

city council, who shall take the oath required of the city officers in the manner prescribed by law. Such superintendent shall before entering upon his duties execute a bond to save and keep harmless the said city from all damages, costs and expenses arising from any negligence, carelessness or want of skill in exercising the functions or performing the duties of his office.

Section 2. The superintendent shall under direction and supervision of the council, have the control and management of the water works of the city. He shall keep his office in the city hall. The compensation of all such assistants shall be fixed and determined by the city council. The superintendent shall maintain and continue a vigilant oversight over the water mains, from the intake at Lake Whycorn through the entire distributive system of the city, and at all times in readiness to promptly repair any damage to the same. He shall keep in his office a full and complete record of all permits issued for taking water from the distributing mains or pipes, together with such other books and records as the city council may from time to time require. Such superintendent shall in addition perform such other duties as this ordinance may require or as may be required by the city council of said city.

Section 3. The superintendent shall cause to be prepared a full and complete plat or chart, showing the location of all the distributing pipes or mains belonging to the said water supply system, together with the location of all fittings on the mains, all service or supply pipes with location of all shut off cocks to all private property, all valves, fire hydrants and fire plugs connected therewith.

Section 4. The water superintendent shall make monthly reports to the city council of the city of Bellingham which said reports shall be presented to the city council at the first meeting in each and every month, and at such other times as the city council may direct, which reports shall show the true condition of the water supply system, and additions and improvements made thereto during the month, and the number of permits issued to water takers; also a detailed account of the receipts and expenditures on account of said water supply system, and such other information and suggestions as the council may direct.

Section 5. The city council reserves the right to control and direct the said superintendent as to his duties, whenever in his opinion, the interests of the city requires it, anything in this ordinance contained to the contrary notwithstanding.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed. Passed by the city council of the city of Bellingham, this 7th day of January, A. D. 1904. Approved by me this 9th day of January, A. D. 1904. ALFRED L. BLACK, Mayor. Wm. H. Hildebrand, city clerk. Published this 12th day of January, A. D. 1904.

mayor and finance committee or the city council. Section 5. It shall be his duty to keep a requisition book in which shall be entered all goods or articles of every kind and nature, for the purchase of which a requisition has been approved by the mayor; after the goods or articles of whatsoever kind or nature has been purchased, and the bill approved by the city council and ordered paid, he shall keep an accredited account of such goods purchased. Each requisition shall be consecutively numbered and the article or articles purchased shall be described and the name of the department purchasing the same shall appear thereon. The reverse side of each requisition shall contain a bill, which said requisition and bill shall be returned to the office of the auditor and shall thereupon be carefully checked. If a bill is allowed by the city council it shall be returned to the city auditor and entered in a book kept for that purpose.

Passed by the city council of the city of Bellingham, this 7th day of January, 1904. Approved by me this 9th day of January, A. D. 1904. ALFRED L. BLACK, Mayor. Wm. H. Hildebrand, city clerk. Published this 12th day of January, A. D. 1904.

ORDINANCE NO. 11.
An Ordinance Defining Certain Offenses Which Shall be Misdemeanors in the City of Bellingham, State of Washington, Providing Penalties Therefor, and Repealing All Ordinances in Conflict Therewith.

Be it ordained by the mayor and city council of the city of Bellingham.

ARTICLE I.
Offenses Against Public Peace and Quiet—Assault.

Section 1. An assault is an attempt in a rude, insolent and angry manner, unlawfully to touch, strike, beat or wound another person, coupled with a present ability to carry such attempt into execution, and every person convicted thereof shall be fined in any sum not less than one dollar and more than one hundred dollars and costs, to which may be added imprisonment in the city or county jail not exceeding three months.

Assault and Battery.
Section 2. Assault and battery is the unlawful beating of another, and a person duly convicted thereof shall be fined in any sum not less than one dollar and more than one hundred dollars, and costs, or imprisoned in the city and county jail not exceeding three months.

Exhibiting Pistol.
Section 3. Every person who shall in a rude, angry or threatening manner, in a crowd of two or more persons, exhibit any pistol, bowie knife or other dangerous weapon, shall on conviction thereof be imprisoned in the city or county jail not exceeding three months and be fined in any sum not exceeding one hundred dollars and costs.

Disorderly Conduct—Breach of the Peace.
Section 4. Any person who shall be guilty of disorderly conduct or of making disturbance or a breach of the peace within said city, shall on conviction, be fined not less than one dollar nor more than fifty dollars and costs.

