Published by Authority of the City Council.

A Law relating to the Fire Department:

[*Passed December 3d*, 1855.

IT IS ENACTED, by the City Council of the City of Charlottetown:

Sec. 1. That the Fire Department shall consist of a Chief Engineer and fifteen other Engineers,—three to be chosen from each Ward by the City Council annually, in the month of January, who shall hold their offices one year, and until others are chosen in their places—with as many Enginemen and Hook and Ladder men—to be divided into Companies—as the number of Engines and the quantity of other fire apparatus belonging to the City shall, from time to time require.

Sec.2. The City Council may, by a concurrent vote, at any time remove from office the Chief Engineer and any of the other Engineers, and may, also, at any time discharge any or all of the officers or members of either of the said Companies.

Sec. 3. Each Engineer shall, upon his appointment, receive a written or printed Certificate or Warrant, in the words following, viz:—

"This certifies, that A. B. is appointed an Engineer *or Chief Engineer* of the Fire Department of the City of Charlottetown, and is entitled to all the immunities belonging to said Office." Given under my hand this
day of A. D. 185
, Mayor
City Clerk,

And the respective rank of the Engineer shall be determined by the Mayor and Council.

Sec. 4. The Engineers so chosen, shall meet and organize themselves into a board, a majority of whom shall form a Quorum, and of which in the absence of the Chief Magistrate, the senior Engineer present shall be presiding officer; they may appoint such Secretary and other officers, and make such rules and regulations for their government as they may see fit, and such Secretary shall receive such compensation as the City Council may deem expedient; they shall be responsible for the discipline, good order, and proper conduct of the whole department, both officers and men, and for the care of all Houses, Engines, Hose, Carriages, and other fupniture and apparatus thereto belonging; they shall have the superintendence and control of all the Engine another houses, used for the purposes of the Fire Department, and of all furniture and apparatus thereto belonging, and of the Engines and all other fire apparatus belonging to the City, and over the officers and members of the several Companies attached to the Fire Department, and over all persons present at fires; and they may make such rules and regulations for the better government, discipline and good order of the Department, and for the extinguishment of fires, as they may from time to time think expedient, the same not being repugnant to the Laws of this Island, or to any Bye-Law of this City, and being subject to the approbation of the Mayor and Council. The said Board of Engineers shall report annually to the City Council on all matters generally relating to their Department.

Sec. 5. It shall be the duty of said Engineers whenever a fire shall break out in the City, immediately to repair to the place of such fire and to carry with them a suitable staff or badge of their office to take proper measures, that the several Engines and other apparatus be arranged in the most advantageous situations, and duly worked for the effectual extinguishment of the fire; to require and compel assistance from all persons, as well members of the Fire Department as others, in extinguishing the fire, moving furniture, goods, or other merchandize, from any building on fire or in danger thereof, and to appoint guards to secure the same; and also, in pulling down or demolishing any house or building, if occasion require, and further, to suppress all tumults and disorders. It shall, also, be their duty to cause order to be preserved in going to working at, or returning from fires, and at all other times when Companies attached to the Department are on duty; all the citizens of Charlottetown not connected with the Fire Department are hereby required to observe due obedience to the Engineers on such service, and all persons guilty of disobedience or neglect of the same, shall respectively, upon information and conviction thereof before the Mayor's or Police Court, within one week thereafter, forfeit and pay a sum not exceeding Twenty Shillings, or be imprisoned not exceeding seven days; or in case the said Engineers, or any one of them, may think fit, it shall and may be lawful for him or them to order any police or other constable to take such person so refusing as aforesaid, into custody, and commit him to jail, unless he find bail, for a term not exceeding forty-eight hours.

Sec. 6. The Chief Engineer shall have the sole command at fires over all the other Engineers, all members of the Fire Department, and all other persons who may be present at fires, and shall direct all proper measures for the extinguishment of fires, and it shall be the duty of the said Chief Engineer to examine into the condition of the Engines and all other fire apparatus, and of the Engine and other houses belonging to the City, and used for the purposes of the Fire Department, as often as circumstances may render it expedient, or whenever directed so to do by the City Council, and annually, or oftener, if thereunto requested, to report the same to the City Council; also, to cause a full description of the same, together with the names of the officers and members of the Fire Department, to be published annually, in such manner as the City Council shall direct; and whenever the Engines or other fire apparatus, Engine or other houses, used by the Fire Department, require alterations, additions, or repairs, the Chief Engineer, under the direction of the City Council, shall cause the same to be made; and it shall, moreover, be the duty of the Chief Engineer to receive and transmit to the City Council, all returns of officers, members, and fire apparatus, made by the respective Companies as hereinafter prescribed, and all other communications relaitng to the affairs of the Fire Department.

