

**CHARTER**  
AND  
**Constitution and By-Laws**  
OF THE



**ATLANTIC**  
**Steam Fire Engine Co. No. 1**  
ORGANIZED MAY 14TH, 1845  
**New Bern, North Carolina**

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RICHARDSON PRINTING COMPANY  
NEW BERN, N. C.  
1935



## CHARTER

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An act to incorporate the Atlantic Fire Company  
No. 1, in the town of New Bern.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That J. J. H. Van Bokkelin, William H. Harvey, James C. Justice, John L. Durant and others free white male citizens of the town of New Bern, are hereby authorized to enroll and form themselves into a fire engine company, to be styled the "Atlantic Fire Company No. 1," and by that name may sue and be sued, plead and be impleaded, and exercise all other powers and privileges incident to corporate bodies: Provided, that the members thereof shall not at any time exceed seventy-five in number.

Sec. 2. Be it further enacted, That it shall be the duty of the said fire company to turn out, for the exercise of themselves and their engines, in the mode used by firemen, at least four times per year. under a penalty of fifty dollars, to be recovered against said company by the commissioners of the town, before any tribunal having jurisdiction of such suits, unless the said company shall be prevented from exercising as aforesaid by the inclemency of the weather, or some unavoidable circumstance.

Sec. 3. Be it further enacted, That a majority of the members of said fire company shall have power and authority to adopt such constitution and pass such by-laws, rules and regulations, not inconsistent with the constitution of the United States and of this State, as to them shall deem best; and that all fines and penalties which may be collected

by said company, of its members for any infringement of the same, shall enure to the sole use of said company.

Sec. 4. Be it further enacted, That the members of said fire company, while they continue to perform the duties of firemen in said company, shall be exempt from the performance of military duties, except in cases of insurrection or invasion.

Sec. 5. Be it enacted, That all laws and clauses of laws coming within the meaning and purview of this act, are hereby repealed, and this act shall be in force from and after the ratification thereof.

(Ratified 5th of January, 1847.)

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An act to amend an act entitled "An act to incorporate the Atlantic Fire Company No. 1, in the town of New Bern, passed at the session of 1846-'47.

Sec. 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the members of the aforesaid fire company, while they continue to act as such, shall be exempt from serving as jurors, either in the county or superior courts.

Sec. 2. Be it further enacted, That all laws and clauses of laws, contrary or repugnant to the meaning of this act, be and the same are hereby repealed.

Sec. 3. Be it further enacted, That this act shall take effect and be in force from and after its ratification.

(Ratified 27th January, 1849).

An Act entitled an Act to Amend an Act to Incorporate "The Atlantic Fire Company No. 1, in the town of New Bern.

The General Assembly of North Carolina do enact:

Sec. 1. That the act entitled "an act to incorporate the Atlantic Fire Company No. 1, in the town of New Bern," ratified the 5th day of January, A. D., 1847, be amended as follows:

Sec. 2. That the Atlantic Fire Company, No. 1, in the town of New Bern, shall hereafter be known by the corporate name and style of the "Atlantic Fire and Hook and Ladder Company," and by this name and style shall have succession, sue and be sued, plead and be impleaded, have a common seal, and alter the same at pleasure, and make all by-laws and rules necessary for the proper government of the company and the management of the funds, not inconsistent with the laws of the State, and in all matters due and performed what is customary and proper for fulfilling the object of this Association.

Sec. 3. The members in the actual service of the company, performing duty, when required, shall be exempt, during the continuance of such service from jury duty, and except in times of insurrection, or invasion, from military duty, and after the faithful performance of the required duties in the company, for the term of seven years. a certificate thereof, shall entitle such members to exception as aforesaid from jury and militia duty for life.

Sec. 4. That all acts, or parts of acts, inconsistent with this act, are hereby repealed.

Sec. 5. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified 22nd day of March, A. D., 1869.

An act entitled an act to amend the charter of the Atlantic Fire and Hook and Ladder Company.

