

*J. L. Linder* 7

DOCUMENT No. 26.

BOARD OF COUNCILMEN,

JULY 7, 1856.

The following report of the Committee on Fire Department, together with an ordinance reorganizing the Fire Department of the city of New York, was received, laid on the table, and ordered to be printed.

C. T. McCLENACHAN, *Clerk.*

The Committee on Fire Department, to whom was referred "an ordinance reorganizing the Fire Department of the city of New York," (for which see J. B. C., p. 73,) together with the following resolution, viz:

"*Resolved*, That the accompanying ordinance be referred to the Committee on Fire Department, to consider upon the propriety of adopting said ordinance; and further, that they be directed to confer with the Board of Fire Commissioners, in regard to the same," would respectfully

REPORT:

That, as directed, they conferred with the Fire Commissioners relative to the ordinance referred to them. The



total absence of any general, well understood regulations for the government of the firemen of this city, and the confused and conflicting ordinances and resolutions that have, from time to time, been adopted by the Common Council, relative to the firemen, induced the Commissioners and your Committee to unite in inviting the co-operation of the Fire Department Committee of the Board of Aldermen, together with Committees from the Board of Representatives and Board of Engineers and Foremen of the Fire Department, to the end that the city government and all branches of the Fire Department might be represented in the getting-up of an ordinance plainly defining the duty of every fireman, thereby giving greater efficiency to the department, and enabling it to be of still greater service than at present, in the protection of life and property. To this invitation the representatives and foremen responded, and thus a convention composed of the following persons was formally organized:

*Councilmen.*

John H. Brady,  
John Kennard,  
George Merritt,  
Jacob L. Smith,  
John Baulch.

*Fire Commissioners.*

Charles McDougall,  
Benjamin Cartwright,  
Edward Brown,  
Wm. A. Freeborn,  
Wm. Wright.

*Representatives.*

John A. Smith, engine company No. 51.	
James Cameron, hose	28.
Julian Botts, engine	38.
Joseph Black, hose	8.
C. L. Curtis, hook and ladder	4.



*Foremen.*

John Lynes,	hose company No. 9.	
John Gillelan, engine	"	35.
William Williams, engine	"	11.
John Slowey,	"	19.
W. H. Wickham, hook and ladder	"	15.

The convention, formed as above, has held weekly sessions since the first of March last, and as the result of its labors, your Committee take great satisfaction in submitting the annexed ordinance, and asking its early adoption without alteration or amendment.

In an ordinance intended to regulate and govern so large a body of men as that composing the Fire Department of this city, there cannot but be clauses objectionable to some, and hence your Committee are not prepared to state that the ordinance herewith submitted is unanimously approved of by the firemen. It has, however, been drafted with great care; every line in it has been subjected to the strictest scrutiny by gentlemen well versed in every thing relative to the Fire Department—some of them, its very highest officers; the rights of the Common Council have been looked after, as well as the interests of the department, and hence your Committee feel justified in saying that, as a whole, it is as free from objections as any thing that could be brought forward on the subject. As reported by your Committee, the ordinance meets with the unanimous approval of the Fire Commissioners; indeed, on the question of its final adoption by the convention, but one vote was recorded in the negative—a flattering testimony of its completeness being thus afforded from gentlemen representing all parties, sections and interests in the Fire Department.



Under the provisions of this ordinance—fully enforced, as it will be by the Fire Commissioners, if adopted by the Common Council—all improper and disorderly characters will soon be banished from the Fire Department, and respectable, order-loving firemen be encouraged and protected in the performance of their often exceedingly arduous duties. It can have no terrors for those who conduct themselves properly; to the evil disposed only will it appear as offensive and arbitrary in its various details. It is such a law as the Fire Commissioners desire to have adopted, to the end that their effectiveness may be increased, and they be enabled to correct many of the evils that now exist in the department.

Your Committee do not deem it necessary to here enter into any discussion of the special subjects embraced in the new ordinance. By it no additional expense is entailed upon the city beyond that of roll-books to the various companies, an item that cannot exceed one hundred dollars per year, while from the obligations imposed upon officers and members of companies to preserve their apparatus, implements and houses from damage, a great saving will be effected to the public treasury. The following resolution is therefore submitted for adoption:

*Resolved*, That the accompanying ordinance, entitled "An ordinance reorganizing the Fire Department of the city of New York," be, and the same is hereby adopted.

Respectfully submitted,

J. H. BRADY, J. KENNARD, G. MERRITT, J. L. SMITH, JOHN BAULCH,	}	Committee on Fire Department.
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AN ORDINANCE,  
REORGANIZING THE FIRE DEPARTMENT  
OF THE  
CITY OF NEW-YORK.

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SECTION 1. The Fire Department of the City of New-York shall consist of one Chief Engineer, eighteen Assistant Engineers, and as many fire-engine men, hook and ladder men, and hose men, as are now, or may hereafter be appointed by the Common Council, in accordance with the provisions of "An Act for the Better Regulation of the Firemen in the City of New-York," passed March 29, 1855, together with such hydrant men as have not served the full term prescribed by law as firemen, all of whom shall respectively be distinguished by the several appellations aforesaid.

