

## FIRE STATUTES AND ORDINANCES.

### STATUTES.

1. City council may establish a fire department. May make provisions respecting the same. Appointment of engineers, &c., to be made by mayor and aldermen.
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3. Engineers, &c., to have the powers and duties of firewards. To examine places where shavings, &c., are collected, &c. Ordinances may be made, &c.
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5. City council may appropriate money for relief of members injured, &c.
6. Disabled firemen, city of Boston authorized to expend annually \$1,000 for relief of.
7. Engineers shall attend at fires.
8. Engineers, &c., may order buildings to be pulled down, &c.
9. Engineers, &c., may command assistance.
10. Engineers may give orders to engine-men and others, &c. Penalty for not obeying.
11. Owners of buildings, &c., pulled down, to be indemnified, except, &c.
12. Embezzling, &c., of property, at a fire, to be deemed larceny.
13. Injuring fire engines, penalty for.
14. Engineers may require and compel assistance. Penalty for disobeying.
15. Bonfires not to be made. Penalty for making.
16. False alarms of fire, how punished.
17. Cocoa not to be roasted except in licensed buildings. Penalty.
18. Tar kettles and other boilers, how to be constructed. Penalty.
19. Penalty for carrying fire through the streets, &c., smoking pipes, cigars, &c.

20. Penalty for having lighted pipe, cigar, candle, &c., in any ropewalk, barn, &c.
21. Recovery of penalties. Duty of engineers to prosecute.
22. Gun-cotton, and other like substances, power to regulate the keeping of.
23. Camphene, city council, &c., may make rules in relation to storage and sale of.
24. Fireworks not to be kept without license.
25. Penalty.
26. Fire clubs not to be established, unless, &c.
27. Penalty for joining without permission.
28. Provisions of two preceding sections to be in force only where, &c.
29. Cutting, &c., bell rope, engine, &c., preceding a fire, how punished.
30. Cutting, &c., same at a fire, how punished.
31. Stealing property in a building on fire, or removed therefrom, how punished.

### ORDINANCE.

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2. Chief and other engineers to be chosen annually; tenure of office, vacancy, and compensation.
3. Organization of board; rank of engineers; election of secretary; his tenure of office; compensation; to be sworn and give bond.
4. Meetings of the board; may make rules and regulations for the board and for the department; have the care of all fire apparatus; their general powers and duties.
5. Secretary of board shall keep account of appropriations and expenditures, &c.

## FIRE DEPARTMENT.

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6. Engineers, powers and duties at fires. Assistant engineers to report their absence from fires.
7. In case of fires in adjoining towns.
8. Chief engineer to have sole command; his powers and duties.
9. If absent, engineer next in rank shall execute his duties.
10. Engineers shall report to the aldermen names of persons who do not obey orders at fires.
11. Three engineers may order buildings to be demolished.
12. Engineers shall examine places for combustible materials, and cause them to be removed. Penalties for not removing or of obstructing the removal. Engineers shall examine buildings containing steam engines, and buildings being erected or altered. Shall prosecute for all infractions of any laws or ordinances.
13. Gunpowder, all powers relating to the keeping and transportation of shall be exercised by the engineers.
14. Fines and penalties shall be paid into city treasury, except, &c.
15. Members of the fire department shall be twenty-one, citizens and voters.
16. All members shall sign agreement to obey all ordinances and rules and regulations.
17. Engineers to report to mayor names of persons who ought to be removed, and recommend persons to fill vacancies.
18. Members may be removed by the mayor, excepting engineers, superintendent of the fire alarms and his assistants.
19. Names of persons removed and the cause to be entered on records of engineers, and copy sent to board of aldermen.
20. Compensation of members. When absent may procure a substitute.
21. Members shall not assemble in engine houses, except, &c.
22. Members who neglect their duties, or are disorderly, to be dismissed.
23. Members serving seven years, may have a certificate, may wear the badge, and perform duty.
24. Different companies to be formed by the board of aldermen.
25. Members to be paid quarterly, except, &c.
26. Engine companies to have foreman, engineman, fireman, driver, and eight hose-men. Their duties.
27. Hose companies to have foreman, driver, and eight hose-men. Their duties.
28. Hook and ladder companies to have three or more each of axemen and rakers.
29. Engineers to make regulations respecting driver and steward of hook and ladder companies.
30. Engine, hose, and hook and ladder companies each to have foreman and clerk, and last company an assistant foreman. How to be appointed.
31. Engineman, his duties and responsibilities.
32. Foreman of engine, his duties, &c.
33. In absence of foreman of any company, assistant foreman, &c., to perform his duties.
34. Fireman to be under the immediate direction of the engineman.
35. Drivers, their duties.
36. Clerks to keep rolls, records of absences, property in care of company, and make reports.
37. Hosemen, axemen, rakers, their duties.
38. Engineers may permit a member to sleep in hose house, &c.
39. Duties of all members of the fire department in case of fire.
40. When appointed, subject to all duties, rules, and regulations. Vacancies to be filled.
41. All members of the fire department to wear badges.
42. No uniform, except badges and insignia prescribed, to be worn.
43. No company shall appoint or discharge members.
44. No company shall attend fires out of city, unless ordered by engineers. Nor go out of the city for any other purpose.
45. Clubs, &c., prohibited, except, &c.
46. Fines shall not be imposed by companies. Deductions from pay for absence. Absence, &c., cause for discharge.
47. Vacations may be granted. Substitute may be appointed.
48. Police to give alarm, how. Penalty for not doing it.
49. Police, selected for the purpose, shall repair to fires. Their duties.



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| 50. Fire-alarm telegraph, committee of to be appointed.  | 54. Rules and regulations of fire-alarm telegraph.        |
| 51. They shall have care of the rooms, apparatus, &c., of fire-alarm telegraph. Their powers and duties. | 55. May be altered by committee, &c.                      |
| 52. Superintendent of fire-alarm telegraph to be elected; tenure of office; compensation.                | 56. Signal-boxes not to be opened or injured.             |
| 53. His duties.  | 57. Penalty for breach of ordinance.                      |
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## STATUTES.

1. The city council of the city of Boston may establish a fire department for said city, to consist of so many engineers and other officers, and so many enginemen and other members, as the city council, by ordinance, shall from time to time prescribe; and said city council shall have authority to make such provisions in regard to the time and mode of appointment, and the occasion and mode of removal of either such officers or members, to make such requisitions in respect to their qualifications and period of service, to define their office and duties, to fix and pay such compensation for their services, and in general, to make such regulations in regard to their conduct and government, and to the management and conduct of fires, and persons attending at fires, subject to the penalties provided for the breach of the city by-laws, as they shall deem expedient; *provided*, that the appointment of enginemen, hosemen, and hook and ladder men, shall be made by the mayor and aldermen exclusively.

2. The powers and duties mentioned in the preceding section, or any of them, may be exercised and carried into effect by the said city council, in any manner which they may prescribe, and through the agency of any persons, or any board or boards to whom they may delegate the same.

3. The engineers or other officers of the department, so appointed as aforesaid, shall have the same authority, in regard to the prevention and extinguishment of fires, and the performance of the other offices and duties now incumbent upon firewards, as are now conferred upon firewards by the revised statutes, or the special acts relating to the city of Boston now in force. They shall also have authority, in compliance with any ordinance of said city, to make an examination of places where shavings and other combustible materials are collected or deposited, and to require the removal of such materials, or the adoption of suitable safeguards against fire. And said city council are hereby authorized

to make suitable ordinances upon this latter subject-matter, under the penalties enacted in the city charter.

4. All officers and members of the fire department shall be exempted from military duty, or from serving as jurors, or constables, during the time of their employment in said department.

5. The city council aforesaid are hereby authorized, whenever, and as often as they shall deem it expedient, to appropriate any sum or sums of money, in the way that may be judged by said city council most advisable, for the relief or indemnity of any officer or member of the fire department who may sustain corporal injury, or contract sickness in the discharge of his duty, or consequent thereon.\*

6. By an act passed April 27, 1854, and accepted by the city council February 3, 1855, the city of Boston was thereby authorized to expend a sum not exceeding one thousand dollars annually, under the direction of the city council, for the relief of such firemen as shall have been disabled in the service of the said city, and for the relief of the families of such firemen as have been killed in the performance of their duties.

7. When a fire breaks out, the engineers shall immediately repair thereto, and shall carry a suitable staff or badge of their office.

8. The engineers, or any three of them present at a place in immediate danger from fire, or in their absence two or more of the civil officers present, or in their absence two or more of the chief military officers of the place present, shall have power to direct the pulling down or demolishing of any such house or building as they shall judge necessary to be pulled down or demolished, in order to prevent the further spreading of the fire.

9. Engineers or other officers may, during the continuance of a fire, require assistance for extinguishing the same, and removing furniture, goods, or merchandise from a building on fire, or in danger thereof; and may appoint guards to secure the same. They may also require assistance for pulling down or demolishing any house or building when they judge it necessary; and may suppress all tumults and disorders at such fire.

10. They may direct the stations and operations of the enginemen

\* The stat. of 1850, c. 262, repealed stat. 1822, c. 52; 1819, c. 104; 1825, c. 52; 1826, c. 97; 1828, c. 123; and 1831, c. 52.



with their engines, and of all other persons for the purpose of extinguishing the fire; and whoever refuses or neglects to obey such orders shall forfeit for each offence a sum not exceeding ten dollars.

11. If such pulling down or demolishing of a house or building is the means of stopping the fire, or if the fire stops before it comes to the same, the owner shall be entitled to recover a reasonable compensation from the city or town; but when such building is that in which the fire first broke out, the owner shall receive no compensation.

12. Whoever purloins, embezzles, conveys away, or conceals, any furniture, goods, or chattels, merchandise or effects of persons whose houses or buildings are on fire or endangered thereby, and does not within two days restore or give notice thereof to the owner if known, or if unknown, to one of the firewards, mayor and aldermen, or selectmen of the place, shall be deemed guilty of larceny.

13. Whoever wantonly or maliciously injures a fire engine or the apparatus belonging thereto, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, and be further ordered to recognize with sufficient surety or sureties for his good behavior during such term as the court shall order.

14. It shall be lawful for any one or more of the engineers aforesaid to require and compel the assistance of all or any of the inhabitants of the city; and any other persons who shall be present as spectators of any fire; and in any suit or prosecution therefor, it shall be lawful for them to plead the general issue, and give the statute in evidence; and if any persons shall disobey the lawful and reasonable command of any engineer or engineers, to aid in extinguishing such fire, or in rescuing property from destruction thereby, such person, so offending, shall be liable to a fine not exceeding twenty dollars, to be recovered in the manner provided in the twenty-first section.

15. Whoever is concerned in causing or making a bonfire within ten rods of any house or building, shall be punished by fine not exceeding twenty dollars, or by imprisonment not exceeding one month.