Disturbing Peace of City or Family.
Section 5. Any person who shall disturb the peace and quiet of the city, or any private family or person, by loud and unusual noise or by tumultuous or offensive carriage, or by cursing, hallowing, threatening or other boisterous or unseemly conduct or language shall on conviction thereof be fined not less than one dollar nor more than twenty-five dollars and costs.

Trading, Challenging, Fighting, Etc.
Section 6. If any person shall threaten or traduce another, or shall use any language or indulge in any conduct towards another tending to produce a disturbance of the peace, or shall challenge another to fight, or if any two persons shall agree to fight, or shall actually fight, each person shall, on conviction, be fined not less than one dollar or more than fifty dollars and costs.

Collecting in Crowds, Etc.
Section 7. Any person who shall collect in crowds in said city, for unlawful purposes, or for any purpose to the annoyance or disturbance of citizens or travellers shall be severally subject to a fine of not less than one dollar nor more than twenty dollars and costs, and to a further fine of not less than one dollar nor more than fifty dollars and costs, upon refusal to disperse after being requested so to do by the city officers.

Disturbing Congregation or Assembly.
Section 8. Any person who shall disturb or disquiet any congregation or assembly met for religious worship or for any other lawful purpose, by making any noise, or by rude or indecent behavior, or by profane, obscene or improper conduct or discourse within the sight or hearing of such congregation or assembly, shall on conviction be fined not less than one dollar nor more than one hundred dol-

lars and costs.

Disturbing Funeral.
Section 9. Whoever willfully interrupts or disturbs a funeral assembly or procession shall be fined not less than ten dollars nor more than one hundred dollars and costs.

Carrying Weapons.
Section 10. Whoever shall within said city, carry or wear under his clothes or concealed about his person, any weapon shall be fined not less than one dollar nor more than twenty dollars and costs for each offense. This section shall not apply to officers carrying weapons in the discharge of their official duties. Provided, that the mayor may grant a permit in writing to other persons not herein granted the privilege, which shall allow such persons to carry a concealed revolver or pistol.

False Alarm, Etc.
Section 11. Whoever shall make a false alarm of fire, or whoever, not being licensed shall, without permission from the mayor, use or employ any device, noise or performance, tending to cause the collection of persons on any street, sidewalk or other public place shall be fined not less than one dollar or more than fifty dollars and costs.

ARTICLE II.
Offences Against Public Morals and Decency, Indecent Exposure, Etc.

Section 1. Whoever shall appear in any public place, or in any place exposed to the public view within said city, in a state of nudity, or in a dress not, belonging to his or her sex, or in an indecent or lewd dress or shall make any indecent exposure of his or her person, or be guilty of any lewd or indecent act or behavior, shall, on conviction be fined not less than five dollars or more than fifty dollars and costs.

Sale of Obscene Books, Etc.
Section 2. Whoever shall bring within the limits of said city for the purpose of sale, or shall sell or offer to sell, or shall give away or offer to give away, or shall make, draw, print or publish within said city, any obscene, indecent or scandalous picture, drawing, engraving, card, photograph, model, cast or instrument, or any article of indecent or immoral use, shall on conviction be fined not less than one dollar or more than one hundred dollars, and costs for each offense.

Obscene Play.
Section 3. Whoever shall exhibit or perform, or shall assist in exhibiting or performing any indecent, obscene or lewd play, exhibition, or other representation; or shall permit the same to be performed in any building or premises owned or controlled by him, shall be fined not less than fifty dollars or more than one hundred dollars and costs, for each offense.

Obscene Writing or Figure.
Section 4. Whoever shall in any place open to public view mark, write, draw, cut or make any obscene or indecent word, sentence, design, or figure, shall be subject to a penalty of not less than one dollar or more than fifty dollars, and costs.

Disorderly House.
Section 5. Whoever shall keep a common, ill-governed, or disorderly house, shall be fined not less than ten dollars, nor more than one hundred dollars and costs.

Cruelty to Animals.
Section 6. Whoever shall in any manner or by any means be guilty of cruelty to any dumb animal, or shall be guilty of turning out and abandoning any old, decrepit, or worthless animal upon the public streets or commons shall be fined not less than five dollars or more than one hundred dollars and costs.

Drunkenness.
Section 7. Whoever shall be drunk or shall be in a state of intoxication in any public place within said city, or in any private house or place to the annoyance of any person, shall be fined not exceeding twenty-five dollars and costs.