Sec. 7. In case of the absence of the Chief Engineer, the Engineer next in rank who may be present, shall execute the duties of his office, with full powers.

Sec. 8. As many Engine and Hook and Ladder Companies shall, from time to time, be formed by the City Council, as it shall deem expedient, and each of said Companies shall consist of as many men as the said Council may determine.

Sec. 9. Every Company shall have a Captain, First and Second Lieutenants, and a Clerk; said Captain to be appointed by the City Council, who shall, immediately after being notified of his appointment, nominate and appoint two fit and proper persons, resident in the City, one to be First, and the other Second Lieutenants of such Company; and the said Captain and Lieutenants shall proceed to choose such number of fit and proper persons, resident in the said City, not exceeding forty in number, as shall be ordered by the City Council, which persons, together with the said officers, shall form and constitute a Company under such name and number as the City Council may direct.

Sec. 10. All vacancies in the office of Captain, which may occur in any of the Companies, in this Act mentioned, shall be filled up by the choice of the major part of the Company wherein the same shall occur, as often as any such vacancy shall occur, by death, resignation, continued absence from the Colony, inability to serve, or otherwise.

Sec. 11. Whenever any person shall have received his Certificate of Appointment to any office under this Act, he shall thereby be immediately invested with all the authority conferred and subject to all the duties imposed by the Laws of the City, and the rules and regulations of the Fire Department, until discharged therefrom by death, resignation or otherwise.

Sec. 12. It shall be the duty of the Captain, or other commanding officer, of each Company, to see that the several Engines and apparatus committed to their care, and the several buildings in which the same are deposited, and all things in or belonging to the same. are kept neat, clean, and in order, for immediate use; it shall also be their duty to preserve order and discipline at all times in their respective Companies, and require and enforce a strict compliance with the City Bye-Laws, Rules and Regulotions of the Department, and the orders of the Engineers; they shall also keep or cause to be kept by the Clerks of their respective Companies, fair and exact rolls, specifying the time of admission, discharge, and age of each member, accounts of all City property entrusted to their care, and of all absences of the members in a book provided for that purpose by the City, which rolls or record books are alway to be subject to the order of the Board of Engineers and the City Council.

Sec. 13. It shall be the duty of the officers and members of the several Engine and Hook and Ladder Companies, whenever a fire shall break out in the City, to repair forthwith to their respective Engines, Hose, Hook and Ladder Carriages, and other apparatus, and to convey the same in as orderly manner as may be, to or near the place where the fire may be, and in conformity with the direction of the Chief or other Engineers, to exert themselves in the most orderly manner possible, in working and managing the said Engines, Hose, Hooks and Ladders, and other apparatus, and in performing any duty that they may be called upon to do by any Engineer, and upon direction or permission of the Chief or other Engineer, shall, in an orderly and quiet manner, return said Engines, Hose, Hooks and Ladders, Carriages, and other apparatus, to their respective places of deposit; *Provided*, that in the absence of all the Engineers, such direction and permission may be given by their respective Captain or other commanding officer.

Sec.14. The Engineers and members of the several Companies regularly appointed, shall wear such caps, badges, or insignia as the City Council shall, from time to time, approve, to be furnished at the expense of the City, and no other person or persons shall be permitted to wear the same, except under such restrictions and regulations as the City Council may direct.

Sec. 15, No uniform, unless such caps, badges, and insignia as are, from time to time, appointed by the City Council, shall be allowed to be worn upon any occasion, as firemen, by either officers or men belonging to the department.

Sec. 16. Every member and every officer of the Fire Department shall sign the following statement, to be deposited with the Board of Engineers:—

"I, A B. having been appointed a member of the Charlottetown Fire Department, hereby signify my agreement to abide by all the ordinances of the City Council, and the Board of Engineers relating thereto."

