

(No. 85.)



1882.

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T A S M A N I A.

LEGISLATIVE COUNCIL.

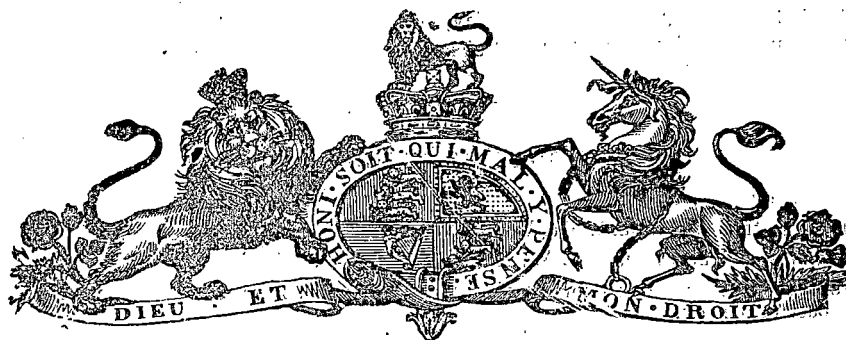
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**FIRE BRIGADES BILL, (No. 23):**

**REPORT OF SELECT COMMITTEE.**

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Brought up by Mr. Crowther, and ordered by the Council to be printed,  
October 3, 1882.



*SELECT COMMITTEE* appointed, on the 21st September, to consider the *Fire Brigades Bill*, (No. 23), with power to send for persons and papers.

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MEMBERS OF THE COMMITTEE.

MR. WATCHORN.  
MR. MACLANACHAN.  
MR. SMART.

MR. HODGSON.  
MR. CROWTHER. (*Mover.*)

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DAYS OF MEETING.

September 23, 25, 27, 28, 30. October 2, 3.

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WITNESSES EXAMINED.

Mr. John Hamilton.  
Mr. John Macfarlane.  
Mr. William Anderson Weymouth.

Mr. Crawford Mayne Maxwell.  
Mr. Frederick Henry Wise.  
Mr. John Roberts.

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MINUTES OF PROCEEDINGS.

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SATURDAY, SEPTEMBER 23, 1882.

The Committee met at 11 o'clock.

*Present*—Mr. Crowther, Mr. Watchorn, and Mr. Maclanachan.

Mr. Crowther was appointed Chairman.

Mr. John Hamilton to be summoned for Monday at 11, and Mr. John Macfarlane at half-past 11 o'clock.

The Committee adjourned until Monday at 11 o'clock.

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MONDAY, SEPTEMBER 25, 1882.

The Committee met at 11 o'clock.

*Present*—Mr. Crowther (Chairman), Mr. Smart, Mr. Watchorn, and Mr. Maclanachan.

Mr. John Hamilton and Mr. John Macfarlane examined.

Mr. W. A. Weymouth to be summoned for Wednesday at a quarter past 11, and Mr. C. M. Maxwell for 12 o'clock.

The Committee adjourned until Wednesday, at a quarter past 11 o'clock.

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## WEDNESDAY, SEPTEMBER 27, 1882.

The Committee met at a quarter past 11 o'clock.

*Present*—Mr. Crowther (Chairman), Mr. Watchorn, and Mr. Maclanachan.

Mr. W. A. Weymouth and Mr. C. M. Maxwell examined.

Mr. Frederick Wise to be summoned for Thursday, at 11 o'clock.

The Committee adjourned until Thursday at 11 o'clock.

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## THURSDAY, SEPTEMBER 28, 1882.

The Committee met at 11 o'clock.

*Present*—Mr. Crowther (Chairman), Mr. Watchorn, and Mr. Maclanachan.

Mr. Frederick Wise examined, and Mr. W. A. Weymouth re-examined.

Mr. John Roberts to be summoned for 11 o'clock; and Messrs. John Hamilton and John Macfarlane, for Saturday, at half-past 11 o'clock.

The Committee adjourned until Saturday at 11 o'clock.

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## SATURDAY, SEPTEMBER 30, 1882.

The Committee met at half-past 11 o'clock.

*Present*—Mr. Crowther (Chairman), and Mr. Watchorn attended at half-past 11 o'clock.

Mr. John Hamilton and Mr. John Macfarlane attended by order of the Committee.

No quorum.

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## MONDAY, OCTOBER 2, 1882.

The Committee met at half-past two o'clock.

*Present*—Mr. Crowther (Chairman), Mr. Watchorn, Mr. Smart, and Mr. Maclanachan.

Mr. John Roberts examined.

The Committee adjourned until Tuesday, at 11 o'clock.

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## TUESDAY, OCTOBER 3, 1882.

The Committee met at a quarter past 11 o'clock.

*Present*—Mr. Crowther (Chairman), Mr. Watchorn, Mr. Maclanachan, and Mr. Smart.

The Chairman submitted a draft Report, which was read and adopted.

The Committee adjourned *sine die*.

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## R E P O R T.

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THE Select Committee of the Legislative Council appointed, on the 21st September, to consider the "Fire Brigades Bill," have the honor to report that—

Your Committee have held seven sittings, examined six witnesses, and had placed at its disposal evidence of an extended and important character bearing upon the organization and support of Fire Brigades.

The duty assigned to your Committee,—viz., to report generally on the Fire Brigades Bill, No. 23, and especially as to its adaptability to attain the object contemplated,—has not been a task of ordinary dimensions, having reference to the limited time at the disposal of your Committee. Still sufficient data have been obtained, in the opinion of your Committee, upon which legislation of a useful and permanent character may be based.

Upon a careful analysis of the Bill itself, and the evidence taken having reference to some of the principal clauses, the witnesses examined were, with one exception,—and he would much prefer a more extended measure,—unanimously of opinion that the Bill (No. 23) fails signally in reference to the maintenance and permanence of a Fire Brigade; but, so urgent is legislation considered on this point, that they would accept even a less perfect measure than a continuation of the present very unsatisfactory state of things.

