

gerously dry time, and if he holds the individuals who have set the fires responsible under the law for any damage that may result. They, not the fire warden, should do the watching.

#### SPECIAL WARNING NOTICES FORBIDDING FIRES.

Printed special warning notices will be issued by the department for the use of fire wardens when forbidding the setting of fires during a dangerously dry time, as provided for in section 4405a, statutes of 1898.

In case fire wardens at any time find themselves without printed special warning notices, they can write one as follows:

I, \_\_\_\_\_, having been duly appointed Fire Warden for the town of \_\_\_\_\_, County of \_\_\_\_\_, and being convinced that a dangerously dry time exists in its vicinity, do herewith this \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_, in accordance with the following provisions of section 4405a, Statutes of 1898, forbid the setting of any fires on any land in this town except for warming the person or cooking food.

Section 4405a, Statutes of 1898, provides as follows: Whenever the fire warden of any town becomes convinced that a dangerously dry time exists in its vicinity, and that it is imprudent to set fire on any land, he shall post or cause to be posted a notice in three public places in such town forbidding the setting of any such fire therein, and after the posting of such notices no person shall set any fire upon any land in said town, except for warming the person or cooking food, until written permission has been received from one of the fire wardens of said town. All persons who start camp fires shall exercise all reasonable precautions to prevent damage therefrom, and shall extinguish the same before leaving them. Every person violating any provision of this section shall be punished by a fine of not more than \$50 or by imprisonment in the county jail not more than six months for each offense.

Any person who shall destroy, deface, remove or disfigure this notice is liable to a fine, imprisonment, or both.

#### GENERAL INFORMATION.

##### PLACE OF TAKING OATH OF OFFICE.

An oath of office may be taken anywhere, outside of the town in which a fire warden is to hold office as well as within it, and may be taken before either a notary public or a justice of the peace.

##### RESIGNATIONS.

If for any reason a fire warden feels that he must resign, he would do a favor to the department by recommending a man for the position who is thoroughly competent and trustworthy, would accept the position, and at the same time be acceptable to the town board.

#### PLACE OF RESIDENCE.

A man may act as fire warden for a town although he resides in an incorporated village, provided that the village is so located that the fire warden can attend to his duties properly and conveniently in the town. He would have, however, no jurisdiction whatever in the village, as this department has no authority to appoint a village fire warden.

#### EXTENT OF JURISDICTION.

A fire warden has no jurisdiction over any city or incorporated village; his duties are to be performed only in connection with the protection of the town for which he serves. Notices may, of course, be posted in or upon public buildings within a city or village (as railway stations and the like) if such notices serve thus to protect the town.

Ordinarily, a fire warden will act within the limits of his town, but if a forest fire outside of such limits comes to his attention, it is his duty to look after it at least until the fire warden of that town comes to take charge. However, when there is a charge for any service performed by a fire warden for another town than the one for which he was appointed, the bill for such service must be presented to the town board of the town in which the service was performed.

In some of the larger towns, two or more fire wardens are appointed. In such cases, all the fire wardens of those towns will be informed of the fact, and it would be well for them to agree on a division of the territory.

If a fire warden finds that certain territory, either in his town or out of it, is not sufficiently protected, he should inform the department of that fact, and request the appointment of an additional fire warden.

#### CHANGES IN TOWN LINES.

Fire wardens are requested to inform this department of any changes that may be made from time to time in the town lines.

#### HOLDING OF OTHER OFFICES BY FIRE WARDENS.

A fire warden may hold other offices of public trust, but it is entirely improper that he should hold any office that requires or empowers him

to take action upon his own bills for services as fire warden. Hence, a fire warden must not be a chairman of a town board, and it is undesirable that he be a member of such board.

#### LENGTH OF TERM OF SERVICE.

A fire warden holds his position, under the Forestry Law of 1905, as long as he cares to serve and renders good service.

#### CONTESTED BILLS.

Bills for fire warden service should not be presented to the town boards until they have been carefully and properly made out, and have received the written approval of the State Forester. If the charges are just and reasonable, there is no reason why a town board should not pay the bill in full. However, if any town board has not yet become familiar with the law, it would be well for a fire warden to bring to the attention of the board section 8 of chapter 264, laws of 1905 (page 4 of the Forestry Laws). If, then, the board refuses or delays to allow such a bill, the fire warden should inform this department of such fact, giving fully the reasons offered by the board for such refusal or delay, and giving the name and address of the clerk of the town board. The department will then take up the matter with the town board.

#### METHOD OF MAKING ARRESTS.

If any person is found to have violated any of the provisions of the Forestry Laws, he can be arrested by a fire warden and taken before a justice of the peace, or district attorney, where a written complaint is filed, on which complaint a warrant should issue by the justice or district attorney. Then the offender should be required to plead to the complaint, and a trial is had the same as in other cases.

If individuals are made aware of their responsibility for any loss by fire caused by them, the work of the fire wardens would be greatly lessened.

#### SOME MISTAKEN IDEAS.

Many persons have the idea that fire wardens are not needed in localities where the mature timber has been cut. This is a great mis-

take, inasmuch as the young growth needs protection much more than the mature timber.

Fire wardens are expected to protect all forest growth, whether it is on state land or not. They are not appointed to protect state lands from fire, any more than any other lands, but they are expected to protect state lands from trespass at all times.

In conclusion, it is urged that fire wardens read carefully the Forestry Laws and the "Instructions to Fire Wardens," when they are in doubt on any point, as they will usually find all the information that they need in those pamphlets, or in this circular.

Very respectfully,

E. M. GRIFFITH,  
*State Forester.*