

ORDINANCE NO. 8.

An Ordinance in Relation to the City Marshal.

Be it Ordained by the Board of Aldermen of the City of St. Mary, as follows:

SEC. 1. Marshal to Give Bond.—The city marshal shall, within ten days after he receives his certificate of election or appointment, give bond to the city in such sum as may be required by existing ordinances, conditioned for the faithful performance of his duties, which bond shall be approved by the Board of Aldermen.

SEC. 2. Bond Not Given, Office to be Vacant.—If the city Marshal fails to give such bond within the time prescribed, the office shall be deemed vacant.

SEC. 3. Marshal May Appoint Deputies.—The city Marshal may appoint one or more deputies with the approbation of the mayor, and every deputy so appointed shall take and subscribe the same oath required of the Marshal, and may perform all duties and possess all powers of the Marshal.

SEC. 4. Duties of the Marshal.—The Marshal of the City of St. Mary shall be a conservator of the peace, and chief of Police, and shall at all times have power to order and make all arrests, with proper process, for any offense against the laws of the State or the ordinances of the city, by day or by night, and to bring the offender to trial before the proper officer of the city; and to arrest without process in all cases where any such offense shall be committed, or is attempted to be committed, in his presence. It shall be his duty to report to the mayor any neglect or violation of any of the city ordinances; he shall also enter proceedings against every person who fails to take out a license in accordance with law, or who may be guilty of creating a nuisance inside the city limits; and shall notify all parties interested whenever any animal belonging to them shall have died within the corporate limits of the city, and which is by such owner allowed to remain there, and shall cause the same to be removed by such owner, or by the marshal, at the owner's expense, within such time as may be required by the mayor; or, if the owner cannot be found, then at the expense of the city.

SEC. 5. His Duty When Informed an Offense has been Committed.—When the city marshal or a deputy shall be informed by a credible person, or has reason to believe that an offense has been committed, it shall be his duty to cause proper means to be taken for the arrest and trial of the offender according to law.

SEC. 6. His Duty Where an Offense is Committed in His Presence.—When any person shall violate any ordinance of this city in the presence of the marshal or a deputy, he shall arrest such offender at once without process or warrant and cause him to be brought to trial as speedily as practicable.

SEC. 7. Marshal may Summon Posse.—The city marshal, or his deputy, may, and is hereby authorized and empowered, whenever he may deem it necessary, to verbally summon any male inhabitant of the city, over the age of eighteen years, and as many as he may deem necessary, to aid and assist him in the execution of any warrant, writ or process issued by the mayor or person acting in his stead within the city limits, or in the execution of any order made by the mayor and Aldermen, and placed in his hands to be served or executed, or in making an arrest, without warrant or process, in the line of his official duties within the limits of the city. And if any such male inhabitant having been summoned as aforesaid, shall refuse or neglect to aid or assist said marshal or his deputy, as aforesaid, he shall forfeit and pay to the city not less than one and not more than twenty dollars.

SEC. 8. Penalty for Neglect of Duty.—If the city marshal fail or neglect to perform any of the duties of his office, he, together with his securities, shall be liable on his official bond, and shall also forfeit and pay to the city not less than five dollars for every such failure or neglect.

SEC. 9. Proceedings on Complaint Against the Marshal.—Upon complaint made to the mayor, or acting President of the Board of Aldermen, that any Marshal, Assistant Marshal or Policeman, has been intoxicated; or has been gambling; or has abused the power of his office; or been guilty of a brutal or indecent act; or has taken, or received any money, property or valuable thing whatever, other than his legal salary or fees, as a consideration for doing, or omitting to do any particular act, the officer so receiving such complaint, shall lay the same before the Board of Aldermen, at their first meeting thereafter. The Board of Aldermen,

shall carefully and honestly inquire as to the truth of such complaint, and if they find the accused guilty, they shall forthwith, by order to be entered on their journal, remove him from office, and he shall not again be appointed to such office, unless two thirds of the Aldermen elect, consent thereto.

SEC. 10. This Ordinance to take effect and be in force from and after its passage.

Passed and approved July 15th, 1892.

E. S. LAWBAUGH, Mayor.

Attest: H. G. ROSEMAN, City Clerk.