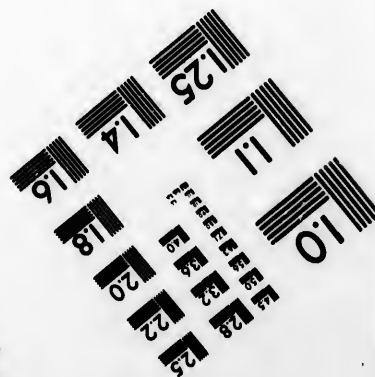
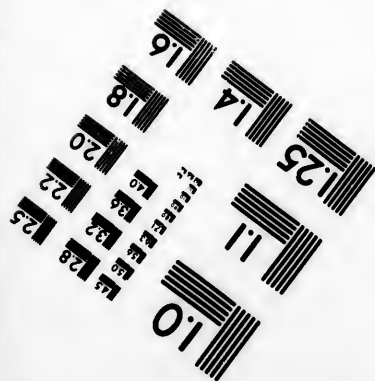
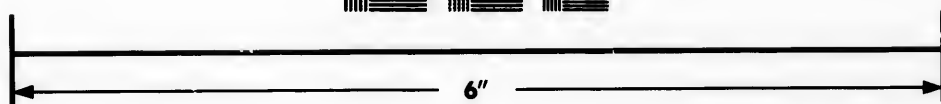
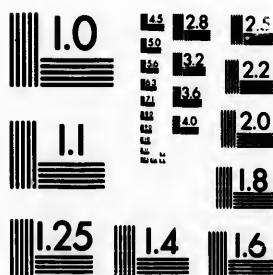


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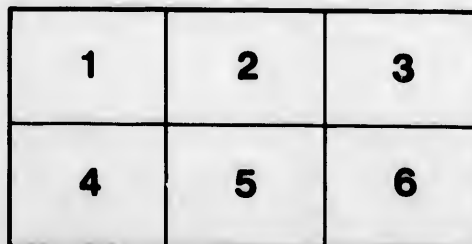
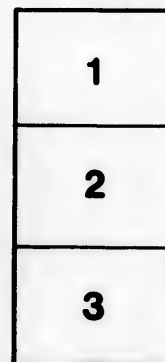
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Victoria Fire Department
RULES AND ORDERS
OF THE
BOARD OF DELEGATES,
AND
AN ACT TO EXTEND AND AMEND THE PROVISIONS OF
THE "FIREMAN'S PROTECTION ACT, 1860."

SAN FRANCISCO:
TOWNE & BACON, BOOK, CARD AND JOB PRINTERS.
1862.

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LIST OF OFFICERS.

JOHN DICKSON.....CHIEF ENGINEER.
JOHN MALOWANCHY....ASSISTANT “
DAVID W. HIGGINS....PRESIDENT.
JAS. S. DRUMMOND.....SECRERARY.
JAS. A. MCCREA.....TREASURER.

BOARD OF DELEGATES.

DELUGE ENGINE Co., No. 1.

Jas. S. Drummond, James P. Hocter,
Alexander Clink.

TIGER ENGINE Co., No. 2.

David W. Higgins, Chas. C. Cushman,
William A. Nixon.

HOOK AND LADDER Co., No. 1.

Jas. A. McCrea, Frank Parrett.

TRUSTEES' CHARITABLE FUND.

Edward H. Jackson, John D. Carroll,
Alfred Waddington.

AN ACT

To Extend and Amend the Provisions of the "Fireman's Protection Act, 1860."

WHEREAS, the provisions of the "Fireman's Protection Act, 1860," are by the said Act declared to be in force for the space of one year only from the passage thereof;

AND, WHEREAS, it is expedient to re-enact and amend the same—

Be it enacted by the Governor on Her Majesty's behalf, by and with the consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies, as follows :

I. The Fire Department of the Town of Victoria shall be organized in the manner following.

II. The Fire Department shall consist of the existing Fire Companies, and such other Companies as may be from time to time admitted, pursuant to the By-Laws for the time being regulating the Department.

III. The officers of the Fire Department shall consist of a Chief Engineer, and an Assistant Engineer, a President, a Secretary, and a Treasurer.

IV. There shall be a Board of Delegates, consisting of three persons from each Company. The first

Delegates shall be elected within seven days after the passage of this Act; the Delegates shall be afterwards elected annually, on some day to be fixed by a By-Law.