From the evidence appended to this Report it will be seen that at every stage of the enquiry your Committee was met by the fact that the question committed to it for examination was one more of a national than of a private character, there being a concensus of opinion upon this point; and that, in order to ensure permanence and efficiency, the sources of contribution should be three-fold, viz.,—the State, Municipality, and Insurance Companies.

In support of this opinion, reference need only be made to the various memoranda forming part of the evidence of several of the witnesses examined.

Your Committee having the Adelaide Draft Bill (Fire Brigade Act, 1882) before it, examined each witness upon many of its clauses, as well as its general provisions, with the result that, with certain alterations and modifications, the majority were of opinion that a Bill drafted upon similar lines would meet the wishes of the Insurance Companies, be adequate to the wants of the community, give the necessary protection in case of fire; and, should the obligations as to support be recognised by the Government and Municipality, no difficulty would be experienced in at once carrying out the suggestions of the witnesses as to management, the erection of a watch-tower, station-house, with telephonic communication, and the establishment of a permanent corps of firemen.

Answers to Questions Nos. 6, 10, 11, 28, 107 bear particularly upon the Adelaide Bill, and Nos. 23, 26, 27, 59, 60, 61, 104 as to the support of the Brigade.

Your Committee would therefore suggest that the Government take the matter in hand, it being in reality an important public question, and that no time be lost in giving legal effect to the recommendations to which reference has been made, and at once be prepared to accept that which in every civilised community, Great Britain, the Continent of Europe, United States of America, and even in the neighbouring Colonies, has long since been acknowledged to be one of the primary obligations of the State.

WILLIAM LODK. CROWTHER, *Chairman.*

*Legislative Council Chamber,  
3rd October, 1882.*

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# EVIDENCE.

MONDAY, SEPTEMBER 25, 1882.

JOHN HAMILTON, *Esq.*, examined.

1. *By Mr. Crouther.*—Your name is John Hamilton? and what Fire Insurance Companies do you represent? Yes. The London and Lancashire, and the Union of New Zealand.

2. You are one of the Petitioners asking the Fire Brigade Bill, No. 23, to be referred to a Select Committee of the Council? I am.

3. Looking at the Petition, you state that the Bill is totally inadequate to meet the case: on what grounds do you base your opinion? My objections are contained in the recital of the Petition—

1st. That the Title is not sufficiently descriptive of the objects of the Bill, which should be for the establishment of "Fire Brigades," and not merely for the minor object of "Appointment of Superintendents."

2nd. That the Preamble recites "certain Companies," without naming them, or making any provision for your Petitioners being represented by registration or otherwise.

3rd. That in Clause 1 no provision is made for the appointment of a Fire Brigade Board, and no explanation is given as to the meaning of the words "sufficient provision" for "efficient Fire Brigades."

4th. That in Clause 2 no provision is made for Bye-laws for "control and management of Fire Brigades;" and your Petitioners think it would be unadvisable to leave the entire control to the Superintendents.

5th. That in Clause 4 the Bill proposes to alter conditions of existing Fire Policies, which, your Petitioners submit, is contrary to public policy.

6th. That in Clause 5, while providing for the buildings or premises, no mention is made of contents, which in many cases are more valuable than the building.

7th. That the interests of the whole of the householders of Tasmania are involved in this Bill, as its provisions make it compulsory to pay for the extinction of fire whether the occupier is *insured* or *uninsured*.

4. Taking the first clause of the Bill, what is your opinion as to the Title—do you consider it sufficiently descriptive, or does it meet the object contemplated, particularly as to the establishment and the maintenance of the Brigade? No, that is really the basis of our objections. The Bill is for the appointment of Superintendents, whereas the Bill we require is for the establishment and maintenance of Fire Brigades to make it meet the object contemplated.

5. It is easy to raise objections. What shape would you recommend legislation to take? A good and useful measure, such as that embraced in the principles of the printed memoranda.

6. Then you are of opinion that the Adelaide Draft Bill, a copy of which has been supplied to Members of the Council, would, with some alterations, meet the case? I do: that the Bill now before the Council would require amendment to an extent embodying all the important clauses.

7. Are there not two Fire Brigades in Hobart? There are; but their appliances are so old and defective that they would not be able to deal with a fire if it broke out.

8. Can you tell the Committee how these Brigades are supported? By contributions from local and foreign offices.

9. Are the companies you represent contributors? Not at present; we withdrew. When the Government imposed the tax or licence of £25 on each Company, we held strong opinions, and long argued as to the duty of the Government and Corporation contributing in conjunction with the Companies for the support of Brigades.

10. The Adelaide Draft Bill sets out that the Government and Corporation should assist. Why? The Government should assist, as they impose a tax on us; the Corporation should, for the maintenance of their own rates; and on the authority of Great Britain, the United States, and the neighbouring Colonies. I wish my answer illustrated by the Memoranda which I now supply.