The General Assembly of North Carolina do enact:

Sec. 1. That an act entitled an act to amend an act entitled an act to incorporate the Atlantic Fire Company No. 1, in the town of New Bern; ratified the twenty-second day of March, A. D., 1869, be amended as follows: That the Atlantic Fire and Hook and Ladder Company shall hereafter be known by the name and style of the "Atlantic Steam Fire Engine Company No. 1."

Sec. 2. That all the privileges and immunities conferred by any act of the legislature upon the members of the New Berne Steam Fire Engine Company No. 1, of the city of New Bern, be and are hereby conferred upon and granted to the members of this company.

Sec. 3. That all laws in conflict with this act are repealed.

Sec. 4. That this act shall be in force from and after its ratification.

In the general assembly read three times, and ratified this the 4th day of March, A. D., 1887.

# CONSTITUTION

## ARTICLE I.

### NAME

This Company shall be known as the Atlantic Steam Fire Engine Company No. 1.

## ARTICLE II.

### MEMBERSHIP

Sec. 1. This company shall not exceed 75 active members, and as many honorary members as they may see fit to elect.

Sec. 2. Any resident of New Bern physically qualified, 19 years of age who shall have been proposed at a regular meeting and approved by the Investigating Committee, shall be ballotted for at a regular meeting thereafter in a manner prescribed by the By-Laws, and upon paying an initiation fee and signing this constitution, shall be declared an active member.

Sec. 3. Honorary members shall be elected in like manner as the members, but they shall be exempt from all fees, fines or dues, and shall not be required to sign the constitution.

## ARTICLE III.

### OFFICERS

Sec. 1. The Officers of the company, shall consist of a Foreman, Assistant-Foreman, Captain of Hose, Secretary, and Treasurer; and an Auditing and an Investigating Committee of three members each; all of whom shall be elected at the annual meeting.

Sec. 2. There shall be elected from the company at the annual meeting, one Engineer and two Representatives to the Board of Officers of the Fire Department.

#### ARTICLE IV.

##### MEETINGS

Sec. 1. The annual meeting of this company shall be held on the first Monday evening in December, and the officers elected at such annual meeting shall enter upon the discharge of their duties at the first regular meeting in January following, and shall hold their offices for one year, or until their successors are elected.

Sec. 2. The company shall hold one regular meeting in each month for the transaction of business. The time to be designated in the By-Laws.

#### ARTICLE V.

##### POWER TO ENACT BY-LAWS, ETC.

The company is hereby vested with power to enact By-Laws for the more complete regulation and government of the company, and to transact any business not in conflict with the constitution.

#### ARTICLE VI.

##### AMENDMENT

No amendment shall be made to this constitution unless the same shall be presented to the company in writing, and after 30 days notice shall have been given, passed by two-thirds vote of the members present at a regular meeting.

# BY-LAWS

## ARTICLE 1

### MEETINGS

Sec. 1. The regular meeting of this company shall be held on the first Monday evening in each month at 8 o'clock.

Sec. 2. The Foreman shall call special meetings when it is deemed necessary, or at the written request of five members, provided time is allowed for the Secretary to notify the members 5 hours previous to the time appointed for the holding of such special meeting; and if after such written request the Foreman shall refuse to call such special meeting, then ten members can call such special meeting.

Sec. 3. Seven members shall constitute a quorum for the transaction of any business brought before the company.

Sec. 4. The company shall be called to order within 15 minutes of the appointed hour. In the absence of the Foreman, Asst.-Foreman, or Captain of the Hose, the company shall elect a chairman pro tem.

Sec. 5. No subject of a sectarian or a political nature shall be introduced before the company,

Sec. 6. The meetings shall be governed in debate by the Rules of Cushings Manual when not in conflict with the special provisions of these By-Laws.

## ARTICLE II.

## ELECTION OF OFFICERS

Sec. 1. No member shall be elected to an office unless he shall have received a majority of the votes cast; and unless he is at the time, free from all fines and dues.

Sec. 2. No member who is more than one month in arrears for dues or against whom any fine stands unpaid shall be entitled to vote at any election of officers, or on any question for the disposal of company property. And the Foreman shall have before him, before appointing the teller, a complete list of those not qualified to vote under this section, and he shall refuse the ballots of all such members.

