

HOUSE No. 168.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Feb. 7, 1894.

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,

JOHN L. BATES.

Commonwealth of Massachusetts.

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

AN ACT

To amend Chapter Two Hundred and Fourteen of the Acts of the Year Eighteen Hundred and Eighty-seven in Relation to Accident Insurance.

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-nine of chapter two hun-
2 dred and fourteen of the acts of the year eighteen hun-
3 dred and eighty-seven is hereby amended by striking out
4 the fifth and seventh paragraphs and inserting the fol-
5 lowing:—

6 Fifth, To insure any person against bodily injury or
7 death by accident, or any person, firm or corporation
8 against loss or damage on account of the bodily injury or
9 death by accident of any person for which loss or damage
10 said person, firm or corporation is responsible.

11 So that the section will read:—

12 *Section 29.* Insurance companies may be formed as
13 provided in section thirty for any one of the following
14 purposes, to wit:—

15 First, To insure against loss or damage to property by
16 fire, lightning, or tempest on land, upon the stock or
17 mutual plan.

18 Second, To insure, upon the stock or mutual plan, ves-
19 sels, freights, goods, money, effects, and money lent on
20 bottomry or respondentia, against the perils of the sea
21 and other perils usually insured against by marine insur-
22 ance, including risks of inland navigation and transporta-
23 tion.

24 Third, To guarantee the fidelity of persons in positions
25 of trust, private or public, and to act as surety on official
26 bonds and for the performance of other obligations.

27 Fourth, To insure against loss or damage to property
28 of the assured, or loss or damage to the life, person or
29 property of another for which the assured is liable, caused
30 by the explosion of steam-boilers.

31 Fifth, To insure any person against bodily injury or
32 death by accident, or any person, firm or corporation
33 against loss or damage on account of the bodily injury or
34 death by accident of any person for which loss or damage
35 said person, firm or corporation is responsible.

36 Sixth, To insure against the breakage of plate glass,
37 local or in transit.

1 SECT. 2. Section thirty-one of the same act is hereby
2 amended by striking out, in the fourth paragraph, the
3 words "of employers' liability insurance," and by strik-
4 ing out the concluding paragraph of the section, and by
5 inserting in place thereof the following:—

6 Mutual companies heretofore organized to transact
7 employers' liability insurance may continue such business
8 under the fifth paragraph of section twenty-nine, as
9 herein amended, and such companies shall be subject to
10 the laws, so far as applicable, in relation to mutual fire
11 insurance companies.

12 No company shall be required to have on deposit with
13 the treasurer of the Commonwealth an amount in excess

14 of what is sufficient to enable it to comply with the laws
15 of the states in which it transacts business. And all
16 sums in excess of this amount held on deposit with the
17 treasurer of the Commonwealth or elsewhere shall be
18 counted as of the surplus funds of the company.

19 So that the section will read as follows: —

20 *Section 31.* No corporation so formed shall transact
21 any other business than that specified in its charter and
22 articles of association.

23 Companies to insure plate glass may organize with a
24 capital of not less than one hundred thousand dollars.

25 Companies so formed insuring marine or inland risks
26 upon the stock plan shall have a capital of not less than
27 three hundred thousand dollars.

28 Companies so formed for the transaction of fire insur-
29 ance on the stock plan, of fidelity insurance, of accident
30 insurance, or of steam boiler insurance shall have a
31 capital of not less than two hundred thousand dollars.

32 Companies may be so formed to insure mechanics' tools
33 and apparatus against loss by fire for an amount not
34 exceeding two hundred and fifty dollars in a single risk,
35 with a capital of not less than twenty-five thousand dol-
36 lars, divided into shares of the par value of ten dollars
37 each.

38 Mutual companies heretofore organized to transport
39 employers' liability insurance may continue such business
40 under the fifth paragraph of section twenty-nine, as
41 herein amended, and such companies shall be subject to
42 the laws, so far as applicable, in relation to mutual fire
43 insurance companies.

44 No company shall be required to have on deposit with
45 the treasurer of the Commonwealth an amount in excess
46 of what is sufficient to enable it to comply with the laws
47 of the states in which it transacts business. And all

48 sums in excess of this amount held on deposit with the
49 treasurer of the Commonwealth or elsewhere shall be
50 counted as of the surplus funds of the company.

1 SECT. 3. This act shall take effect upon its passage.