V. Each member of an admitted Company shall have three votes in the election of Delegates, and he may vote for any three or less number of candidates; but his vote, if given for a less number than three, shall only count as a single vote for each candidate for whom he votes.

VI. The Board of Delegates shall have the power of passing By-Laws for the regulation of the Fire Department, which, after the approval, in writing, of the Governor for the time being, shall be binding and conclusive on all members of the Fire Department.

VII. The Board of Delegates shall annually elect a President, Secretary and Treasurer of the said Fire Department, each member of the Board having one vote for each officer to be elected.

VIII. The first election of President, Secretary and Treasurer, shall take place on the seventh day after the election of the Board of Delegates. Subsequent elections shall take place on a day certain in each year, to be fixed by a By-Law.

IX. Until the election of a Chief Engineer and Assistant Engineer, the present Chief Engineer and Assistant Engineer shall continue to hold office.

X. There shall be an annual election for Chief

Engineer and Assistant Engineer, at which each member of the Fire Department shall have a vote for Chief Engineer, and also a vote for Assistant Engineer; and in case of an equality of votes for either office, the President shall have a casting vote.

XI. The President of the Department shall call the said election, giving ten days' notice thereof in at least one of the local papers.

XII. The election shall be held under such regulations as may be contained in By-Laws to be passed by the Board of Delegates in that behalf.

XIII. The election of Chief Engineer and Assistant Engineer shall be subject to the approval of the said Governor.

XIV. No member of a Fire Company, admitted as aforesaid, shall be liable for damage done by him to the property of any other person, in the extinction of, or attempted extinction of fire, or in the removal of any erection, edifice or building which, regard being had to the safety of adjacent property, may be reasonably deemed expedient to remove.

XV. Provided, always, that in the destruction or removal of property aforesaid, the immunities hereinbefore given shall not extend to any person who shall act in such destruction or removal contrary to or without the order of the Chief Engineer or Assistant Engineer, or other person who by virtue of some By-Law shall be authorized to direct the actions of the Fire Department.

XVI. Provided, also, that the immunities aforesaid shall not extend to any person who shall, in the destruction or removal of any property aforesaid, be guilty of malice, wanton mischievousness, or gross negligence.

XVII. In case of any suit or action brought by any person against any member of any Fire Company so admitted as aforesaid, in respect of damage done by such member, such member may obtain the benefit of this Act by a plea in the words and figures following: "Not guilty" by statute, without malice, wanton mischievousness, or gross negligence.

XVIII. This Act may be cited for all purposes as the "Fireman's Protection Act, 1861."

Passed the House of Assembly, twenty-third of August, 1861.

E. BOWERS DOGGETT,
Clerk of the House of Assembly.

Passed the Council, ninth of September, 1861.

JOSEPH PORTER,
Acting Clerk of the Council.

Assented to this tenth day of September, A. D. 1861.

JAMES DOUGLAS,
Governor.

REGULATIONS.

Adopted by the Board of Delegates Nov. 6th, 1861; Approved
by the Governor Feb. 7th, 1862.

ARTICLE I.

Each and every Company shall, at its stated meeting, in September, elect three of its members to the Board of Delegates, which Board shall consist of three representatives from each Fire Company. They shall assemble on the second Wednesday of September, at half past seven o'clock, P. M., in the room of the Board of Delegates, and then and there organize, by the election of a President, Secretary and Treasurer, whose terms of office shall be for one year, or until their successors are duly elected and qualified. They shall make laws for the government of the Fire Department, subject to the approval of His Excellency the Governor; and all laws made by them, and approved by His Excellency, shall be binding on every Company, officer or member of the Department, and any Company, officer or member of the Department, who shall violate any of the said laws, or any of the provisions of the "Fireman's Protection Act," or who shall refuse to obey the lawful orders of the Chief or Assistant Engineer, shall, upon complaint, be tried by the Board; and, if found guilty, be censured, sus-

pended, fined, removed from office, or expelled from the Fire Department, as a majority of the Board may in its judgment direct. They shall examine the returns, and declare the result of all Engineers' elections, and give them their certificates of office. The election for Chief and Assistant Engineer shall be held annually, on the first Monday in October in each year. Whenever a vacancy occurs in the office of Chief or Assistant Engineer, the President of the Department shall order an election to fill such vacancy for the unexpired term of said office.

ARTICLE II.

The President, Secretary and Treasurer, elected by the Board of Delegates, shall be styled, respectively, the "President, Secretary and Treasurer of the Victoria Fire Department." The President and Treasurer shall be elected from among the Delegates, but the Secretary may be elected from the Department at large.

