

City of Cambridge.  
In the year one thousand eight hundred and fifty-two.

An Ordinance,  
Relating to Main Drains or Common Sewers.

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

1. All Main Drains or Common Sewers which shall be considered necessary by the City Council, in any street or highway, shall be laid, as nearly as possible, in the centre of such street or highway, and shall be built of such materials and of such dimensions as the City Council shall direct.

2. All particular drains, which shall hereafter enter into such Common Sewer, shall, so far as the same shall be constructed within the limits of any street or highway, be built of such materials, of such size, and in such direction, as the City Council or the Superintendent of Drains shall direct.

3. The Mayor and Aldermen shall have power, in all cases where there is any Common Sewer or Main Drain in any street or highway, to cause every owner of land adjoining such street or highway to make and enter into such Main Drain a good and sufficient drain from his house, yard, or lot, whenever, in their opinion, public necessity shall require it; and shall thereupon give such owner, his tenant, or lessee, notice in writing, specifying the time within which such drain shall be completed: and in case such owner shall neglect to complete the same within the time specified, the Mayor and Aldermen shall cause the same to be

constructed, and shall recover of said owner the whole expense thereof, together with incidental cost and expenses, by an action of the case, to be brought in the name of the City of Cambridge, before any Court proper to try the same.

4. Every person entering a particular drain into any Main Drain, without a permit in writing from the Mayor and Aldermen, or Superintendent of Drains hereinafter mentioned, shall forfeit and pay the sum of twenty dollars, and shall also be liable to pay all such damage, by way of indemnification, as the Mayor and Aldermen shall deem just and reasonable.

5. There shall be chosen, at the commencement of each municipal year, by a concurrent vote of the City Council, to be first acted upon by the Mayor and Aldermen, an able and discreet person, to be styled the Superintendent of Drains, who shall hold his office at the pleasure of the City Council, and shall receive such compensation as said Council shall determine. Whenever said office shall become vacant, by death, resignation, or otherwise, a successor shall be appointed in the manner herein prescribed.

6. The said Superintendent shall, under the direction of the joint standing Committee on Reservoirs and Drains, take the general superintendence of all Main Drains or Common Sewers, which now are or may hereafter be built or owned by the City, or which may be permitted to be built by its authority; and he shall take charge of the building and repairs of the same, and make all contracts for the supply of labor and materials therefor.

7. The said Superintendent, whenever any Main Drain or Common Sewer is ordered

to be built or repaired, shall ascertain its depth, breadth, mode of construction, and general direction, take the plan thereof, insert the same with all those particulars in a book to be kept for that purpose, and forthwith ascertain and insert on said plan all entries made into such Sewer or Drain.

8. The said Superintendent shall keep an accurate account of the expense of constructing and repairing each Common Sewer or Main Drain, and shall report the same to the Mayor and Aldermen, together with a list of the persons and estates deriving benefit therefrom, and an estimate of the value of such lands, to be estimated independently of any buildings or improvements thereon.

9. It shall be the duty of the Mayor and Aldermen, in making assessments for defraying the expense of constructing or repairing Common Sewers or Main Drains, pursuant to the provisions of this Ordinance, to deduct from the expense such part as they may deem expedient to be charged to and paid by the City; and to apportion and assess the remainder thereof upon the persons and estates deriving benefit from such Main Drain or Common Sewer, either by the entry of their particular drains therein, or by any more remote means, agreeably to existing laws; and to prescribe and establish the time when said assessments shall be paid.

10. It shall be the duty of the Mayor and Aldermen, when any assessments have been made as aforesaid, to deliver the same to the City Treasurer for collection; and the said Treasurer shall forthwith demand payment, in writing, of said assessments, in the manner prescribed by law; and in case any bills or

dues under this ordinance shall remain unpaid at the expiration of three months after demand of payment as aforesaid, the said Treasurer shall cause the same to be collected by a resort to legal process.

11. All ordinances, or parts of ordinances, inconsistent with the foregoing, are hereby repealed.

In Common Council, June 17, 1852.

Passed to be ordained.

John August President.

In Board of Aldermen, June 29, 1852.

Passed to be ordained.

George Stevens Mayor.

<sup>(50)</sup>  
Ordinance,  
relating to Main Drains  
or Common Sewers.

In Common Council June 17, 1852  
Correctly enrolled.

G. P. Moulton } Committee on  
J. B. Doe } Enrolled  
John Dudley } Ordinances  
Dr.

In Board of Aldermen June 29, 1852.  
Correctly enrolled.

L. Murrell } Committee on  
H. Edwards } Ordinances.