

## CHAPTER VII

# *Municipal and Corporate History from the Charter of 1792*

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### *I. Trenton's Governmental Structure*

THE granting of the legislative charter of 1792 to Trenton marked the end of a long struggle on the part of its

inhabitants to attain a permanent corporate existence, and laid a substantial foundation upon which its governmental structure of later years was built.

There is a strong dramatic element in the strivings of Trenton's people over a long term of years to obtain self-governing powers suitable to the status and aspirations of a growing community whose misfortune it was, by the mere tyranny of fixed boundary lines, to be located in two Counties and, for some years, in three-and at one particular period, in four- townships.

#### A CLASH OF JURISDICTIONS

For many years the settlement, and later the town of Trenton, had suffered the disadvantage arising from its geographical location on both sides of the Assunpink Creek. As early as 1713-14

this stream was made the dividing line between Hunterdon County to the north and Burlington County to the south, and the inhabitants living on the site of Trenton (then known as "The Falls") were separated into two County jurisdictions. Even as far back as 1706 the little community was divided by its boundaries into three townships -Hopewell, Maidenhead and Nottingham. The old records disclose the inevitable clash of jurisdictions. The rivalries of the towns of Maidenhead (Lawrenceville) and Hopewell for the honor of holding the County Courts ended in 1719 when the Colonial governor directed that the Hunterdon County Courts be held in Trenton, which established the beginning of Trenton as a shire town. The same year marked the separation of Trenton from the townships when new boundaries were fixed by order of the court. Trenton remained the County town of Hunterdon until 1780.

Petitioning the Crown as King George II's "loving Subjects the principal Inhabitants of the township of Trenton in the County of Hunterdon," a Royal Charter of Incorporation was granted in 1746 and Trenton became a "free borough town." This proved to be but an experimental essay in town government because less than five years later the borough surrendered its charter to the Crown on account of the charter having been "found very prejudicial to the Interest and trade" of Trenton.

A long span of years passed by, during which the American Revolution had occurred, before any further attempt was made by Trenton to secure a new corporate government. In 1784 citizens living both north and south of the Assunpink Creek joined in the presentation to the Legislature of a petition accompanied by a bill entitled "An Act for erecting part of the township of Nottingham, in the County of Burlington, and part of the township of Trenton, in the County of Hunterdon, into a city, and for incorporating the same by the name of the city of Trenton, and for declaring the same a free city and port, for the term of twenty-five years." The bill passed the House on November 15, 1785, but was rejected by the Council on February 22, 1786.

On March 2, 1786, citizens of both Trenton and Nottingham townships again presented a petition to the House, asking for incorporation, and leave was granted to present a bill in conformity therewith. But two days later another petition was received from other citizens of Nottingham township asking that such township be excluded from any charter of incorporation granted to the township of Trenton.

Efforts were now concentrated to obtain a charter for the inhabitants of Trenton living north of the creek, which obviate the difficulty of chartering a town having citizens who lived in two Counties. Yet the very next attempt to secure a new town government along these lines was doomed to failure, for on May 23, 1792, the Hunterdon County townships of Trenton, Hopewell and Maidenhead petitioned for a borough government embracing these townships, but such a plan, taking in so great an extent of territory within a single jurisdiction, proved futile.

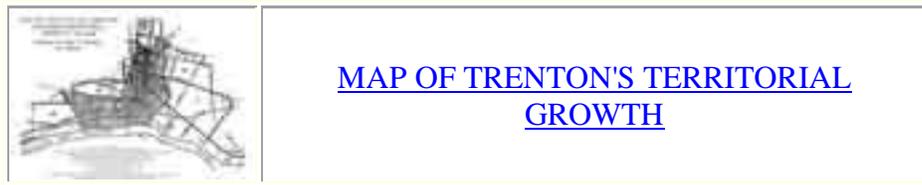
### **FIRST CHARTER AS A CITY**

Undeterred by the obstacles and failures of past years, the citizens of Trenton again went to the Legislature with a petition and bill to incorporate a part of the township of Trenton, the bill being taken up on June 1, 1792, and postponed. The House passed the measure on November 5. It was amended by the Council a week later, and on November 13, 1792, the Legislature granted

Trenton its first charter as a city by passing the bill entitled: "An Act to incorporate a part of the township of Trenton in the County of Hunterdon." The Act provided that the territory embraced within the boundaries set forth in the measure be "erected into a city" and "called by the name of the City of Trenton." Such was the birth of the corporate Trenton of today. The boundaries of the new city as fixed by the Charter Act were as follows:

Beginning at the mouth of Assunpink Creek and running up the same to Bernard Hanlon's mill dam; from thence along the road to the line between Trenton and Maidenhead; thence along the said line to the road leading from Trenton to Maidenhead; thence on a straight line to the northwest corner of a lot late of David Brearley, deceased; thence on a straight line to the northwest corner of the land of Lambert Cadwalader, whereon he now lives; thence down the western line thereof to the river Delaware; thence down the same to the mouth of the Assunpink Creek aforesaid, being the place of beginning.

A description of the boundaries of Trenton under the 1792 Charter Act, in the nomenclature of the present day, as prepared by Engineer of Streets Joseph E. English, follows: Beginning at the mouth of the Assunpink, the ran up the center of the creek to a point beyond Nottingham Way about opposite Mulberry Street; thence along Mulberry Street to a point about where Klagg Avenue now enters Mulberry Street; thence in a westerly direction, approximately parallel with Klagg Avenue, to a point in or near Sherman Avenue; thence in a northerly direction, crossing the Delaware and Raritan canal, to a point in the intersection of Brunswick Avenue and Spruce Street; thence in a westerly direction, crossing Princeton Avenue diagonally at a point near Miller Street and passing through the intersection of Ingham Avenue and Calhoun Street, to a point in the north line of Reservoir Street at an angle in said street west of Pennington Avenue; thence in a northwesterly direction, crossing the right-of-way of the Reading Railroad about opposite Laurel Avenue, to a point in Whittlesey Road about midway between Stacy Avenue and the Reading Railroad; thence in a southerly direction along Whittlesey Road, crossing Cadwalader Park and skirting the east side of Lenape Avenue, to the Delaware River; thence along the Delaware River in a southeasterly direction to the Assunpink Creek and the point of beginning.



Trenton, as so constituted under the charter, embraced all of the present First, Second, Seventh and Thirteenth Wards, most of the present Fifth Ward and parts of the present Eighth and Fourteenth Wards. The Act did not include the district directly south of the Assunpink Creek which was called Kingsbury, afterward Kensington Hill and still later Mill Hill, until it was incorporated with Bloomsbury and formed the borough of South Trenton which was annexed to Trenton in 1851. A petition was presented to the Legislature in 1817 by some of the citizens of Mill Hill and Bloomsbury for annexation to Trenton, but proved ineffectual upon the filing of a remonstrance by other citizens of these districts.