*FIRE Brigades in New Zealand, Adelaide, and Tasmania.*

Name of Town.	Population in 1878.	Sum insured in Town.	Premium Income received in Town.	Cost of Brigade.	Amounts contributed by Insurance Co.	How Brigade is supported.	Per-cent. age on Premium Income.	Per-cent. age contributed by Insurance Co.	Remarks.
		£	£ s. d.	£ s. d.	£ s. d.		Per cent.	Per cent.	
Auckland	24,772	2,022,841	..	750 0 0	300 0 0	Corporation and Fire Ins. Co.	..	..	1879-80
Christchurch	26,653	2,195,335	..	600 0 0	..	<i>Id.</i>	..	..	1881
Dunedin	35,025	..	22,942 0 0	750 0 0	200 0 0	<i>Id.</i>	3.2	less than 1	1881-2
Greymouth	2921	116,660	..	200 0 0	..	<i>Id.</i>	..	..	1881
Hokitika	3202	..	..	150 0 0	42 8 6	<i>Id.</i>	..	..	1879
Invercargill	3761	..	..	200 0 0	80 0 0	<i>Id.</i>	..	..	1881
Napier and Spit	5415	497,930	..	200 0 0	75 0 0	<i>Id.</i>	..	..	1881
Taranaki	2680	117,000	..	60 0 0	..	Corporation	..	..	1878
Timaru	3389	487,191	..	100 0 0	..	Corporation and Fire Ins. Cos.	..	..	1881
Wellington Central Volunteer F. B.	18,953	..	30,151 4 10	500 0 0	..	Corporation and public subscription	..	..	1879
Nelson	..	..	5337 2 4	400 0 0	100 0 0	Corporation and Fire Ins. Cos.	1.6	Nothing	1881
Seven small Towns	..	..	..	..	..	<i>Id.</i>	3.77	1.9	..
Two ditto	..	..	..	..	..	..	..	..	..
Five ditto	..	..	..	..	..	..	..	..	..
One ditto	..	..	..	..	..	..	..	..	..
Adelaide	About 90,000	..	56,084 0 0	..	..	Corporation and Fire Insurance Cos. General Government, Corporation, and Fire Insurance Cos.	..	Never exceeded 2	1881
Launceston	In 1881, 12,752	..	3744 0 0	122 0 0	..	By Ins. Co.	3.2	3.2	..
Hobart	21,118	..	7155 0 0	583 1 8	..	<i>Id.</i>	8	8	1876

For 1881, cost about £444 17s. 6d. on Premium income of £6307.

(From the *Popular Encyclopædia*, July 5, 1865.)

"The duty of extinguishing fires and protecting life and property in case of fire, was declared to be intrusted to the Metropolitan Board of Works within their jurisdiction, and provision was made for the Metropolitan Fire Brigade. The Act provides for the support of the Brigade by contributions from three sources,—1. By a grant from the Treasury not exceeding £10,000 annually. 2. By an Assessment on the rateable property within the Metropolitan Area, amounting to not more than  $\frac{1}{2}$ d. per £ on the annual rental. And 3. By a payment made by the Insurance Companies at the rate of £35 per million of property insured in the metropolis."

11. If the management were under a Board, appointed as in the Adelaide Draft Bill, and presuming the Government and Corporation did not contribute, would the offices you represent still refuse to contribute? I think not: we are desirous of obtaining a Bill in which foreign offices have representation.

12. Do you think Clause 9 of the Adelaide Draft Bill meets the case as to maintenance, one of the principal defects of the Bill now before the Council being in that direction? Yes, in connection with Clauses 7 and 8, with regard to maintenance, but not sufficiently as to the first establishment of plant and incidental expenses.

(Clauses 7 and 8 referred to.)

"9. Every Insurance Company shall pay annually to the Board, by way of contribution towards the expenses of carrying this Act into effect, a sum (not being less than Ten Pounds per annum) calculated on the premium income derived from insurance business, after the deduction of returns and re-insurances."

13. Clause 14 of the Adelaide Draft Bill gives extraordinary powers as to the examination of the books of various companies: do you not think that the Statutory Declaration made in conformity with Clause 10 would meet the case? I do, as I believe that Clause 14 would be decidedly inquisitorial.

14. Do you think the old Insurance Companies, such as the Derwent and Tamar, Tasmanian, and Cornwall, have been adequate to the wants of the community? No, decidedly not. Having a monopoly their rates in some instances were almost prohibitory, and many large risks they would not undertake; for example—our own premises, P. O. Fysh & Co.'s new warehouse, large jam factories, and large saw-mill establishments; and in some instances the rate was 50 per cent. more than at present.

15. *By Mr. Watchorn.*—You have said you consider the present Brigades defective: state your reasons? Their old and deficient appliances.

16. Do you consider the service in the past has, as far as the means the Brigades have at their control, been efficiently performed? Yes, as far as could be expected.

17. Are the Companies you represent registered within the Colony? I believe not.

18. Are you in favour of compulsory registration? Yes, it is quite in accord with Clause 5 in the memoranda, which embraces the subject.

JOHN MACFARLANE, *Esquire, examined.*

19. *By Mr. Crowther.*—Your name is John Macfarlane? and what Insurance Companies do you represent? Yes. The Royal Insurance Company.

20. You are one of the Petitioners asking that the Fire Brigades Bill, No. 23, be referred to a Select Committee of the Council? Yes.

21. You are cognizant with the various clauses of the Adelaide Draft Bill: do you think Clause 9 meets the case as to maintenance, one of the principal defects of the Bill before the Council being in that direction? Yes, I do.

22. Clause 14 of the Adelaide Draft Bill gives extraordinary powers as to the examination of the books of various Companies: do you not think that the Statutory Declaration made in conformity with Clause 10 would meet the case? I think so.

23. The Adelaide Draft Bill sets out that the Government and the Corporation should assist: why, in your opinion, should they do so? Because the question of Fire Brigades is one in which the public are more interested than the Fire Insurance Companies. If there were no Fire Brigades the Fire Insurance Companies would simply raise the premiums to cover the extra risk. Marine Companies do not support Light-houses, nor Life Insurance Companies look after the drainage, so if there were no Brigade the public would be the sufferers in paying high premiums and being without protection. It is the duty of the State or Municipal Council to attend to the public safety.

24. Is the Company you represent a contributor? No, because we object to the principle of the way in which the Brigade is managed. We received an intimation from the local Brigade Manager requesting a contribution four years ago, and we declined on grounds fully stated, amongst which were expensive management, no sufficient representation, the plant and Brigade being under the name of individual companies in place of simply a Brigade Association.