SEC. 2. The Chief and Assistant Engineers shall severally be elected by the fireman, by ballot, at such time and in such manner as is hereinafter provided ; and the person or persons receiving a plurality of votes for the respective offices shall thereupon be entitled to a nomination to the Common Council, for appointment to such office.



SEC. 3. The first election for Chief Engineer shall take place on the first Tuesday after the first Monday in February, 1857, and thereafter every three years, or whenever called for by a majority of the members of the Fire Department, as expressed to that effect, in writing, to the Common Council; and the first election for Assistant Engineers shall take place on the first Tuesday after the first Monday in June, 1857. The persons so elected Assistant Engineers, shall severally reside as follows: one in that portion of the city lying north of Seventy-First street, and east of the Sixth Avenue; one in that portion of the city lying north of Seventy-First street, and west of the Sixth Avenue; and two in each of the other fire districts, as hereinafter described, lying south of Seventy-First street.

SEC. 4. The Assistant Engineers so elected for the first, second, and third fire districts, shall hold office for the term of one year from the date of their confirmation by the Common Council. Those elected for the fourth, fifth, and sixth districts shall hold office during the term of two years; and those for the seventh, eighth and ninth districts, shall hold office for the term of three years, or until their successors are appointed, and the persons so chosen to fill the places of the said Engineers shall thereafter severally be elected for the term of three years.

SEC. 5. Within thirty days preceding any election for Assistant Engineers, held under the provisions of this ordinance, the foreman of each company, together with one delegate, specially appointed to act as such by each of the said companies, and which delegate shall be an actual member of the company by which he is appointed, shall meet to nominate candidates, to be voted for as Assistant Engineers; the said candidates to be nominated in the way and manner herein set forth, to wit: the foreman and delegate of each company doing duty in the first



district, under Sec. 43 of this ordinance, shall meet jointly in such place and at such time as may be designated by the Board of Engineers, and shall, after the election of a President and Secretary, proceed to nominate thrice as many candidates for the said district as there are vacancies to be filled, the person or persons receiving the highest number of votes to be declared duly nominated to the firemen of the city for their suffrages, and the names of the persons so selected as candidates, to be returned, over the signature of the President and Secretary of such convention, to the Chief Engineer, within forty-eight hours after the said nomination shall have been made. The foreman and delegate of each company doing duty, in like manner, in the second and third districts shall also meet jointly, and proceed to nominate candidates in compliance with the regulations above set forth. The foreman and delegate of each company so doing duty in the fourth and fifth districts, shall, in like manner, nominate candidates, as shall also the foreman and delegate of each company so doing duty in the sixth and seventh, or eighth and ninth districts. Companies doing duty in districts where two or more conventions are held, shall be allowed to vote only in such convention as they may designate, in writing, to the Fire Commissioners, at least three days previous to the meeting of the said convention, which said notice shall be approved by the Fire Commissioners, and a copy thereof handed to the chairman of the convention in which said foreman or delegate shall offer his vote.

SEC. 6. Within thirty days preceding any election for Chief, or Assistant Engineers, the Board of Fire Commissioners shall appoint three persons, who shall be actual members of the Fire Department, to act as inspectors of election for the first district, three for the second and third districts, three for the fourth and fifth districts, three for



the sixth and seventh districts, and three for the eighth and ninth districts, designating one of each of the three persons so named, to act as chairman of the inspectors in the district or districts for which he is appointed. The said inspectors shall each receive the sum of \$5 for their services as such, and shall severally make oath before the Board of Fire Commissioners, to well and faithfully perform the duties of the office to which they are appointed, and each of the said inspectors shall be an actual member of a company located in the district or districts for which he is appointed.

SEC. 7. The inspectors for each of the districts named in Section 5, shall meet on the day set apart for the election, at such place as the Board of Engineers may designate, and shall, between the hours of 12 M. and 9 P. M., receive the votes of the firemen attached to the various fire companies in the said districts. At 9 P. M. on the said day, the said inspectors shall declare the polls closed, and shall thereupon proceed to canvass the votes cast, which canvass shall not be adjourned or suspended until the whole of the votes cast shall have been canvassed. The said canvass shall be public, and the result thereof shall be publicly announced by the chairman of the said inspectors, at the time of its completion. Within twenty-four hours after the completion of the said canvass, the said inspectors shall make a true return thereof to the Chief Engineer of the fire department, and a copy thereof shall also be deposited with the chairman. Each of the said chairmen of the inspectors in the various districts shall meet in the office of the Chief Engineer, at such time, within three days after the completion of the canvass in the said districts, as the Chief Engineer may designate, and shall thereupon proceed to add up the votes cast for each person, and declare to the Chief Engineer, over their respective signatures, the name



or names of the person or persons so chosen by the firemen to act as Assistant Engineers. It shall be the duty of the Chief Engineer, within ten days after the said result shall have been so certified to him, to transmit a copy thereof to the Common Council, to the end that an appointment may be made pursuant to Section 1 of this ordinance.