Trenton's corporate structure erected by the 1792 charter reposed governing powers in the hands of the mayor, who was the keeper of the city seal; a recorder who was also deputy mayor; three aldermen and six assistants (common councilmen). The mayor, the recorder and the three aldermen were appointed by the Legislature and received their official commissions from the governor, and these five, by virtue of their office, were justices of the peace. The people elected

the six assistants (common councilmen) and also the town clerk, assessor and collector. A component part of Common Council was also the mayor, recorder and aldermen. The councilmanic body appointed subordinate officers and granted tavern licenses. The charter empowered the "freeholders and inhabitants" of the city at their annual town-meeting to "vote such sum or sums of money as they may think necessary for the ensuing year for the exigencies" of the city, which sum was to be "assessed upon the inhabitants by the assessor" and collected by the collector. On failure of the inhabitants to vote the necessary moneys for the support of the city, Common Council was authorized to call a town-meeting and propose the sum necessary to be raised.

The first city officers of Trenton as appointed by the Legislature in 1792 were Moore Furman, mayor; Aaron D. Woodruff, recorder; Samuel W. Stockton, Abraham Hunt and Alexander Chambers, aldermen. The first election to choose the remaining officers of the city corporation was held on December 10, 1792, "at the House of Joseph Vandegrift, Inn-Keeper" <sup>2</sup> and the poll of votes resulted in the election of the following: assistants (councilmen), Charles Axford, Abraham G. Claypole, William Tindall, Bernard Hanlon, Aaron Howell and Isaac Barnes; town clerk, Benjamin Smith; assessor, Joseph Brumley; collector, Joseph McCully. The first meeting of Common Council was held December 21, 1792.

<sup>2</sup> Minutes of Common Coucil, p. 9.

Viewed from this day and generation, the powers of self-government that were conferred upon the citizens of Trenton in 1792 were but meagre. The Legislature appointed the higher officers of the corporation and those remaining to be chosen by citizen suffrage were voted for by a small class of electors entitled to do so by property qualification. There was no popular voice in the city's government as now understood in these days of mass voting. However, with the adoption of a new State constitution in 1844, which superseded the constitution of 1776, broader franchise rights were granted.

Within four weeks after its first sitting, the new Common Council functioning under the 1792 Charter Act had before it a plan of municipal government comprising the subject matter for a code of new ordinances, the enactment of which was deemed essential for the proper administration of public affairs. The ordinance requirements, as reported by a committee of Council on January 19, 1793, were set down under separate headings, in the original phraseology, as follows:

1. Regulations for holding elections for corporation officers at town meetings.
2. The fixing a Market House.
3. The fees and fines of all officers to be chosen by the Common Council or town-meeting, the security to be given by the officers, the duty of the officers and the penalties of officers neglecting to serve.
4. The penalty of Breaches of bye-laws.

5. The mode of taxation and collection of taxes.
6. The levying, recovering and appropriation of all fines, penalties, etc.
7. The seal of the Corporation.
8. The regulation of the Market weight and measures.
9. Of the streets and highways within the city, of the publick lights and lamps.
10. Nuisances within said City.
11. The trespasses committed in gardens and other inclosures and to Buildings, publick and private.
12. The sweeping of Chimnies.
13. The preventing and extinguishing of fires.
14. The restraining of Horses, Cattle, swine, etc., frpm running at large.
15. The fixing of stated meetings.

The subsequent enactment into ordinances by Council of a number of the features of the proposed plan not only laid the foundation for a substantial body of municipal laws, but operated to solve many of the problems which Trenton had faced in its previous township government. The minutes of Common Council in the early days of the new corporation give many an illuminating paragraph portraying the difficulties and the trials that beset the infant municipality, the beginnings of municipal improvements and services, and the quaint usages of the time.<sup>3</sup>

<sup>3</sup> To cite but a few: Council sold the old market-house for L5 10 1/2d. (December 29, 1792). Appointed a committee to have a pair of stocks built near the Court House (June 15, 1793). Ordered the street commissioners "to procure a plow and such other implements for repairing the Streets" (April 30, 1796). Appointed a city corder of wood, who received a fee of 8d. for measuring each cord (September 4, 1797). "This being the time of the stated meeting of the Common Council, and being also the Day on which Dr. Samuel S. Smith delivered a Funeral Oration on the Death of the late General George Washington, no members attended" (February 22, 1800). Committee appointed to ascertain the cost of "procuring Boards with names of the Streets painted thereon" (July 31, 1802). Council ordered the mayor to employ a surveyor to ascertain the boundaries of the city (September 25, 1802). Committee appointed on November 26, 1803, "to enquire into the Expediency of affixing Lamps in the City and providing for their being kept lighted," reported at the next meeting that such measures were inexpedient "for certain reasons at the present time." On December 31, 1803, a committee was appointed to inquire into the expediency of "procuring Kirb [curb] stone for the city." On September 27, 1806, Council appointed a committee to circulate a petition among the citizens, asking for the consent of the Legislature to open new streets "as increasing trade and population of the city may require," but the committee reported back that the proposition did not meet with the approbation of the people. On August 29, 1812, the city weigh master filed his report for the six months ending in June, showing that 322 loads of hay had been weighed in that period.

On July 13, 1793, Council adopted a city seal: "The Dvice of which is a Sheaf of Wheat proper, the inscription around the Seal, 'City of Trenton' with the motto E Parvis Grandes (once Small,

now Great)." In later years the seal was modified by the placing in of the date "1792" and the elimination of the motto. Three wheat sheaves displaced the one sheaf, and there was added a nag's head, as in the great seal of New Jersey.



### **A NEW CHARTER ADOPTED, 1837**

For a number of years there was no radical change in the fundamental form of Trenton's city government, excepting that by virtue of a legislative Act of December 14, 1826, the number of assistants or common councilmen was increased to thirteen. However, the steady growth of Trenton from the stature of a village to that of a thriving town eventually emphasized the restrictive and unsuitable character of the old charter of 1792. This consideration coupled with the effect of the political revolt in favor of a truer democracy in government that swept the country during the administration of President Andrew Jackson, militated strongly in favor of Trenton receiving a new charter. Therefore a new charter was given to Trenton March 7, 1837, which was adopted by the voters of the city on April 1, 1837, and which conferred full corporate powers. The officers were such as were provided for by the 1792 charter excepting that there were twelve members of Common Council. The mayor, recorder and three aldermen constituted a Court of General Quarter Sessions with jurisdiction within the city, and granted tavern licenses. The city clerk was clerk of the court. Overseers of the poor, three or more school committeemen, two or more constables, one judge of election, three or more commissioners of appeals in taxation, two chosen freeholders and two surveyors of the highway were elected by the citizens of the city. The powers of Common Council were enlarged. It now had the appointment of president of council, marshal, treasurer, clerk of the market, jail keeper, and such other subordinate officers as Council might deem necessary. To raise money by taxation and to borrow money for municipal needs, to pave sidewalks and to open new streets were among the added powers of the governing body.

In 1840 the Legislature abolished the city Quarter Sessions Court which was transferred to Mercer County, the County having been created on February 22, 1838, and Trenton having been selected as the County seat.

Four wards were established by the Legislature in 1844. On March 26, 1845, this four-ward system was abolished and the East and West Wards substituted therefor. These two wards were divided by a line running along the center of Princeton Pike from the city line to Warren Street, and thence along the center of Warren Street to the Assunpink Creek.