25. If the management were under a Board, appointed as in the Adelaide Draft Bill, and presuming the Government and Corporation did not contribute, would the office you represent still refuse to contribute? If the management was on an equitable basis we should be prepared to contribute, but if the Government and Corporation were not contributors they would have no voice in the appointment of the Board.

26. The assistance of the Government and Municipalities with the Insurance Companies—is it in your opinion necessary to insure the permanency of the Brigade? Yes, it is.

27. Are you cognizant of the mode of establishing and maintaining Fire Brigades in England? Slightly so. In London the Fire Insurance Company contribute one-sixth of the whole expense, the remainder being obtained from the special rate levied for the purpose. In Queensland the Brigade is supported by contributions from Government, Corporation, and Insurance Companies, each paying one-third. In New Zealand the Municipalities contribute largely. On the Continent of Europe and United States the Insurance Companies, I believe, are not called upon to contribute at all. In the suburbs of Melbourne the Municipalities contribute; in the City of Melbourne the Brigade is supported by the Insurance Companies alone. In Adelaide a draft Bill is before the House proposing that the Insurance Companies pay one-half, and the Government and Corporation the remainder between them. I have since learnt the Select Committee in Adelaide have reported favourably on the Bill.

28. What mode would you recommend legislation to take?—Then you are of opinion that the Adelaide Draft Bill, a copy of which has been supplied to Members of the Council, would, with some alterations, meet the case? I recommend the Adelaide Draft Bill, which would, with some alterations, meet the case; and I am supported in my opinion by the approval of our Melbourne Superintendent, who is a recognised authority on Insurance matters.

29. Do you consider the service in the past of the Brigades has, as far as their means would allow, been efficiently performed? Yes, I think so, as far as the means at their disposal, but those means have been very inadequate.

30. Referring to the Schedule in the Adelaide Draft Bill of the scale of charges, does the scale meet with your approval? Yes, it does.

31. Is there any other suggestion you wish to make to the Committee? As the Government tax the Insurance Companies they have a right to expect assistance from the Government to the Brigade. Twelve months ago a deputation of Insurance Companies waited on the Premier, who then expressed himself favourable to the principles of contribution from the Government. I formed one of the deputation.

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WEDNESDAY, SEPTEMBER 27, 1882.

W. A. WEYMOUTH, *Esq.*, examined.

32. *By Mr. Crowther.*—Your name is William Anderson Weymouth, and you are Resident Secretary of the Mutual Fire Insurance Company of Tasmania, Limited? Yes.

33. You are interested in the maintenance of Fire Brigades which have for some time past existed in Hobart? Yes.

34. What Offices besides your own have up to the present time contributed to their support? The Derwent and Tamar, Tasmanian, Liverpool London and Globe, Victoria, Cornwall, and the New Zealand (which withdraws at the end of the year).

35. Do you consider the organisation of such a character as calculated to insure both efficiency and permanence; and if not, state in what particulars the same appears to be defective? It occurs to me that there should be one Brigade, under a Superintendent formally appointed,—both being under the management of a Board.

36. Do you consider legislation necessary in order to give permanence and efficiency to a Brigade? Yes, I do.

37. Are you aware that the principal contribution to the Fire Brigade in the neighbouring Colonies of Queensland, New Zealand, and South Australia is from public funds: the Suburbs of Melbourne and Country Municipalities contribute; the London Insurance Companies contribute one-fifth the balance paid out of a special rate (£100,000) levied for the purpose? I am aware that by the Metropolitan Fire Brigade Act, 1865, the duty of extinguishing fires, and protecting life and property in case of fire, in London, is entrusted to the Metropolitan Board of Works, in whom are vested all necessary powers of managing the Brigade. The expenses are met (1) by contributions from the Insurance Companies, at the rate of £35 for every million pounds on the gross amount insured by each office in respect of property in the metropolis; (2) by a grant from the Treasury, not exceeding £10,000 a year; and (3) by a parochial rate not exceeding a half-penny in the pound on the assessed annual value. Also that in New Zealand the direct management and support of the Brigades is undertaken by the Municipalities, which are partially recouped by the Insurance Companies. In Queensland, the Government, the Corporation, and the Companies share the expenses between them. The reference to the Victorian Municipalities I believe to be correct.

38. Are you aware that on the Continent of Europe, and in the United States, Fire Insurance Companies are not called upon to contribute? Yes; I have read that in the United States the several Municipalities defray the entire cost of extinguishing fires, and that on the Continent of Europe the prevention and extinction of fires is usually assumed by either the civic or the military authorities.

39. Are you conversant with the provisions of the Adelaide Draft Bill recently before the South Australian Legislature, a copy of which is now before me? I am.

40. Do you not think the question of the establishment of a Fire Brigade is more of a public than private character, and that the Government and Municipal bodies are bound to support it? Yes, I do.

41. Do you not think that a Bill, containing provisions something similar to the Metropolitan Fire Brigades Act, 1865, as to the sources of contribution, would be far better in principle than the one at present before the Council? As a matter of principle, I think the Fire Brigades should be maintained by the Municipality, assisted by contributions from all the Insurance Companies doing business in the Municipality; but as a matter of expediency I do not think it would be wise to incorporate that principle in any Bill to be introduced this Session. The great thing to be secured just now is that those who directly benefit by the existence of the Brigades should contribute towards their maintenance.

42. Do you think Clause 9 of the Adelaide Draft Bill meets the case as to maintenance, one of the principal defects of the Bill now before the Council being in that direction? I do. I suggest, however, that after the words "Insurance business" the words "within the Municipality" should be inserted; and at the end of the Clause, after the word "re-insurances," the words "effected within the Colony, and with Companies contributing to the Brigade thereon," also be inserted.

43. Has the office you represent been willing to take all the risks offered? Our practice is to take all the good business we can get, and to re-insure when necessary.

