9 and examine on oath any person supposed to know or  
10 have means of knowing any material fact touching the  
11 subject of investigation. Persons so summoned may be  
12 kept apart and examined separately, and such examina-  
13 tion shall be reduced to writing, and false swearing therein  
14 shall be deemed perjury and shall be punishable as such.  
15 No person shall be excused from attending before the  
16 commissioner or either of his deputies when summoned so  
17 to attend; nor when ordered so to do shall he be excused  
18 from testifying or producing any books, papers or docu-  
19 ments before such officer upon any investigation, proceed-  
20 ing or inquiry instituted under the provisions of this act.  
21 Any justice of the municipal court of the city of Boston  
22 or justice of any district, police or municipal court or trial  
23 justice, upon application within their respective jurisdic-  
24 tions of the commissioner may compel the attendance of  
25 such witnesses and the giving of such testimony before  
26 such commissioner or his deputies in the same manner  
27 and to the same extent as before the said magistrates. If  
28 upon investigation the commissioner believes that the  
29 evidence is sufficient to charge any person with crime in  
30 causing a fire he shall make or cause to be made a com-  
31 plaint therefor and shall furnish the proper officers with

32 the evidence and names of witnesses obtained by him.  
33 He may report to the insurance commissioner, the insur-  
34 ance companies, or to owners of property or other persons  
35 interested in the subject matter of an investigation of the  
36 cause and circumstances of a fire, any information in his  
37 possession obtained thereby which may in his opinion re-  
38 quire attention from or by such commissioner, insurance  
39 companies, owners of property or other persons and may  
40 make such information public. The commissioner may  
41 delegate all the powers and duties conferred upon him by  
42 this section to any one or more of his deputies, assistants  
43 or inspectors.

1 SECTION 6. There is hereby established the office of  
2 second deputy fire prevention commissioner, who shall be  
3 appointed by the governor with the advice and consent of  
4 the council for a term of three years from the first Mon-  
5 day of August in the year of appointment, and who shall  
6 receive a salary of thirty-five hundred dollars. There is  
7 hereby also established the office of a chemist at a salary  
8 of three thousand dollars, and two engineers at a salary of  
9 three thousand dollars, said chemist and engineers to be  
10 appointed by the commissioner and subject to removal in  
11 like manner as the secretary.