16. Whoever, without reasonable cause, by outcry or the ringing of bells, or otherwise, makes or circulates, or causes to be made or circulated any false alarm of fire, shall be punished by fine not exceeding fifty dollars.

17. If any person or persons shall, within the city of Boston, roast, or cause to be roasted, any cocoa, for the purpose of manufacturing the

same into chocolate, in any building whatever, excepting such as may or shall be licensed for that purpose by the major part of the engineers of the city aforesaid, he, she, or they shall forfeit and pay for every such offence a sum not exceeding five hundred dollars nor less than two hundred dollars.

18. Every tar kettle which shall be made use of in the city for the purpose of boiling tar for the use of any ropewalk, and every kettle, boiler, or copper for the use of any caulker, graver, ship carpenter, tallow chandler, soap boiler, painter, or other like artificer, shall be so fixed as to prevent all communication whatsoever between the contents of such kettle, boiler, or copper, and the fire. And the fireplace under every such tar or other kettle, boiler, or copper shall be constructed with an arch built over the same, and secured by an iron door in such manner as to enclose the fire therein; and every person who shall erect any tar kettle or other kettle, boiler, or copper, or use the same for any or either of the purposes aforesaid, contrary to the provisions of this act, shall for every such offence forfeit and pay a sum not exceeding three hundred dollars nor less than fifty dollars, according to the degree and aggravation of the same.

19. Every person who shall carry any fire through the streets, lanes, or on any wharves in the city, except in some covered vessel, or who shall kindle a fire in any of the places aforesaid without the permission therefor in writing of one or more of the engineers aforesaid, or shall smoke or have in his or her possession any lighted pipe or cigar in any street, lane, or passage-way, or on any wharf in said city, shall forfeit and pay for each and every offence the sum of two dollars, to be recovered of the person so offending, or of his parent, guardian, master, or mistress.

20. If any person shall have in his or her possession in any ropewalk, or in any barn or stable within the city, any fire, lighted pipe, or cigar, lighted candle or lamp, except such candle or lamp is kept in a secure lantern, the person so offending shall forfeit and pay for each offence a sum not exceeding one hundred dollars nor less than twenty dollars.

21. All and any of the penalties which are given in and by the fourteenth, and the four preceding sections, may be recovered by indictment, information, or complaint in any court proper to try the same; and in such indictment, information, or complaint it shall not be neces-



sary to set forth any more of said sections than so much thereof as relates to and is necessary truly and substantially to describe the offence alleged to have been committed. And it shall be the duty of each and every one of said engineers, and they and each of them are hereby required to inquire after all offences which shall come to their knowledge, and which shall be committed against the true intent and meaning of said sections, and shall cause the same to be duly prosecuted.

22. By an act passed March 6, 1847, and re-enacted in the General Statutes, the inhabitants of any town and the government of any city in this commonwealth may order that no gun-cotton, or other substance prepared like it for explosion, shall be kept within the limits of such town or city, excepting under the regulations and penalties applicable by law to gunpowder; and if it shall be considered necessary for public safety, they may restrict the quantity to be so kept to one fifth of the weight of gunpowder allowed by law in each case provided for.

23. The inhabitants of any town and the city council of any city in this commonwealth may make and adopt such rules and regulations in relation to the storage and sale, within the limits of such town or city, of camphene, or any similar explosive or inflammable fluid, as they may deem reasonable, and may annex penalties to any breach of such rules and regulations not exceeding twenty dollars for any one offence.<sup>o</sup>

24. It shall not be lawful for any person or persons to keep or sell any fireworks within the city of Boston, in any quantity, without first having obtained from the chief engineer of the fire department of said city, a license therefor, signed by the chief engineer, or by the secretary of the board of engineers, on which shall be written or printed a copy of the rules and regulations<sup>†</sup> by them established, relative to the keeping, selling, or storage of fireworks within said city: and every such license shall be in force until the first day of May next ensuing the date thereof, unless sooner annulled by the board of engineers, and no longer; but such license may, prior to the expiration of that term, be renewed by the chief engineer or the said secretary, from year to year, by indorsement thereon; *provided, always*, that the board of engineers may rescind any such license, if in their opinion the person or persons have disobeyed the law or infringed on any rules or regula-

<sup>o</sup> See *Burning Fluids*, p. 94, *ante* and *Gunpowder*, § 24.

<sup>†</sup> See *Rules and Regulations* in the *Supplement*.

tions established by the board of engineers; and every person who receives a license to sell fireworks as aforesaid, shall pay for the same the sum of one dollar, and the same sum for the renewal thereof, and all such licenses shall expire on the first day of May annually, and all moneys received for licenses shall be paid to the board of engineers, for the purpose of defraying the expenses of carrying this act into execution.

25. Any person or persons who have for sale, or keep in possession, any fireworks within the city of Boston, contrary to the rules and regulations established by the board of engineers herein mentioned, or who shall sell any fireworks in said city, without first having obtained from the said chief engineer or his secretary, a license as aforesaid, shall forfeit a sum not less than fifteen nor more than fifty dollars for each offence.

26. No association,\* society, or club, organized as firemen, shall be allowed in any city or town, except by the written permission of the mayor and aldermen, or selectmen.

27. Whoever joins, belongs to, or assembles with such association, society, or club, existing without such permission, shall be punished by fine not less than five nor more than one hundred dollars, or by imprisonment in the house of correction, for a term not exceeding three months.

28. The provisions of the two preceding sections shall be in force in those cities and towns only which have adopted or may adopt the same.

29. Whoever, within twenty-four hours prior to the burning of a building or other property, wilfully or maliciously cuts or removes any bell-rope in the vicinity of such building or property, or cuts, injures, or destroys any engine, or hose or other apparatus belonging to an engine in said vicinity, shall be deemed guilty of the burning, as accessory before the fact, and be punished accordingly.

30. Whoever, during the burning of a building or other property, wilfully or maliciously cuts or removes any bell-rope in the vicinity of such building or property, or otherwise prevents an alarm being given,

\* For the incorporation of the Charitable Association of the Boston Fire Department, and a subsequent act respecting the same, see 1829, c. 44, and 1838, c. 131.



or cuts, injures or destroys an engine or hose or other apparatus belonging to any engine in said vicinity, or otherwise wilfully and maliciously prevents or obstructs the extinguishing of any fire, shall be deemed guilty of the burning, as accessory after the fact, and be punished by imprisonment in the state prison not exceeding seven years, or in the jail not exceeding three years, or by fine not exceeding one thousand dollars.

30. Whoever steals in a building that is on fire, or steals any property, removed in consequence of an alarm caused by fire, shall be punished by imprisonment in the state prison not exceeding five years, or by fine not exceeding five hundred dollars, and imprisonment in the jail not exceeding two years.

#### ORDINANCE.\*

SECTION 1. The fire department shall consist of a chief engineer, nine assistant engineers, and of as many foremen, enginemen, hosemen, and hook and ladder men, and other persons, to be divided into companies, as the number of engines and the number and quantity of other fire apparatus belonging to the city shall from time to time require.

SECT. 2. There shall be elected annually, on the first Monday in February, or within sixty days thereafter, by a concurrent vote of the two branches of the city council, a chief engineer and nine assistant engineers, one at least from each fire district, who shall hold their office for one year from the first Monday of April in the year in which they shall be elected, and until their successors shall be elected and qualified, unless sooner removed. They shall be removable at the pleasure of the city council, and all vacancies may be filled at any time for the unexpired term. They shall receive such compensation as the city council shall from time to time determine.

SECT. 3. On the first Monday of April, annually, said chief and assistant engineers shall meet and organize themselves as a board of engineers. The chief engineer shall preside at said meeting and at all meetings of the board when present, but in his absence the senior assistant engineer in service present, shall preside, and their seniority

\* An ordinance in relation to the fire department, passed August 20, 1861, and amended November 26, 1881.

in rank, and all questions relative thereto, shall be determined by the board of aldermen. The board of engineers may recommend to the city council some person to be elected secretary of said board, and the city council shall, on the first Monday of April, or within thirty days thereafter, by concurrent vote elect a secretary, who shall hold his office for one year from the first Monday of May in the year in which he shall be elected, and until his successor shall be elected and qualified, unless sooner removed. He may be removed, and a vacancy may be filled as provided for in the case of the engineers, in the second section of this ordinance. He shall receive such compensation as the city council may from time to time determine. He shall be sworn, and give bond with surety for the faithful performance of his duty, in such sum as the board of aldermen shall direct.

SECT. 4. The engineers shall, at such times as they may by their by-laws determine, hold such meetings as may be necessary for the prompt transaction of all business coming before them, and a majority of the whole board shall be necessary to constitute a quorum. They may make such rules and orders for their government as a board of engineers as they may see fit, subject to the approval of the board of aldermen. 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, hook and ladder carriages, horses, furniture and apparatus thereto belonging. They shall have the superintendence and control of all the engine and other houses used for the purposes of the fire department, and of all the horses, 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; such rules and regulations not being repugnant to the laws of this commonwealth, nor to any ordinance of the city, and being subject to the approbation of the board of aldermen, and to alteration or rescission by them at any time.

SECT. 5. The secretary to the board of engineers shall perform the ordinary duty of clerk to the board, and such other duties as the board of aldermen or the chief engineer may from time to time direct; and



also such other duties as the board of engineers, by their rules and orders, to be approved by the board of aldermen, may from time to time determine. He shall keep an account of the appropriations made by the city council for the use of the fire department, and of the expenditures on account of the same, and shall compare his account monthly with the auditor's books, and see that the expenditures of the fire department do not at any time exceed the amount of the appropriations at their disposal. He shall also keep a separate account of the expenses of each engine, hose carriage, and hook and ladder carriage, and of the houses, furniture, and apparatus thereto belonging, and all other incidental expenses, and shall present to the city council, in the Annual Report of the chief engineer, full and detailed statement thereof.

SECT. 6. 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 speedy and 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, removing furniture, goods, or other merchandise 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. The assistant engineers shall report their absences from fires to the chief engineer, with the reasons therefor, who shall keep a record of the same, and once every three months, and oftener, if required, make a report thereof, stating all the facts to the city council. In the absence of the chief engineer the secretary shall make said record and report.

SECT. 7. Whenever any fire occurs in either of the adjoining cities or towns, it shall be the duty of only such and so many of said engineers to repair thither as shall have been previously designated for such purpose by the chief engineer.