SEC. 8. The Chief engineer shall furnish to each of the chairmen of the inspectors, at least forty-eight hours previous to the election, such stationary as may be required for the proper performance of the duties assigned him, and also a correct list of the names of the various firemen that have been attached to companies located in the district or districts of each of the respective chairmen, for the space of three months preceding the said election, or that have been members of the Fire Department for more than three months, and have not been detached from any company more than ten days during the three months preceding the said election, together with the number of the company to which each of the said firemen is attached, and the number of the badge by which he is distinguished; and it shall not be lawful for the said inspectors to receive the vote or votes of any person or persons whose name or names shall not appear upon the said list so furnished by the Chief Engineer. Each of the said firemen, upon presenting his vote to the inspectors, shall be required to exhibit his badge, and to state said election, together with the number of the company to the number of the company to which he is attached; and upon the inspectors being satisfied that he is legally entitled to vote at the election, his ballot shall be deposited in a sealed box, which box shall not be opened within the hours set apart for the election. Each ballot shall contain, legibly written or printed on its face, the name of each person voted for, and the district in which he resides; and every



ballot containing the name of any person for any district, which person shall not have been nominated in the manner prescribed in Section 5, the said ballot shall thereupon be declared wholly null and void at the time of the canvass, and shall not be counted in whole or in part by the inspectors.

SEC. 9. Within thirty days preceding the first Tuesday after the first Monday in February, 1857, and thereafter, in case of a vacancy in the office of Chief Engineer, the Foreman and one delegate from each and every company in the Department shall meet jointly, at such time and place as the Board of Engineers may designate, and shall thereupon proceed to nominate not more than five persons, to be voted for by the Firemen, to fill the said vacancy; the said nomination and election to be in all other respects in the manner as prescribed in this ordinance, relative to the nomination and election of assistant engineers.

SEC. 10. In case of the death, resignation of office, or removal of the Chief or any of the Assistant Engineers, during the term for which such person or persons shall have been elected, the Board of Engineers shall, within thirty days thereafter, appoint a time for an election to fill said vacancy or vacancies, which said time shall be within two months after the occurrence of the said vacancy, provided the said vacancy shall not occur six months previous to a general election, under the provisions of Sec. 3 and 4 of this ordinance; and shall notify the Foreman of each and every Company in the district, or districts, where such vacancy or vacancies exist, to the end that delegates may be appointed, and a nomination, or nominations be made, pursuant to the provisions of Sec. 5 of this ordinance.

SEC. 11. The Chief Engineer shall, at the time of his election, be a Fireman who has served the full term pre-



scribed by law; he shall receive for his services a yearly salary of three thousand dollars, payable quarterly, and shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform such duties, and shall also give a bond, with sufficient surety or sureties, to be approved by the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office. Each of the Assistant Engineers shall be a Fireman who has served as such for the term of three years, and shall be an actual resident of the district in which he is nominated, and for which he is elected, and a removal from the said district during the period for which he was elected, shall be deemed a resignation of office. The words "transferred to engineer board" shall be written on the Freeman's Register, opposite the name of each person elected an engineer, and during his term of service as such engineer, he shall not be allowed to remain upon the roll of any company as an active member.

SEC. 12. The Chief Engineer shall have power to sell, for cash, any old and condemned fire apparatus or implements deposited at the public yard, and shall pay the money received for such apparatus or implements when sold, to the city treasurer, and deposit the receipt for such money with the Comptroller.

SEC. 13. The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command, to the exclusion of all other authority, of and over all the Assistant Engineers, and other persons connected with the Fire Department; it shall be his duty to direct the Assistant Engineers to take proper measures to arrange the several fire engines and apparatus in the most advantageous manner, and cause them to be duly worked for the effectual extinguishment of fires. It shall also be the duty of the said



Chief Engineer to examine, every year, into the condition and number of the fire engines, and other fire apparatus, and fire engine houses, and to report the same to the Common Council, in the month of June of each year, accompanied by a statement of the number of fires that have occurred during the preceding year and such particulars in relation thereto as he may deem proper, together with a record of the number of fires attended by him and by each of the Assistant Engineers, during the said year. He shall also, in the month of June in each year present to the Board of Fire Commissioners the names of all the members of the Fire Department, and the respective companies to which they belong. And it shall be the duty of the Clerk of the Common Council, within thirty days after the said returns shall have been presented to, and confirmed by the Common Council, to correct the register of the firemen, in his office, in accordance with said returns. It shall further be the duty of the Chief Engineer to present to the Fire Commissioners, at each of their stated meetings, such complaints against any fireman or company of firemen as may have been handed to him for presentation to the said Commissioners.

SEC. 14. The Chief Engineer of the Fire Department shall take charge of, oversee, and superintend the constructing and repairing of fire engines, hose carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department. He shall make all estimates necessary, or connected with the performance of the duties of his bureau, when required by the Commissioner of Repairs and Supplies. He shall continually inspect the fire engines, hose carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department; and shall repair the same forthwith, when any repairs shall be necessary, the extent of which shall not, in any one case,



exceed the sum of one hundred and fifty dollars. He shall keep correct accounts of the time of the men employed in his bureau, and of the work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, every two weeks, to the Commissioner of Repairs and Supplies. He shall examine, audit, and certify, to the Commissioner of Repairs and Supplies, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction. No requisition shall be drawn by the Commissioner of Repairs and Supplies, for any bills, accounts, or contracts for constructing or repairing fire engines, hose carts, hooks and ladders, hose, or other machines or apparatus for the use of the Fire Department, unless certified by the Chief Engineer of the Fire Department. And the Commissioner of Repairs and Supplies shall draw upon the Comptroller for the payment of all requisitions made in accordance with the provisions of this section.