By Act of 1847 Common Council was empowered to lay out streets and accept dedicated streets and alleys. Roads laid out by surveyors of the highway were validated. The consent of two-thirds of abutting property owners was required for street openings.

By Act of February 28, 1849, Common Council was prohibited from borrowing money unless by authority of ordinance after a favorable referendum vote by the citizens of the city.

The legislative Act of March 6, 1850, provided for the establishment of a board of health clothed with full authority to pass regulations in promotion of the public health, and the statute established adequate penalties for violations. The same Act gave Council the power to elect the city clerk, set up a system of tax-assessing, and provided that aldermen for the one-year term be elected by wards instead of from the city at large. In 1850 Trenton was also created into one school district and the educational age was set between the ages of five and sixteen. The voters were also authorized to select a superintendent of schools - formerly appointed by Council along with a school committee - and two school trustees from each ward. For the support of the educational system an amount not to exceed \$2,000 a year was permitted to be appropriated by the vote of the people. Power to order by ordinance the grading and paving of sidewalks by property owners was conferred by the Legislature in 1851.

### **NUMBER OF WARDS INCREASED**

Trenton's two-ward topography was changed by the 1851 Act which annexed the borough of South Trenton to the city. The East Ward became the First Ward, the West Ward became the Second Ward and the annexed borough of South Trenton became the Third and Fourth Wards whose division line was Bloomsbury Street from its intersection with the creek to Lambertton Street, thence along Lambertton Street to the Nottingham line.

The Legislature created a Fifth Ward on March 18, 1852, the lines of which were altered the following year. <sup>4</sup>

<sup>4</sup> The boundary lines of the Fifth Ward, as altered in 1853, were: Beginning at the intersection of Warren Street and Hanover Street, running easterly along the center of Hanover Street to the Delaware and Raritan canal, thence up the center of the canal to Perry Street, thence easterly along the center of Perry Street to the Assunpink Creek, thence along the creek to the Lawrence township line, thence to the branch turnpike road, thence along the branch road to Warren Street, thence to the place of beginning. Lee, *History of Trenton*, p. 74.

On March 6, 1856, a portion of the township of Nottingham was annexed to the city and became the Sixth Ward. On April 2, 1867, the Seventh Ward was created by Act of the Legislature and consisted of all that territory of the city north of the Delaware and Raritan Canal and feeder. By the Act of March 19, 1874, the city was divided into seven wards which continued until 1888. On March 30, 1888, the Legislature passed an Act entitled "An Act to consolidate with the city of Trenton, in the County of Mercer, the borough of Chambersburg and the township of Millham," Millham becoming the Eighth Ward and Chambersburg the Ninth, Tenth and Eleventh Wards. By virtue of the Act approved February 28, 1898, the borough of Wilbur was annexed and became the Twelfth Ward. Under authority of the legislative Act approved March 14, 1895, Common Council on December 24, 1898, passed an ordinance establishing thirteen wards. The Act of March 23, 1900, brought into the city a portion of Ewing township which became the Fourteenth Ward. This annexation also added a section of township territory to the Fifth Ward and another to the Eighth Ward. In the same year a part of the township of Hamilton was annexed and became a part of the Eleventh Ward. In 1921 a portion of Hamilton township adjacent to the Sixth Ward and bordering on the Delaware River was annexed to provide a site

for the sewage disposal works.

Legislative authorization was given Council in 1852 to pave gutters and lay sewers for drainage purposes, and in 1854 Council was permitted to establish fire districts and to levy special taxes on owners of buildings for the installation of fire plugs. In conformity with additional powers granted in 1855 Council was permitted to fix grades, widen streets and impose assessments for such improvements. The registration of lot-owners was now begun in a city atlas.

The beginnings of the present system of improvements were initiated in the years from 1852 to 1858. Municipal gas-lighting extensions were made during the early '50's, the city having agreed to subscribe \$10,000 to the proposed works of the Trenton Gas Light Company, and the company in return having obligated itself to lay pipes in Warren Street from the creek to the Five Points, in Broad Street from Lafayette to the feeder, on Front between Willow and Montgomery, on State from Calhoun to the canal, and on both Hanover and Perry Streets from Broad to Stockton.

### **THE CHARTER ACT OF 1866**

Then for a decade, covering the period prior to and during the Civil War, there was a lull in municipal progress although Trenton had become a city in fact as well as in name, and had outgrown its 1837 charter. In compliance with the demands of local public sentiment the Legislature on March 15, 1866, passed an Act granting a new charter to the city, which marked an advance in the democratization of the city government by greatly broadening the elective powers of the citizen body. An entire city ticket of officials consisting of the mayor, city treasurer, school superintendent, overseer of the poor, councilmen, school trustees, assessors, constables, commissioners of tax appeals, freeholders and judges and inspectors of election was chosen at the annual spring election. Each of the six wards elected four councilmen. The mayor's term was one year and the receiver of taxes two years. In Common Council was lodged the appointment of a city clerk, city surveyor, clerk of the market, city marshal, city solicitor, street commissioner, sealer of weights and measures, two police justices and other subordinate officers.

The enlargement of the powers of Common Council by the new Charter Act was a salutary medium in the interest of city progress and development. Hitherto no such sweeping power had reposed in the governing body. Councilmanic jurisdiction and control now extended to the real and personal property of the city, the care and maintenance of the streets, the regulation of buildings, the licensing of saloons and restaurants, street lighting, regulation of private water-supply, public property and grounds, markets, weights and measures and the police and fire, departments. In the realm of taxation Council was empowered to raise money for public improvements and the maintenance of city departments, free from many of the limitations of the past.

### **THE ACT OF 1874**

The 1866 charter was in operation for eight years during which period there was a marked quickening of municipal enterprise and activity, but nevertheless Trenton had not yet attained its

ideal of city government, and in the march of progress the restrictions of the existing charter created public sentiment for a change. Responding to this civic desire the Legislature on March 19, 1874, passed a bill entitled "An Act to provide for the more efficient government of the City of Trenton," a comprehensive and beneficial charter that became the basic municipal constitution upon which the city government functioned until the adoption of Commission Government in 1911. By the 1874 Act the people of Trenton obtained a genuinely representative form of government based on the power of popular franchise.

By order of Common Council, in 1888 there were revised and consolidated, by Garret D. W. Vroom and William M. Lanning, the general ordinances of the city, which, together with the 1874 charter and supplements and the legislative Acts relating to Trenton, were published in 1889. <sup>5</sup>

<sup>5</sup> Trenton's 1792 charter, with the ordinances and acts of Common Council, was first published in 1799. Another publication by order of Common Council was made in 1814 and contained city ordinances and acts, and also legislative Acts applicable to Trenton. The new charter of 1837, with ordinances revised by James Ewing, was published in 1842. In 1847 and 1856 ordinances were again published. In 1866 was published the legislative Act that year repealing the 1837 character. By order of Common Council, Edwin Robert Walker, now chancellor, and George W. Macpherson in 1903 published their revision and compilation of the general ordinances of the city and the 1874 charter and supplements; likewise the special ordinances of Common Council, the ordinances creating boards of fire and police commissioners, establishing the local board of health with the sanitary code passed by that board, and ordinances relating to the public schools and to the water works. A book of ordinances passed during the years from 1903 to 1908 was compiled by Charles A. Remsen, then deputy city clerk, and published in 1909. Former City Clerk Harry B. Salter, while in office, compiled the ordinances for the year 1909, 1910 and up to the advent of commission government in August 1911, and these were published. Under the supervision of the present city legal department a revision and codification of ordinances relating to human conduct passed by the City Commission since 1911 and including those for the year 1929, are now being made and the publication date will be in 1930.