44. What do you consider the condition of the Fire Brigades at present existing in Hobart as to efficiency and equipment? I do not think that the Brigades are as efficient as they might be, mainly because they are two bodies instead of one. I believe it to be desirable that a look-out tower should be erected. The Volunteer Brigades in Launceston are doing this at the present time.

45. I drew your attention to Clause 4 of the Adelaide Draft Bill as to the formation of a board of management: what is your opinion of the plan suggested? I think that a Fire Board, of say six, should be appointed by the Governor in Council, on the nomination of the Fire Insurance Companies doing business within the Municipality, unless of course the Municipality contributes, when it also would have a voice in the nomination. This opinion is founded on the basis that those who find the money should control its expenditure.

46. Clause 14 of the Adelaide Draft Bill gives extraordinary powers as to the examination of the books of various Companies: do you not think that the Statutory Declaration made in conformity with Clause 10 would meet the case? I decidedly object to Clause 14, and think that Clause 10 amply meets the case. In Clause 10 I suggest the insertion of the word "Manager" before the word Secretary, and the excision of the words "or of some person cognizant of the facts."

47. *By Mr. Watchorn.*—Do you consider the service in the past has, as far as permitted by the means the Brigades have at their control, been efficiently performed? Yes, fairly so, much more so than some would have us believe.

48. Is the Company you represent registered within the Colony? It is, under the Companies Act, 1869.
49. In the event of a Company not being registered, can it sue or be sued here? It cannot.
50. What is the capital of the Company you represent? £100,000, paid up to £20,000.
51. How long has it been established? Nine years.
52. What was the last dividend declared?  $7\frac{1}{2}$  per cent. on paid-up capital.

C. M. MAXWELL, Esq., examined.

53. *By Mr. Crowther.*—Your name is Crawford Mayne Maxwell? and you are the Manager of the Derwen and Tamar Fire Insurance Company, and interested in the maintenance of a Fire Brigade which for some time past has existed in Hobart? Yes.

54. What Offices besides your own have up to the present time contributed to its support? The Tasmanian, London Liverpool and Globe, Mutual, Cornwall, Victoria, and New Zealand.

55. Do you consider the organisation of such a character as calculated to insure both efficiency and permanence; and, if not, state in what particulars the same appears defective? I think the organisation of the Brigades is very fair; in proof of this,—that no fire in Hobart, when the supply of water has been good, has ever got beyond control, or spread farther than the building in which it first originated. I think also that the organisation might be greatly improved if we could keep a small body of men exclusively as firemen; but the permanence would depend upon the number of Offices contributing. Some of the Companies who do not contribute say that in the long run they would be able to do insurance business on cheaper terms than Companies contributing; and if that be true, it strikes at the root of the Brigade altogether. It would be a great improvement if we could afford to keep a small paid body of men whose business would be that of firemen and nothing else; and I suggest the erection of a watch tower, in which one of the Brigade would be stationed night and day, and a telephonic communication to the Station,—this, however, would cost money.

56. Do you consider legislation necessary in order to give permanence and efficiency to a Brigade? I consider it very desirable.

57. Are you aware that the principal contributions to the Fire Brigades in the neighbouring Colonies of Queensland, New Zealand, and South Australia are from public funds: the Suburbs of Melbourne and Country Municipalities contribute; the London Insurance Companies contribute one-fifth, the balance paid out of a special rate (£100,000) levied for the purpose? and do you not consider the question of Fire Brigades is more of a public than a private character, and that the Government and Municipal Bodies are bound to support it? I think that the Municipalities ought to contribute; and I support this view by saying that in all towns a large number of buildings are uninsured. All the contributing Companies think with me on that point, and have strongly urged our views upon the Government.

58. Are you also aware that on the Continents of Europe, and in the United States, Fire Insurance Companies are not called upon to contribute? I think it must be so.

59. Are you cognizant with the provisions of the Adelaide Draft Bill recently before the South Australian Legislature, a copy of which is now before us? I am. I know more, however, of the Queensland Bill than of the Adelaide. The Fire Brigades are supported by the Government, Municipalities, and Insurance Companies, in the proportion of one-third each.

60. Do you not think that the question of the establishment of a Fire Brigade is more of a public than a private character, and that the Government and Municipal bodies are bound to support it? I think so.

61. Having had pointed out to you the action of the Metropolitan Board of Works in London, and the plan suggested in the Adelaide Draft Bill, and the system this obtains in some of the neighbouring colonies, are you in favour of the Government and Municipalities contributing to a Fire Brigade? I think it would be a very proper mode of forming a Board.

62. Clause 14 of the Adelaide Draft Bill gives extraordinary powers as to the examination of the books of various Companies: do you not think that the Statutory Declaration made in conformity with Clause 10 would meet the case? I think the clause unnecessary, and that Clause 10 would be quite sufficient, though I should have no objection to my own books being inspected by a Government officer.

63. Has the office you represent been willing to take all the risks offered? All good risks.

64. Do you consider the capital of the old Companies adequate to meet the wants of the community? Undoubtedly I do.

65. Have you had any communication with any of the offices recently established in Hobart? Yes, I have had communication with all the foreign offices. When asked to join most of these offices promised to do so, and admitted that the request was a fair and reasonable one for us to make; afterwards two of the number withdrew, and told me they did so by orders of the head office, giving, as one reason, that they had no voice or control in the management of the Brigades. In answer to that, I have repeatedly made the offer that the entire control and management would be handed over to any Committee, say, for example, three in number, that might be appointed by those who contributed.

66. What is the amount of the Capital of your Company? Our subscribed Capital is £100,000, our Liability is unlimited, our paid-up Capital is £50,000, our Reserve Fund is £50,000, our Undivided Profits £10,000, and our Revenues are about £50,000 per annum.