SEC. 15. The names and places of abode of the officers of the Fire Department Fund. Fire Commissioners, Engineers, Fire Wardens, and Foremen of the respective Companies, shall, annually, in the month of June, be printed and set up in the several station-houses, by the Chief Engineer. The names, residence, occupation, badge and ward numbers of the members of the Fire Department, and the respective companies to which they belong, together with the statement presented to the Common Council by the Chief Engineer in accordance with the provisions of Sec. 13, of this ordinance shall also be printed annually by the clerk of the Common Council, under the supervision and direction of the Chief Engineer,

SEC. 16. The Chief Engineer may take any fire engine, hook and ladder, or hose truck, from any company to



which it is assigned, upon complaint being made against the said company for a violation of any of the provisions of this ordinance, and place the same in the public yard, or assign it to another company ; and shall, forthwith, report the same to the Fire Commissioners for their action.

SEC. 17. The Chief Engineer shall have power, and it shall be his duty, to order to the public yard any and all engines, hose carriages, and hook and ladder trucks, which at any time shall have an insufficient complement of men attached thereto to manage the same, and shall report such action forthwith to the Fire Commissioners.

SEC. 18. The Chief Engineer shall not receive the returns of any company organized after the adoption of this ordinance, until the said company shall provide themselves, or shall have been provided by the Common Council, with a location, and be ready for duty in the district or districts assigned them. He shall likewise not receive the returns of any members of hydrant companies after the date of the passage of this ordinance, but shall report to the Fire Commissioners the name or names of all such members of hydrant companies as may have or shall hereafter serve the full term prescribed by law, as firemen, and it shall be the duty of the said Commissioners to return to the Common Council the name or names of the said person or persons so reported to them as resigned from the Fire department.

SEC. 19. The Assistant Engineers of the Fire Department shall have control of the various fire apparatus in going to and returning from fires, or alarms of fires, and at fires, and shall see that the same are effectually worked for the extinguishment thereof ; and shall aid the Chief Engineer in the performance of his duties at fires. They shall see that the provisions of this ordinance are carried out by the various companies, so far as the same



may come under their observation, and shall report all violations to the Chief Engineer who shall forthwith report the same to the Board of Fire Commissioners.

SEC. 20. The Assistant Engineers shall take precedence at fires, or when otherwise on duty, according to the length of time that they shall actually have served as engineers. Should two or more have served an equal time, then precedence shall be given according to the term which each of the said persons shall have served as foreman previous to being elected an engineer; and should any two or more have served an equal term as foreman, then the question of precedence shall be determined by the length of service of such persons as firemen. In case of the death, resignation removal, or inability or refusal of the Chief Engineer to perform the duties of his office, the Senior Engineer, as above described, shall officiate as Chief, and shall receive therefor the compensation, as set forth in Sec. 10 of this ordinance.

SEC. 21. It shall be the duty of the foreman and secretary of each and every company in the Fire Department to present to the Chief Engineer, on or before the 15th day of June in each year, a correct list of all persons who were members of their respective companies on the 31st day of May preceding; the said return shall state the name, residence, occupation, badge, and ward number of each and every member of the company, and shall be accompanied by the roll-books as provided for in Sec. 37. The said foreman and secretary shall each make oath that their company consists of the number of persons stated by them; and that the facts set forth on the return and the statements of each members duty, as contained in the roll-book are true to the best of their knowledge and belief.

SEC. 22 The Firemen of each and every Company shall choose from their number a Foreman, Assistant Foreman, and Secretary. The said officers shall be chosen at a re-



gular meeting of the Company, or at a special meeting called for that purpose in writing, and according to such regulations as the by-laws of the Company may impose.

SEC. 23. It shall be the duty of the Foreman, Assistant Foreman, and Secretary of each and every Company, to see that all the provisions of this ordinance are strictly enforced, and that any or all violations of the same are forthwith reported to the Chief Engineer, or the Fire Commissioners. They shall also attend to such other duties not inconsistent with the provisions of this ordinance, as the by-laws of the Company to which they are attached may impose.

SEC. 24. The Firemen shall be ready at all times, as well by day as by night, to attend all fires, or alarms of fire, in the district or districts in which they are required to do duty under Sec. 43 of this ordinance, or in any other district to which they may be called on a "general alarm," or by the order of the Chief or an Assistant Engineer. In going to or returning from a fire, the drag-rope shall be the proper place for the firemen, except the officers in command; and it shall be their duty to prevent all boys, and noisy and improper persons, from taking hold of the rope. On no account shall a person other than a member of the Company, or a member or exempt member of the Fire Department known to at least two of the members of the Company present, be allowed to manage or have control of the tongue or tiller of any apparatus, in going to or returning from a fire. It shall also be the duty of the officers and members of each and every Company, when returning with their apparatus from a fire, or alarm of fire, to prevent any racing of their Company with any other Company, and to abstain from any conduct that may be likely to cause a breach of the peace, or reflect discredit on the Fire Department. It shall further be their duty to use all endeavors to cultivate good feeling among the members of the Fire Department.