Prostitution.
Section 8. That any dissolute woman or other disreputable person found strolling or loitering about any street, alley or public place of the city between the hours of nine o'clock p. m. and five o'clock a. m., and any female who shall be guilty of soliciting prostitution upon any of the streets, alleys or public places within said city, shall upon conviction, be punished by a fine not less than five dollars nor more than one hundred dollars, and costs of prosecution.

Section 9. Whoever shall keep or maintain within the corporate limits of the city of Bellingham bawdy houses, houses of ill fame, or any place for the practice of fornication, or shall knowingly permit any building or any part thereof, or any place owned by him or her or under his or her control, or in the capacity of agent, to be used for that purpose, shall upon conviction be fined in a sum not less than five dollars nor more than one hundred dollars and costs of prosecution.

Section 10. Every person who is an inmate of or who shall be employed in, in any capacity whatever, or who solicits or invites any person or persons to enter, visit or frequent, or who frequents any house of ill fame, or any house resorted to for the purpose of prostitution within

the corporate limits of the City of Bellingham, shall upon conviction thereof, be fined in a sum not less than five dollars or more than fifty dollars and costs of prosecution.

Gaming.
Section 10. Every person who shall deal at a game of cards called Faro, or monte or other banking game, or shall set up, keep or exhibit an E. O. or roulette table or shuffle board or any gaming board whatever for the purpose of gaming, or shall have in his possession to be used for such purpose any gaming device whatever shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than ten dollars or more than one hundred dollars, and costs.

Chief of Police May Enter Gaming House or House of Ill Fame.
Section 11. It shall be lawful for the chief of police or captain of police or policeman, at any hour of the day or night to enter by necessary force and without a warrant into any premises, house or room kept as a common gaming house, house of ill fame or other unlawful house, or into any house or room which he may have good reason to believe is so kept, taking with him such policemen or persons as he may think necessary, and it shall be his duty to arrest all the inmates of such house, room or place, and all persons found therein, and take them forthwith or as soon as may be, before the proper police justice of said city for trial.

ARTICLE III.
Immoderate Driving.

Section 1. Whoever shall immoderately drive or ride a horse, mule or other animal, in any avenue, street or alley of said city, or whoever shall willfully or heedlessly drive any such animal, so that such animal or any vehicle attached thereto shall come in collision with any other vehicle or shall strike against any person, shall be fined not less than ten dollars or more than one hundred dollars and costs.

Poison, Failing to Mark.
Section 2. Whoever shall knowingly deliver to another person any deadly poison without legibly marking the same with the word "poison," shall be fined not less than twenty-five dollars nor more than one hundred dollars and costs.

Frightening Animals.
Section 3. Whoever shall by any means, either willfully or for want of reasonable care, frighten any horse, mule or other animal, being at the time attached to any vehicle or in charge of any person, shall be fined not less than one dollar or more than fifty dollars and costs.

Leaving Animals Unfastened.
Section 4. Whoever shall leave any horse, mule or other animal attached to any vehicle or other conveyance, in any uninclosed place without being securely fastened or guarded, shall be fined not less than one dollar nor more than twenty dollars and costs.

Runaway Horses, Etc.
Section 5. No person shall have upon any business street of said city any horse, mule or team attached to any vehicle or other conveyance, ageable or having a known propensity to run away, or being in the habit of running away, under penalty of not less than one dollar nor more than fifty dollars and costs.

Vicious Animals at Large.
Section 6. Whoever being the owner of or having in his charge any vicious animal, who shall permit the same to go at large within any public street or place within said city, shall be fined not to exceed twenty-five dollars and costs, and each day or part of a day running at large shall constitute a separate offense. It shall be no defense to an action under this section, that the defendant did not know the character of the animal or did not mean to intend such animal to go at large; but proof of viciousness and running at large, shall be sufficient to warrant a conviction.

Willfully Turning Stream of Water Upon any Person.
Section 7. Whoever shall willfully turn a stream of water from any fire hose upon any person, or upon any private premises, on the occasion of any exhibition or tournament or upon any other occasion shall be fined not less than five dollars nor more than twenty dollars and costs.

Driving Fast Over Bridge.
Section 8. Any person or persons driving or riding faster than a walk over any bridge composed of one or more spans, located on any street or highway within said city, upon conviction thereof shall be fined not less than five dollars nor more than ten dollars and costs.

ARTICLE IV.
Offenses Concerning Property, Injury to Pavement, Etc. Obstructing Public Improvement.

Section 1. Whoever shall ear up or injure any pavement sidewalk, crosswalk, drain or sewer, or shall hinder or obstruct the making or repairing of the same or of any other public work, or improvement being done under city authority, shall be fined not less than twenty-five dollars and costs for each offense.