67. What was your rate of dividend upon paid-up Capital? Our last dividend on the paid-up Capital was 10 per cent. and a bonus of 10 per cent. The last five years our average dividends have been 10 per cent., sometimes with a bonus of five per cent. in addition. Our profits arise from Marine, not from Fire business.

68. Being an unlimited Company, you can sue and be sued? Yes.

69. Can a foreign Company not registered sue and be sued? I believe it cannot.

THURSDAY, SEPTEMBER 28, 1882.

FREDERICK H. WISE, Esq., examined.

70. *By Mr. Crowther.*—Your name is Frederick Henry Wise, and you are representative of the National Fire and Marine Insurance Company of New Zealand? Yes.

71. What is the nominal capital of your Company? £100,000; £50,000 paid up, unlimited liability, and reserve fund, £100,000.



72. You are one of the Petitioners asking the Fire Brigade Bill, No. 23, to be referred to a Select Committee of the Council? I am.

73. Looking at the Petition, you state that the Bill is totally inadequate to meet the case: on what grounds do you base your opinion? They are contained in the recital of the Petition:—

1st. That the Title is not sufficiently descriptive of the objects of the Bill, which should be for the establishment of "Fire Brigades," and not merely for the minor object of "Appointment of Superintendents."

2nd. That the Preamble recites "certain Companies," without naming them, or making any provision for your Petitioners being represented by registration or otherwise.

3rd. That in Clause 1 no provision is made for the appointment of a Fire Brigade Board, and no explanation is given as to the meaning of the words "sufficient provision for "efficient Fire Brigades."

4th. That in Clause 2 no provision is made for Bye-laws for "control and management of Fire Brigades;" and your Petitioners think it would be inadvisable to leave the entire control to the Superintendents.

5th. That in Clause 4 the Bill proposes to alter conditions of existing Fire Polices, which, your Petitioners submit, is contrary to public policy.

6th. That in Clause 5, while providing for the buildings or premises, no mention is made of contents, which in many cases are more valuable than the building.

7th. That the interests of the whole of the householders of Tasmania are involved in this Bill, as its provisions make it compulsory to pay for the extinction of fire whether the occupier is *insured* or *uninsured*.

74. Taking the first clause of the Bill, what is your opinion as to the Title—do you consider it sufficiently descriptive, or does it meet the object contemplated, particularly as to an establishment and the maintenance of the Brigade? The Bill is virtually for the purpose of recovering money in case of fire, but nominally for the Superintendent of Fire Brigade, and does not meet the object of establishment of Fire Brigades or encourage their maintenance.

75. What shape would you recommend legislation to take? I would recommend it in the shape of the Adelaide Draft Bill, with some alterations.

76. Then you are of opinion that the Adelaide Draft Bill, a copy of which has been supplied to Members of the Council, would, with some alterations, meet the case? Yes, I do.

77. Is the Company you represent a contributor? No, I have never been asked to contribute.

78. The Adelaide Draft Bill sets out that the Government and Corporation should assist. Why? Because it is considered the duty of the State to protect the lives and property of its inhabitants by the establishment of public Fire Brigades, which, in addition to affording the means of protecting property, enables those who choose to insure to do so at a far lower rate of premium where public Brigades are established.

79. Drawing your attention to this paragraph from the *Popular Encyclopædia*, July 5, 1865.—

The duty of extinguishing fires and protecting life and property in case of fire, was declared to be intrusted to the Metropolitan Board of Works within their jurisdiction, and provision was made for the Metropolitan Fire Brigade. The Act provides for the support of the Brigade by contributions from three sources,—1. By a grant from the Treasury not exceeding £10,000 annually. 2. By an Assessment on the rateable property within the Metropolitan Area, amounting to not more than  $\frac{3}{4}$ d. per £ on the annual rental. And 3. By a payment made by the Insurance Companies at the rate of £35 per million of property insured in the metropolis.—

do you think provisions of a similar character, as to maintenance, would meet the case? Yes, I do.

80. If the management were under a Board, appointed as in the Adelaide Draft Bill, and presuming the Government and Corporation to contribute, would the office you represent still refuse to contribute? I believe they would contribute, on any equitable basis.

81. Do you think Clause 9 of the Adelaide Draft Bill meets the case as to maintenance, one of the principal defects of the Bill now before the Council being in that direction? I think it does.

82. Clause 14 of the Adelaide Draft Bill gives extraordinary powers as to the examination of the books of various Companies: do you not think that the Statutory Declaration made in conformity with Clause 10 would meet the case? That is one of the amendments I would propose in the Adelaide Bill.

83. Do you think the old Insurance Companies, such as the Derwent and Tamar, Liverpool London and Globe, Tasmanian, and Cornwall have been adequate to the wants of the community? No, certainly not. Their conservative principles have either forced people to carry their Insurances out of the Colony or encouraged foreign Offices; and further, it is within my knowledge that the branches of local Companies have accepted policies at lower rates than the head offices established in Hobart.

84. What is your opinion of the present Fire Brigades? Not being a contributor I do not feel justified in criticising them.

85. In the event of the Government and Corporation not being willing to contribute to the maintenance of a Brigade, would you accept a Bill in which this obligation was not set forth? No, I would not.

86. Are you conversant with the mode adopted for the maintenance of Brigades in New Zealand and Australia? Yes, I am. Some of the other colonies are admitting the principle of State protection against fire which has been for some years established in America, and latterly adopted in many countries in Europe.

87. What is your opinion of the water supply in case of fire heretofore? It has not been so promptly available as it should have been; and I am of opinion that were the Government, Corporation, and Insurance Companies jointly interested, a more efficient supply would be available.

88. Is it not a fact that fires heretofore have been confined to the buildings in which they originated? Yes, with the exception of twice, at the corner of Elizabeth and Liverpool streets, they have been confined within a limited area.