SECT. 8. The chief engineer shall have the sole command at fires over all the other engineers, and all officers and 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, protection of property, preservation of order, and observance of the laws, ordinances, and regulations respecting fires; and it shall be the duty of said chief engineer to examine into the condition of the engines and all other fire apparatus, and the horses connected therewith, and of the engine and other houses belonging to the city, and used for the purposes of the fire department, and of the companies attached to the said department, as often as circumstances may render it expedient, or whenever directed so to do by the board of aldermen, or by the committee of the board of aldermen on the fire department. 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 board of aldermen or of the committee on the fire department, shall cause the same to be made. It shall also be the duty of the chief engineer to receive and transmit to the board of aldermen, all returns of officers, members, and fire apparatus made by the respective companies, as hereinafter prescribed, and all other communications relating to the affairs of the fire department; to keep fair and exact rolls of the respective companies, specifying the time of admission and discharge, and the age of each member. He shall also critically examine all the bills and accounts against the fire department, and certify, in writing, to the correctness of each item thereof, before sending them to the auditor's office for payment. He shall annually, in the month of January, and oftener if thereto requested, report to the city council an account, to be prepared by the secretary to the board of engineers as hereinbefore provided, of the condition of the engine houses, engines, fire apparatus, and other property under his charge; of the income and expenditures of the fire department for the whole of the previous year, specifying particularly the expenditure on each engine, hose carriage, and hook and ladder carriage, and of the horses, furniture, and apparatus connected therewith, as required in section five of this ordinance, together with the names of the officers and members of the various companies; the number and location of the fire-alarm stations; the number of fires since his last Report, and the causes thereof, and the extent of damage as near as can be ascertained; the general description of the buildings and property destroyed or injured since his last Report, together with the names of the owners or occupants; the amount of insurance, if any;



all accidents by fire which may happen within the city, with such other information or suggestions as may in his opinion be of general use; the same to be published as the city council may direct.

SECT. 9. 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.

SECT. 10. It shall be the duty of the chief engineer, and of the other engineers, to report to the board of aldermen the name of every person, not a member of either of said companies, who shall, contrary to law, refuse or neglect to obey any orders of any engineer, given at any fire.

SECT. 11. Whenever it shall be adjudged at any fire, by any three or more of the engineers present, of whom the chief engineer, if present, shall be one, to be necessary, in order to prevent the further spreading of the fire, to pull down or otherwise demolish any building, the same may be done by their joint order.

SECT. 12. It shall be the duty of the chief and other engineers, to inquire for and examine into all shops and other places where shavings or other such combustible materials may be collected or 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 endanger 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 such tenant's or occupant's neglect or 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 of not less than two nor more than fifty dollars 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 of not less than two nor more than fifty dollars. It shall also be the duty of said engineers to take cognizance of all buildings in the city, in which any steam-engine shall be used, and of all buildings in the city in process of erection or alteration, and to make a record of such thereof as in their judgment may, from any cause, be dangerous, and report the same to the board of aldermen forthwith. It shall also be the duty of said engineers to cause prosecutions to be instituted in all cases of infraction of the laws relative to the erection of wooden buildings, or of any other laws or ordinances in relation to the fire department, or for the prevention of fire within the limits of the city.

SECT. 13. The power of making and establishing rules and regulations for the transportation and keeping of gunpowder within the city of Boston, and of granting licenses for the keeping and sale thereof in the city, according to the provisions of an act entitled "An act further regulating the storage, safe-keeping, and transportation of gunpowder in the city of Boston,"\* and of any other act or acts on the same subject, shall be exercised and performed by the chief and assistant engineers, and the power and duty of seizing any gunpowder, kept or being within the city or harbor thereof, contrary to the provisions of the said act or acts, shall be exercised and performed by the said engineers or any of them; and in any case of any seizure being made by any engineer other than the chief, he shall forthwith report to the chief engineer, and the chief engineer shall cause all gunpowder which may have been seized as aforesaid, to be labelled and prosecuted in the manner prescribed in the said acts; and all the other powers and duties granted and enjoined in and by the said act or acts shall be performed by the said chief or one of the assistant engineers.

SECT. 14. All moneys received for fines, forfeitures, and penalties arising under this ordinance, or the laws of this commonwealth regulating the storage and transportation of gunpowder, or the erection of buildings within the city of Boston, or the prevention and extinguishment of fire, unless by such laws otherwise specially provided, shall be paid into the treasury of the city, to be applied in such way as is provided in the acts of this commonwealth.

#### GENERAL PROVISIONS CONCERNING OFFICERS AND MEMBERS OF THE FIRE DEPARTMENT.

SECT. 15. No person under twenty-one years of age shall be an officer or member of the fire department; nor shall any person be an officer or member who is not a legal voter in the city of Boston.

SECT. 16. Every officer and every member of the fire department shall sign the following agreement, to be deposited with the board of engineers: "I, A. B., having been appointed a member of the Boston fire department, hereby signify my agreement to abide by all the ordi-

\* Act of 1813, c. 143; 1833, c. 151; 1837, c. 99; 1841, c. 58; see *Gunpowder*, §§ 4-18, *post*, pp. 231-236.



nances of the city council, and the rules and regulations of the board of aldermen and of the board of engineers relating thereto." And any officer or member who shall neglect or refuse to sign the same, shall not be entitled to any compensation whatsoever.

SECT. 17. It shall be the duty of the board of engineers to report from time to time to the mayor the names of such officers or members of the department, if any, as in their judgment should be removed or discharged with their reasons therefor; and whenever, from any cause, a vacancy shall occur in the department, which is to be filled by the mayor and aldermen, the board of engineers shall recommend to them for their consideration the name of some proper person to fill the same.

SECT. 18. Any officer or member of the fire department, except the chief and assistant engineers, and the superintendent of fire alarms and his assistants, may at any time by the mayor be removed or dismissed from the department, or deposed from any office that he may hold therein.

SECT. 19. In all cases of removal from the department, the name of the party removed, with a statement of the reasons therefor, shall be entered on the records of the engineers, and a copy of the same shall be transmitted to the board of aldermen before their next regular meeting.

SECT. 20. There shall be paid to each officer and member of the department such sum as the city council may from time to time determine; and in case of the temporary absence of any member from the city, or inability to perform his duties, in consequence of sickness, he shall provide a substitute, whose name he shall return to the foreman of the company for approval, failing in which he shall be subject to all deductions which may accrue for his absence.

SECT. 21. Neither the members nor the officers of any of the companies shall assemble in any of the engine or other houses belonging to the department, except as herein prescribed, and for taking the engine or other apparatus on an alarm of fire, and of returning the same to the house, and taking the necessary care of said apparatus, after its return.

SECT. 22. Any officer or member of the fire department who shall wilfully neglect or refuse to perform his duty, or shall be guilty of disorderly conduct or disobedience to his superior in office, shall for such offence, besides being subject to the penalty hereinafter provided, be dismissed from the department.

SECT. 23. Every person who shall have served according to law in the fire department for seven successive years, shall be entitled to receive a certificate thereof, signed by the mayor of the said city; and all persons who shall receive said certificate as aforesaid, shall be entitled to wear the badge of the department, and to do duty therein, when desired so to do by the mayor, with the advice and consent of the board of aldermen, under such organization and management as they may determine.

ENGINE, HOSE, AND HOOK AND LADDER COMPANIES, AND DUTIES OF OFFICERS AND MEN.

SECT. 24. As many engine, hose, and hook and ladder companies shall from time to time be formed by the board of aldermen as they shall deem expedient, and each company shall consist of as many officers and members as shall be appointed from time to time by the mayor with the advice and consent of the board of aldermen.

SECT. 25. The officers and members of the fire department shall be paid quarterly, except when otherwise ordered by the city council; and every officer or member thereof who shall not serve the whole of the quarter except in case of sickness, death, or removal from the city, or who shall be removed from the department or deposed from his office for cause, shall forfeit any and all compensation that would otherwise have been due to him at the time when such service ceased, or such deposing or removal took place.

SECT. 26. Every engine company shall have an engineman, fireman and driver, who shall be permanently employed, and who shall at all times be in or about the engine house, except when unavoidably absent, and shall also have, until otherwise ordered, eight hosemen, including the foreman.

SECT. 27. Each hose company shall have a driver, who shall at all times, except when unavoidably absent, be in or about the house, and shall also have, until otherwise ordered, eight hosemen, including the foreman.

SECT. 28. Each hook and ladder company shall have three or more each of axemen and rakemen.

SECT. 29. The board of engineers shall make rules and regulations in respect to a driver and steward, either permanent or temporary, of



hook and ladder companies, and define their duties; such rules and regulations however being subject to approval, alteration, or rescission, as provided in the fourth section of this ordinance.

SECT. 30. Every engine, hose, and hook and ladder company shall have a foreman and clerk, and every hook and ladder company an assistant foreman in addition: the foreman and assistant foreman to be nominated annually at least, or whenever a vacancy occurs, by the members of the respective companies from among their own number, and a return of the same made to the board of engineers; and in case of rejection by them, the name of the person so rejected shall be returned to the company, who shall select another person for approval; and whenever any person so nominated shall be approved by the board of engineers, his name shall be sent to the board of aldermen for approval or rejection, and in case of rejection another person shall be nominated as aforesaid, before the next regular meeting of the board of aldermen, and the like proceedings had as before; and these officers, when approved, shall receive certificates of appointment, signed by the mayor, and shall hold their places until removed, or others shall be appointed in their stead. If, upon rejection by the board of engineers or board of aldermen of any person nominated and returned as aforesaid, a suitable person is not nominated and returned by the company as aforesaid, within one week from the date of the reception of notice of such rejection, the board of engineers shall themselves send to the board of aldermen, for their approval or rejection, the name of some suitable person for the place, to be selected from the same company. And if any hook and ladder company shall not have a driver, a clerk of such company shall be nominated and selected in the same manner as the foreman.

SECT. 31. The engineman shall, under the direction of the board of engineers, have the sole care of the engine house intrusted to him, and of all the property therein belonging to the city. He shall be held personally responsible for the care and good order of the engine, and shall work and manage the same, and see that it is at all times in condition for immediate use. He shall be accountable for the proper performance of all duties required of the fireman and driver, and in case of any neglect or delinquency on their part, shall report the same to the chief engineer.

SECT. 32. The foreman of each engine shall, at fires, direct the

placing of the engine at suitable place to obtain a supply of water, and have the charge and direction of the hose and hosemen; and the foreman of each hose company or hook and ladder company shall have charge of the apparatus belonging to his company, and the direction thereof, and of the driver and men belonging to his company. And the foreman of every company shall preserve order and discipline, at all times, among the members of the company under him, and require of them and enforce a strict compliance with the city ordinances, the rules and regulations of the department, and the orders of the engineers.

SECT. 33. In the absence of the foreman of any company, the assistant foreman, if there shall be one, otherwise the senior hoseman or hook and ladder man in service present, as the case may be, connected with the same company, shall perform the duties of the foreman.

SECT. 34. The fireman shall be under the immediate direction of the engineman, and shall perform all the duties that may be required of him by the engineman, on the engine and in the house, including cleaning the house, the engine, and other apparatus belonging to the company, and the snow and ice from the sidewalk.