ARTICLE III.

A Company shall be composed of not more than sixty-five nor less than twenty males, of the age of eighteen years, all of whom must be duly registered members of the Department. The officers of a Company shall be a Foreman, at least one Assistant Foreman, a Secretary, and a Treasurer. A Company desiring admission into the Department must make application to the Board of Delegates, accompanying

such application with a copy of their regulations, signed by at least twenty males, of the age of eighteen years, the names of their officers, and the location they desire; and, should the Board by a vote of the majority of all its members decide to admit such Company, the Secretary of the Department shall file with the Registrar of the Supreme Court the said regulations, and upon such filing the Company shall be deemed admitted into the Department.

ARTICLE IV.

Whenever a Fire Company, by reason of deaths, resignations, or expulsions, shall have reduced its roll to less than twenty active registered members, it shall be the duty of the Secretary of the Department to forthwith notify the Chief Engineer and the Foreman of the Company of the fact; and it shall be the duty of the Chief Engineer to suspend such Company until the next stated meeting of the Board of Delegates, when, unless a majority of the members composing the same decide to reinstate the Company, it shall be disbanded.

ARTICLE V.

The Chief Engineer shall report to the Colonial Secretary of Vancouver Island, in the months of January and July, the number, location and condition of fire apparatus and cisterns, and the state of Fire Company houses, and all property of the city in keeping of said Department. Also, all accidents by fire which

may have taken place, with the causes thereof, and a description of the property destroyed or injured, with the names of the owners of the same; also, such other information, and such recommendations, as he may deem proper. He shall, furthermore, inquire into the causes of all fires, and see that all persons criminally connected therewith are diligently prosecuted by the proper authorities. All moneys appropriated for the use and benefit of the Department shall be expended under the supervision of the Chief Engineer.

ARTICLE VI.

All fines imposed by the Board of Delegates shall be appropriated to the Fire Department Charitable Fund. They shall be paid to the Treasurer of the Fire Department, who is hereby authorized and instructed to pay over the same to the Treasurer of the Fire Department Charitable Fund.

ARTICLE VII.

CHIEF ENGINEER.

The Chief Engineer shall, in all cases of fire, or alarm thereof, have sole and entire control over all apparatus and members of the Department. He shall have power, and it shall be his duty, to suspend any Engineer, Company officer, or Company, for disobedience of, or unnecessary delay in executing, his orders, or orders of the Assistant, or for disrespectful language; and he shall report the name or names and

facts connected therewith to the Board of Delegates, when next convened, for their action. He shall see that all fire apparatus, Fire Company houses, and public cisterns, are kept in good order and condition, and report to the proper authorities repairs or supplies required by the Department, or any Company thereof. He shall, upon learning of any improper practices in or about the house of any Company, notify the Foreman thereof of the same ; and upon their repetition, report the name or names of offenders, and facts connected therewith, to the Board of Delegates, when next convened, for their action. He shall sign all certificates duly authorized by the Board of Delegates, and shall perform, generally, such other duties as the laws of the Colony and this Department may require of him.

ARTICLE VIII.

ASSISTANT ENGINEER.

The Assistant Engineer shall, immediately upon arriving at fires, report himself to the Chief Engineer for his orders. At fires, or alarms thereof, Engineers shall convey their orders to Companies by their respective numbers, and, if practicable, to the officer in command. Whenever the Chief Engineer shall be absent from the city, or shall be prevented from discharging the duties of his office, the Assistant Engineer shall perform the duties and possess the rights and powers of said office during such disability or absence.

ARTICLE IX.

PRESIDENT OF THE FIRE DEPARTMENT.

The President shall preside at all meetings of the Board of Delegates, shall preserve order and decorum, and enforce a strict observance of the laws of the Department and the rules of the Board. He shall call special meetings of the Board, when requested in writing by four members of the Board, or whenever notified by the Secretary of the suspension by the Chief Engineer of an officer, or Company, or whenever he may deem necessary. He shall, at the commencement of his term of office, appoint Standing Committees, to consist of three members each, as follows: on Judiciary; on Finance; and also, at the stated meetings in February and August, a Committee of two, to examine and report upon the accounts of the Secretary and Treasurer. He shall sign all orders of the Board upon the Treasurer; and shall perform such other duties as the laws of the Colony and this Department may require of him. In case of his absence from a meeting, a member may be chosen to preside *pro tem*.

ARTICLE X.

SECRETARY OF THE FIRE DEPARTMENT.