89. What per-centage of profit accrued upon your capital on last distribution? I believe it was over 20 per cent.

W. A. WEYMOUTH, *Esq.*, re-examined.

90. *By Mr. Crowther.*—What additional evidence are you prepared to give the Committee? I would suggest the following alterations in the Adelaide Draft Bill.

In Clause 4. Section 3. I suggest this alteration—

If any vacancy shall occur in the Board by reason of any death, resignation, or removal of any member, such vacancy shall be filled up by the Governor, upon the nomination of the Fire Insurance Companies.

Leave out Clause 7 altogether.

Clause 8.

8. The Municipality shall pay to the Board, in quarterly payments, out of the funds of the Municipality, a sum of money being a third of the outlay of the Board in respect to the objects of this Act during the preceding three months.

This is useless without consent of Municipality, which has been refused.

Clause 9.

9. Every Insurance Company shall pay annually to the Board, by way of contribution towards the expenses of carrying this Act into effect, a sum (not being less than ten pounds per annum) calculated on the premium income derived from insurance business in respect of property within the Municipality, after the deduction of returns and re-insurances effected within the Colony and with companies contributing to the Brigades thereon.

Clause 10.

10. For the purpose of ascertaining the amount to be contributed by every such Insurance Company, every Insurance Company shall, within thirty days after thirty-first day of December in each and every year, furnish the Chairman of the Board with a return, in such form as may be required, of the amount of annual premium receipts (re-insurances effected as aforesaid excepted) for the preceding twelve months. Every such return shall be verified by the statutory declaration of the manager secretary, or agent of such Insurance Company.

Clauses 11, 13.

11. All amounts payable to the Board, by way of contribution or penalty by any Insurance Company, may be recovered in a summary manner from such Company, or the Manager, Secretary, or Agent thereof, at the suit of the Superintendent of Fire Brigade.

13. If any Insurance Company shall fail or neglect to furnish the return required by this Act upon the days appointed by the Board, such Insurance Company, or the Manager, Secretary, or Agent thereof, for every such offence, shall be liable to a penalty not exceeding Five Pounds for every day during the continuance of such default; and the averment in any information under this Act that any person named therein is the Manager, Secretary, or Agent of any Insurance Company shall be sufficient proof thereof until the contrary be shown.

Leave out Clauses 14 and 17.

Clause 19.

19. Any damage occasioned to property by any Fire Brigade in the due execution of their duties shall be deemed to be damage by fire within the meaning of any policy of insurance against fire which may be current on such property.

See Metropolitan Fire Brigade Act, 1865, 28 and 29 Vict., c. 90.

Clause 21.

21. It shall be lawful for the Board when occasion requires to permit any part of the fire brigade establishment with their engines, horses, carts, escapes, and other implements to proceed beyond the limits of the Municipality for the purpose of extinguishing any fire or fires. In such case the owner and occupier of the property where the fire has occurred shall be jointly and severally liable to defray all reasonable expenses that may be incurred by the Fire Brigade in so attending, and shall pay the same to the Board upon demand. In default of payment, any expenses under this section may be recovered by the Board in a summary manner, through the Superintendent of the Fire Brigade.

Clause 28.

28. The owner of any uninsured house or other buildings, or any property on any land or in any building, where a fire has occurred, shall pay to the Board a sum of money to be determined by the Schedule hereto in respect of the matter therein provided.

Clause 30. Strike out Sections II. and III. and insert following in lieu of them :—

II. For provision of some distinguishing uniform and badge for members of the Fire Brigade.

Schedule.

The following is the Scale of Charges allowed for attendance of a Fire Brigade at any Fire within the Municipality :—

	£	s.	d.
For Superintendent of Fire Brigades, for first hour if actually attending .....	0	10	6
Ditto, per hour for each succeeding hour, day or night .....	0	5	0
For each reel or engine, with hose, pipes, &c. in attendance at any Fire .....	1	10	0
For each fireman when called out to any Fire, day or night, for the first hour .....	0	5	0
Ditto, for each succeeding hour .....	0	2	6
For each horse for taking engine or reel to and from any Fire in <i>Hobart</i> or <i>Launceston</i> , day or night .....	0	7	6
For each horse for taking engine or reel to and from any Fire in the suburbs .....	0	10	0
For engine or reel arriving first at any Fire, as prize money .....	1	1	0
For wages for extra men or boys engaged by the Superintendent at any Fire day or night, the sums actually paid.			

91. Yesterday you said the local brigades were not as efficient as they might be. Will you explain? My idea of efficiency is a permanent paid brigade, of say twenty men, with a head station and as many branch ones as needful or practicable; a good look-out tower, having telephonic communication with the several brigade stations, the police station, and the Town Hall; a small steam fire-engine, and such other modern appliances as might be necessary; the whole under the immediate control of a qualified superintendent, subject only to the general direction of a board. Remembering, however, whence the funds come at present, little if anything more in the way of equipment can be expected than we now have; and as to the actual work of our two local brigades, the comparative smallness of our losses at individual fires in the city for years past speaks for itself, without claiming perfection.

92. What in your opinion will be the probable result if some legislation is not arrived at in this matter? The Secretary of the Company I represent tells me that in Launceston the desirability of disbanding the brigades in the event of non-legislation has been seriously discussed. Even in Hobart the same thing has been hinted at, the Companies contributing feeling the pressure of the expenses of maintenance.

93. What scale of voting would you suggest for the election of a Board of Management? I think the scale adopted by the contributing offices in Hobart, of one vote for each £50 contributed, a fair one,—but would suggest a maximum of four votes.

MONDAY, OCTOBER 2, 1882.

JOHN ROBERTS, *Esq.*, examined.

94. *By Mr. Crowther.*—Your name is John Roberts, and you represent the Liverpool & London and Globe Insurance Company? Yes.

