THE

CHARTER

OF THE

CITY OF NEWPORT, R. I.,

AND THE

SPECIAL STATE LAWS RELATING THERETO,

TOGETHER WITH THE

ORDINANCES

FOR THE GOVERNMENT OF THE CITY.

PUBLISHED BY ORDER OF THE CITY COUNCIL.

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AN ACT PROVIDING IN CASE OF FIRE BREAKING OUT IN THE TOWN OF NEWPORT AND FOR THE PURPOSES THEREIN MENTIONED.

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SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* That when any fire shall happen to break out in the town of Newport, the firewards of the town, or the major part of them present at any fire, shall and may, and are hereby empowered, to give directions for pulling down or blowing up any house or houses, as shall be by them adjudged meet and necessary to be pulled down or blown up, for stopping and preventing the further spreading of the same: and if it shall happen that the pulling down or blowing up of any house or houses shall be the occasion of stopping the progress of such fire, or that the fire stop before it comes to the same, then all and every owner of such house or houses shall receive reasonable satisfaction, and be paid for the same by the rest of the inhabitants of said town whose houses shall not be burnt, who are hereby empowered to make a tax for levying and raising such sum or sums of money as shall by the court of general sessions of the peace for the county of Newport be thought sufficient for that end; which court is hereby fully empowered and authorized, on application to them in this behalf made, to determine and make order thereon: *provided always,* that if the house or houses where

the fire shall first begin and break out, shall be adjudged fit to be pulled down or blown up, to hinder and prevent the spreading of the fire, that then the owner or owners of such house or houses shall receive no manner of satisfaction for the same; anything in this act to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the freemen of said town of Newport shall, on their days for electing town officers, choose and appoint such a number of prudent persons, of known fidelity, in the several parts of the town, as they may think fit, who shall be denominated and called firewards, and have a proper badge assigned to distinguish them in their offices, to wit: a speaking trumpet painted red; and at the times of breaking forth of fire, and during the continuance thereof, they shall have full power and authority to command and require assistance for the extinction and putting out of the same, and for removing household furniture, goods and merchandize, out of any dwelling-house, store or other building actually on fire, or in danger thereof, and to appoint proper guards to take care of and secure the same; as also to require and command assistance for the pulling down or blowing up of any house or houses, and performing all and every service relating thereto, to stop and prevent the further spreading of the fire, and to suppress all tumults and disorders: and the said firewards from time to time appointed as aforesaid, are required, upon notice of the breaking forth of the fire, to take each one his badge, and repair immediately to the place, and vigorously exert their authority for obtaining assistance, and to use their utmost endeavors to extinguish or prevent the spreading of the fire, and to preserve and secure the estates of the inhabitants; and due obedience is required to be yielded to them and each of them accordingly in said service; and all disobedience, neglect or refusal in any person, shall be informed of to some of the justices of the peace of said town, within two days next after; and the offender upon conviction

thereof by the oath of one or more of the firewards, or other due proof made before any two of said justices, shall forfeit and pay as a fine, the sum of six dollars and sixty-six cents, to be levied by a warrant of distress, and when collected to be distributed at the discretion of the town council of Newport among such poor persons as were most distressed by the fire: and in case such offender or offenders shall be unable to pay the same, they shall be committed to jail, there to remain ten days.

SEC. 3. *And be it further enacted*, That if any evil-minded persons shall take advantage of such calamity to rob, plunder, purloin, embezzle, convey away or conceal any goods, merchandize or effects of the distressed inhabitants whose houses were on fire or endangered thereby, and put upon removing their goods, and shall not restore the same to the owner, (if known,) or bring the same to such public place as shall be assigned by the firewards of said town, within two days next after proclamation made for that purpose, the person or persons so offending, shall on conviction thereof be deemed thieves, and shall suffer the severest pains and penalties by law provided against such crimes.

SEC. 4. *And be it further enacted*, That there shall be kept, for the use and at the charge of the town of Newport, six fire-hooks, suitable for pulling down houses and other buildings, and the same number of ladders of a convenient length, one half of which fire-hooks and ladders shall be always kept at the lower market-house, and the other half at the market-house near the town school-house, or at such other places as the town of Newport shall direct: and that the same be made use of at the breaking out of any fire in said town, and upon no other occasion whatever.