SECT. 35. The drivers belonging to the respective companies shall take care of, and properly groom the horses belonging to their respective companies, see that the same are at all times ready for immediate use, convey the apparatus to the place of the fire on an alarm being sounded, and be clerks of their respective companies. And it shall, in addition, be the duty of such of the drivers as shall be connected with hose or hook and ladder companies, to see that the hose and other apparatus is ready at all times for immediate use, and to keep such hose and apparatus, and the house and stable neat and clean, and clear the snow and ice from the sidewalks in front of the respective houses, and they shall be under the immediate direction of the fireman of their respective companies. The driver of each engine shall be under the immediate direction of the enginemen, and shall, besides the duties herein prescribed to be performed by him, assist the fireman in the performance of his duties, and perform such other duties as may be required of him by the engineman.

SECT. 36. The clerks of the respective companies shall keep fair and exact rolls, specifying the time of admission, discharge, and age of the respective members of their companies, and shall also keep, in books



provided by the city for that purpose, correct and faithful accounts of all city property entrusted to or connected with their respective companies, and of all absences and tardiness of the officers or members thereof, which rolls and record books shall always be subject to the order of the board of engineers, or to the board of aldermen. Said clerk shall also make, or cause to be made to the chief engineer, true and accurate returns, whenever called upon so to do, of all the members with their ages, and of all the apparatus belonging to or connected with their respective companies, and shall also report monthly, at least, to the chief engineer, all absences and tardiness aforesaid.

SECT. 37. The hosemen of each engine company and of each hose company, and the axemen and rakers and other members of each hook and ladder company shall perform such duties as may be required of them by their respective foremen.

SECT. 38. The board of engineers, whenever in their judgment it may be expedient, may employ or permit to stay or sleep in the house, wherein a hose carriage or hook and ladder carriage is kept, one member from the same company in addition to the driver.

SECT. 39. It shall be the duty of the officers and members of the several engine, hose, and hook and ladder companies, whenever a fire shall break out in the city, to repair to the place of the fire with their respective engines, hose, and hook and ladder carriages, and other apparatus, in as orderly a manner as may be according to the directions, if any given, of the board of engineers, and exert themselves in the most orderly and efficient 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 permission of the chief or other engineer, in an orderly and quiet manner, to return said engines, hose, hook and ladder carriages, and other apparatus, to their respective places of deposit; *provided*, that, in the absence of all the engineers, such direction or permission may be given by the respective foremen.

## GENERAL PROVISIONS.

SECT. 40. Whenever any person shall have received his certificate of appointment to any office under this ordinance, he shall thereby be immediately invested with all the authority conferred, and subject to all the duties imposed by the laws, the city ordinances, and the rules and regulations of the fire department; and whenever a vacancy shall occur in the department, the same shall be filled as soon as conveniently may be.

SECT. 41. The engineers, officers, and members of the several companies shall, when on duty, wear such badges or insignia as the board of aldermen shall from time to time direct, to be furnished at the expense of the city, and no other person shall be permitted to wear the same, except under such restrictions and regulations as the mayor and board of aldermen may direct.

SECT. 42. No uniform, except such badges and insignia as are prescribed from time to time by the board of aldermen, shall be worn upon any occasion, by either officers or men belonging to the department, to indicate their connection therewith.

SECT. 43. No company shall have power to appoint or discharge any officer or member.

SECT. 44. No company shall leave the city, in case of fire in the neighboring cities and towns, except by the express order of the chief engineer or one of the assistant engineers; and no company shall leave the city for any other purpose.

SECT. 45. No associations, or organized societies or clubs of firemen, as such, shall be allowed in the department, except by the express permission of the city council.

SECT. 46. No company shall be allowed to impose fines upon its members. For every absence or tardiness there shall be deducted from the pay of the absent or tardy officer or member the sum of twenty-five cents, which amount so deducted shall be paid over at the end of each quarter to the treasurer of the company to which such officer or member shall belong, to meet the incidental expenses of the company. And if any officer or member shall have been absent or tardy at more than one third of the fires, or alarms of fires, occurring during the month, if more than five, except in case of sickness, such absence or tardiness shall be considered good cause for his discharge from the department.



SECT. 47. The board of engineers, notwithstanding the provisions herein contained, may, with the approval of the mayor, grant to any officer or member of the fire department, if they shall think it compatible with the interests of the department, a vacation not exceeding two weeks in any one year, upon such terms as they shall think expedient.

And the mayor, with the advice and consent of the board of aldermen, may, if he sees fit, whenever any member or officer of the fire department shall not, by reason of such vacation, or sickness, or otherwise attend to his duties in the department, appoint a substitute to act in his place during his absence.

#### DUTIES OF THE POLICE IN REGARD TO FIRES.

SECT. 48. Immediately upon an alarm or discovery of fire, it shall be the duty of the members of the police department to communicate the fact to the central station by means of the signal-boxes in the district in which the fire may be, in accordance with the rules and regulations in regard to fire alarms. And it shall be the duty of the policemen in the night-time, immediately upon an alarm of fire being given or sounded upon the bells connected with the fire-alarm telegraph, to give further notice thereof within their respective districts by springing their rattles, crying "fire," (and in East Boston by ringing a bell,) and mentioning the district and box of the district in which the fire exists. And if any policeman shall neglect so to do, he shall forfeit and pay a fine of not less than two, nor more than twenty dollars for every offence.

SECT. 49. It shall be the duty of such of the police officers of the city as may be selected for that service, to repair with their staves, or such other badges of office as the board of aldermen shall direct, on the alarm of fire, immediately to the place where the fire may be, and there to use their best skill and power, under the direction of the engineers, for the preservation of the public peace, and the prevention of theft and destruction of property, and the removal of all suspected persons.

#### FIRE-ALARM TELEGRAPH.

SECT. 50. In the month of January in each year there shall be appointed a joint committee of the city council, to be called the committee on the fire-alarm telegraph, to consist of two aldermen and three members of the common council.

SECT. 51. The said committee shall have the care and management of the rooms, apparatus, and machinery connected with the fire-alarm telegraph, and shall also have the power to appoint, upon the nomination of the superintendent, suitable persons to assist in the management of said fire-alarm telegraph, and also to discharge them, and to establish their compensation, unless it shall be specially provided for by the city council; and the said committee shall have power to determine the persons to whom shall be intrusted the keys of the signal-boxes connected with the said fire-alarm telegraph, and, generally, shall have charge of the same, and control over the management thereof, subject to any special order of the city council.

SECT. 52. There shall be elected annually on the first Monday in February, or within sixty days thereafter, by concurrent vote of the two branches of the city council, a superintendent of the fire-alarm telegraph, who shall hold his office for one year from the first Monday of April in the year in which he shall be elected, and until his successor is elected and qualified, or he is removed. He shall be removable at the pleasure of the city council, and all vacancies may be filled at any time for the unexpired term. He shall receive such compensation as the city council shall from time to time determine.

SECT. 53. Said superintendent shall have the charge of the fire-alarm telegraph, under the direction of the committee on the fire-alarm telegraph, and shall see that the same is kept in good repair, and he shall be held responsible for the same.

SECT. 54. Alarms of fire shall be given by means of the fire-alarm telegraph in accordance with the rules and directions heretofore established for that purpose by the committee on the fire-alarm telegraph.

SECT. 55. The committee on the fire-alarm telegraph shall have power from time to time to alter or change said rules and directions, and the same shall be binding upon all persons after said rules and directions, as altered, shall be placed on file in the office of the engineers of the fire department, and with the city clerk, and the same shall then be published; but the city council shall at all times have power to alter, amend, or annul the same.

SECT. 56. No person shall open any of the signal-boxes connected with the fire-alarm telegraph, for the purpose of giving a false alarm, or interfere in any way with said boxes, by breaking, cutting, injuring,



or defacing the same, or turn the cranks therein, except in case of fire, or tamper or meddle with said boxes or any part thereof.

SECT. 57. Any person who shall be guilty of a breach of any of the provisions of this ordinance, except as otherwise specially provided in any section thereof, shall forfeit and pay a fine of not less than two dollars nor more than fifty dollars for each offence.

SECT. 58. The present chief engineer and other engineers, and officers and members of the fire department, shall continue in the department, and hold their respective offices therein; subject, however, to the provisions of this ordinance.

#### REPEALING CLAUSE, ETC.

SECT. 59. The ordinance entitled "An ordinance establishing a fire department, and providing for preventing and extinguishing fires," passed on the eighth day of June, in the year of our Lord eighteen hundred and sixty, and all ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed; but this repeal shall not revive any ordinance or any part of any ordinance previously repealed.

#### FIREARMS, BONFIRES, AND BRICKKILNS.

##### ORDINANCE.

- |   |  |
|---|--|
| 1. Firing any gun, &c., within the city, penalty for. | 2. Bonfires, &c., penalty for making any.                      |
|   | 3. Brickkiln, &c., penalty for erecting making, or firing any. |

##### ORDINANCE.\*

SECTION 1. No person shall fire or discharge any gun, fowling-piece, or firearms within the limits of the city of Boston, under a penalty for every such offence of not less than one dollar, nor more than fifty dollars; *provided, however*, that this section shall not apply to the use of such weapons at any military exercise or review, or in the lawful defence of the person, family, or property of any citizen.

SECT. 2. If any person shall make any bonfire or other fire in any of the streets, squares, commons, lanes, or alleys, or on any wharf within the city, without the license of the board of aldermen, he shall be punished by a fine not exceeding fifty dollars.

SECT. 3. No person shall erect, make, or fire, or cause to be erected, made, or fired, within any part of the city, any brickkiln or limekiln, without the license of the board of aldermen, under a penalty of not less than one dollar nor more than fifty dollars, and a like sum for every week he shall continue such kiln after notice to remove the same.

\* An ordinance in relation to firearms, bonfires, and brickkilns, passed July 22, 1850.