Sec. 3. Written or printed ballots shall be used for the election of officers.

## ARTICLE III.

## DUTIES OF OFFICERS—FOREMAN

Sec. 1. It shall be the duty of the Foreman, to see that the house, apparatus and other property of the company is kept in good order. At an alarm of fire he shall proceed at once to the scene of the fire and select a position for his apparatus. It shall also be his duty to assign the officers and men to such special duties and positions as he may deem expedient from time to time. He shall preside at all meetings of the company. He shall enforce the By-Laws rigidly and impartially, and see that the proper fines and penalties are imposed for all violations of Law. He shall have the power to give a member permission to leave a fire, when

in his judgment, the member shall have a good and sufficient reason for asking for such permission. He shall be a member of and attend all meetings of the Board of Officers and Engineers. After a fire or at a meeting in the absence of the Secretary, he shall appoint one protem.

#### ASSISTANT FOREMAN

Sec. 2. It shall be the duty of the Assistant Foreman to aid the Foreman in the discharge of his duties, and in his absence to act as Foreman. He shall be a member of the Board of Officers and Engineers.

#### CAPTAIN OF HOSE

Sec. 3. It shall be the duty of the Captain of Hose at an alarm of fire to repair immediately to the engine house and take his hose at once to the fire, and see that the hose are laid from the engine or a hydrant to a fire, and when the fire is out, it shall be his duty to see that the hose are properly taken up and reeled, or placed in the truck, and then return to the engine house; it shall also be his duty after every fire to see that the hose are properly cleaned, repaired and placed on the apparatus after such cleaning and repairing; it shall also be his duty to see that his apparatus are kept in best possible condition for instant service; and it shall be his duty to report the failure on the part of any member, to discharge such duty or to remain in such position that may have been assigned to him by the Foreman along the line of hose.

## ENGINEER

Sec. 4. It shall be the duty of the Practical Engineer to see that his engine and apparatus are always kept in good condition so that they may be ready for service when needed. It shall also be his duty to remain with his engine and apparatus while in service.

## SECRETARY

Sec. 5 It shall be the duty of the Secretary to keep a correct roll of the company and call the same at the opening and closing of every meeting and after alarms of fire. To keep a true account of the proceedings of the company at each meeting, and to keep on file all documents relating to the business of the company; he shall report all delinquents who are in arrears; he shall notify every newly elected member of his election; he shall keep a correct roll of the company at the engine house. If at any time he shall be unable to attend a meeting of the company, he shall convey or caused to be conveyed to the place of meeting, all books of the company, that may be in his possession, which are required at the meeting. It shall be his duty to notify each member in writing of the time and place of holding meetings; to receive all payments made to the company; to report the same in detail to the meeting, previous to the second roll call; he shall pay all monies over to Treasurer on the night of the meeting or within 24 hours thereafter, taking his receipt for the same. It shall also be his duty to keep a record of all fires, and location of same.

He shall after the regular meeting in July and January of each year give to the Sheriff of Craven County and to the Clerk of the City of New Bern, a correct list of the members of this company in good standing, and the names of all those members who have served for a period of seven consecutive years, active service, and who are entitled to, or hold certificates of exemption.

#### TREASURER

Sec. 6. It shall be the duty of the Treasurer to receive all funds collected by the Secretary and give him a receipt for the same. He shall keep an account of all monies received and disbursed and shall render a detailed statement at each regular meeting and an account current at the annual meeting; he shall pay no bills unless passed by the company, at a meeting for business, and all bills so passed shall be paid within ten days thereafter (if in funds) unless otherwise ordered, provided, the Treasurer is hereby prohibited from paying bills in favor of any member of this company, or in which they may be interested, until such member shall be free from all dues and fines. Also Treasurer be placed under bond paid by the company.

#### AUDITING COMMITTEE

Sec. 7. It shall be the duty of the Auditing Committee to examine the books and accounts of the Secretary and Treasurer prior to each annual meeting or oftener if called upon by the company so to do, and report in writing to the company.

They shall present at the annual meeting a detailed statement or report of the receipts and disbursements during the year with all monies due to or against the company.