SEC. 5. *And be it further enacted*, That eight persons be annually chosen by said town to have the care of the said fire-hooks, and ladders; and upon the breaking out of any fire, they are immediately to repair to the said fire-hooks and ladders, and cause them to be carried where they shall be

most wanted; and after the fire shall be over, to cause them to be returned again to the places from whence they were brought: that the said persons and each of them shall have full power to command any persons to assist them in transporting the said ladders and fire-hooks; and that whosoever shall refuse to assist, upon being commanded as aforesaid, shall pay as a fine into the town treasury, the sum of two dollars for every offence; and that such persons, during the time for which they shall be appointed to the office aforesaid, shall be exempted from all such duties as the firemen chosen to take care of the engines are by law exempted from.

SEC. 6. *And be it further enacted*, That every house in the said town of Newport shall be furnished with two good leather buckets, with the owner's name painted at large thereon, and with a ladder that shall reach from the ground to the top of said house, or with a trap-door or scuttle in the roof of said house, with stairs or a ladder to go out of the garret upon the top of the house: and that for every dwelling house in said town of Newport, which shall not be furnished with two leather buckets, and a ladder to reach from the ground to the top of the house, or in the room of such ladder, a trap-door or scuttle in the roof of said house, and stairs or a ladder to go out of the garret upon the top of the house, the owner of said house shall pay as a fine into the town treasury the sum of two dollars for every six month's neglect; but if the owner of the house doth not live in the town of Newport, the tenant or tenants shall pay such fines, and the same shall and may be deducted out of the rent of the house.

SEC. 7. *And be it further enacted*, That three persons shall be annually chosen by the said town of Newport, to examine every house in said town, twice a year, and make report of all delinquents unto the town council, who are hereby directed and empowered to cause every delinquent to be prosecuted.

SEC. 8. *And be it further enacted*, That every person in possession of a bucket, who shall neglect or refuse to make

use of the same himself, or deliver it to some other person to make use of, at any fire which shall break out in said town, or put his buckets to any other use but to extinguish fire, shall pay as a fine into the town treasury aforesaid, the sum of one dollar for every offence.

SEC. 9. *And be it further enacted*, That every bucket that shall be lost or damaged at any fire, upon satisfactory proof thereof being made before the town council, an order by them shall be given to the owner of such bucket on the town treasurer for as much money as will make good the loss or damage.

SEC. 10. *And be it further enacted*, That every person who shall import gunpowder into the said town of Newport, shall cause the same to be conveyed immediately to the powder-house at the northeasterly part of the town, before the vessel in which such powder shall be imported be brought to any wharf, upon the penalty of paying into the town treasury of the said town of Newport, a fine of two dollars for every cask which shall not be conveyed to the powder-house as aforesaid: that every other person who shall have gunpowder in his possession, and shall neglect or refuse to cause the whole of the same to be conveyed to the said powder-house immediately, excepting twenty-five pounds, which shall be kept in a tin powder-flask, shall pay as a fine into the town-treasury aforesaid, the sum of two dollars for every cask which he shall neglect or refuse to cause to be conveyed to the powder-house as aforesaid, and in proportion for any less quantity: that no vessel of war or other vessel shall take on board any powder before such vessel shall have departed from the wharf, upon the penalty of the master's paying a fine of two dollars for every cask so taken on board: and that the keeper of the powder-house be allowed the same fees as heretofore have been allowed by law for delivering out every hundred weight of powder, and in proportion for a greater or less quantity.

SEC. 11. *And be it further enacted*, That no person whosoever shall fire a gun or other fire-works within one hundred yards of the said powder-house, upon the penalty of two dollars for every such offence, to be recovered by the town treasurer for the use of said town.

SEC. 12. *And be it further enacted*, That no ship or vessel having more than five barrels of gunpowder on board, shall come to anchor in the harbor of Newport, anywhere to the eastward of Goat-Island, and lie there more than twenty-four hours, after notice and warning shall be given by the president of the town council of the said town, upon the penalty of two dollars per barrel for every barrel of gunpowder on board such ship or vessel, coming to and remaining at anchor contrary to this act, to be recovered of the master, supercargo or owner of such ship or vessel, by the town treasurer of the said town, to and for the use of said town.

SEC. 13. *And be it further enacted*, That all the fines that shall accrue by this act, shall be recovered by the town treasurer before any two justices of said town, by action of debt, except where it is otherwise directed in this act. [Passed 1822.]

AN ACT RELATING TO THE FIRE ENGINE COMPANIES IN THE TOWN OF NEWPORT.

Town Council authorized to appoint fire-engine men for the several companies.

Be it enacted by the General Assembly, and by the authority thereof it is enacted, That the town council in the town of Newport be, and they hereby are, authorized to appoint, from time to time, so many fire-engine men to compose and constitute the several fire-engine companies in that town as said town council shall find necessary. [Passed February, 1836.