## GUNPOWDER.

## STATUTES.

1. Taking loaded arms into houses prohibited, under penalty of ten pounds.
2. Loaded arms in houses may be seized by engineers. To be sold at public auction if adjudged to be forfeited upon their complaint.
3. Appeals in such prosecutions.
4. Gunpowder, how much may be kept by any United States or State officer, and where.
5. Gunpowder kept contrary to the provisions of law, may be seized by engineers and sold.
6. Gunpowder exceeding one pound, not to be kept within two hundred yards of any wharf, or on the main land. Forfeiture.
7. No gunpowder to be sold within the city without license from engineers. Form of license to contain rules and regulations. Time in which it shall continue in force. Engineers may rescind same. Fees for license.
8. Engineers may establish rules and regulations.
9. Gunpowder in Boston kept contrary to the provisions of law, may be seized and labelled. Service of copy and summons. Costs. Adjudication. Service may be made in any county.
10. Penalty for hindering engineers, or attempting to rescue powder. Duty of all citizens to assist the engineers.
11. Engineers may enter and examine stores, &c., of those licensed, to ascertain if their rules, &c., are observed.
12. Persons injured by gunpowder kept contrary to law, may have an action for damages.
13. Engineers to publish their rules and regulations in newspapers.
14. How fines, &c. may be recovered. Not necessary to set forth more of the act than is necessary to describe the offence.
15. Penalty for keeping or selling gunpowder, contrary to law.
16. Fines, &c. shall inure to the use of the engineers. Proviso.
17. When gunpowder, less than ten quart-casks, is seized, a libel or complaint may be filed in the police court.
18. Fines may be sued for by chief engineer, or by one or more engineers, &c.
19. Wilful and malicious explosion of gunpowder forbidden. Penalty.
20. Persons forbidden to throw into or against any dwelling-house, &c. gunpowder, or other explosive substance. Penalty.
21. Quality and size of casks, &c. for gunpowder.
22. Casks to be marked.
23. Penalty for falsely marking.
24. Casks, &c. may order how gunpowder, &c. shall be kept.
25. Justices, &c. may issue warrants for searching places for gunpowder, &c. unlawfully kept.
26. Penalty for unlawfully keeping gunpowder, &c.

## STATUTES.

1. If any person shall take into any dwelling-house, stable, barn, outhouse, warehouse, store, shop, or other building within the city of Boston, any cannon, swivel, mortar, howitzer, cohorn, or firearm, loaded with or having gunpowder in the same, or shall receive into any dwelling-house, stable, barn, outhouse, store, warehouse, shop, or other building within said city, any bomb, grenade, or other iron shell, charged with or having gunpowder in the same, such person shall forfeit and pay the sum of ten pounds, to be recovered at the suit of the engineers in an action of debt before any court proper to try the same; one moiety

thereof to the use of said engineers and the other moiety to the support of the poor of said city.

2. All cannons, swivels, mortars, howitzers, cohorns, firearms, bombs, grenades, and iron shells of any kind that shall be found in any dwelling-house, outhouse, stable, barn, store, warehouse, shop, or other building, charged with or having in them any gunpowder, shall be liable to be seized by either of the engineers of said city; and upon complaint made by the said engineers to the court of common pleas, of such cannon, swivels, mortars, or howitzers, being so found, the court shall proceed to try the merits of such complaint by a jury; and if the jury shall find such complaint supported, such cannon, swivel, mortar, or howitzer shall be adjudged forfeit, and sold at public auction, and one half of the proceeds thereof shall be disposed of to the engineers and the other half to the use of the poor of the city of Boston. And when any firearms, or any bomb, grenade, or other shell shall be found in any house, outhouse, barn, stable, store, warehouse, shop, or other building, so charged or having gunpowder in the same, the same shall be liable to be seized in manner aforesaid; and on complaint thereof made and supported before a justice of the peace, shall be sold and disposed of as is above provided for cannon.

3. Appeals were provided for in prosecutions under the two preceding sections, as was usual in other cases.

4. No commissary, or any other officer or officers, or any person or persons in the service of the United States, or acting in the department of commissary or quartermaster-general of this commonwealth, shall be permitted to have, keep, or possess within the city of Boston, a greater quantity of gunpowder than four hundred pounds; and the powder so had and possessed within the said city shall be kept in a place approved of by the engineers of the said city, either under ground in a vault, or in a stone or brick building secured against explosion by fire.

5. Any gunpowder which shall be found in the possession of, or which may be had or kept within the city of Boston by any officer or officers, or any person or persons whatsoever, acting in behalf or under the authority of the United States, or by any agent or servant of such officers or persons, and all gunpowder possessed, had, or kept by any officer of the commissary or quartermaster-general's departments of the State of Massachusetts, or persons acting under the authority of these departments, contrary to the provisions of the preceding section, may



be seized by any two or more of the engineers of the city of Boston, and the same may be libelled and condemned and sold, and the proceeds thereof distributed, as is by law provided for the forfeiture of gunpowder in other cases within said city.

6. No person, except on military duty in the public service of the United States, or of this commonwealth, shall keep, have, or possess in any building or in any place, or in any carriage, or on any wharf or on board of any ship or other vessel within two hundreds yards of any wharf, or of the main land in the city of Boston, gunpowder, in any quantity exceeding one pound, in any way or manner other than by this and the eight following sections, and by the rules and regulations hereinafter mentioned, may be permitted and allowed. And all gunpowder had, kept, or possessed contrary to the provisions of said sections and of such rules and regulations shall be forfeited, and liable to be seized and proceeded against in the manner hereinafter provided.

7. It shall not be lawful for any person or persons to sell any gunpowder, which may at the time be within the city of Boston, in any quantity, without first having obtained from the engineers of said city a license, signed by the chief engineer or by the secretary of the board of engineers, on which shall be written or printed a copy of the rules and regulations by them established, relative to keeping, selling, and transporting gunpowder within said city; and every such license shall be in force for one year from the date thereof, unless annulled by the board of engineers, and no longer; but such license may, prior to the expiration of that term, be renewed by the chief engineer or the said secretary, from year to year, by indorsement thereon; *provided, always*, that the board of engineers may rescind any such license, if in their opinion the person or persons have disobeyed the law, or infringed any rules and regulations established by said board of engineers. And every person who shall receive a license to sell gunpowder as aforesaid, shall pay for the same the sum of five dollars, and for the renewal thereof the sum of one dollar, which sums shall be paid to the board of engineers, for their use, for the purpose of defraying the expenses of carrying these enactments into execution.

8. The board of engineers of the city of Boston may establish rules and regulations from time to time, relative to the times, and places at which gunpowder may be brought to or carried from said city by land or water, the times when, and the manner in which the same may be

transported through said city, to direct and regulate the kind of carriages and boats in which the same may be so brought to, and carried from, and through said city, and to direct the manner in which gunpowder may be kept by licensed dealers and other persons, and to direct and require all such precautions as may appear to them needful and salutary to guard against danger in the keeping and transportation of gunpowder.

9. All gunpowder which shall be kept, had, or possessed within the city of Boston, or brought into or transported through the same, contrary to the provisions of said sections and to the rules and regulations made as aforesaid, may be seized and taken into custody by any one or more of the engineers of said city, and the same shall within twenty days next after the seizure thereof be libelled, by filing in the office of the clerk of the superior court for the transaction of criminal business, a libel, stating the time, place, and cause of such seizure, a copy of which libel, or the substance thereof, together with a summons or notice, which such clerk is hereby authorized to issue, shall be served on the person or persons in whose custody or possession such gunpowder shall have been seized, if such person be an inhabitant of this commonwealth, by delivering a copy thereof to such person or persons, or leaving such a copy at his, her, or their usual place of abode fourteen days at least before the sitting of the court at which the same is to be heard, that such person or persons may appear and show cause why the gunpowder so seized and taken should not be adjudged forfeit. And if the powder so seized shall be adjudged forfeit, the person or persons in whose custody or possession the same was seized, or the occupant or tenant of the place wherein the same was so seized, shall pay all costs of prosecution, and execution shall be issued therefor; *provided*, that it appear to the court that such person or persons had notice of such prosecution by service as aforesaid, and in case the person or persons in whose custody or possession such gunpowder may be seized shall be unknown to the engineer or engineers making such seizure, or in case such gunpowder, at the time of seizure, may not be in the custody or possession of any person, or if it shall appear by the return of the officers that such person cannot be found, or has no place of abode in this commonwealth, then said court shall and may proceed to adjudication thereon. And such libel or summons, and also such writ of execution for costs, shall and may be served and executed in any county in this common-



wealth, and by any officer competent to execute civil process in like cases.

10. Any person or persons who shall rescue, or attempt to rescue any gunpowder seized as aforesaid, or shall aid or assist therein, or who shall counsel and advise, or procure the same to be done, or who shall molest, hinder, or obstruct any engineer in such seizure, or in conveying gunpowder so seized to a place of safety, shall forfeit and pay a fine for each offence, of not less than one hundred dollars and not exceeding five hundred dollars, to be sued for and recovered by action of the case, by any person or persons who shall sue for the same in any court proper to try the same; and it is hereby made the duty of all persons to aid and assist each engineer or engineers in executing the duties hereby required.

11. The said engineers, or any of them, may enter the store or place of any person or persons licensed to sell gunpowder, to examine and ascertain if the laws, rules, and regulations relating thereto are strictly observed; and on an alarm of fire may cause the powder there deposited to be removed, or destroyed, as the case may require; and it shall be lawful for any one or more of the engineers of said city to enter any dwelling-house or other place in the city of Boston, to search for gunpowder, first having obtained from a justice of the police court in said city a search warrant therefor, which warrant the justices of said court are hereby authorized to issue, upon the complaint of such engineer or engineers, supported by his or their oath.

12. Any person who shall suffer injury by the explosion of any gunpowder had, kept, or transported within the city of Boston contrary to the provisions of said sections, and of the rules and regulations established as aforesaid, may have an action of the case in any court proper to try the same, against the owner or owners of such gunpowder, or against any other person or persons who may have had the possession or custody of such gunpowder at the time of the explosion thereof, to recover reasonable damages for the injury thus sustained.

13. It shall be the duty of the engineers of the city of Boston to cause all such rules and regulations as they may make and establish, by virtue of the authority given as aforesaid, to be published in two or more newspapers printed in the city of Boston, and to cause such publication to be continued three weeks successively, for the information and government of all persons concerned.

14. All fines, penalties, and forfeitures which may arise and accrue under the eight preceding sections shall and may be prosecuted for and recovered, either in the manner therein specially provided, or by indictment, complaint, or information in any court proper to try the same. And said act shall be taken and deemed to be a public act, of which all courts, magistrates, and citizens are bound to take notice as such; and in any libel, action, indictment, information, or complaint upon said act, it shall not be necessary to set forth any more of the same than so much thereof as relates to, and may be necessary truly and substantially to describe, the offence alleged to have been committed.\*

15. Any person who shall keep, have, or possess any gunpowder within the city of Boston contrary to the provisions of the nine preceding sections, or to the rules and regulations of the board of engineers therein mentioned, or who shall sell any gunpowder in said city without having a license therefor, or contrary to such license or the rules and regulations aforesaid, shall forfeit a sum not less than one hundred dollars, and not exceeding five hundred dollars for each offence; and if any gunpowder, kept contrary to the said provisions or to such license or to the rules and regulations aforesaid, shall explode in any building or on board of any ship or other vessel, or in any place in said city, the occupant, tenant, or owner of which has not then a license to keep and sell gunpowder therein, such occupant, tenant, or owner shall forfeit a sum not less than one hundred dollars, and not exceeding one thousand dollars for each offence.