SEC. 25. It shall be the duty of the officers and members of each and every Company to see that the apparatus and implements used by them, and the house in which the said apparatus and implements are deposited, are preserved from damage by neglect, to report any repairs that may be necessary; and it shall also be their duty to use such precautions as may be necessary to prevent damage to the house, apparatus, or implements, by the entrance of malicious or evil-disposed persons.

SEC. 26. Within three days after an election for Foreman, Assistant Foreman, Secretary, or Representatives of any Company, it shall be the duty of the Secretary of the said Company to present a return of the name and residence of each and all of the persons so elected, to the Chief Engineer; and within ten days after the Annual Return, as provided in Sec. 21, has been transmitted to the Chief Engineer, it shall also be the duty of the secretary of each and every Company to transmit to the Commissioner of Jurors a correct statement of the names, residences, and ward number of each and every Fireman included in the said return. He shall also keep a true record of each member's duty in a book provided by the clerk of the common council, as set forth in Sec. 37, and shall transmit the said book to the Chief Engineer at the time and in the manner as prescribed in Sec. 21 of this ordinance.

SEC. 27. Each and every officer or member in command of a Company, shall be held responsible for his actions, while exercising command over any fire apparatus, and shall be subject to trial and punishment by complaint before the Fire Commissioners, for any wilful neglect or violation of any of the duties incumbent upon him, under any or all of the provisions of this ordinance.



SEC. 28. It shall be the duty of the officers and members of each and every company to see that no intoxicating liquors are brought in the vicinity of their respective apparatus, when on duty at a fire, for the use of the members or others employed in working the same; and it shall further be the duty of the officers and members of each and every company to report to the Fire Commissioners the name or badge number of each and every fireman found in a state of intoxication with his badge publicly exposed or while wearing a fire-cap bearing the frontispiece of the company to which he is attached.

SEC. 29. All persons who may, in future, be elected to fill vacancies in fire companies, shall, within thirty days after such election, present to the office of the Chief Engineer a certificate of such election, signed by the foreman and secretary of the company in which he has been elected; and the said candidate, before the Chief Engineer presents his name to the Fire Commissioners, shall make affidavit that he is a citizen of the United States, is twenty-one years of age, that it is his intention to perform active duty as a fireman in the company in which his name is enrolled, and that he will promote subordination in the department. He shall then be furnished with a badge, as described in Sec. 48 of this ordinance, and with a copy of this ordinance, and shall thereafter be subject to the laws and ordinances governing the Fire Department, and such by-laws, not inconsistent therewith, as govern the respective company to which he is attached.

SEC. 30. It shall not be lawful for any fireman to demand pay for any services rendered at a fire, nor shall any fireman be allowed to present a claim to any citizen or citizens for pay for any work or service performed by him or the company to which he is attached at any fire that may occur; neither shall it be lawful for any fireman or



company of firemen to solicit donations from citizens for the benefit of their company, or any member thereof, without having previously obtained permission therefor from the Fire Commissioners.

SEC. 31. It shall be the duty of each and every fireman to prevent boys or disorderly characters from congregating in or about the place of deposit of their various apparatus, or to allow the said place of deposit to be used for any other purposes than those directly connected with the performance of their duty as firemen. No persons other than members and exempt members of the company or of the Fire Department shall be allowed to sleep in any engine, hose, or hook and ladder house; neither shall the street doors of the said houses be kept open except while persons are passing in and out, or while any necessary repairs or cleaning are being performed. It shall also be the duty of the said firemen to see that good order is preserved in and about the houses occupied by their respective companies, and to prevent any persons from habitually congregating on the walks in front of the houses of their said apparatus.

SEC. 32. No fireman, while under suspension for any violation of the provisions of this ordinance, shall be permitted to wear a fire-cap bearing the frontispiece of the company to which he is attached, nor be allowed to vote at any election held pursuant to the provisions of this ordinance, neither shall he be permitted to frequent the house occupied by his company, or to take part in any of the meetings of the said company, and no person suspended or expelled from the Fire Department shall be allowed to take command or exercise control over any fire apparatus while he remains under such sentence of suspension or expulsion.

SEC. 33. No fire apparatus shall be let out for hire, or loaned, in any case, without the permission, in writing, of the Chief Engineer, and the said permission shall state the



special object for which the said apparatus is let or loaned, and the time during which it is to be used for the object so specified ; but in no case shall any apparatus be taken from a company in active service, for the purposes herein specified, for a longer time than twenty-four hours, without the permission of the said company.