### **A DRASTIC CHANGE MADE IN 1892**

A drastic change in the organic structure of the city government occurred from the passage of the legislative Act of March 23, 1892, which set up a board of public works for Trenton, Camden and Paterson. The board consisted of five members appointed by the mayor and had sole control over public construction work, streets, sidewalks, sewers, water works and water supply, and was empowered to pass ordinances in matters affecting those subjects, to such extent depriving Common Council of its legislative functions. This Act also gave the mayor the authority to appoint the city clerk, city comptroller, city treasurer, city counsel, receiver of taxes and inspector of buildings, lamps, wells and pumps.

The mayor's appointees to the board of public works were Garret D. W. Vroom, who became president of the board; Anthony A. Skirm, Joseph T. Ridgway, James E. Hanson and John W. Brooke.

The board of public works was abolished by Act of Legislature on May 8, 1894. Of its accomplishments during its brief term, Lee in his *History of Trenton* says:

Under this Board Trenton's advance in the building of her sewers, the care of her streets and the bettering of her water department will ever be a bright page in the history of the city. Trenton made marvellous progress in every direction, and the impetus the city received threw her forward

in progress and stability.

Trenton under the 1894 repealer went back to the governmental system established by the 1874 Act and then for nearly two decades the two major political parties battled for control of Common Council and the prizes of public office which that body dispensed, and for the mayoralty which carried with it a high political prestige sought by both the Democratic and Republican organizations. During this period local party lines were infinitely more tightly drawn than at present; the independent vote was scarcely worth the name, and oftentimes the contests for election to Council in particular wards took on the proportions of a major political battle in which candidates for the higher offices were all but ignored.

### **COMMISSION FORM OF GOVERNMENT ADOPTED**

The popular agitation for the elimination of machine politics in municipal government that was characteristic of the country in the latter part of the first decade of the present century, found a sympathetic response in Trenton and was undoubtedly one of the prime factors that resulted in the adoption of the commission form of government by Trenton's voters in 1911.

The petition requesting the submission of the question of adoption at a special election was filed with the city clerk on June 5, 1911, and bore the names of 5,365 signers. The adoption election was held on June 20, 1911, at which there were 11,906 ballots cast, and the result was: For Adoption, 6,792; Against Adoption, 4,890.

The Walsh Commission Government Act at that time provided for a primary, for which 68 candidates filed their nomination petitions. This primary election was held on July 18, 1911, at which 14,943 votes were cast, and the ten highest candidates became eligible for the final election of five city commissioners held on August 15, 1911. A total of 13,280 ballots was cast at this election. The new commissioners took office on August 22, 1911.

This method of electing city commissioners was changed by the enactment of the so-called Hennessy Preferential Voting Act passed in 1914, with amendments thereto, which now permits the voter, after voting for his first-choice candidates for commissioners, to vote for remaining candidates for second choice, third choice and other choice. Under this Act were conducted the succeeding municipal elections of May 11, 1915, May 13, 1919, May 8, 1923, and May 10, 1927.

With the swearing in of the new commissioners in 1911, the Walsh Act automatically terminated the official existence of all boards and commissions, excepting the board of education and the city district court, <sup>6</sup> that had functioned under councilmanic government, and the powers and duties of the extinct boards were transferred to the city commission - its legal title being the Board of Commissioners of the City of Trenton. A thorough reorganization and consolidation of municipal departments were speedily effected, <sup>7</sup> an administration along strictly business lines was launched, and public employees obtained a stability of tenure based on merit, which was fortified by the subsequent adoption by the voters of civil service. A supplementary Act approved April 9, 1913, in its preamble declared the cardinal principle of the Commission Government Act to be "the concentration of the power and responsibility of municipal

government in one elective board," which enunciation the experience of the past fifteen years has ratified. The placing of personal responsibility on each director for the work and activities of his department was another salutary provision of the new plan. An annual audit of municipal finances was made mandatory. The non-partisan ballot combined with the good faith of the commissioners in carrying out the spirit of the act, eradicated partisan politics in the city government.

<sup>6</sup> While the Public Library board was abolished by operation of the Walsh Act, it was reconstituted shortly thereafter by the city commission. On July 8, 1927, the city commission passed a zoning ordinance under the provisions of which a board of adjustment was erected to hear appeals from the decision of the building inspector in cases in which he has refused to grant permits under the ordinance.

<sup>7</sup> The distribution of authority over municipal departments and officers, as provided in the resolution adopted by the city commission on May 18, 1923, and in effect at the present time, follows:

*Department of Public Affairs:* city clerk, legal department, overseer of the poor, city physicians, sealer of weights and measures, Municipal Colony, harbors and public markets. Also the duties devolving upon the mayor as the chief executive officer of the city.

*Department of Revenue and Finance:* commissioners of assessment of taxes, city comptroller, city treasurer, clerk of the district court, receiver of taxes and treasurer of the water department.

*Department of Public Safety:* police department, fire department, fire and police telegraph and telephone systems, bureau of health, electrical bureau, inspector of plumbing, excise inspector, meat inspector, milk inspector, magistrate and clerk of police courts, dog catcher, public pound, crematory and garbage and ashes.

*Department of Public Works:* streets, alleys, street cleaning, sewers, drains, bridges, water-mains, engineer of streets, engineer of sewers and water, superintendent of streets, inspectors, water department, public works and public utility corporations.

*Department of Parks and Public Property:* public property including City Hall, public parks, public playgrounds, department of building inspection, comfort stations and grounds, shade trees and public lighting.

The board of school estimate consisting of two member representatives of the board of education, the mayor *ex officio*, and two other members of the city commission, annually determine the amount of money necessary to be raised and appropriated for school purposes. Similarly, as under the old councilmanic form, the power of appointing members of the board of education is vested in the mayor who also names the members of the sinking fund commission, the Public Library board and the zoning board of adjustment.

On April 1, 1926, was passed the legislative Act providing for the permanent registration of voters, the operation of which in Trenton resulted in the registration of 47,303 voters for the presidential election of 1928, at which a total Of 43,700 votes were cast.

## THE CITY HALL

Previous to 1837 there was no City Hall but Trenton possessed, in connection with the lock-up and whipping-post on Academy Street, what was known as a Town Hall. Agitation for something of a more convenient and prepossessing character began in 1835 and a committee of Common

Council later reported in favor of a building in which there would be a council chamber, court room and other city offices, together with provision for meetings of "a public or political character." A site was selected at Greene and Second (now Broad and State) Streets and a City Hall, designed by Joseph Witherup, was determined upon by Council on April 19, 1837. It was three stories high and of rough-cast brick and was completed in the autumn of the same year.