16. The several fines, penalties, and forfeitures, mentioned in the ten preceding sections, shall inure to the sole use of the board of engineers of the fire department of said city of Boston: *provided, however*, that whenever, on the trial of any prosecution under the said sections, any one or more of the said engineers shall be sworn and examined as a

\* The statute of 1833, c. 151, referred to in sect. 14, in the text, contained, in sect. 12, a general repeal of acts and parts of acts inconsistent therewith, which apparently repeals stat. 1792, c. 7; 1801, c. 20; 1803, c. 120; 1807, c. 137; 1816, c. 26; and 1820, c. 47.

It also provided, that all rules and regulations made and established by the engineers, under and by virtue of the provisions of former acts, should continue to have the same force and effect until altered or annulled by the said engineers, as if this act had not been passed.



witness on behalf of the prosecution, a record thereof shall be made in court, and in such case the fine, penalty, or forfeiture shall inure to the use of the poor of the city of Boston, to be paid over to the overseers of the poor thereof.

17. Whenever any quantity less than ten quarter-casks of gunpowder shall be seized and taken into custody by any one or more of the engineers of the fire department of the city of Boston, a libel or complaint may be filed in the clerk's office of the police court of said city of Boston, and the said police court of said city shall have jurisdiction thereof; and the like proceedings thereon, (excepting a trial by jury,) shall be had in said court as are provided for by the fifth section of the act passed on the twenty-fifth day of March, in the year one thousand eight hundred and thirty-three, in the like cases of seizures and proceedings before the superior court, — saving always to any party aggrieved by any final judgment of said police court, the right of appeal and trial by jury in said superior court.

18. All fines, penalties, and forfeitures imposed by the twelve preceding sections may be sued for and recovered by the chief engineer, or any one or more of the engineers of the fire department of the said city of Boston, or by any person thereto authorized by a vote of the board of engineers of the said fire department.

19. Whoever wilfully and maliciously, by the explosion of gunpowder or any other explosive substance, unlawfully destroys or injures any dwelling-house, office, shop, or other building, or any ship or vessel, shall be punished by imprisonment in the State prison not exceeding twenty years, or in the jail not exceeding five years, or by fine not exceeding one thousand dollars.

20. Whoever wilfully and maliciously throws into, against, or upon, or puts, places, or explodes, or causes to be exploded in, upon, or near any dwelling-house, office, shop, building, or vessel, any gunpowder or other explosive substance, or any bomb-shell, torpedo, or other instrument filled or loaded with any explosive substance, with intent unlawfully to destroy or injure such dwelling-house, office, shop, building, or vessel, or any person or property therein, shall be punished by imprisonment in the State prison not exceeding ten years, or in the jail not exceeding five years, or by fine not exceeding five hundred dollars.

21. Gunpowder manufactured in this State shall be put into strong and tight casks containing twenty-five pounds, fifty pounds, or one hun-

dred pounds each, unless the same is well secured in copper, tin, or brass canisters holding not exceeding five pounds each, and closely covered with copper, brass, or tin covers.

22. Each cask containing gunpowder manufactured within this State, or brought into the same by land or water and landed, shall be marked on the head with black paint, in legible characters, with the word *gunpowder*, the name of the manufacturer, the weight of the cask, and the year in which the powder was manufactured; and each canister of gunpowder shall be marked with the word *gunpowder*.

23. Whoever knowingly marks a cask of gunpowder with the name of any person other than the manufacturer of the same, or changes gunpowder from a cask marked with the name of one manufacturer into a cask marked with the name of another manufacturer, shall for each offence forfeit a sum not exceeding twenty dollars.

24. The city council of a city and the inhabitants of a town may order that no gunpowder shall be kept in any place within the limits thereof, unless it is well secured in tight casks or canisters; that no gunpowder above the quantity of fifty pounds shall be kept or deposited in any shop, store, or other building, or in a ship or vessel which is within the distance of twenty-five rods from any other building or wharf; that no gunpowder above the quantity of twenty-five pounds shall be kept or deposited in any shop, store, or other building within ten rods of any other building; and that no gunpowder above the quantity of one pound shall be kept or deposited in any shop, store, or other building within ten rods of another building, unless it is well secured in copper, tin, or brass canisters, holding not exceeding five pounds each, and closely covered with copper, brass, or tin covers. They may make a like order in regard to gun-cotton, or other substances prepared like it for explosion, and, if considered necessary for public safety, may restrict the quantity to be so kept to one fifth of the weight of gunpowder allowed by this section.

25. Upon complaint made to a justice of the peace or police court by the mayor or either of the aldermen, selectmen, or firewards of any place, that he has probable cause to suspect, and does suspect that gunpowder, gun-cotton, or other substance prepared like it for explosion, is deposited and kept within the limits thereof contrary to law, such justice or court may issue a warrant directed to either of the constables of such place, ordering him to enter any shop, store, or other building, or



vessel specified in the warrant, and there make diligent search for such gunpowder, gun-cotton, or other substance suspected to have been so deposited or kept, and to make return of his doings to said justice or court forthwith.

26. Whoever commits an offence against any order made under section twenty-four, shall forfeit a sum not exceeding twenty dollars; but the two preceding sections shall not extend to any manufactory of gunpowder, gun-cotton, or other substance aforesaid, nor in any case prevent the transportation thereof through any city or town, or from one to another part thereof.

### FIRE WORKS.

#### STATUTES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:—*

SECTION 1. It shall not be lawful for any person or persons to keep or sell any fireworks within the city of Boston, in any quantity, without first having obtained from the chief engineer of the fire department of said city a license therefor, signed by the chief engineer or by the secretary of the board of engineers, on which shall be written or printed a copy of the rules and regulations by them established, relative to the keeping, selling, or storage of fireworks within said city, and every such license shall be in force until the first day of May next ensuing the date thereof, unless sooner annulled by the board of engineers, and no longer; but such license may, prior to the expiration of that term, be renewed by the chief engineer or the said secretary, from year to year, by indorsement thereon; provided, always that the board of engineers may rescind any such license, if in their opinion the person or persons have disobeyed the law, or infringed on any rules or regulations established by the board of engineers; and every person who receives a license to sell fireworks as aforesaid, shall pay for the same the sum of one dollar, and the same sum for the renewal thereof, and all such licenses shall expire on the first day of May, annually, and

all moneys received for licenses shall be paid to the board of engineers, for the purpose of defraying the expenses of carrying this act into execution.

SECT. 2. Any person or persons who have for sale or keep in possession any fireworks within the city of Boston, contrary to the rules and regulations established by the board of engineers herein mentioned, or who shall sell any fireworks in said city without having first obtained from the said chief engineer, or his secretary, a license as aforesaid, shall forfeit a sum not less than fifteen nor more than fifty dollars for each offence.

SECT. 3. This act shall take effect from and after its passage.

[Approved by the Governor, April 14, 1853.]



## RULES AND REGULATIONS,

*Made and established by the Board of Engineers of the City of Boston, relative to the sale, storage, and safe-keeping of Fireworks in said City, in conformity with a law of this Commonwealth, made and passed on the 14th day of April, A. D. 1853.*

SECTION 1. Any person or persons licensed to sell fireworks by wholesale or retail, shall not be allowed to keep any charged pieces of fireworks exposed in any windows.

SECT. 2. All rockets, bombs, shells, mines, or other explosive pieces, shall be kept in tight-covered cases; said cases shall always be kept closed except when putting in or taking out fireworks, which shall be done as expeditiously as is consistent with proper care.

SECT. 3. The board of engineers shall keep a record of all licenses granted and renewals thereof, and shall designate how, and in what manner fireworks shall be kept, and no alteration shall be made unless by consent of the board. Any change made by removal shall be indorsed on the license, and no license shall be valid for any other place of business, unless so indorsed by the chief engineer or secretary of the board.

SECT. 4. Licenses will be granted on application to the office of the chief engineer of the fire department.

At a meeting of the board of engineers, held on Friday evening, April 29, 1853, the foregoing rules and regulations were unanimously adopted.

HENRY HART, *Secretary.*

## FIRES, ALARMS, ETC.

FROM JANUARY 1, 1863, TO JANUARY 1, 1864.

Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. Jan'y 3.	2.22 P.M.	J. H. Dunham.	Harrison Av., cor. of	\$ 5,500	\$ 5,500	Cotton-picking factory.
3.	9.59 P.M.	J. J. Walworth & Co.	Union Park St.	800	380	Caused by friction.
4.	4.07 A.M.	U. L. Pettingill.	G. cor. Fourth St.	1,500		Stable and carpenter shop.
7.	4.07 A.M.	Benj. James.	Decatur, cor. Chelsea St.			Four boys were arrested for firing the premises.
7.	4.07 A.M.	Henry Codman Estate.	19 & 21 School St.	322	322	Cause unknown.
17.	4.20 A.M.	J. P. & D. B. Palmer.	19 " "	500	150	
17.	10.40 P.M.	Thiery & Scrox.	21 " "			
		Geo. A. Green.	Sullivan Place.			Cause trifling.
		H. H. Tuttle.	856 Washington St.			Cause unknown.
		Alonzo Marshall.	29, 31, & 33 Haverhill Street.	200	200	
		Newman McCully.		500	500	Children playing with matches set fire to a dress skirt.
		J. E. Aldrich.				
		Horace Felton.				
		G. W. Pike & Bro.				
		P. T. Homer.				
18.	7.02 P.M.	John Daniels.	Second, near Dorchester Street.			
		Melzar Stetson.				



Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. Jan'y 20.	6.43 P.M.	Chas. G. Harris, Henry V. Pinkham, Solomon Wildes.	52 Friend Street.	\$ 550 3,000 300 155	\$ 400 2,000 300 105	Heat from stove in store of Mr. Harris, in which was kept Kerosene Oil.
21. 21.	1.58 A.M. 9.37 P.M.	Peter Smith & others. Codman Building. Fleming & Haskell. R. M. Edwards. Edward Conroy & Co. Enoch R. Morse. Chas. H. Garrett.	33 Nashua Street. 70 Sudbury Street.			
26.	7.49 P.M.	N. Wilber. Chas. P. Poirier. Daniels, Kendall, & Co. Geo. N. Black.	Albion Street. 132 & 134 Friend St.	100 100 150 775 1,429 506		Children playing with matches. Supposed to be an incendiary fire.
30.	10.00 P.M.			\$ 16,387	\$ 17,547	

## RECAPITULATION.

Department called out this month

District One,	5
District Three,	2
District Four,	1
District Five,	2
District Six,	2
District Seven,	1
	13 times.

Department called out last year corresponding month 22 times. Loss, \$ 95,665; Insurance, \$ 78,925.