SEC. 34. Each and every engine company, when arrived at a fire, shall immediately, and with all due diligence, proceed to place their engine in a proper position to be worked for the extinguishment of the said fire, unless otherwise directed by the Chief or an Assistant Engineer, or unless the officer or member in command shall, in the absence of those officers, and in the exercise of his judgment, deem it unnecessary so to do. The hose companies shall in like manner proceed to form lines from the nearest hydrant, or from such lines as are already formed, and attach the said lines to the engine whose officers or members shall have first reported themselves to the officer or member in command as ready for duty, unless the said officer or member in command of the said hose company shall be satisfied that by extending the said line to the fire as much good can be effected toward its extinguishment. In like manner the hook and ladder companies shall use their ladders and other implements for the extinguishment of the fire. The members of hydrant companies shall attend all fires in the district or districts in which they may be ordered to perform duty, under Sec. 43 of this ordinance, and shall, when arrived at a fire, immediately proceed to take charge of the hydrants from which lines are formed ; they shall remain in charge of the said hydrants until the lines are taken up, and shall then see that the said hydrants are properly closed, and shall also report such hydrants as may be broken or out of repair to the Water Purveyor, or at his office, within twenty-four



hours after the extinguishment of the said fire; they shall each carry with them to fires at least two-hydrant wrenches for the proper performance of their duties, and when discharged from duty at each fire, shall call the roll of their company at the nearest hydrant, or at such other place as they may select. It shall be the especial duty of the engineers and of the officer or member in command of each engine, hose and hook and ladder company, to see that every fire is extinguished in the most expeditious and effective manner possible, and without any unnecessary destruction or injury of property by water, or in any other manner.

SEC. 35. No company shall remove their apparatus from a fire, unless by permission of the Chief or an Assistant Engineer. On such permission being granted, the said company shall at once return their apparatus to its place of deposit well washed and cleansed, and ready for immediate use. Should the same be out of repair and unfit for duty, notice thereof shall be given to the Chief Engineer, or at his office, within twenty-four hours thereafter; and no company shall at any time be exempt from duty when their apparatus or its place of deposit is in fit condition to admit of their performing duty.

SEC. 36. It shall be the duty of each and every company, on an alarm of fire being given for the district, or districts in which the said company does duty, to proceed with all due diligence, and by the most convenient route to the fire or to the place from whence the said alarm originated, unless otherwise directed by an engineer, avoiding all lying in wait, or any departure from their usual route, for the purpose of racing with any other company. It shall also be the duty of each and every fireman to prevent the apparatus of his company from being run or placed on the sidewalk, in going to or returning from any fire or alarm of fire, when

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the streets are in a condition to allow of the said apparatus being run, or wheeled thereon.

SEC. 37. The roll of each and every company shall be called whenever the apparatus is rolled on an alarm of fire, and a record of the same, together with the names of all the members present shall be entered in a book provided for that purpose, by the clerk of the common council, in accordance with such form as the Board of Fire Commissioners may direct, which book shall at all times be open to the inspection of the Board of Fire Commissioners. It shall be the duty each and every member to see that the roll is called on the occasion of each and every alarm, in case one or more district bells shall have been rung for the same.

SEC. 38. Each and every engine company shall take with them to fires at least 200 feet of hose, and each hose company shall carry on their reel not less than 500 feet of hose. Hook and ladder companies shall carry upon their truck not less than four ladders, one of which shall be at least forty-two feet in length, and as many hooks, axes, and other implements as may be deemed necessary by the Chief Engineer. Engine companies that carry their hose upon tenders, shall keep the said tenders attached to their engine, until arrived at or in the immediate vicinity of fires, and while returning from fires, and shall at no time allow the said tenders to be under the control of any other persons than members.

SEC. 39. The complement of men allowed the different companies shall be as follows:—First-class engines, 9 inch cylinder and over, 60 men; second-class, 8 inch and under 9 inch cylinder, 50 men; third-class, under 8 inches cylinder, 40 men; Hook and Ladder Companies, 40 men; Hose Companies, 25 men.

SEC. 40. All expulsions of members from companies, for neglect of duty, non-payment of fines, or violation of the



by-laws, shall take place at a regular meeting of the members, or at a special meeting called for that purpose, in writing. The vote on any expulsion shall be by calling the roll; and the names of the members voting for and against the said expulsion shall be recorded. But no member shall be expelled without due notice of the same being about to be acted upon having been left at his residence, as known to the Secretary or any of the members, at least three days previous to the same being acted upon by the company. A return of the said expulsion, or of the resignation of any of the members, certified to by the Foreman and Secretary, shall be made to the Chief Engineer, within three days after the date of the meeting at which the said expulsion shall have taken place or the said resignation been accepted.

SEC. 41. It shall be the duty of the Clerk of the Common Council to furnish the discharge certificates required to be furnished to the firemen, without fee or reward. But no discharge certificate shall be furnished until the party applying shall file with the Clerk of the Common Council an affidavit, certifying that he has served as a fireman the full term prescribed by law, and that he knows of no charges existing against him in the Company to which he is, or was last, attached.