[OLD CITY HALL](#)

Part of the ground floor was rented out for stores and in the second story was a hall which was for many years rented out for meetings, conventions, balls and entertainments. While the County of Mercer was completing its buildings, the surrogate and county clerk had their offices in the City Hall.

The City Hall was remodelled in 1882, its attractive original architecture suffering for the sake of enlargement. This remodelled structure, wholly devoted to municipal uses, continued until the erection of the present modern City Hall.

## ***II. The Police Department***

TRENTON owes its incorporation as a city in 1792 in no small measure to a situation involving the preservation of law and order within its boundaries. One of the most powerful reasons that led to the passage of the 1792 Charter Act was the inability of the authorities of the then existing township of Trenton to control local disturbances, a small mob having rioted near the Methodist meeting-house a few months prior to the charter grant, thereby emphasizing the necessity of enacting the pending bill.

The embryonic beginnings of the Trenton police department hark back to the election of John Potts as city marshal and David Wrighter as constable and jailer by Common Council on December 29, 1792. On November 11, 1793, Council took action to launch prosecution "against those persons who were concerned in pulling down the pillars of the market-house lately erected," and authorized the managers of the market-house to employ two nightwatchmen for its protection.

Following an agreement of the citizens of the city "to associate themselves together and form Guards to patrol the city nightly, to prevent Fire," Council on January 12, 1797, fixed the routes to be patrolled and ordered the guards to arrest "all suspicious Persons who may be found in their routs lurking about the city." The guards, who consisted of nine men including an officer chosen by themselves, were ordered "to perform their Rout without calling the Hours of the Night or making any other noise or disturbance." However, these volunteer protectors of the safety of the city eventually tired of their official duties, and the work fell back upon the legally constituted

peace officers.

An ordinance passed in 1799 required the city marshal, when ordered by Council, "to carry in his hand a small staff or wand, similar to those usually carried by sheriffs," and he was, in fact, vested with the powers of a sheriff. He was also required to tour the whole city at least once a week.

Evidently crime waves were not unknown in that unsophisticated age for in 1803 the citizens of the city petitioned Council, "praying that measures might be taken for securing the City against Fire and Robbery," and Council called a mass-meeting of citizens. On January 7, 1804, Council directed the mayor to have posted a number of handbills for the discovery and conviction of the incendiaries who had made an attempt to "set fire to a certain Part of the City."

In 1811 the annual salary of the city marshal was \$30 a year, but he undoubtedly must have obtained a grain of comfort from the knowledge that the city treasurer's salary was only \$10 per annum.

In 1814 a committee of Common Council was appointed to employ "a Nightly Watch" to serve for a period of about ten weeks.

A city marshal and one watchman from each ward were employed as late as 1856, these men being under control of the mayor; they had constabulary powers and were charged with the duty of lighting and extinguishing street lamps.

In 1874 Common Council passed an ordinance reorganizing the police, and the title of chief of police was given to the city marshal whose force consisted of two aides and fourteen policemen. The title of chief of police, however, was not actually used until 1886 when the title of city marshal was abolished. Under the 1874 reorganization plan the night men went off duty at six o'clock in the morning and the day force began their duty at eight o'clock in the morning, thereby leaving the city without police protection for two hours daily. The aides of the marshal were required to perform the duty of roundsmen and to act as special officers at the police station and police court.

Up to the year 1889 the police force was wholly the creature of politics, and its personnel changed from time to time with the rise and fall of either political party. Common Council elected the members of the department and no special requirements of personal fitness for police service were demanded.

While the Tenure of Office Act was passed by the Legislature in 1885 it was not formally recognized and accepted by Common Council here until March 30, 1887.

Council had passed an ordinance on April 6, 1886, creating the position of chief of police and giving Council power to name such officer and subordinate officers. A new Council of opposite political complexion came into power on April 18, 1887, and an attempt was made by that body to obtain control of the appointments in the police department by challenging the legality of the ordinance creating the office of the chief of police, and on May 3, 1887, Council passed an

ordinance repealing the ordinance of April 6, 1886. On May 17, 1887, Council also passed a repealer of the ordinance of March 30, 1887, accepting Tenure of Office Act. The courts afterward set aside both repealers.

### **FIRST POLICE BOARD ORGANIZED**

At the spring election of 1889 the voters of Trenton adopted the legislative Act erecting a board of police commissioners, and on May 23, 1889, the first police board organized with a membership consisting of Charles A. May, president; Lawrence Farrell, Joseph Rice and William H. Earley. Colonel Ernest C. Stahl was elected secretary.

The act creating the bi-partisan police board had for its primary purpose the divorcement of the police from political domination. The members were appointed by the mayor and the term was four years. Police-board government of the department brought about beneficial results not only in improving the quality and efficiency of the personnel but also in raising the departmental morale. Thus the groundwork of the present police tem was laid.

When the first police board took office the police department was headed by Chief of Police Charles H. McChesney (the last to hold the title of city marshal), and consisted of two lieutenants, six sergeants, fifty patrolmen and a police surgeon.

In 1890 the city was divided into two police districts, the Assunpink Creek being the dividing line between the First District to the north and the Second District to the south. In 1902 the police board adopted the provisions of the legislative Act providing for the establishment of a police pension or retirement fund.

The detective branch of the police service was created in 1888 when a patrolman in the ranks, Charles H. Pilger, was selected as a special officer in citizen's dress to act as a detective in the department. In March 1891 the detective bureau was created, headed by the chief of police, and two detective sergeants, Charles H. Pilger and Harry Leahy, were appointed. No additions to the detective bureau were made until June 1, 1912, when the rank of captain of detectives was created and Detective Sergeant John J. Clancy (appointed as such in 1899 to fill a vacancy) was elevated to the new captaincy. The detective bureau at present numbers twelve members consisting of a captain of detectives, three lieutenant-detectives, five detective-sergeants, a mechanic-detective, and two detectives.

Important sub-divisions of the detective bureau are a "Rogues' Gallery," instituted in 1892 and now thoroughly modernized; the bureau of identification and investigation, a missing persons' bureau and the "auto squad."

The traffic bureau was created in 1915 and the Trenton school patrol in 1921. The Police Training School dates back to 1895 when bi-monthly drills were given by the police captains.

### **CITY MARSHALS AND CHIEFS OF POLICE SINCE 1854**

In 1854, the first year of record, the office of city marshal was held by John Q. Carman who was

succeeded by Thomas Wagner in 1855. Samuel Mulford followed, continuing in office until 1859 when J. M. Bennett became the incumbent, holding office for one year. James F. Starin then held the office from 1860 to 1865 and was succeeded by Caleb Van Sickle who served in 1865 and 1866. In 1867 the office was held by James H. McGuire, followed by Joseph J. Hawk in 1868, 1869 and 1870. Matthew Moses was marshal in 1871, followed by Charles Jones in 1872. John Tyrell came next, serving in 1873, 1874 and 1875, then Charles P. Brown from 1876 until 1879. Charles H. McChesney succeeded to the office in April 1881, becoming chief of police upon the change of the title of the office, in April 1886, and serving until July 1, 1899, when he resigned from the department.