#### INVESTIGATING COMMITTEE

Sec. 8. It shall be the duty of the Investigating Committee to strictly inquire into the character of all candidates proposed for membership, and report in writing at the next regular meeting, using only the terms "favorable" or "unfavorable," it shall be their duty to diligently inquire into the affairs of the company; the execution of duty by the officers; and excuses for neglect of duty on the part of officers and members; for failure on the part of the committee to perform any duty allotted to it they shall be fined \$5.00 each.

#### OTHER COMMITTEES

Sec. 9. All committees, whose action involves the expenditure of funds, shall report in writing, except when reporting progress. If an appropriation is made, the report shall contain a statement in detail, of the purposes for which the money was expended, and a second appropriation shall not be made until such report signed by a majority of the committee, is received; but, when the appropriation has been made, no debts contracted by a committee shall be paid, until such written report has been received, stating the items and total amount of such debts.

Sec. 10. The Foreman shall appoint all committees not otherwise ordered.

## VACANCIES

Sec. 11. If an office becomes vacant it shall be filled at the next regular meeting.

## TO HOLD TWO OFFICES

Sec. 12. No person shall hold two of the following offices: Chief Engineer, Foreman, Assistant Foreman, Captain of Hose, Secretary, Treasurer, and Practical Engineer, of this company at one time.

## ARTICLE IV.

## ELECTION OF MEMBERS

Sec. 1. That in all election of members ball ballots shall be used, and a name receiving three black balls shall be declared rejected. All applications shall be voted on singly.

Sec. 2. That the ballot box be placed on the Foreman's table and be inspected by the Foreman and Secretary before and after election and that members then file by in orderly manner and cast their ballot. Any member may inspect the box with the consent of the Foreman before the ballot is broken.

## ARTICLE V.

## MEMBERS—ACTIVE

Sec. 1. Active members, who are in good standing on the books, shall be entitled to all the privileges within the power of the company to grant.

## HONORARY

Sec. 2. Honorary members shall be entitled to the privileges of the house; but shall have no voice in the affairs of the company.

Sec. 3. No person shall be elected to active membership who is a member of any other company.

#### ASSOCIATE

Sec. 4. The Associate Members of this company shall be:—1. Those members of this company who have rendered faithful service for a period of seven consecutive years, and desire to retire from active membership, may upon notification to the Secretary of his intention to become an associate member of the company, be placed upon the roll of Associate members, and be exempt from all fines for non-attendance upon fires, meetings, and parades, by payment of the regular monthly dues. Provided such member shall not be entitled to any voice in the affairs of the company.

2. All those members of the company who cannot, either from business reasons or because of physical disability, attend fires and parades, may by vote of the company, be placed on the Associate Roll upon payment of the regular monthly dues.

#### ARTICLE VI.

Sec. 1. There shall be a Roll of Honor for the members of this company which shall be known and designated as the "ROLL OF MERIT," which shall be the roll of highest honor in this company; and can only be attained as follows:—

1. All those active members of this company who have been active members of this company or the Excelsior company, continuously for the period of Ten years, and have held either the office of Engineer or of Foreman.

2. All those active members of this company who have served as an active member of this company or of the Excelsior Company for a period of Fifteen years.

3. All those members of this company who have been or will be seriously crippled, so that they are maimed for life or killed in the service of this company or of the Department of the City of New Bern.

4. All those members of this company who by meritorious and heroic conduct save the life of any person, by endangering their own life, while in the service of this company or of the Department of the City of New Bern.

Sec. 2. The company shall procure a suitable picture frame, the mat of which shall contain places for the photograph of all those members of this company who attain to the roll; the said frame shall at all times be hung in the meeting room of this company.

Sec. 3. The Secretary of the company shall procure a book, in which shall be kept only the record of the births, admission to the company, history as a member, when and under what clause placed on the roll, and death of each member of the company who achieves the "Roll of Merit."

Sec. 4. All those members who attain the honor of being placed on the "Roll of Merit," shall be exempt from all fines for non-attendance upon fires, parades and meetings, and so long as they remain on the active roll, shall be entitled to all the privileges of the company.