The Secretary shall keep full, fair and accurate minutes of the proceedings of the Board of Delegates. He shall keep a book, in which he shall write out in full the laws and standing resolutions adopted by the

Board of Delegates, and properly index the same. He shall keep a registry of the Department, which shall contain the names of all the members of the same, arranged under the name and number of the Company to which they may severally belong; and shall show, opposite each name, date of membership, (which shall be understood to be the date of his signing the regulations of the Company of which he is a member) transfer, (both from and to a Company) suspension, expulsion, resignation, death, remarks. He shall likewise keep a book of all persons suspended, disbanded or expelled by the Board of Delegates from the Department. He shall have the custody of the Department seal, and affix the same, when necessary, to the notices, resolutions, orders and laws of the Board of Delegates. He shall fill up and sign certificates of membership, when directed by the Board of Delegates. He shall date certificates of membership in the Department from the time the same are paid for. He shall collect all fines, and pay the same over to the Treasurer, taking his receipt therefor. He shall keep an account of all moneys received by him for the Department, specifying each sum paid in, by whom and for what purpose, and report the same to the Board of Delegates, in the months of February and August. He shall, at the same times, report the changes that have occurred in the registry of the Department during the preceding six months, setting forth the names of the parties, and

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whether elected, transferred, suspended, expelled, resigned, or deceased. He shall, in the months of February and August, and previous to each Engineers' election, compare the returned rolls of the several Companies with the registry of the Department, noting on the latter all who have been transferred, suspended or expelled, or have resigned or deceased; and shall furnish the Judges of Election with a certified copy of the voting list of each Company, which shall contain only the names of such persons whose membership shall have been reported to the Secretary of the Department fifty days immediately preceding such election. He shall report any discrepancies that may appear in the rolls of the several Companies and the registry of the Department. He shall require the Foremen and Secretaries of the various Companies to certify to the correctness of their rolls, as returned to the Board of Delegates, and shall endorse and preserve said rolls among the papers of the Department. He shall, whenever any Engineer, Company officer, or Company, shall be suspended by the Chief Engineer, immediately furnish the accused with a copy of the charges upon which he or they were suspended, together with notice of the next meeting of the Board of Delegates. He shall call meetings of the Board of Delegates, when regularly ordered; shall attest all orders of said Board upon the Treasurer; shall furnish the Chairmen of Committees of said Board with the names of their colleagues, and

copies of the matters respectively referred to them ; and shall perform, generally, such other duties as may, from time to time, be imposed upon him by the Board of Delegates. He shall, within five days after the election of the Chief and Assistant Engineers, forward their certificates of election to His Excellency for approval. He shall, at the expiration of his term of office, promptly deliver up all books, papers and other property of the Department, and of the Board of Delegates, in his custody, to his successor in office.

ARTICLE XI.

TREASURER OF THE FIRE DEPARTMENT.

The Treasurer shall receive and safely keep all moneys belonging to the Fire Department, paying out the same upon the order of the Board of Delegates, duly signed by the President, and attested by the Secretary, which shall be his vouchers. He shall, at the stated meetings in February and August, submit to the Board of Delegates full reports of his receipts and disbursements, together with the amount of moneys remaining in the Treasury. His accounts and vouchers shall, at all times, be subject to the examination of Committees appointed by the Board for that purpose. He shall, before entering upon the duties of his office, give a bond, with one or more sureties, in the sum of one thousand dollars, (\$1,000) payable to the President of the Fire Department, conditioned for

the faithful discharge of his trust. He shall, at the expiration of his term of office, promptly deliver up all funds, books, papers and other property of the Department, and of the Board of Delegates, in his custody, to his successor in office.

ARTICLE XII.

BOARD OF DELEGATES.

SECTION 1. The Board of Delegates shall be composed of such members, (not more than three from each Company) whose certificates of election by the Company shall be certified by the Foreman and Secretary thereof.

SEC. 2. The stated meetings of the Board shall be held on the second Wednesday in each month, at half past seven o'clock P. M., from October to March, inclusive, and at eight o'clock P. M., from April to September, inclusive.

SEC. 3. Special meetings shall be ordered by the President, and the time, place and object of the same advertised, at least one day, in one daily newspaper of the city. At these, the only business in order shall be roll call, collection of fines, admission of new members, reception of charges and specification of charges, as per Article XVIII, and the special business for which the meeting was called.