Judson Hiner was appointed chief of police on June 19, 1899, succeeding Chief McChesney. On March 1, 1912, Chief Hiner retired on a pension and was succeeded on that date by John J. Cleary. Chief Cleary died in office on December 1, 1917, and on March 1, 1918, the vacancy was filled by the appointment of William Dettmar. He served until January 1, 1922, when he retired on pension and James T. Culliton was appointed to the position on April 1, 1922. Chief Culliton served until May 1, 1925, when he retired on pension, and his successor, the present chief of police, William P. Walter was appointed August 26, 1925, effective September 1, 1925.

### *III. Trenton Water Department*

THE primitive beginnings of Trenton's public water supply, by force of time and circumstance, diffuse an element of historic importance over the personality of one Stephen Scales who lived on a farm now a part of the Fifth Ward near the old reservoir (now the site of the Stadium). Scales had on his land one of the best springs in this section of the country, and he determined to capitalize a demand then existing for a permanent water supply. With enterprising spirit he applied to the Legislature and received on December 3, 1801, the necessary charter to convey water from his spring through the streets of Trenton to supply the people of the city "with plenty of sweet and wholesome water." Scales was now in possession of full franchise rights for a public utility in embryo, and for some time he supplied a few families, but whether from lack of funds or initiative, or both, he failed to avail himself of the extensive construction rights under his charter, and he eventually made known his desire to sell out. At this time the inhabitants took their water from springs on their own property or from the springs in the neighborhood.

A group of the more prosperous men of the town had become interested in the project of forming a company to supply water to the city, and banded themselves together in a company under the name of "The President and Directors of the Trenton Water Works" with the aim "of erecting works for the purpose conveying water from the spring of Stephen Scales through the streets of the city of Trenton for the use of the inhabitants thereof." The company was capitalized at \$1,200 to consist of sixty shares at a par value of \$20 each. On September 18, 1802, Scales by agreement of that date sold his spring and franchise rights to the company. At a meeting of the company three later the following officers were elected: James Ewing, President; Peter Gordon and Thomas M. Potts, directors; Gershom Craft, secretary, and Alexander Chambers, treasurer. The sixty shares of stock had been subscribed for.<sup>8</sup>

<sup>8</sup> The sixty shares of stock were subscribed for by the following: Isaac Smith, Peter Gordon, Ellett Howel, Thomas M. Potter, Henry Pike, Jeremiah Woolsey, William Scott, Jacob Herbert, Abraham Hunt, Gershom Craft, George Dill, Ellett Tucker, Joseph Milnor, Joshua Newbold, Hannah H. Barnes, William Potts, Mary and Sarah Barnes, Joshua Wright, Stephen Scales, John R. Smith, A. Chambers, John Chambers, James Ewing and George Henry. Lee, *History of Trenton*, p. 86.

### **FIRST WATER COMPANY INCORPORATED**

The company was incorporated by Act of the Legislature passed on February 29, 1804, under the name of "The President and Directors of the Trenton Water Works," and began the construction of a fountain to supply the wooden trunks or pipes, which were nothing more than bored logs fitted together to make a pipe line. The plant operated successfully for three years when twenty additional shares were issued for the purpose of enlarging the works. The report of that year, which was the first report issued by the new company, showed receipts from water rents of \$105.07; total receipts, \$143.47; expenditures \$95.33. The officers decided not to declare a dividend so that additional improvements might be made by laying the trunks down Warren Street to Front Street in order "that four families might be supplied." The company declared its first dividend, \$3 per share in April 1811.

Opposition came into the field when the Legislature on February 8, 1811, passed an Act to incorporate the proprietors of the Trenton Aqueduct Company which proposed to take its water supply from the Assunpink Creek. The officers were Andrew Reeder, president; Charles Rice, treasurer; and Stacy Potts, Joseph Broadhurst and Peter Howell, directors. The capital stock was not to exceed \$3,000. The records of the Trenton Water Works show that its stockholders declined to combine with the Aqueduct Company, after many overtures had been made and eventually the new company was absorbed in the old one.

In 1848 the Trenton and South Trenton Aqueduct Company was incorporated for the purpose of supplying both Trenton and South Trenton with water, the company proposing to use the water of the Delaware River or of the Assunpink Creek below the dam. Its capital stock was \$30,000 and its incorporators were John McKelway, William Halstead, Samuel McClurg, Charles Wright, Xenophon J. Maynard, John Sager and Alexander Armour.

In 1823 the report made at the annual meeting of the Trenton Water Works company showed an excess of liabilities over assets of \$267.40 1/2. New officers were elected and the following year the indebtedness had been discharged and the company had a balance of \$200.

Due to the continued growth of the city a modern water supply was deemed necessary and in April 1839 a committee was appointed by the corporation to make inquiry as to the ability of the fountain or spring to furnish an adequate supply; the cost of substituting iron pipes for the wooden logs then in use; the number of persons who paid water rents, and the probable increase of income from an increased and adequate water supply. The committee made its investigation and a few months later decision was reached to lay iron pipes. Four thousand dollars of additional stock was issued for this purpose and on October 18, 1839, the first iron pipe was laid. Mains and branches totalling 13,343 feet, at a cost of \$19,774.59, were laid during the next two years.

The company had been organized forty years before but comparatively few citizens had given up the use of springs and pumps, because the report for the year 1840 shows that the receipts from water rents amounted to but \$1,428 in a population of 4,035. In the period from 1840 to 1850 the records show that many of the stockholders were dissatisfied with the manner in which the company operated. In 1850 Jonathan Steward was elected president; Thomas J. Stryker and William P. Sherman directors; Samuel Evans, treasurer; and Joseph G. Brearley, secretary. These officers issued a statement to the stockholders that apparently quieted the discontent. In 1855 the receipts of the company amounted to \$2,313.44.

In 1851 the capacity of the Stephen Scales spring or fountain began to fall short of the demand for water, and in 1852 the Legislature authorized the company to take water from the Delaware River and store it in basins or reservoirs. The capital stock of the company was thereupon increased by 1,076 shares for the purpose of constructing a reservoir and making other improvements. A tract of land facing on Reservoir Street was purchased for \$6,000 and a basin built, twelve feet in depth with a capacity of 1,414,082 gallons. On the river bank was built a pumping-station costing \$3,000.

### **PLANT ACQUIRED BY THE CITY**

Municipal ownership of the city water supply was now being agitated and in March 1858, in accordance with an enabling statute, the citizens of Trenton at a referendum election voted to purchase the company-owned water works, and on March 1, 1859, the Legislature gave authority for the transfer of the plant to the city. The city paid \$88,000 in cash for the plant and the sum of \$12,000 remained in the hands of individual stockholders who refused to part with their stock until some time later. The administration of the water works became vested in a board of commissioners created by legislative Act, who were appointed by Common Council. The first water board consisted of Charles Moore, Philemon Dickinson, Daniel Lodor, David S. Anderson, Jacob M. Taylor and Albert J. Whittaker. From that time to the present the control of Trenton's water supply has been in the hands of the municipality.