## ARTICLE VII.

Sec. 1. A running reel team and truck team shall be organized as a part of this company, which shall be known as the Atlantic Hose Reel Team and Atlantic Hose Truck Team; which teams shall be the representatives of this company in all contests, that it may decide to enter.

Sec. 2. The Captain and Manager shall be elected by this company at the annual meeting of this company.

Sec. 3. The team shall be composed of such members as the Captain and Manager shall select.

Sec. 4. All trophies won shall be placed in the club room, and exhibited with the prizes of this company.

Sec. 5. In all contest for cash prizes, where all the expenses of the team (board, transportation, etc) are paid by the management, the cash prizes won shall be put in the treasury of the company.

Sec. 6. The duties of the Captain shall be, to enter the team in such races as it may determine to contest; to be the representative of this company in the affairs of the team; to manage the team while engaged in all practices and contest.

Sec. 7. The duties of the Manager shall be, to be general financial manager of the team; to make all financial arrangements for trips and contests, when so ordered by the company; to receive all prizes won by the team; to be treasurer of the team; and pay out its monies upon order of the company.

Sec. 8. At the discretion of the company it may take any trip or outing as they may see fit.

Sec. 9. No member can qualify for these trips without attending 45 per cent. of all alarms from July 1st to July 1st of current year, and all members attending 45 per cent. of alarms will be entitled to trip.

Sec. 10. No full time paid employee of the City of New Bern who is a member of this company can qualify for said trips.

Sec. 11. No member can qualify for said trip unless he has served twelve months active service.

Sec. 12. Every member qualified for said trip must be in good standing.

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## **Fines, Fees and Penalties**

### **ARTICLE VIII.**

#### **INITIATION FEE**

Sec. 1. The initiation fee in this company shall be \$5.00 and accompany the petition.

#### **DUES**

Sec. 2. All members of this company except the Secretary and Treasurer shall pay in advance a monthly due of 33 1-3 cents. Any members six months in arrears shall be automatically expelled.

#### **FINES**

Sec. 3. Fines shall be recorded against the members at the regular and special meetings as follows:  
For non-attendance at an annual meeting \$1.00.

For not appearing at a regular or special meeting, 25 cents.

For leaving the meeting without the permission of the Foreman, \$1.00.

For refusing to come to order when called upon by the Foreman, \$1.00.

For keeping their hats on, or spitting on the floor or stairways of meeting room, \$5.00.

For informing any person not a member, of any personal remarks, rejection of a candidate, disputes between members, if any occur, or of any other private business of the company, \$10.00, or expulsion at the discretion of the company.

For using profane language or personal abuse during a meeting, \$3.00.

For non-attendance at a fire, unless occasioned by sickness of self, or family, or absence from the city, or a total absence of knowledge of fire. The roll shall be called after every alarm of fire and after every fire and any member failing to answer to his name in either case shall be fined \$1.00, except as noted above; any member answering to the roll call without having attended the fire shall be fined \$2.00; provided however, that there has been sufficient time from the sounding of the alarm, and the "three taps," denoting the fire out. And it shall be the duty of the officers to notice, as they may be able to, all members present at the fire.

When a member is known to give a false excuse to avoid a fine or censure he shall be expelled.

If any officer of this company shall offer any indignity or insulting language to any member of the company, he shall be fined \$5.00.

Any member who shall fail to perform any duty or shall leave any position to which he may be assigned by an officer of the company, shall be fined \$1.00 unless excused by the officer. In the absence of the Secretary at a meeting, the member acting as such, shall report to that officer if he is in the city all the proceedings of the meeting within three days thereafter under a penalty of \$1.00.

Any member of this company appearing at a meeting or a fire in an intoxicated condition, or any member becoming intoxicated while under orders of this company, shall be fined \$2.00.

Any member who shall be or shall become intoxicated while wearing the uniform of this company shall be fined \$2.50 for the first offense, and shall be expelled without further action for the second offense.

The Foreman shall proceed to take the uniform off of any member or person whom he shall see wearing the same when in an intoxicated condition, and shall not allow the said party to have the uniform again until he gets sober.

Should any member refuse to pay the fine for violation of this section, he shall be expelled at once.