SEC. 4. At all meetings it shall require a majority of all the members of the Board to constitute a quorum for the transaction of business; but a less

number may call the roll, have the absentees noted, and adjourn to a time stated, or without day.

SEC. 5. It shall be the duty of the Board to make such laws and regulations as may be necessary for the government of the officers and members of the Department. They shall, as hereinafter provided, try all charges made by the Chief Engineer against any officer, Company, or member of the Department, and charges made by one Company against another, or by an officer or member of a Company against an officer or officers of the Department, or an officer or member of another Company; and charges against any member of the Department who shall be guilty of a breach of the peace, or disorderly conduct, during a fire, or alarm thereof, or at any Fire Company house.

SEC. 6. If any officer or member of a Company shall appeal from any decision of his Company, in which he is directly concerned, and it be shown that the Company have acted in violation of the Department laws, or their own laws, the Board shall declare such action illegal and null; but if the contrary be shown, the Board shall declare the action of the Company sustained.

SEC. 7. When a Company makes application to be admitted into the Department, it shall be the duty of the Board, before granting admission, to ascertain if the signers of their regulations are eighteen years of age; if they, or any of them, are expelled members of the Department; if their regulations are in

accordance with the laws of the Department; and if their addition to the Department is necessary.

SEC. 8. It shall be the duty of the Committee on Judiciary to take into consideration such petitions and matters touching judicial proceedings, as may come in question and be referred to them by the Board. It shall be their duty to report as to the law in cases of appeal before the Board, and for such purpose they shall have power to send for members of the Department and papers. They shall, when directed by the Board, report such laws for Colonial, Municipal or Department confirmation, as they may consider required for the welfare or government of the Department. All their reports shall be in writing.

SEC. 9. It shall be the duty of the Committee on Finance to examine all bills presented to the Board, and report thereon at the earliest opportunity; and to take into consideration such matters pertaining to the finances of the Board as may be referred to them, or as they may deem the interests of the Department require. They shall, in the months of February and August, examine the semi-annual reports of the Treasurer of the Fire Department Charitable Fund, and shall have power, and it shall be their duty, to examine the books, vouchers and securities in the custody of said Treasurer; and they shall report thereon, in writing, at the next meeting of said Board.

SEC. 10. Appeals to the Board shall only be presented within thirty days after proceedings; *provided*,

however, that in case of the absence of a party from the city, a longer time may be granted.

SEC. 11. In addition to cases provided for, the following shall require the votes of a majority of all the members of the Board: To disband a Company; to restore any officer, Company, or member of the Department, before the expiration of the term for which he or they were suspended; and to suspend or expel a Delegate; and the voting shall be *viva voce*.

SEC. 12. Any Delegate absenting himself from a stated or special meeting of the Board, (sickness or absence from the city only excusing) shall be fined one dollar.

SEC. 13. The resignation of a Delegate must be tendered in writing to the Board. Upon the resignation of a Delegate, the Secretary of the Fire Department shall, within three days thereafter, notify his Company of such resignation.

SEC. 14. When the fines of a Delegate shall amount to the sum of five dollars, he shall be liable to expulsion from the Board.

SEC. 15. Any Delegate who shall willfully violate any of the rules or orders of the Board, or shall refuse obedience to the presiding officer when called to order, shall be liable to censure, or expulsion from the Board.

ARTICLE XIII.

COMPANIES.

SECTION 1. Each and every Company shall keep

their apparatus in good order and condition, so that the same shall be ready for instant service.

SEC. 2. They shall, during a fire, or alarm thereof, have an officer in charge of their apparatus, and, if upon the fire, another in charge of their pipe. It shall be the duty of said officers to receive their orders from the Chief and Assistant Engineers, and convey the same to their Company or pipemen, as may be required.

SEC. 3. No Company shall permit breaches of the peace, or improper practices, upon the premises occupied by them.

SEC. 4. Any laws of Companies inconsistent with those of the Department, shall be void and of no effect.

ARTICLE XIV.

FOREMEN.

Foremen of Companies shall report promptly to the Chief Engineer any breakage or disarrangement of the apparatus, or repairs required to the house, under their respective charge, and shall see that the same are kept in good order and condition. They shall, at fires, or alarms thereof, see that the orders of the Chief and Assistant Engineers are punctually obeyed. They shall certify to the correctness of the semi-annual and voting rolls of their respective Companies. In the absence of the Chief and Assistant Engineers, the Foreman first arriving on the ground, with the apparatus of the Company of which he has charge, shall be entitled to take command.