SEC. 42. The City of New-York shall be divided into nine fire districts, the boundaries of which shall be as follows: first district, north of a line drawn through Seventy-First street, from the East to the North River; second district, north of Twenty-Sixth street and south of Seventy-First street, east of the Sixth Avenue; third district, north of Twenty-Sixth street and south of Seventy-First street, west of the Sixth Avenue; fourth district, north of Canal and south of Twenty-Sixth street, west of a line drawn through Seventh Avenue, Greenwich Ave-



nue, Sixth Avenue, Carmine street and Varick street ; fifth district, north of Canal and south of Twenty-Sixth street, west of a line drawn through Broadway, Union Square and the Fourth Avenue, and east of the easternmost boundary of the fourth district, as above described ; sixth district, by a line drawn from the corner of Broadway and Canal street, thence easterly through Canal street to the Bowery, thence southerly to Division street, thence through Division to Allen street, thence through Allen street and the First Avenue to Fourteenth street, thence through Fourteenth street to the East River, south of Twenty-Sixth street, and east of the easternmost boundary of the fifth district, as above described ; seventh district, east of a line drawn through Catherine street to Division street, thence through Division to Allen street, thence through Allen street and the First Avenue to Fourteenth street, and thence through Fourteenth street to the East River ; eighth district, south of a line drawn easterly from the corner of Canal and Centre streets to the Bowery, thence through the Bowery and Catharine street to the East River, and east of a line drawn from the corner of Canal and Centre streets, thence southerly through Centre, Chatham, Nassau and Bowery streets to the East River ; ninth district, north by a line drawn from the corner of Canal and Centre street, thence westerly to the North River, and west of the westernmost boundary of the eighth district, as above described.

SEC. 43. Companies located in the first district, shall do duty in that districts ; and companies located in the second or third, fourth or fifth, sixth or seventh, eighth or ninth districts, shall do duty in those districts respectively, unless otherwise ordered by the Chief Engineer and the Fire Commissioners, who shall jointly be charged with the duty of districting the various companies.

SEC. 44. There shall be three persons appointed to act



as bell-ringers at each of the alarm-bell stations in the City of New-York. The said persons shall be exempt firemen, or firemen who have been injured while in the discharge of their duty as such, and shall be nominated by the Chief Engineer to the Mayor, for appointment, and shall receive for their services the sum of \$700 per annum, payable monthly. In the event of the Mayor rejecting any or all of the said nominations, the Chief Engineer shall thereupon nominate a person or persons in the place of those so rejected, and shall continue to nominate until the Mayor shall approve of the said nominations, provided, however, that the Mayor shall, within ten days after each of such nominations shall have been made to him, express his dissent thereto, in writing, to the Chief Engineer, otherwise the said nominations shall be legal and valid, and the person or persons so nominated shall be deemed legally appointed.

SEC. 45. All charges against the bell-ringers, for misconduct or neglect of duty, shall be made to the Chief Engineer, who shall present the same to the Fire Commissioners for trial. The decision of the said Commissioners shall be returned to the Chief Engineer, and if the person or persons complained of shall be found guilty of the charge or charges brought against him or them, the Chief Engineer shall thereupon present a certified copy of the said decision to the Mayor, who shall, within ten days thereafter, remove the person or persons so found guilty.

SEC. 46. The Chief Engineer and the Fire Commissioners shall make such rules and regulations as they may deem necessary for the proper performance of the duties of the bell-ringers, and any violation of the same shall be deemed sufficient cause for the removal of the person or persons so offending. The bell-ringers now appointed, or those who



may hereafter be appointed, shall not be removed except in the manner as provided for in Section 45.

SEC. 47. All members of the New-York Fire Department, and all exempt members thereof, shall hereafter, when on duty as firemen, or at fires, wear the leathern cap as set forth in section 53, or a badge, as hereinafter provided, which said badge shall be worn in a plain conspicuous manner on the breast outside of the coat, and shall be worn and visible during the whole time that such member or exempt member shall remain at the fire. No badge shall be worn exposed, except while on duty as fireman, as above set forth, unless on the occasion of a funeral, or a parade as firemen, and no person shall be considered a member of the New-York Fire Department unless he has received his badge, as set forth in section 29.

SEC. 48. The badge mentioned, shall be made of Prince's metal, bearing the words "New-York Fire Department," and each badge shall bear a distinct number, in raised figures thereon of white metal; and the badge to be worn by exempt firemen shall be composed of white metal, with the figures thereon in Prince's metal; but in all other respects to conform to the badge herein described for use of the members of the department; said badges shall be struck from dies, which shall be exclusively the property of the Corporation of the city of New-York, and shall be placed in the custody of the clerk of the Common Council, and all of such badges shall be numbered as the Commissioners of the New-York Fire Department may direct.

SEC. 49. The said active badges shall be deposited with the Chief Engineer of the New-York Fire Department, who shall, under the direction and instruction of the said Commissioners, have charge of the distribution of the same; and it shall be the duty of the Chief Engineer to keep a register of the names of all persons who now are, or who



may hereafter become members of the New-York Fire Department, and of the number of the company to which said persons are attached, and the number of the badge delivered to each of said firemen. And the said Commissioners shall also keep a register of the names of such exempt firemen as may, in writing, be permitted by said Commissioners to wear the badge aforesaid, and of the number of the badge delivered to each of said exempt firemen, as may, by virtue of section 16 of an act of the Legislature of the State of New-York, entitled an "act for the better regulation of the firemen in the city of New-York," passed March 29th, 1855, be permitted by the said Commissioners to wear the same.

SEC. 50. When any member of the Fire Department shall resign, or be expelled therefrom, it shall be the duty of the foreman and secretary of the company to which such member was attached, to make a return of such expulsion or resignation within three days thereafter, to the chief engineer, together with the badge formerly worn by such member; and the Chief Engineer shall on the first of every month report to the Commissioners aforesaid, the names of such members of the Fire Department as shall have resigned or been expelled therefrom, since his last report. If the foreman or secretary of any company, or either of them, shall fail to comply with the provisions of this section in relation to the return of badges, no return of members elected by such company shall be received thereafter, unless good and satisfactory cause shall be shown to the said Commissioners why said badges are not returned.