#### LENDING PROPERTY

Sec. 4. Any member loaning any property belonging to the company without the consent of a

majority of the members shall be fined \$3.00 and upon his failure to pay said fine shall be expelled.

#### DUTY OF A MEMBER

Sec. 5. It shall be the duty of every member to repair immediately to the fire on every alarm of fire, for the purpose of assisting and aiding to get water on the fire as rapidly as possible.

Sec. 6. Any member lending his key to any person for access to the engine house without permission of the Foreman shall be fined \$5.00, second offense expelled from the company.

#### DISOBEDIENCE OF ORDERS

Sec. 7. Members for disobedience of orders or using disrespectful language to the officers in command shall be fined \$5.00, and for a repetition of the offense, may be expelled; and if he refuses to pay, and the fine cannot be collected out of him, he shall be expelled.

#### LEAVING FIRES

Sec. 8. For leaving the apparatus while at a fire without permission of the officer in command, or to interfere by giving counter orders to the members, the fine shall be \$5.00.

#### DEFACING PROPERTY

Sec. 9. Any member defacing or destroying any property belonging to the company shall replace property and shall be fined \$10.00, and for a repetition shall be expelled.

#### PLAYING GAMES

Sec. 10. Gambling or any other game of chance shall not be allowed in the engine house, under the penalty of \$5.00, and for a second offense, a member shall be expelled.

## ROLL CALL AT ALARMS

Sec. 11. No roll shall be called after an alarm of fire unless some portion of the apparatus shall have been used.

## PARADE

Sec. 12. Whenever the company vote to parade, it shall be the duty of every member to attend at such parade and for non-attendance they shall be fined \$2.00 unless excused, and the only valid excuse shall be sickness of self or family, or absence from the city.

## VOLUNTEERS

Sec. 13. There shall be no volunteer roll in this company, and none but members shall be entitled to wear the uniform of the company, except on public occasions, and not then, unless his name shall have been submitted to and approved by the Foreman.

FIRST MEMBER TO BE ACTING FOREMAN OR  
ASSISTANT FOREMAN, SECOND TO  
BE PIPEMAN

Sec. 14.—1. The first member (except those sleeping in the house) who shall arrive at the apparatus shall be entitled to the command, and shall be obeyed accordingly until the arrival of the Foreman, Asst. Foreman or Captain of the Hose, and should but one of these officers be present he shall act as Asst. Foreman.

2. The next member arriving at the apparatus shall be entitled to the pipe; provided the member first arriving is in command or acting as Asst. Foreman.

## OFFICERS FINES

Sec. 15. The fines of officers shall be double those of private members.

## USE OF HOUSE

Sec. 16. The engine house shall not be used for any other purpose except by majority vote of the members and Foreman of the company on permission of Foreman.

## OTHER OFFENCES

Sec. 17. Any offence not enumerated in the preceding sections may be taken cognizance of, and a penalty inflicted by vote of the company.

## NEGLECT OF OFFICERS

Sec. 18. Any officer who shall neglect any of the duties of his office may be impeached.

Sec. 19. This company shall at all times have power to remit any or all dues, fines or penalties: provided however, that no dues, fines or penalties, shall be remitted except by unanimous vote of the members present and in good standing.

Sec. 20. That all members be allowed thirty days in which to pay fines; if not paid in that time they shall be expelled at once.

## ARTICLE IX.

## AMENDMENTS

These By-Laws shall not be suspended, altered or amended except by a proposition in writing at a regular meeting, which proposition, if seconded, shall be entered in the minutes, and at the next regular meeting it may be considered, and if two-thirds of the members present entitled to vote, are in favor of the amendment it shall be adopted.

## ORDER OF BUSINESS

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1. Roll Call.
2. Reading minutes of previous meeting.
3. Collections and Delinquents to show cause.
4. Unfinished Business.
5. Report of Investigating Committee.
6. Election of Members.
7. Nomination of Candidates for Membership.
8. Reception of Communications and Bills against  
Company.
9. Reports of Committees.
10. New Business.
11. Treasurer's Report.
12. Secretary's Report.
13. Roll Call.