95. Having heard that you can give evidence as to the organization and maintenance of Fire Brigades, will you oblige the Committee by favouring it with your views? The present Brigades are fairly effective, and that is shown by the admitted fact that fires have rarely spread beyond the premises where they originated.

96. What is your opinion as to the organization and maintenance of the Brigades? My opinion is that the maintenance should be of a threefold character,—namely, by Government, Municipalities, and Insurance Companies. The increased funds thereby obtained would be available for the additional appliances in the shape of steam fire-engines, watch-tower, telephonic communication, and, more than all, to have a permanent corps of firemen.

97. You are conversant with the various clauses of the Adelaide Draft Bill? I have read the Bill.

98. Can you offer any suggestions that will be useful to the Committee? I have not read that Draft with a view to amend it.

99. Do you think in the main that the Adelaide Draft Bill, with certain alterations, would meet the object aimed at? I see that it wants many amendments, and I think that the Government Bill (No. 23) is far better adapted for the circumstances in which we are now placed than the Adelaide Draft Bill. But as a whole I would rather have the Adelaide Bill, because it carries with it the Government and Municipalities' contribution. Objections have been made to the Government Bill. First, as to the title, I say that the title is large enough, having regard to the expression and for other purposes. Another objection was that "certain Companies" had the Fire Brigades, inferring certainly that only some of the companies were meant,—the fact being that all the companies might join on the same terms as the associated Companies, and have been invited to do so. Another objection that I draw attention to is, that it is against public policy to alter the terms of fire policies making companies liable for buildings pulled down; to that I answer that that policy which does the most good for the greatest number is true public policy, and I recognise the right of the owner of property pulled down to arrest the progress of a fire to be amply compensated.

100. Has the organization under which the associated Companies have maintained the Fire Brigades worked harmoniously? Yes, on all occasions. I speak from the experience of twenty-seven years as Agent for the Liverpool & London and Globe Insurance Company. The two offices having charge of the Brigades have assumed to themselves no rights or privileges over the other subscribing offices in reference to the Brigades. Up to the present time the associated offices have extinguished all fires in Hobart, both for the Government and the non-subscribing offices, without receiving any remuneration whatever.

101. What is the nominal capital of your Company? The Liverpool & London and Globe has the largest fire business in the world, the annual income being above a million and a half,—unlimited liability,—and having upwards of Five Millions of invested property. We have a special Act of Parliament, 38 Vict., 1874, (private Act), and can sue and be sued.

102. Are you of opinion that all Insurance Companies doing business in the Colony ought to place themselves in a position to be sued? Certainly.

103. I suggest with regard to the Adelaide Bill that it could only be worked in Hobart or Launceston. If one or other of these Bills are not passed to make persons whose properties are uninsured pay for the services of Brigades, it will be a matter for consideration by the associated Offices whether they will not disband them.

[The following additional Evidence was taken before the Chairman and Mr. Watchorn, there not being a quorum, and as it appears of considerable importance, it is here printed as an Appendix.]

SATURDAY, SEPTEMBER 30, 1882.

J. HAMILTON, *Esq.*, *re-examined*.

104. *By Mr. Crowther.*—In the event of a Company not being registered, can they sue or be sued? They can. An agent can be sued on his contract. I have a legal opinion on the subject.

105. Not being registered, what are the difficulties in the way of registration? The process would be very difficult and very expensive, no Act in existence in the Colony being applicable for the purpose. To enable me to register our Company we should require a special Act.

106. What is the amount of the subscribed Capital of the London and Lancashire Company? It is £1,852,000; paid-up, £185,200; Reserve Fund, £210,000; General Fund, £23,000; and the Revenue is nearly half a million.

107. What was your rate of dividend on paid-up Capital? Our last dividend, free of income tax, was 5 per cent.

108. What is the amount of the Capital of the Union and New Zealand Company? Our subscribed Capital is £2,000,000; paid up, £75,000; Reserve Fund, £45,000; and the last dividend was 10 per cent.

109. Have you any information at your disposal approving of the line of action of the Foreign Companies with regard to the Petition now before Parliament? I have, and present the following memorandum:—

*Launceston, 28th September, 1882.*

A MEETING was held to-day of Agents adverse to the passing of the Bill.

It was resolved that the spirit of the counter Petition met with the approval of those present, and that you should be authorised to affix signatures of or for Launceston agents to a similar Petition, if same were deemed needful. At the same time it was asked that you would keep us advised of any further development that may arise.

We append names of offices represented at the meeting:—

<i>Company.</i>	<i>Agents.</i>
Royal Insurance .....	Dalgety, Moore, and Co.
South British of New Zealand.....	W. S. Bell.
National of New Zealand.....	R. J. Sadler.
London and Lancashire .....	J. and A. Corrie.

(Signed) JAS. & ALEX. CORRIE, *Agents.*

*Messrs. JOHN HAMILTON & Co., Hobart.*

JOHN MACFARLANE, *Esq.*, *re-examined*.

110. *By Mr. Crowther.*—What is the Capital of the Royal Fire Insurance Company? Royal Insurance Company.—Unlimited liability.—Established in 1844.—Capital, £2,000,000; paid-up, £289,545; actual funds invested and available to pay fire claims, £4,673,292 5s. 1d. on 31st December, 1881; last dividend, 25s. per share, free of income tax, or equal to about 40 per cent., derived principally from interest on funds invested, which interest was greater in amount than the profits made during the year. Surplus funds over total liabilities, £1,503,120. See *Review*, of London, 5th July, 1882, showing the Royal Insurance Company is the richest known Fire Insurance Company in the World, as per Table therein.

111. Being an unlimited Company, you can sue and be sued? I do not think we can.

WILLIAM THOMAS STRUTT,  
GOVERNMENT PRINTER, TASMANIA.