ARTICLE XV.**ASSISTANT FOREMEN.**

Whenever the Foreman of a Company shall be absent from a fire, or alarm thereof, or from sickness or other cause be unable to attend to the duties of his office, all his rights, powers and responsibilities in and to the Department shall devolve upon the Assistant Foreman of such Company, during such absence or disability.

ARTICLE XVI.**SECRETARIES.**

SECTION 1. Secretaries of Companies shall keep full, fair and accurate minutes of the proceedings of their respective Companies ; shall, as soon as possible, after meetings, return to the Board of Delegates the names of all persons elected, transferred, suspended, expelled, resigned or deceased, and the dates thereof.

SEC. 2. They shall, in the months of April and October, report to the Chief Engineer the condition of their respective Companies, the number of times they have been in service, the average attendance at fires, and any other matters they may deem proper.

SEC. 3. They shall, in the months of February and August, report to the Board of Delegates the names of all the members of their respective Companies ; also, the names of all members elected, transferred, suspended, expelled, resigned, or deceased,

during the preceding six months, and the dates thereof. They shall, at least ten days previous to each Engineer's election, report to the Secretary of the Fire Department all of the active certificate members of their respective Companies who will be entitled to vote thereat. They shall certify to their rolls in the same manner as Foremen.

ARTICLE XVII.

CERTIFICATES.

SECTION. 1. A certificate of membership in the Department shall, upon the order of the Board of Delegates, and the payment of one dollar by the applicant, be given to each member of a Company duly certified to said Board.

SEC. 2. A certificate of honorary membership may, by a two-thirds vote of all the members of the Board, be given by the Board of Delegates to any person who shall have rendered the Department a valuable or important service.

SEC. 3. A disabled member of the Department shall, during such disability, be entitled to a certificate of membership.

SEC. 4. Whenever the certificate of a member of the Department shall have been injured, destroyed or lost, he shall, on producing satisfactory evidence thereof before the Board of Delegates, and making payment as herein stated, receive a duplicate of the

same. For a duplicate of certificate of membership, shall be charged fifty cents.

SEC. 5. None but certificate members of the Department shall, under any circumstances, be permitted to hold office in the Department, or any Company thereof, or to vote at any Department or Company election; and none shall vote at any Department election but those who shall have been certificate members at least fifty days immediately preceding the same.

SEC. 6. In no case shall a certificate be signed by the Secretary of the Fire Department until the member's name, Company and date shall have been filled in, and it shall have received the proper signatures.

ARTICLE XVIII.

CHARGES AND SPECIFICATIONS.

SECTION 1. Charges and specifications of charges against officers and members of the Department shall be preferred in writing to the Board of Delegates, in the name of the Fire Department of the city of Victoria, and a copy of the same furnished the accused at least six days before trial. They may be preferred at any meeting of said Board, who shall forthwith appoint a time for their trial, not exceeding seven days from the date of their preference, unless with the consent of both parties. All witnesses shall be examined in the following order: first, prosecution; second, defense. Rebutting evidence may be admitted on either side. When the evidence shall have been closed, the

Board shall, without debate, proceed to find upon the guilt or innocence of the accused. If guilty, the same shall then assess the punishment. In all cases, the President shall appoint a member of the Board to conduct the prosecution; the accused may conduct his defense, or select a member of the Department for that purpose.

SEC. 2. Neglect or refusal on the part of any officer, Company or member of the Department to answer a charge preferred, as aforesaid, shall be considered an acknowledgment of guilt, and the Board shall proceed as though the charge had been sustained.

SEC. 3. Company charges against officers or members thereof shall be preferred, in writing, to their respective Companies, and a time forthwith appointed for trial. The accused shall be furnished with a copy of the charge, or charges, at least six days before trial. In all cases, it shall require the votes of two-thirds of the members present to suspend or expel an officer or member. No officer or member of a Company shall, under this section, be convicted of an offense charged until an opportunity has been afforded him to defend himself.

ARTICLE XIX.

IMPEACHMENT, SUSPENSION, AND EXPULSION.

SECTION 1. The Foremen of the several Companies of the Department, when called together by a

vote of any Company thereof, shall have power to impeach any Engineer for neglect of or inability to discharge the duties of his office, or for an unwarrantable exercise of power. If a majority of them shall adopt all articles of impeachment, a copy of the same shall forthwith be served upon the officer accused, and the same shall, six days thereafter, be tried by the Board of Delegates; and if they be sustained by said Board, he shall be liable to such further action as said Board may determine.

