

CITY OF CAMBRIDGE.

In the year one thousand eight hundred and fifty-eight.

AN ORDINANCE

Providing for the appointment and prescribing the duties of City Solicitor.

Be it ordained by the City Council of the City of Cambridge, as follows:—

SECT. 1. There shall forthwith, and hereafter annually, in the month of January, and whenever a vacancy may occur, be chosen by the concurrent vote of both branches of the City Council, to be first acted upon by the Mayor and Aldermen, a Solicitor for the City of Cambridge, who shall be a resident citizen thereof, an able and discreet person, learned in the law, and a practitioner as attorney and counsellor at law in the courts of the Commonwealth, and who shall not hold any other office under the City Government, during the time he shall continue to hold said office of Solicitor; and he shall be removable at the pleasure of the City Council.

SECT. 2. It shall be the duty of the said City Solicitor, to draft all bonds, deeds, obligations, contracts, leases, conveyances, agreements, and other legal instruments, of whatsoever nature, which may be required of him, by an Ordinance of the City, or order of the Mayor and Aldermen, or of the City Council, and which, by law, usage or agreement, the City is to be at the expense of drawing.

SECT. 3. It shall be the duty of the said City Solicitor, to commence and prosecute all actions and suits to be commenced by the City before any tribunal in this Commonwealth, whether in law or in equity, and also to appear in, defend and advocate the rights and interests of the City, or of any of the officers of the City, in any

suit or prosecution for any act or omission in the discharge of their official duties, wherein any estate, rights, privileges, ordinances or acts of the City Government, or any breach of any ordinance of the City may be brought in question. And said Solicitor shall also appear before the Legislature of the Commonwealth, or any committee thereof, and there in behalf of the City represent, answer for, defend, and advocate the interests of the City, either to prosecute or to defend, and he shall, in all matters, do all and every professional act incident to the office which may be required of him by the City Government, or by any joint or special committee thereof, or by any ordinance or order of the City Council. And he shall, when required, furnish the Mayor and Aldermen, the Common Council, or any joint or special committee of either branch thereof, and any officer of the City Government who may require it in the discharge of his official duties, with his legal opinion on any subject touching the duties of their respective offices.

SECT. 4. In full compensation for all the services of said Solicitor, he shall receive such salary as the City Council may from time to time determine. In all cases, however, he shall be entitled to receive and retain, for his own use, the legal, taxable costs which may be received of the adverse party, when the City shall recover the same, according to the usage and practice of the courts.

In Common Council, February 25, 1858.

Passed to be enrolled.

Attest,

JAMES M. CHASE, *Clerk.*

In Board of Aldermen, March 3, 1858.

Laid upon the table, and ordered to be printed.

Attest,

JUSTIN A. JACOBS, *City Clerk.*

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24