Injury to Bridges, Buildings, Etc.
Section 2. Whoever shall wantonly destroy, injure, mark or write upon or otherwise deface any bridge or

its appurtenances, or any engine house, building, hitching post, awning, fence, railing or other property, public or private, not being his own; within said city, shall be fined not less than one dollar nor more than one hundred dollars and costs.

Driving Upon Sidewalk or Lawns.
Section 3. Whoever shall lead, drive, or ride any horse, mule or other like animal, upon any or over any lawn or sidewalk in said city, except at the entrance of some building or premises, or shall suffer any such animal or vehicle thereto attached to be or remain upon any such sidewalk or any crossing, to the obstruction of travel thereon, shall be fined not exceeding ten dollars and costs.

Hitching Animals to Tree, Lamp Post, Etc., Injury to Same.
Section 4. Whoever shall hitch or fasten any horse or other animal to any ornamental or shade tree or shrub, or to any lamp post, fence or railing, or shall by any other means willfully injure the same, shall be fined not more than twenty-five dollars and costs.

Throwing Stones, Etc.
Section 5. Whoever shall throw or cast any stone, brick, club, or other missile, at, against or upon any tree, building or other property, shall be fined not exceeding twenty-five dollars and costs.

Section 6. If any person shall within the corporate limits of said city, knowingly have in his possession any sling-shot, or other implement adapted to or designed for throwing stones or other missiles, shall on conviction be fined any sum not exceeding ten dollars.

Trespass on Private Premises.
Section 7. Whoever shall be found trespassing upon the premises of another within said city, shall be fined not exceeding twenty-five dollars and costs.

Lighting or Extinguishing Street Lamps, Etc.
Section 8. Whoever shall without authority, in any manner interfere with the street lights shall be fined not less than five dollars or more than twenty-five dollars and costs.

Vehicles Standing on Streets.
Section 9. Whoever shall leave any wagon, cart, dray or other vehicle not in use, standing in or upon any street or alley of said city to the obstruction of travel thereon shall for each offense be fined not exceeding ten dollars and costs.

Obstructing Street, Sidewalk, Etc.
Section 10. Whoever shall in any manner or by any means not specifically named in any other section of the ordinance of said city, obstruct any street, highway, avenue, alley, crossing, sidewalk or other public passageway of said city, shall be fined not more than twenty dollars and costs, and be subject to further penalty of three dollars per day for each day such obstruction is suffered to continue after a conviction or after notice to remove the same given by any officer of said city.

Digging and Removing Earth From Streets.
Section 11. Whoever shall without a written permission from the mayor, street commissioner or city council, dig, remove or carry away or cause to procure the same to be done, any sod, stone, earth, sand, or gravel, from any graded street, alley or improved public ground in this city shall be fined not more than twenty dollars and costs for each load or parcel so removed. No permission shall protect any person arraigned for violation thereof, unless the particular locality from which the material is to be removed is specified therein, and it appears that the person arraigned has strictly followed the terms of his permission, provided however, that work done under authority of the city shall in no case be construed to be a violation of this section.

Excavations in Streets and Alleys.
Section 12. No person shall make any excavation in any public street or alley of the said city except upon permission obtained therefor as hereinafter provided; that is to say, the person desiring to make such excavation shall file with the city clerk a statement in writing showing where and for what purpose such excavation is to be made, and thereby stipulating and agreeing to keep the said excavation properly guarded and protected so as to prevent accidents, and also to repair such street or alley as soon as practicable, and to leave the same in as good condition as was found; and thereupon such clerk shall issue a permit to such applicant in accordance with the terms of such statement. Any person who shall make any excavation in any street or alley of said city without first obtaining permission as required in this section, or who shall fail or refuse to perform any agreement or stipulation filed with the city clerk, as hereinafter required, shall be fined not less than five dollars nor more than one hundred dollars and costs; provided that persons desiring to make frequent excavations may obtain a permit in accordance with the foregoing provisions for the term of one year.

ARTICLE V.
VAGRANTS.
Vagrants Defined.

Section 1. A vagrant is hereby defined to be:
First: Any person found within

said city idly loitering or rambling about without visible means of support.

Second: Any person not having a fixed business or employment, who habitually frequents or stays in groceries, dram-shops, drinking saloons, houses of ill fame, gambling houses, houses of bad repute, railroad depots, post office and street corners or fire engine houses.

Third: Any person found trespassing in the night time on the premises of another.

Fourth: Any person who shall have in his possession any article or thing used for obtaining money under false pretenses.