Erected in 1853 the old reservoir was enlarged in 1855 and again in 1871. In 1874 a serious leak occurred which flooded a part of the city near the reservoir, but it was found that the trouble was not in the reservoir itself but in the pipes through which the water entered the basin. These pipes were in such dangerous and menacing condition that radical changes in plant and equipment were found necessary. The board authorized the construction of a new pump-house, the erection of a pump and engine of one hundred horse-power with a capacity of two million gallons daily, the repairing of the faulty pipes and the raising of the reservoir bank six feet. In 1884, due to population increase, it was found necessary to augment the pumping power, and a Worthington pump was purchased with a daily capacity of five million gallons.

The management of the water works passed into the control of the board of public works in 1892 and this board erected the river wall at the pumping station, installed a triple compound engine capable of pumping ten million gallons daily, and adopted plans for the building of a new pump-house. The board of public works having been legislated out of office in 1894, the erection of the pump-house was left to the incoming water board that took office in June 1894 and consisted of Charles H. Skirm, Joseph Stokes, Charles G. Roebling, Lewis Lawton, Duncan Mackenzie and

Robert B. Bonney. Mr. Roebling did not qualify and A. V. Manning was selected in his place. This board erected a pumping station, boiler house and electric light plant at a cost of \$26,000. The public opening of the new buildings occurred on June 9, 1896.

Additional reservoir capacity was now required. Frequent breaks were also occurring in the bank of the old reservoir, and the Seventh Ward was being supplied with water from a stand-pipe. In 1896 a site needed for a new reservoir was purchased on the high land centering at the corner of Prospect Street and Pennington Avenue at a cost of \$52,245 from James Brook, George E. Fell and Mrs. Feran. The contract was awarded in 1896 to Lewis Lawton, and C. A. Hague was appointed hydraulic engineer. The contract price was \$349,489, and with extras including professional fees, pipes, etc., the cost reached the sum Of \$444,930.

Due to the provisions of the law governing its functions and powers, the water department under the board system was viewed as a separate entity of the city government. The members, although appointed by Common Council, administered the department as an independent body without check or interference from any other constituted municipal authority. With the abolition of all boards and commissions in 1911, the water department was assigned to three of the municipal departments, but today is under the control of the department of public works with the exception of its business office and fiscal system which come under the administration of the department of revenue and finance.

#### *IV. Parks and Playgrounds*

PUBLICLY owned parks were unknown in the earlier days of Trenton. The machine age with its industrialized thousands living in congested districts was undreamed of. Within the city limits were fields and lots sufficient for the needs of the playing children who were not versed in the intensively developed sports and athletics that have come to the fore in this era. There were no serried walls of built-up streets. Trees and foliage and flowers abounded. Fresh air and wide breathing spaces there were in plenty.

Although Trenton was permitted by Act of Legislature passed on February 18, 1856, to expend \$50,000 for the establishment of a public square, no action was ever taken by the city to put this improvement into effect.

#### **PARK SYSTEM INAUGURATED IN 1888**

Trenton's park system was not inaugurated until May 22, 1888, when an eighty-acre tract that comprised the major part of the present Cadwalader Park was purchased of George W. Farlee for \$50,000. Included in this tract was the present baseball field facing on West State Street. On October 17, 1888, the city bought from the Cadwalader estate for \$9,500 a tract of acres which is now the site of junior High School No. 3, and on September 21, 1891, the city purchased from the same owners a strip of land seven and seven-tenths acres in extent adjoining the eastern boundary of Cadwalader Park and running along the west side of Parkside Avenue from Stuyvesant Avenue to the canal feeder. On March 1, 1926, the city purchased from the State of

New Jersey a fifteen-acre tract adjoining Cadwalader Park and facing on Stuyvesant Avenue, of which five and five-eighths acres will be used as a school site by the board of education and the remainder is to be developed for park purposes. Cadwalader Park was named in honor of Thomas Cadwalader who became the chief burgess of Trenton in 1746. It was embellished and improved in accordance with the plan of Olmstead Brothers, of Brookline, Mass. On May 19, 1888, the city purchased from the Atterbury estate a strip of land running about 1,500 feet along the river front from Overbrook Avenue to near Fisher Place, the purchase price being \$10,205. On October 17 of the same year the city acquired from the Cadwalader estate another river-front strip, running from Parkside Avenue to Overbrook Avenue for a distance of 2,000 feet and comprising five acres. The purchase price was a nominal one-\$100. These two tracts, once thought of as part of a future River Drive, are now included in Mahlon Stacy Park, Trenton's beautiful waterfront property, the inception and development of which are treated by Mr. Kerney elsewhere in this History.

The Borough of Chambersburg, in April 1888, purchased a tract bounded by Chestnut, Morris, Emory Avenues and Division Street for a public park for the sum Of \$13,000, the land comprising one and eight-tenths acres. On the annexation of Chambersburg this park, known as Roebling or Tenth Ward Park, became a part of the city park system.

Monument Park at the Five Points was acquired under the provisions of an ordinance passed June 28, 1893, and affords a splendid setting for the Trenton Battle Monument.

Back in September 1906, through the interest of Edmund C. Hill in park expansion, a plan for the improvement of the valley of the Assunpink Creek north of East State Street was prepared and presented to the city by the Olmstead Brothers. This project for a fine recreational park with proper drainage and sanitation features was submitted to a committee on park extensions appointed by Common Council and was also taken up by the park board. However, no formal action occurred until March 1914, when the city commission moved to acquire lands and develop the creek park. Under a resolution of the city commission on February 10, 1915, a plan was adopted for the improvement of the land. Beyond Olden Avenue an ideal recreation field has been established, including a shelter house, comfort station, sewer, and a bridge over the Assunpink. These improvements, undertaken during the period from 1917 to 1923 have cost \$27,000. This park has been named Assunpink Park and the improvements planned for the future should make it one of the most attractive units of the park system.

Franklin Park, a triangular tract of two and six-tenths acres bounded by Franklin, Remsen and Woodland Streets, was acquired in 1922 from Edmund C. Hill for \$11,000, and was improved under a plan of Black, Burris & Fiske, Inc., landscape engineers, at a cost of \$12,359 and was officially admitted to the park system on June 27, 1924.

North Trenton Park, fronting on Brunswick Avenue with an area of four and four-tenths acres, was purchased in June 1923 at a cost of \$41,000 and was embellished according to a plan prepared by Joseph E. English, engineer of streets, at a cost of \$28,000 which included comfort station, play area and lights.

Lyndale Park was purchased in December 1917 from the Villa Park Improvement Association for \$8,000, and is two acres in extent. It was improved according to the plan of Mr. English, and it includes among its features four tennis courts and a quoit court.

Prospect Park, a narrow strip of land along the canal bank at Prospect, West Hanover, and Passaic Streets, is also a part of the park system.