And every officer or member who shall neglect or refuse to sign the same, shall not be entitled to any compensation whatsoever.

Sec. 17. It shall be the duty of the Chief Engineer and other Engineers, to report to the Mayor, the name ofevery person (not a member of either of said Companies,) who shall, contrary to law, refuse or neglect to obey any orders of any Engineers given at any fire. It shall also be their duty to enquire for and examine into all shops and other places where shavings or other combustible materials may be collected and deposited, and at all times to be vigilant in taking care of the removal of the same, whenever, in the opinion of any two of them, the same may be dangerous to the security of the City from fires, and to direct the tenant or occupant of said shops or other places, to remove the same; and in case of their refusal so to do, to cause the same to be removed at the expense of such tenant or occupant, who shall, in addition, be liable to a penalty not exceeding Forty Shillings, for such neglect or refusal, and any person who shall obstruct the Engineers, or any of them, in carrying out the provisions of this Section, shall also be liable to a penalty not exceeding Forty Shillings

Sec. 18. The Police and other Constables residing in the City, shall, upon all occasions of fire, attend with their staves, and enforce the commands of the Engineers, to prevent theft, and and other necessary purposes, and every Police or other Constable who shall neglect to attend at the time of such fire or alarm of fire, and report himself to any one of the Engineers, such Police or other Constable, on conviction of such neglect, at the Mayor's or Police Court, shall forfeit and pay a fine not exceeding Ten Shillings; and any such Police or other Constable, who, being present, shall refuse or neglect to obey the orders of any Engineer, such Police or other Constable upon conviction thereof, shall forfeit and pay a sum not exceeding Ten Shillings, and every such Police or other Constable in the City, if called on by any Engineer, after any fire or alarm of fire, shall be required to prove by Certificate from one or more of said Engineers, that he duly attended and did his duty at such fire, or shall otherwise show some good and sufficient cause to the satisfaction of the said Engineers, that prevented him from attending at such fire or alarm, and any one of the said Constables who shall, when called upon, neglect or refuse to produce such Certificate or other good excuse, shall be liable for each and every such neglect or refusal, and be fined as last aforesaid.

Sec. 19. At any fire, whenever it shall be adjudged by any three or more of the Engineers, (of whom the Chief Engineer, if present, shall be one), to be decidedly necessary to prevent the further spreading of the fire, that any building should be pulled down, or otherwise demolished, the same may be done by their joint order, and the owner thereof shall receive reasonable satisfaction, and be paid for the same, which satisfaction or compensation, shall be assessed and recovered in manner hereinafter directed, namely: Any party claiming compensation for any building thus pulled down, shall give notice of his or her intention to claim such compensation to the Board of Engineers, whose duty it shall be to examine such claim, and, being satisfied that the house or premises of the claimant has been pulled down by competent authority, shall appoint two impartial persons to make a valuation of the premises so pulled down, and the City Council having received their report, shall declare the amount of compensation to which the claimant may be entitled; *Provided* that whatever sums of money may be recovered under any policy of insurance effected upon any such building, shall be deducted from the amount which may be awarded, or if the whole value of the said premises be insured and recovered, then the claimant shall not be entitled to any compensation whatever, under this Act, *Provided* also, that the owner or owners of any building or premises in which the fire originated, shall have no compensation under this Act beyond the amount in which said building or premises may be insured.

Sec. 20. No Clergyman nor Licensed School master shall be obliged to serve as Engineer, and any person refusing to accept the office of Engineer after having been nominated thereto, as aforesaid, shall forfeit the sum of Five Pounds, to be recovered with costs before the Mayor's or Police Court.

Sec. 21. The City Council shall license one or more proper persons for the sweeping of Chimneys, and any neglect or violation of their duty as hereinafter to be specified, shall subject the parties to a penalty not exceeding Twenty shillings; and no person or persons shall be permitted to follow the occupation of Chimney Sweeper, unless he or they shall have been appointed and licensed by the City Council, under a penalty of not more than Twenty Shillings; and the charge per annum for granting said license shall be One Pound.