Fifth: Any one belonging to that class of persons who habitually go about from one place to another without permanent residence or business, depending for subsistence on begging and pilfering, and who are commonly known as "tramps" and "dead-beats."

Penalty For Vagrancy.
Section 2. Whoever shall be convicted of being a vagrant as above defined, shall be fined not less than one dollar or more than twenty-five dollars and costs, and be imprisoned until the fine and costs be paid, and in default of any prompt payment of any fine assessed for vagrancy, the person convicted shall be compelled to labor upon the streets of said city, for which work he shall receive credit upon such fine and costs at the rate of two (\$2) dollars per day, until such fine and costs shall be worked out.

Second Offense, Penalty.
Section 3. Whoever shall be convicted of vagrancy two or more times, within the City of Bellingham shall, for each conviction after the first, be fined fifty dollars and costs and be subject to all the further provisions denounced against vagrants in the preceding sections of this article, and before releasing any person in custody for vagrancy, it shall be the duty of the chief of police to acquaint such persons with the provisions of this section.

ARTICLE VI.
Offenses Against Official Authority; Falsely Personating Officers, Etc.

Section 1. Whoever shall falsely represent himself to be an officer of the city of Bellingham, or shall without authority, exercise or attempt to exercise any of the powers, duties, or functions of any such officer, or whoever not being a member of the police force of said city shall wear or have in his possession any policeman's star, or badge, with intent thereby to pass himself as a policeman, unless obtained from the chief of police shall be fined not more than one hundred dollars and costs.

Resisting or Delaying Officer.
Section 2. Whoever shall willfully resist, hinder or delay any city officer in the discharge of any official act or duty, or shall neglect or refuse to obey any lawful order or direction of any such officer, where no penalty is fixed for such offense, shall be fined not more than one hundred dollars and costs.

Section 3. Whoever shall rescue or attempt to rescue any person from the custody of any city officer or other person legally having him in charge, or shall aid or attempt to aid in any escape of any person, from any such custody or from any city prison or shall devise or encourage any such escape, or whoever shall supply any such person, so being in custody or prison, with any weapon, or with any implement or means of escape, or with any intoxicating liquor shall be fined not less than five dollars nor more than one hundred dollars and costs.

Refusing to Assist Policemen.
Section 4. It shall be the duty of every male person within said city, when requested or called upon by any member of the police force, to render prompt aid to such member in making any arrest or in the execution of any official duty, and whoever shall refuse or neglect to give such aid, when so called upon, shall be fined not less than one dollar or more than one hundred dollars and costs.

ARTICLE VII.
GENERAL PROVISIONS.
Attempt to Commit Offense.

Section 1. Whoever attempts to commit any offense prohibited by ordinance, and does any act towards it but fails or is intercepted, or prevented in its execution, where no express provision is made by ordinance for the punishment of such attempt, shall on conviction be fined not exceeding one hundred dollars.

Accessories, Etc.
Section 2. Whoever aids, abets, assists, advises, or encourages the commission of any act prohibited by ordinance or by any indirect means procures any such offense to be committed, or whoever commits an offense through the intervention of an agent or servant or person under his control shall be deemed guilty of the same extent and may be proceeded against in the same manner as though such offense had been committed by him directly, and with his own hand; and any such agent, servant or other person, doing any prohibited act for and on behalf of another, shall be deemed guilty of such act, equally with his employer or principal.

Penalty For Offenses Not Otherwise Provided For.

Section 3. Where the doing of any act is prohibited by any ordinance of said city, or where any act or thing is by any such ordinance enjoined on any person as a duty, and no penalty for the violation of such ordinance is imposed, every such violation is hereby declared to be a misdemeanor and shall be punished by a fine not exceeding one hundred dollars.

Policemen to Arrest Stragglers at Night.
Section 4. Any member of the police department shall have a right to demand of every person found abroad in said city after one o'clock a. m., (first having explained his official character), the reason why and the business on which such person is abroad and if such person shall fail or refuse to give account of himself and satisfactory answer for being so abroad, he shall be subject to a penalty not exceeding ten dollars and costs, and if such officer shall be satisfied that the public good requires it, he shall arrest and detain such person for further examination; the object of this section being to protect the city from house breakers, robbers and other disorderly persons.

ARTICLE VIII.
Repealing Clause.

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed by the city council of the city of Bellingham, this 7th day of January, 1904.

Approved by me this 9th day of January, A. D., 1904. ALFRED L. BLACK, Mayor. Wm. H. Hildebrand, city clerk. Published this 12th day of January, A. D. 1904.