SEC. 2. Any Engineer, Company officer, Company, or member of the Department, who shall be suspended by the Board of Delegates, shall not, during the period of such suspension, be allowed any time as a member or members of the Department, nor to vote at any Department election. A party suspended shall only be restored to membership before the expiration of the prescribed period of suspension by the Board of Delegates.

SEC. 3. An officer or member of a Company, who shall be suspended by his Company, with the consent of the Board of Delegates, shall not be permitted to join another Company, nor to have a vote in his own Company, or the Department. To restore such officer or member to his former rights and privileges, before the expiration of the prescribed period of suspension, shall require both the consent of the Company and the Board of Delegates.

SEC. 4. Any officer, Company, or member of the

Department, who shall, during his or their suspension by order or with the consent of the Board of Delegates, neglect or refuse to perform the duties of active membership, shall, upon conviction thereof by said Board, be expelled from the Department.

SEC. 5. Any officer, Company, or member of the Department, who, while suspended by the Chief Engineer, shall exercise any of the powers or duties from which he or they were suspended, shall, if convicted thereof by the Board of Delegates, be expelled from the Department.

SEC. 6. No officer or member of the Department, while under suspension by the Chief Engineer, Board of Delegates, or his Company, shall be permitted to resign from his Company or the Department.

SEC. 7. A suspended officer, Company, or member of the Department, who may have been restored to membership therein before the expiration of the prescribed period of his or their suspension, or by reason of the expiration thereof, shall immediately re-enter upon the rights, privileges and immunities from which he or they were suspended.

SEC. 8. Any member of a Company who shall be absent from the city for the space of three months, without leave of absence from his Company, may be returned to the Board of Delegates as having resigned, or been expelled, as the Company may deem proper. Any member, for total neglect of duty for three months, as laid down in the laws of his Company, may be expelled without notification.

SEC. 9. No officer or member of a Company shall be impeached, suspended, or expelled, unless he shall have violated the laws of the Company or of the Department, or been guilty of disgraceful conduct.

SEC. 10. Any officer or member, having been expelled from the Department, shall not, within the space of one year thereafter, be permitted to rejoin the same, or any Company thereof, unless restored by the power or powers that expelled him.

ARTICLE XX.

VICTORIA FIRE DEPARTMENT CHARITABLE FUND.

SECTION 1. The Board of Delegates shall, at their stated meeting in October, 1861, elect three Trustees. The person receiving the highest number of votes shall hold office for three years, the person receiving the next highest number shall hold office for two years, and the next highest for one year; and one annually thereafter for a term of three years. All vacancies in the Board of Trustees shall be filled by the Board of Delegates at the first stated meeting after they occur. No member of the Board of Delegates shall be eligible to election as Trustee.

SEC. 2. The duties of the Trustees shall be to solicit donations to the Fire Department Charitable Fund; pay all moneys so received to their Treasurer, taking his receipt therefor. All orders on their Treasurer shall be drawn by the Trustees, and, unless so drawn, no order shall be valid or paid. They, to-

gether with the Chief Engineer, shall be the only parties authorized to receive and receipt for moneys on behalf of said Fund. They shall personally attend to all applications for the relief of members of the Department, who shall have been disabled or injured while in active service, and the indigent widows and orphans of members thereof, and tender them such pecuniary and other aid as they may require; *provided*, the sum so tendered shall not exceed fifty dollars per month in each case. They may appropriate a sum, not exceeding fifty dollars, to defray the funeral expenses of any member of the Department killed or who shall die from injuries received in active service.

SEC. 3. Applications for relief from said Fund shall be made to one or more of the Trustees by the Foreman of the Company of which the applicant, or the husband of the applicant, or the deceased, is or was a member. The Foreman shall certify, in writing, that the injured person is, or that the deceased husband or person was, a duly registered certificate member of the Department, and communicate such other information respecting the sickness, injury, or death, as the case may demand. If such certificate and information be satisfactory to the Trustees, they shall draw an order upon their Treasurer for such sum (not exceeding as aforementioned) as they may deem proper.

SEC. 4. The Board of Trustees shall annually, in the month of October, elect a Treasurer. He shall

receive and receipt for all moneys paid to him by the Trustees, Chief Engineer and others; keep a correct account of the same in books provided for that purpose; and pay all orders properly drawn upon him by the Trustees, which shall be his vouchers for the same. He shall, in the months of February and August of each year, render a report of his receipts and disbursements, on behalf of said Fund, to the Board of Delegates. He shall give good and sufficient bonds, in the sum of five hundred dollars, (\$500) for the faithful discharge of his trust. His books shall, at all times, be open to the inspection of the Trustees, and the Committee on Finance of the Board of Delegates, and shall be promptly delivered up to his successor in office.