## FIRE DEPARTMENT.

Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
Feb'y 1.	4.58 A.M.	David Flynn.	57 Prince Street.			Damage trifling.
4.	2.00 P.M.	Mr. Uplam.	Liverpool, cor. Maver- ick Street.			East Boston.
4.	8.34 P.M.		Genesee Street.			Fire caused by drying plaster in unoccupied house.
5.	5.53 P.M.	John S. Blake.	19 Central Wharf.	\$ 230	\$ 230	From fire in the adjoining store.
5.	8.20 P.M.	Mrs. Sally Blake. Prince & Co. J. M. & P. Richards. R. S. Wade. S. G. Reed.	111 Commercial St. 113 " "	150 300	150	Rags left to dry near the stove.
6.	11.45 P.M.	J. W. Hunnewell & Co.	Commercial Wharf.	10,000	10,000	Paints and Drugs. Cause doubtful.
8.	2.42 A.M.	Brig Scotia.	In the Harbor.			This vessel belonged in Hal- lowell, Me., and was laden with Ker. Oil and Lumber.
10.	8.44 P.M.	John B. Taft.	Seventh, between I & K. Streets.	100	100	Matches.
14.	8.17 P.M.	Thomas Grimes.	Earle Street.			







Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. March 5.	7.29 A.M.	Cushman & Brooks, O. H. P. Burnham,	72 & 74 Tremont St.	\$ 17,818	\$ 17,318	Repeating alarm. Cause unknown.
5.	7.41 A.M.	Codman's Building, Stafford & Co.	80 Sudbury St.	1,000	1,000	
6.	2.19 A.M.	Nathan Bishop, Branigan & Cuddy, Wood & Chester,	Harvard Place,	2,500	2,500	
6.	2.45 A.M.			300	300	
6.				225	225	
6.	9.27 P.M.	M. S. Cahill, L. H. Hale, George E. Adams, Case & Getchell, F. A. Green, Codman Heirs,	291 Washington St. 295 " " 299 1/2 " " 297 " "	470 200 2,700 2,400 350 600	470 200 2,400 350 600	Repeating alarm. Cause unknown.
10.	3.38 A.M.	Harrison Ritchie, Lathrop & Colby, John Torsloff, A. B. Copeland, Allen & Hall, D. Clapp, Burnham & Chubbuck, J. C. Gray, Harris & Chapman,	110 Milk Street, 334 Washington St.	150 1,000 200 30 50 100 150 423 702	150 1,000 200 30 50 100 150 423 702	False alarm. From stove left in a careless manner. Cause unknown.
21.	12.05 A.M.		Winter cor. Tremont st.			Cause unknown.

22.	6.40 A.M.	Whitwell Heirs, George H. Fox, C. W. Baldwin, Willard Sears, Samuel Walker,	41 & 43 Kingston St.	\$ 40 14,000 30 4,500 11,000	\$ 40 7,500 30 1,500 5,400	Repeating alarm. National Theatre, — the ac- tors lost their entire ward- robes, but they were not expensive, — building en- tirely destroyed.
22.	6.53 A.M.	Wm. Sohler, John Brandon, Wm. F. Fenlon, Jr.	Portland St.	50,000 2,500 600	14,500 1,500	
24.	1.52 A.M.	Mr. Morton, Miss Lee, Wm. West, Paul Cone,		25 68 75 200		
24.	2.04 A.M.	E. B. McKenzie, Long wharf Corporation, Samuel B. Pierce & Co.	Long Wharf, 47 Broad Street,	300 200	300 200	Repeating alarm. Repeating alarm. Fish-store on the wharf. — cause unknown. Damage very slight.
24.	2.35 A.M.					
24.	10.23 A.M.					
29.	1.35 P.M.					
				\$ 114,406	\$ 58,838	

## RECAPITULATION.

Department called out this month, { District One, 2  
District Two, 1  
District Three, 9 } 17 times.  
Repeating Alarms, 5

Department called out last year corresponding month 6 times. Loss, \$ 37,150. Insurance \$ 26,550.



Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. April	8, 5.25 P. M.	Madame Pierrot, Eben Mann,	19 Myrtle Street, 17 "	\$ 665 50	\$ 665 50	Smoke from Steamers at trial of new hydrant in Win- throp Square.
	3, 9.01 P. M.	Mrs. Isaac Howe,	Gould Court, E. E.	400	400	Slight fire.
	4, 11.30 P. M.	Patrick Whalen,	4 Warren Square,			Defective flue and the general debility of the building.
	8, 2.00 A. M.	George H. Fox,	41 & 43 Kingston St.	15		Leak in gas-pipe.
	16, 6.48 A. M.	Willard Sears,	19 Merrimac Street,	2,916	2,916	Flue from boiler.
	18, 3.40 A. M.	Mr. Riley,	Andover Street,	750	750	
	29, 7.49 P. M.	Foster & Lawrence, Silas Buck,		\$ 4,796	\$ 4,781	

## RECAPITULATION.

{ District One, 3  
District Two, 1 } 7 times.  
Department called out this month, { District Three, 2  
District Seven, 1 }

Department called out last year in corresponding month, 7 times. Loss, \$ 6,400. Insurance, \$ 4,600.

May

3, 1.42 A. M. Lewis Clark.  
9, 7.22 A. M. Edward A. Raymond.  
10, 12.37 A. M. Loring & Bangs.

North Charles Street.  
First Street, near B.  
Fleet Street.

200 Cause unknown.  
627  
275 Chemical works.  
Gas-pipe on fire.

10, 1.25 A. M. Hawley, Preston, & Co.	Second, cor. of L St.	\$ 2,000	\$ 2,000	Supposed incendiary.
10, 1.45 A. M. McCully & Coffin.	283 Washington St.			
12, 11.57 P. M. Hallett & McNeil.	Singer & Co.	150	150	
15, 8.20 P. M. L. R. Cutter.	65 Leveret Street.	12	12	Supposed incendiary.
16, 12.32 P. M. A. Brooks.	810 Washington St.	310	200	
17, 12.50 P. M. John E. Robinson.	808 "	800	800	Paint store. Man badly burned.
19, 7.00 A. M. Nathaniel Curtis.	71 Broad Street.	10,000		Spontaneous combustion. Damage trifling.
20, 5.10 A. M. B. M. Clark & Co.	29 & 30 India Street.	500		Probably by incendiary.
22, 1.02 A. M. Charles V. Poor & Co.	Commercial Wharf.	1,000		
30, 7.49 P. M. Brig George Amos.	Melodeon Building.	3,000	3,000	Old junk store. Spontaneous.
	Perham's Mirror.	1,000	1,000	
	Elisha T. Kent & Co.			
	Han & Dodge.			
	Moses P. Stone.			
		\$ 19,874	\$ 7,962	

## RECAPITULATION.

{ District One, 5  
District Three, 4 } 13 times.  
Department called out this month { District Four, 1  
District Five, 1  
District Six, 2 }

Department called out last year corresponding month 16 times. Loss, \$ 142,395; Insurance, \$ 116,575.



Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. June 9.	6.12.50 A.M. 7.22 P.M.	Watson & Bisbee. Geo. W. Berry. Cole & Brown.	1027 Washington St. Friend, cor. Causeway Street.	\$7,000	\$7,000	Damage trifling. Probably from the sawdust about the boiler in Turner's shop.
12.	3.23 A.M.	Elisha T. Kent	112 Haverhill Street.	500		Spontaneous combustion. Bed burned.
16.	9.13 P.M.		Vernon Street.			Damage slight.
19.			Santiago Street, E. B.			Mrs. O'Neal was badly burned by a Fluid Lamp.
21.	9.51 P.M.	Ellen O'Neal.	165 South Street.			This was a false alarm given under direction of the Gov. ernment, for the purpose of exhibiting the department to the Gov. of Cincinnati.
25.	8.39 A.M.		Bowdoin Square.			Bed burned. Caused by peo- ple smoking. The damage was trifling.
26.	1.58 P.M.		Mechanic Court.	\$7,500	\$7,000	

## RECAPITULATION.

Department called out this month {  
 District One, 4  
 District Two, 1  
 District Four, 1 } 8 times.  
 District Five, 1  
 District Seven, 1

Department called out last year corresponding month 17 times. Loss, \$10,025; Insurance, \$9,500.

July	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1.	1.23 A.M.	E. P. Dunbar.	Chelsea Court, E. B.			Damage slight.
3.	5.13 A.M.	Warren Color Company.	281 Commercial St.			Spontaneous combustion. Put out with small loss. Dam- age unknown.
13.	3.50 A.M.		Middle, cor. Munroe St.			Police Alarm for the Cooper Street Riot.
14.	8.27 P.M.		District 3, Box 3.			False alarm given by the rioters to call attention of the department.
15.	12.27 A.M.		Cooper St. Armory.	\$500		Set on fire by the mob, but successfully extinguished.
15.	12.40 A.M.	City of Boston.	Friend, near Market St.			Slight fire in the cellar from incendiary.
16.	2.00 A.M.	Levi Boles.	Friend Street.			Small fire in furniture store.
17.	1.47 P.M.		North Street.			Trifling fire.
17.	3.55 A.M.		Tremont Row.			Steam escaping from a steam exhaust-pipe.
22.	6.53 A.M.		Boxbury.			Small shed over the lime.
22.	11.15 P.M.	Metropolitan R. R. Co.	Eastern R. R. Wharf.	800	800	Cause unknown.
24.	9.00 P.M.	Eastern R. R. Corp. Gage & Co.	East Boston.	\$1,300	\$800	



## RECAPITULATION.

District One, 5  
 District Two, 1  
 District Three, 1  
 District Five, 1  
 District Six, 1  
 District Seven, 2  
 Police Alarm, 1  
 12 alarms.

Department called out this month

Department called out last year corresponding month 9 times. Loss, \$ 27,100; Insurance, \$ 9,600.

Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. Aug.						
2.	5.30 P.M.	Charles H. Moore,	Fulton cor. Richmond st.	\$ 500	\$ 500	Spontaneous Combustion.
6.	1.16 A.M.	Geo. H. Fox,	Kingston Street,			Damage trifling.
10.	3.39 P.M.		Berkley Street,			Tar-kettle on Prov. R. R. Br.
13.	4.05 P.M.	Lawrence Russell,	18 Fabin Street,			
19.	2.52 P.M.		Dorchester Avenue,	200		Tenement House.
20.	0.55 P.M.	Roxbury Lead Works,	Davis Street, Roxbury,			The loss by this fire proba-
						bly reached \$ 40,000. The
						services of the Boston De-
						partment were promptly
						rendered.
22.	6.45 A.M.	Lewis Clark,	North Charles Street,	500	500	Small Stable.
22.	0.05 A.M.	E. A. Milliken & Bro.	near Leveret,	12,000	12,000	Neptune Works, at E. B.
22.		Gardner Mossman,	Summer Street,	300		

22.	3.15 A.M.					Repeating alarm for fire at East Boston.
24.	1.43 A.M.					Slight fire.
28.	8.08 A.M.					Damage trifling.
30.	1.27 A.M.	Henry A. Moore.	Federal, cor. High St.			Damage slight.
31.	11.40 A.M.	J. K. Carlton.	Fourth, cor. D Street.	\$ 200		This fire originated on prem-
		Harvey Crocker.	1207 Washington St.	500		ises occupied by the Atlan-
		George B. Holmes.	Summer & Mill Sts.	300		tic Iron Works, from some
		L. B. Palmer.	East Boston.	7,000	\$ 7,000	unexplained cause.
		Atlantic Works.		450	200	
31.	11.57 A.M.	Howland Otis, Jr.		10,000	4,000	Repeating alarm.
		Brown & Lovell.	Summer Street.	150		
		McKay & Aldus.				Repeating alarm.
31.	0.12 P.M.					Alarm from East Boston fire.
31.	0.17 P.M.					Fifth alarm for fire at East
31.	0.22 P.M.					Boston. This fire spread
						over a large territory,
						mostly covered with old
						buildings of a combustible
						character. Engines from
						Chelsea were present and
						rendered efficient aid.
				\$ 32,100	\$ 24,200	



## RECAPITULATION.

District One, 2  
 District Three, 2  
 District Four, 1  
 District Five, 3 } 17 times.  
 District Six, 2  
 District Seven, 2  
 Repeating Alarms, E. B. 5

Department called out last year in corresponding month 15 times. Loss, \$14,700; Insurance, \$12,900.

Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. Sept. 2.	0.44 A.M.	James Desmond.	83 Purchase Street.	\$ 50	\$ 50	Cause unknown.
8.	8.55 P.M.	Mrs. Owens.	120 Congress Street.	15		
11.	0.20 A.M.	H. C. Sauterback.	Boston Wharf.	20		Crockery and Tin ware.
16.	1.57 A.M.	William McMahan,	31 Paris, cor. Maver-		20	Stable and Bake shop. Sev-
		J. C. Anderson,	ick Street.			eral houses badly burned.
		Eben Weeks,				12 horses perished in the
		Elisha Snow,				stable. The amount of the
		H. S. Converse,				loss and insurance on the
		H. Wakefield,		10,000	5,500	property it was impossible
		Samuel Monny,				to ascertain.
		William McAlester,				
		D. B. Snow,				
		Mrs. Soofield.				

16.	18.	10.15 P.M.	Bay State Rolling Mills.	First St. South Boston.	\$12,000	\$10,000	Alarm in the City. One Chel-
19.	8.25 A.M.	Stover & Pearl.	B. corner of First St.		400		sea Engine present for duty.
21.							Supposed to be incendiary,
22.	8.11 A.M.		95 West Cedar Street.				by which large numbers of
23.	3.29 P.M.		28 Brighton Street.				persons were thrown out
23.	3.50 P.M.	Edward Harper.	22 West Orange St.				of employment.
		Mary Coburn.	134 Nashua Street.	350			Fire Board.
		P. McNeal.		50			Children with matches.
		Miss O'Neal.					Children with matches.
							Cause unknown. Occupied
							by Irish families.
				\$22,885	\$15,570		

## RECAPITULATION.

District One, 1  
 District Two, 2  
 District Three, 2  
 District Four, 2 } 11 times.  
 District Six, 3  
 District Seven, 1  
 Repeating Alarm, 1

Department called out last year in corresponding month 2 times. Loss, \$3,050; Insurance, \$3,000.



Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863.						
Oct. 1.	2.05 A.M.	Murtaugh Downey. Henry Hooten.	38 Prince Street	\$ 200	\$ 200	Fire in Stable. Supposed incendiary. Bed on fire.
4.	3.55 A.M.	A. Adams.	73 Southac Street	2,000	2,000	
15.	3.40 A.M.	Boston Iron Company.	Foundry Street.			
21.	7.03 P.M.	Thomas H. Dunham.	Union Park St., cor. of Harrison Avenue.	10,000		Spontaneous combustion.
21.	7.15 P.M.		Hawkins Street.			Repeating alarm.
25.	9.15 A.M.					Cellar of Blacksmith's shop.
27.	1.29 A.M.					Needless alarm from Box 10.
27.	10.27 A.M.	Irish families.	Fort Hill.			District 3.
29.	8.23 P.M.	Gove & Co., T. D. Chase, D. Current.	216-Commercial St.	5,000	5,000	Trifling fire. Spontaneous combustion of oil clothing.
30.	9.45 P.M.	R. W. Barker.				Needless alarm caused by smoke beating down chimney. Given from District 1, Box 4.
31.	10.15 P.M.	P. Donahoe.	17 Franklin Street.	500		Supposed incendiary.
				\$ 17,700	\$ 7,200	

## RECAPITULATION.

District One, 4  
 District Two, 1  
 District Three, 3  
 District Five, 1  
 District Six, 1  
 Repeating Alarm, 1  
 Department called out this month } 11 times.

Department called out in corresponding month last year 13 times. Loss, \$44,200; Insurance, \$12,000.

## FIRE DEPARTMENT.

Nov. 3.	2.28 A.M.	Gibson & Walker. James Bent. J. Hutchings. Bixby Heirs.	117 North Street.	10,000	7,500	Alarm was given from Box 10 Dist. 1 by mistake, and the fire gained great head- way before the arrival of the department.
3.	2.50 A.M.			500		Repeating alarm.
3.	11.50 P.M.	James McKenney.	Ewer, cor. Fifth Street.	100		Caused by sparks from a lo- comotive; out before the arrival of the department.
4.	2.53 A.M.	T. S. Lombard.	5 Harvard Place.	200	200	Cause unknown, but sup- posed carelessness of the proprietor.
6.	5.24 A.M.	Foster & Roley. J. Gardner.	178 & 180 Commercial Street.	873	873	Destructive fire. Loss about \$75,000. The department of the City of Boston were called upon to send steam- ers to the fire.
6.	9.45 P.M.	Holmes & Joy.	Charlestown.			Spontaneous combustion of coal.
7.	7.50 P.M.	Jones's Wharf.	Foot of Lime Alley.			

Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863. Nov. 11.	7.14 A.M.	H. J. Langley, H. Jenkins, J. Dillon.	248 Broad Street.	\$ 300		Eating House.
16.	7.35 P.M.	Chase & Leavett.	33 Lincoln Street.			Boiler explosion, but no fire.
24.	A.M.	Harvey Jewell.	Chelsea Pl., E. Boston.	2,500		Mr. Carr and Mr. Dwyer were badly scalded Supposed to be incendiary.
25.	10.35 P.M.	A. S. Lovering.	3 State Street.			Paint shop. Fire from stove ; damage slight.
27.	6.23 P.M.	L. Willis.	72 Pinekey Street.			From Blacksmith Forge; loss trifling.
29.	4.02 A.M.	Reuben Balcom.				
		Roberts & Wilson.	79 & 81 Haverhill St.	\$ 14,473	\$ 8,573	

## RECAPITULATION.

{ District One, 4  
 District Two, 1  
 District Three, 4  
 District Six, 1 } 13 times.  
 District Seven, 1  
 Repeating Alarm, 1  
 { Charlestown, 1

Department called out this month,

Department called out last year corresponding month, 7 times. Loss, \$ 800,000. Insurance, \$ 800,000.

## FIRE DEPARTMENT.

Dec.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
3.	3.43 A.M.	John Raynor.	43 Hanover Street.	\$ 2,000	\$ 2,000	Cause unknown.
		Columbian Association.	46 " "	1,500		
		Other occupants.		2,500		
3.	4.18 A.M.					Repeating alarm.
3.	2.43 P.M.		East, cor. Federal St.			Slight fire on roof of old house.
6.	8.00 P.M.		Southac Street.	17,000	17,000	Damage trifling.
8.	1.54 A.M.	Methodist Church. Dr. Green.	Bromfield Street.			
8.	3.20 A.M.					
9.	12.13 P.M.		200 Fifth Street.			
11.	7.07 P.M.	Fowler & Bragg.	57 Hanover Street.			Repeating alarm.
		D. L. Sprague.	59 " "			Bed burned by children play- ing with matches.
		Charles Taylor.	59 " "	650	650	This fire originated from some unexplained cause on the premises occupied by A. K. Young as a manufactory of Hoop Skirts. The amount of loss on the building could not be ascertained, but was of considerable amount.
		Silas Z. Hersey.				
		Richard Hayes.				
		Brantford Kinsley.				
		James Swan & Co.				
		Stephen Foster.				
		John Hill & Co.				
		C. & A. C. Daniels.	61	125	75	
		A. K. Young.				
		George A. Dunbar.	65	7,303	6,000	
		Im. Singer & Co.				
		Easter & Winship.	3 Elm Street.	1,400	1,400	
11.	7.28 P.M.					Repeating alarm.



Date.	Hour.	Owner or Occupant.	Location.	Loss.	Insurance.	Remarks.
1863.						
12.	5.20 A.M.	Bark Emblem.	In the Harbor.			Arrived from New Orleans with Cotton and Sugar. Discovered to be on fire in the hold.
12.	3.26 P.M.	Bark Emblem.	Long Wharf.			Scuttled and sunk to put out the fire.
13.	3.15 P.M.		Friend Street.			Escape of Gas in an archway set on fire by children. No loss.
16.	2.15 A.M.	Mess, More, & Co. William Carpenter.	2½ Water Street.	\$ 100		Supposed spontaneous combustion.
18.	4.21 A.M.	J. P. Melledge.	Clapp's Wharf.	900		Coal. Spontaneous combustion.
18.	9.58 A.M.	E. B. Spinney.	Eighth Street.	100		Children with matches.
21.	5.14 A.M.		Clapp's Wharf.			Spontaneous combustion of coal.
22.	10.17 A.M.	M. Cutler.	59 Leveret Street.			
26.	8.17 P.M.	E. U. Adamson, & others. City of Boston. Building.	Orange Avenue.	100		
27.	9.05 P.M.	Moses Clark.	Harrison Avenue, near Dover Street.	30		Trimming street lamps with combination oil by lamp-light.
31.	12.25 A.M.	P. H. Ducey.	132 Federal Street.	300	\$ 300	
				1,050	800	Bed burning.

31.	6.08 A.M.	Maynard & Co.	Orange, cor. Albany St.			Loss trifling. Caused by dropping lamp while drawing Fluid.
				\$ 84,458	\$ 28,225	

## RECAPITULATION.

Department called out this month	District One,	7
	District Two,	1
	District Three,	5
	District Four,	2
	District Five,	1
	District Six,	2
Repeating Alarms, 2		2
21 times.		

Department called out last year corresponding month 10 times. Loss, \$ 87,279 ; Insurance, \$ 80,909.