SEC. 51. Should any member of the Fire Department lose his badge, he shall immediately report the loss of the same to the Fire Commissioners, and it shall be the duty of the said Commissioners to inquire into the circumstances of the case, and unless they are satisfied that such loss was



without fault on the part of said member, they shall have power to suspend or expel him from the Fire Department at their discretion; but should the loss be satisfactorily accounted for to the said Commissioners, then they shall have the power to grant another badge with a different number.

Sec. 52. Every exempt Fireman to whom permission shall be given, by the Fire Commissioners, to wear the aforesaid badge, shall have the said permission renewed once in each year, at such time and place as the said Commissioners may appoint; otherwise such permission shall be deemed revoked, and the said Commissioners may, on complaint being made, and it being proved that any of such exempt Firemen are unworthy to have possession of such badge, revoke any permission so granted by them; but in case such permission is not renewed, or is revoked, it shall be the duty of such exempt Fireman to restore the badge previously worn by him to the said Commissioners. Any fireman offending or refusing so to wear his cap or badge as heretofore set forth, or loaning his badge to any person whatsoever, shall upon conviction thereof, be subject to the penalties prescribed in Sec. 59 of this ordinance.

Sec. 53. Each, and every engine, hose, and hook and ladder, and hydrant man, shall, when on duty as such, wear the leathren cap as heretofore used, which cap shall be painted black, and shall bear a frontispiece painted and distinguished as hereinafter described. Each frontispiece shall bear the initials of the name of the person wearing the same, and the number of the company to which he is attached—hose men having, in addition thereto the word "Hose" above the number. Hook and ladder men having a hook and ladder crossing the number; and hydrant men having the word "Hydrant," placed above a figure of a hydrant thereon delineated. All of the said frontispieces, with



the exception of those worn by the foreman and assistant foreman of each company, shall have the characters above described, placed in light colors on a dark ground. The foreman and assistant foreman of each company, shall wear a frontispiece similar to that of the members—the characters being placed in dark colors, on a light ground, and the words “foreman,” and “assistant,” respectively placed above the number of the company. Each of the engineers shall wear the leathern cap as heretofore used, painted white, with a gilded frontispiece, having a fire engine blazoned thereon, together with the words “chief,” or “assistant,” as the case may be, and the initials of their names.

SEC. 54. The fire-cap, as provided in Sec. 53, shall not be worn except when at fires, or on the occasion of a general parade of the Fire Department, or of the company to which any fireman may be attached, nor shall it be lawful for any fireman to loan his fire-cap, with the frontispiece attached thereto, to any other than a member or exempt member of the Fire Department; and no exempt member of the Fire Department shall be allowed to wear a frontispiece similar to that worn by any Company attached to the Fire Department without first obtaining the consent of the said company so to wear their frontispiece.

SEC. 55. It shall be the duty of the Secretary of each Company to return to the respective Captains of Police a statement of the names, residences, and districts for which such members who desire it shall be called, as shall reside within their respective wards; and the Captains of Police shall furnish the several policemen under their charge with the names and residences of firemen residing within the respective beats of such policemen. And it shall be the duty of the policemen to notify all such persons of the occurrence of any fire in the district or districts in which the said persons perform duty.



SEC. 56. It shall be the duty of the police, when a fire occurs, to form a line at least two hundred feet distant from the said fire, on either side thereof; and they shall not, under any circumstances, permit any person to pass or remain within said lines, unless said person shall wear the uniform or badge of the Fire Department, the uniform of the Insurance Patrol, or be a member of the Common Council, a President, Secretary, or Surveyor of an Insurance Company, a member of the Police Department, or an owner of property within, or resident in, the prescribed lines.

SEC. 57. It shall be the duty of the police to promptly remove from within the prescribed lines, all persons not designated in the last preceding section; and all persons refusing to retire at the request of a policeman, from within the said lines, shall be deemed guilty of a misdemeanor, and be forthwith arrested.

SEC. 58. The several patrolmen who shall have been upon their respective beats upon an alarm of fire during the night, shall, upon their return to their respective station-houses, after such alarm, report to the officer on duty at such station-house, a statement of the names of such members of the Fire Department as they shall have called, in accordance with section 55 of this ordinance.

SEC. 59. Any Engineer, officer of a company, or member of the fire department, who shall violate any or all of the sections of this ordinance, or who shall knowingly or wilfully consent to, or assist in, any violation of any or all of the sections of this ordinance, shall be liable to suspension or expulsion from the fire department. And any company so found guilty of a violation of any, or all of the sections of this ordinance, shall be liable to be disbanded.

SEC. 60. All ordinances, or parts of ordinances, and all resolutions, or parts of resolutions, the terms or provisions of which shall conflict with any or all of the provisions of



this ordinance, are hereby repealed, and this ordinance shall be construed and understood as repealing all former ordinances and resolutions, relative to the duties of the firemen of the City of New-York.

Sec. 61. This ordinance shall take effect immediately.



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