ARTICLE XXI.

UNIFORMS.

In order to designate Engineers and Company officers at fires, or alarms thereof, the Chief and Assistant Engineers shall wear white caps, with their grade of office painted thereon. Foremen and Assistant Foremen shall wear white fronts to their caps, with the number of the Company and their grade of office painted thereon; and if a Hook and Ladder Company, a hook and ladder, or a Hose Company, a coil of hose, in addition to the number of the Company and their grade of office.

ARTICLE XXII.

MISCELLANEOUS.

Alterations or amendments to these laws must be submitted, in writing, at a stated meeting of the Board of Delegates, and shall lie over until the succeeding stated meeting, and shall require the concurrence of two-thirds of the members of said Board for their adoption.

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RULES OF ORDER.

1. At the stated meetings of the Board, the Order of Business shall be—

- 1st. Roll call and collection of fines.
- 2d. Reception of new members.
- 3d. Reading minutes of last meeting.
- 4th. Reports of Committees.
- 5th. Unfinished business.
- 6th. New business.

2. The President shall take the Chair precisely at the hour specified in the call; and, if a quorum be present, proceed with the business of the meeting. He shall preserve order and decorum, may speak to points of order in preference to other members—rising from his seat for that purpose—and shall decide questions of order, subject to an appeal to the Board by any two members, on which appeal no member shall speak more than once, unless by leave of the Board. He may appoint all Committees by consent of the Board. When any member is about to speak, or deliver any matter to the Board, he shall rise from his

seat, and respectfully address himself to the President, and shall confine himself to the question under debate, and avoid personality.

3. If a member be called to order, he shall immediately sit down, unless permitted to explain; and the Board shall, if appealed to, decide on the case, without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not, in case any member object, without leave of the Board.

4. When two or more members happen to rise at once, the President shall name the member who is to speak first.

5. No member shall speak more than twice on the same question, without leave of the Board.

6. No member shall vote on any question in the issue of which he is immediately and particularly interested.

7. Every member when a question is put shall give his vote, unless the Board, for special reasons, excuse him, which question shall be decided without debate. A motion to excuse can only be made before the house divides, or before the call of the ayes and noes is commenced.

8. When a motion is made and seconded, it shall be stated by the Chair; or being in writing, it shall be handed to the Chair, and read aloud by the Secretary, before debate.

9. Every motion shall be reduced to writing, if the Chair or any member desire it. A motion may be withdrawn by consent of the Board, before a decision or amendment.

10. When a question is under debate, no motion shall be received, but to adjourn, to lie on the table, the previous question, to postpone to a certain day, to commit or amend, or to postpone indefinitely—which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a certain day, to commit, or postpone indefinitely, being decided, shall again be allowed at the same meeting, or at the same stage of the question.

11. A motion to adjourn, and a motion to fix the day to which the Board shall adjourn, shall be always in order. These motions, and the motions to lie on the table, and the previous question, shall be decided without debate. All incidental questions of order, arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

12. A question may be divided, if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Board. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall preclude neither amendment nor a motion to strike out and insert.

13. No motion nor proposition on a subject differ-

ent from that under consideration, shall be admitted under color of amendment.

14. A motion to reconsider must be made at the same or the next meeting, and by a member who voted in the majority; and such motion shall take precedence of all other questions, except a motion to adjourn.

15. When the reading of a paper is called for by a member, the President shall direct the Secretary to read the same.

16. Any member may excuse himself from serving on any Committee, at the time of his appointment, if he is then a member of two other Committees.

17. In all cases of election by the Board, the vote shall be taken by ballot.

18. The ayes and noes shall be ordered at the request of two members.

19. When it has been voted to lay a motion on the table, it can only be taken up at the same meeting by the consent of two-thirds of the members present.

20. All questions of order not herein stated shall be decided in accordance with "Cushing's Manual."

21. Any section of the foregoing Rules and Orders may be suspended by a vote of two-thirds of the members present; but such suspension is not to go beyond the meeting.

22. Alterations or amendments to these Rules must be submitted, in writing, at a stated meeting of the

Board, and shall lie over until the succeeding stated meeting, and shall require the concurrence of two-thirds of the members of said Board for their adoption.

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