
LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. 861 Session of 1919.

INTRODUCED BY MR. KOOSER, MARCH 10, 1919.

REFERRED TO COMMITTEE ON INSURANCE,
MARCH 11, 1919.

AN ACT

Prohibiting the issuing of contracts of fire insurance or agreements as to such contracts before a written application and certificate thereon shall have been signed by the applicant and agent or other duly authorized person excepting that contracts of fire insurance or agreements as to such contracts may be permitted for a period not exceeding seventy-two hours in certain cases upon presentation of invoice or bill of lading of the merchandise upon which insurance is sought requiring that said application or the invoice or bill of lading shall be attached to and made part of such contracts and that a copy of said application or an abstract of said invoice be delivered to the State Fire Marshal and providing penalties for the violation thereof

1 Section 1 *Be it enacted by the Senate and House of Repre-*
 2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
 3 *met and it is hereby enacted by the authority of the same That*
 4 it shall be unlawful for any corporation or association
 5 domestic or foreign incorporated or authorized to engage in
 6 the business of fire insurance in Pennsylvania to make
 7 any contract of fire insurance on property located within
 8 this State to be in force and effect for more than sev-
 9 enty-two hours from the time of its delivery or any
 10 agreement as to such contract unless and until the ap-
 11 plicant for such insurance his duly authorized agent or
 12 representative shall have signed and delivered to an officer
 13 agent solicitor or representative of such insurance company
 14 or fire insurance broker holding a certificate of authority
 15 as such issued by the Insurance Commissioner of Penn-
 16 sylvania an application in writing for such insurance which
 17 application shall be attached to form part of said policy
 18 and a copy of same shall be delivered by such insur-
 19 ance company its authorized agent or representative or fire
 20 insurance broker to the State Fire Marshal at Harrisburg
 21 Pennsylvania and shall be in the following form

22 This application must be filled out in ink
 23 Number

24 Full written replies must be given to each question a stroke
 25 of the pen will not be accepted as a reply

26 _____
 27 Application for insurance to the (Name of Company)
 28

1 1 Name (in full) of applicant

2 Address

3 2 If a co-partnership joint-stock company or corporation give
4 the name and title of persons signing this application
5

6 Address

7 3 If in business state what kind

8 4 Give name of owner and location of building

9
10 5 If insurance on building is applied for give value thereof
11 and amount of insurance desired \$. Value
12 \$ Insurance

13 6 In insurance is applied for on machinery stock fixtures
14 on household furniture give value of each separately and
15 amount of insurance desired

16 Machinery \$ Value

17 \$ Insurance

18 Stock \$ Value

19 \$ Insurance

20 Fixtures \$ Value

21 \$ Insurance

22 Household furniture \$ Value

23 \$ Insurance

24 7 Have you any other insurance upon property mentioned in
25 the application yes or no If so how much
26 \$

27 8 Give name of company or companies and amount of in-
28 surance issued by each

1 Name of company,Amount \$.....

2 Name of company,Amount \$.....

3 Name of company,Amount \$.....

4 Name of company,Amount \$.....

5 9 Have you ever been refused insurance upon any property
6 real or personal

7 10 If refused insurance give name of company refusing same
8 Amount \$ and reason for refusal

9

10 11 Have you ever had a policy cancelled

11 If so for what reason

12 Give name of companyAmount \$

13 12 What business are you in

14 Business

15 Address

16 Length of time

17 If at any other place give time and location

18 13 Have you ever failed in business.....If so

19 state when and where (yes or no)

20 14 Have you ever been declared a bankrupt (yes or no)

21 If so state when and where

22 15 Have you ever suffered loss by fire (yes or no)...

23 WhereAmount of loss

24 Was settlement made by the company in which

25 you were insured (yes or no)

26 I declare that the above answers are full and

27 true Dated att

1 fixed by the applicant in the foregoing application
2

3 4 Did you inquire into the applicant's character and
4 standing in the community in which he lives
5 If so what is the result of your investigation
6

7 5 Do you know of any reason why the insurance
8 applied for should not be granted
9

10 6 Are you aware of any circumstances not disclosed
11 above which might have an unfavorable bearing up-
12 on the desirability of the risk
13

14 7 Do you recommend the granting of insurance ap-
15 plied for
16
17
18

19 REMARKS

20
21

22 I certify that my answers to the foregoing questions
23 are full and true

24 Agent

25 Address

26 Witness

27 Provided however That contracts of fire insurance or
28 agreements as to such contracts may be entered into for
29 a period not exceeding seventy-two (72) hours to cover

1 any increase in the stock of merchandise of any public
2 service corporation store warehouse or manufactory upon
3 the presentation by the owner of such merchandise or
4 his representative to a duly authorized officer agent or
5 representative of the company or companies making such
6 contract or to any fire insurance broker holding a cer-
7 tificate of authority as such issued by the Insurance
8 Commissioner of Pennsylvania of a bona fide invoice of
9 bill of lading from the shipper of any such merchandise
10 and a copy of said invoice of bill of lading shall be
11 attached to and made part of such contract and notifica-
12 tion thereof shall be delivered by such insurance company
13 its agent or representative or insurance broker to the
14 State Fire Marshal at Harrisburg Pennsylvania which shall
15 contain the name of the insured the date of the con-
16 tract or agreement the value of such merchandise and
17 the amount of insurance issued thereon

18 Section 2 Any insurance company which shall make
19 any contract of fire insurance to be in force and effect
20 for more than seventy-two (72) hours from the time of
21 its delivery or any agreement to make such contract be-
22 fore (1) the applicant for such insurance or his duly authorized
23 agent or representative shall have signed and delivered
24 the application in writing or the invoice or bill of lad-
25 ing required by section one (1) of this act and (2)
26 an officer agent or representative of the company making
27 such contract or broker holding a certificate of authority
28 as such issued by the Commissioner of Insurance of Penn-
29 sylvania shall have made the certificate required by the

1 provisions of said section one (1) shall forfeit and pay
2 into the State Treasury of Pennsylvania the sum of one
3 thousand (\$1,000) dollars for every such contract or agree-
4 ment to make such contract so made to be recovered at
5 the suit of the State Fire Marshal as other debts are
6 by law recoverable and in addition thereto any officer
7 agent or representative of any insurance company or any
8 broker holding a certificate of authority as such issued
9 by the Commissioner of Insurance of Pennsylvania who
10 shall make any contract of fire insurance contrary to the
11 provisions of this act shall be guilty of a misdemeanor
12 and upon conviction be sentenced to pay a fine of not
13 less than one hundred dollars (\$100) nor more than five
14 hundred dollars (\$500) or undergo an imprisonment not
15 exceeding three months or either or both at the discre-
16 tion of the court

17 Section 3 Any person or persons who shall fraudently
18 make sign alter or utter or be concerned in the
19 fraudulent making signing altering or uttering any false
20 or misleading application for fire insurance or any invoice
21 or bill of lading required by the provisions of this act
22 shall be guilty of a misdemeanor and upon conviction be
23 sentenced to pay a fine not less than five hundred dol-
24 lars (\$500) or undergo an imprisonment by separate and
25 solitary confinement at labor not less than one year
26 or either or both at the discretion of the court

27 Section 4 All acts or parts of acts inconsistent here-
28 with are hereby repealed