Sec. 22. Every Chimney which shall or may be used in the City shall be swept once every two months, and if any licensed Sweeper shall refuse or neglect to sweep any chimney when required so to do, or shall negligently or improperly do the same, he shall be liable to a penalty not exceeding Ten Shillings for each and every offence.

Sec. 23. The Chimney Sweeper or Sweepers so licensed, shall be entitled to receive for the sweeping of each and every flue, such sum as the City Council shall deem just and reasonable, notice of which shall be inserted in the *Royal Gazette* newspaper, at least four successive weeks next after they shall have determined the same.

Sec. 24. If the Chimney of any house in the City shall take fire, and if the occupant or occu pants of such house cannot produce sufficient evidence, that said chimney had previously been swept by the licensed Sweeper, one being in office, within the period prescribed by this Act, the same house having been occupied by such occupant for such period, or that a licensed Sweeper had been requested but had neglected to sweep said chimney, the said occupant or occupants shall incur a penalty of Ten Shillings.

Sec. 25. The tenant or occupant of every house in the City, of the yearly value of Ten Pounds, and upwards, shall provide himself or herself with, and keep, one leathern bucket, to contain not less than two gallons, and the tenant or occupant of any house in said City, of the yearly value of Thirty Pounds and upward, shall provide himself or herself with two of the before mentioned buckets, on which the owner's name shall be painted, and said bucket or buckets shall be hung up in the hall, or other public part of the house, ready for use in case of fire, under the penalty of Five Shillings for each and every time the said bucket or buckets shall not be found so hung in the proper place by the Engineers, when they shall visit the said house.

Sec. 26. It shall be the duty of the Proprietor or Landlord of any house or houses, to provide ladders necessary to carry water to any part of the same; and if any Proprietor or Landlord shall neglect or refuse to provide such ladders, the occupier or tenant of any such house shall procure the same, and shall be allowed to deduct the value thereof from the rent; and the occupier of any house omitting to have the buckets and ladders required as aforesaid, or not having the same in sufficient repair and fit for immediate use, shall incur a penalty of Ten Shillings for every such omission, *Provided*, that no person shall be fined a second time by virtue of this Clause, if he shall provide or repair such buckets and ladders within ten days next after any fine shall have been imposed thereunder, and paid by him.

Sec. 27. Each of the said Engineers shall, once in every four months, visit each house in his Ward in said City, and inspect the buckets, ladders, chimneys, flues and stoves, and it shall be lawful for either of said Engineers who shall think fit, to visit once a month, between the hours of eleven and four in the day, any house or houses in said City, to and for said purpose, and upon information in writing being given to any of said Engineers, that any stove, chimney, or flue of any house in his ward is in a dangerous situation, it shall be lawful for, and be the duty of said Engineer, to visit any such house on any other day, between the hours aforesaid, to inspect such stove, chimney, or flue; and any housekeeper refusing to produce said buckets or ladders, or to admit such Engineer, shall for every such refusal, incur a penalty of Ten Shillings.

Sec. 28. Any Engineer who shall neglect to visit and inspect every house and workshop for the purpose aforesaid, once in every four months or who shall neglect or refuse, upon information so given in writing as aforesaid, to visit any house or workshop in his ward, shall for every house or workshop so neglected or refused to be visited and inspected, be liable to and pay a sum not exceeding Five Shillings.

Sec. 29. Any housekeeper or other person who shall collect, or keep, or permit to be kept, any hay, straw, or flax, in any part of a dwelling house, or shall collect or keep ashes on a wooden floor or in a wooden vessel in said house, or in any outhouse or yard appertaining thereto, shall forfeit Ten Shillings for every offence, and likewise the hay, straw, or flax found in such dwelling house, excepting always, such hay or straw as may be enclosed in a sack, and used as bedding.

Sec. 30. Any person carrying a lighted candle, fire or firebrand, from house to house, or place to place within the City, without such candle, fire or firebrand being properly enclosed or otherwise secured, so as to prevent accident, shall forfeit and pay a penalty of Five Shillings for each and every offence, and in the event of any minor or apprentice so offending, the parent, master, mistress or guardian of such offender shall be liable for said penalty.

Sec. 31. No person shall kindle or increase any fire, nor cause the same to be done in or upon any of the streets, squares or public tho-