### **PLAYGROUND SYSTEM ESTABLISHED IN 1908**

The board of playground commissioners, appointed by Mayor Walter Madden, took office in 1908 and under their direction the playground system was established. On the adoption of commission government this governmental branch was assigned to the department of parks and public property. At the present time fourteen playgrounds are operated covering fifty acres of city-owned grounds out of a total of eighty-seven acres used for playground purposes. In 1928 there were 5,500 children enrolled. The winter program includes basketball leagues, soccer leagues, handball and skating. The quoits league has been one of the most successful features of the playground department, in point of players and attendance leading any city in the United States.

## ***V. The Fire Department***

It being the province of this chapter to treat of purely governmental functions and activities, it does not come within our purview to present the colorful history of those valiant bands of men who composed the volunteer fire companies of Trenton. Much of interest relating to the old-time fire-fighters, especially on their social side, is contained in the chapter written by Miss Elma Lawson Johnston. To Mr. Kerney in his chapter has been given the task of writing of Trenton's paid department of recent years. Consequently the present narration must be confined, more or less, to a bare recital of the official acts and processes of the municipal government in relation to the fire department.

### **EARLY FIRE COMPANIES INDEPENDENT**

The early fire companies, with their strength of membership and their sway over public opinion, were much of a law unto themselves. The city government stood apart and permitted the public safety problem of fires to be handled by these citizen bands, serving voluntarily and with a high sense of public duty. In the matter of fire prevention, however, the city government did take some action. An ordinance passed January 28, 1797, provided that if the chimney of any householder "shall be seen to blaze out of the top thereof, unless the roof of the House is covered with Snow, or sufficiently wet with snow or rain, or during the time of a fall of snow or rain," such householder was to be fined two dollars and costs unless the fire occurred within a month after the chimney had been swept. Chimney sweepers were subject to a fine of one dollar if any chimney they had swept within the month caught fire. The same ordinance provided that stovepipes "fixed through any parts of Houses" were to be "two inches clear of any wood," and were to project eighteen inches beyond the house.

On September 28, 1805, Common Council also appointed a committee to make inquiry as to "the most convenient, the most practicable and the least expensive mode of procuring and establishing a sufficient supply of water, in case of fire in the city."

Yet it was fifty-four years after the incorporation of the city before the fire department was placed under an organization plan. On May 5, 1846, Common Council passed an ordinance entitled "An ordinance organizing and regulating the fire department of the City of Trenton." A chief engineer, two assistants and eight fire wardens were provided for under this measure which also took under its control and authority the officers and men of all the fire companies. The chief engineer was clothed with "sole and absolute control and command" at all fires; he was required to inspect the engine houses and apparatus each year and make report to Council. Every three months he was required to inspect all fire-plugs, the repair of which came under the control of himself and of the fire department committee of Common Council, as well as the repairs to apparatus. Council was also required to appoint annually four fire wardens from each ward whose duty it was, in case of fire, to aid in procuring a supply of water, to remove goods from burning buildings and to preserve order. The city marshal and city constables were required to respond to all alarms "with their staves of office" and to maintain the peace. Fire companies were limited to a roster of forty men who were under compulsion of ordinance to attend all fires. For department members three absences from fires in the year meant expulsion. The engineers and fire wardens were required to wear a leather cap at fires, the engineers' being painted white and the wardens' having a black brim and white crown. The members of the department were exempt from paying "all personal and household tax."

The 1846 ordinance having become the subject of dissatisfaction, Council on October 9, 1854, passed another ordinance providing for a chief engineer and an assistant engineer from each fire company, all of whom were to be known as a "board of engineers," which elected the chief engineer and the two assistant engineers. The engineer representing each company was elected by the company membership. The company membership was raised to seventy for each engine company but remained at forty for hose companies; there was stipulated a membership of thirty for hook and ladder companies. The ordinance passed March 26, 1866, was in the main similar to that of 1854, but a supplement passed on September 5, 1868, provided for two instead of three assistant engineers, one to reside north and the other south of the creek, a provision that was calculated to allay the discontent prevailing among the fire companies south of the creek. This ordinance gave to the chief engineer a salary of \$400 a year and \$100 to the assistant engineers. The ordinance passed March 7, 1871, provided for an annual appropriation of \$1,200 to each engine company and \$600 to each hose company. By ordinance of May 7, 1872, Common Council became vested with the authority of appointing the chief engineer and the two assistants. Each company was required to keep 800 feet of hose on hand for use, the hose to be "composed of good leather." Standardized hose couplings were required.

## A PERIOD OF MARKED ADVANCEMENT

The decade following the institution of the 1874 city charter was signalized by marked advancement in the fire department. The system of department control and management was improved, new engines replaced the old apparatus and the intense company rivalries were reduced to a point where the whole department could function as a well-ordered unit. There were

times when the competitive spirit of the companies flared up but this disorganizing influence was not as rampant as formerly. The ordinance of October 16, 1888, inaugurated a number of changes in the department. A fire-fighting force of nine steam engines, two hose companies and two hook-and-ladder companies was provided. The chief engineer and two assistants comprised "the board of engineers of the fire department." Each of the engine companies received an annual appropriation of \$1,800 from Council, and the hose and hook-and-ladder companies \$1,000 each.

The board of fire commissioners took over the control of the department on their organization, May 14, 1889. The fire department suspended service, August 9 to 11, 1890, over dissatisfaction in several companies relative to maintenance appropriations. With the understanding that a paid department should not be effected until June 1891, the department again functioned.

The paid fire department of Trenton went into service on April 5, 1892, under the provisions of an ordinance passed September 19, 1891, which provided for apparatus consisting of nine steam engines, eleven hose carriages and two hook-and-ladder trucks.

Philip Freudenmacher, the last chief of the old department, served for twenty-four hours as the first chief of the new department, an honorary designation in recognition of his past services. He was succeeded as chief by William McGill. From the time of the passage of the ordinance of October 9, 1854, the chief engineers of the volunteer fire department were as follows:

### CHIEF ENGINEERS AND FIRE CHIEFS

John P. Kennedy, William J. Idell, Jonathan S. Fish, Charles Moore, John G. Gummere, Samuel P. Parham, A. S. Livingston, Levi J. Bibbins,<sup>9</sup> Charles C. Yard (1870) ; John A. Weart (1871-72) ; Thomas E. Boyd (1873-74) ; William Ossenberg (1875-79); Edwin S. Mitchell (1880-81) ; Charles A. Fuhrman (1882-83); Edwin S. Mitchell (1884-85); Thomas Saxton (1886-87) ; Philip Freudenmacher (1888-92).

William McGill, the first active chief of the paid department, served from April 6, 1892, until his death on January 25, 1901. On February 1, 1901, Charles S. Allen succeeded to the vacancy, serving until August 19, 1911, when he retired on pension. James W. Bennett was acting chief until October 23, 1911, when he was appointed chief. He retired on January 10, 1921 having reached the age of 65 years. Jeremiah McGill, son of the former fire chief, William McGill, became acting chief on the retirement of James W. Bennett and was appointed chief on June 1, 1921, which position he still holds.

<sup>9</sup> Raum, *History of Trenton*, from whom the list of early chiefs is quoted, does not give the years of service.

(For accounts of the City Board of Health, Outdoor Relief, and the Municipal Colony, see Chapter IX, below, "Charitable Institutions, Public Welfare and Social Agencies.")