

# HOUSE.....No. 13.

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## Commonwealth of Massachusetts.

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In the year One Thousand Eight Hundred and Forty-Six.

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## AN ACT

To Establish the City of Cambridge.

*BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

1    SECT. 1. The inhabitants of the town of Cam-  
2    bridge shall continue to be a body politic and corpo-  
3    rate, under the name of the City of Cambridge, and  
4    as such shall have, exercise and enjoy all the rights,  
5    immunities, powers and privileges, and shall be sub-  
6    ject to all the duties and obligations, now incumbent  
7    upon and appertaining to said town, as a Municipal  
8    Corporation.

1     SECT. 2. The administration of all the fiscal,  
2 prudential and municipal affairs of said city, with the  
3 government thereof, shall be vested in one princi-  
4 pal officer, to be styled the mayor ; one council of  
5 four, to be denominated the board of aldermen ; and  
6 one council of twenty-four, to be denominated the  
7 common council ; which boards, in their joint capac-  
8 ity, shall be denominated the city council, and shall  
9 be sworn to the faithful performance of the duties of  
10 their respective offices.

11     A majority of each board shall constitute a quo-  
12 rum, for the transaction of business, and no member  
13 of either board shall receive any compensation for  
14 his services.

1     SECT. 3. It shall be the duty of the selectmen of  
2 the town of Cambridge, as soon as may be, after the  
3 passage of this act, and its acceptance by the inhab-  
4 itants, as hereinafter provided, to divide said town in-  
5 to four wards, to contain, as nearly as conveniently  
6 may be, an equal number of inhabitants, which pro-  
7 ceedings of the selectmen shall be subject to the re-  
8 vision of the inhabitants, at a meeting which shall be  
9 called for that purpose.

10     And it shall be the duty of the city council, once  
11 in five years, and not oftener, to revise, and, if it be  
12 needful, to alter said wards in such manner as to  
13 preserve, as nearly as may be, an equal number of  
14 voters in each ward.

1     SECT. 4. On the first Monday of March, annual-  
2 ly, there shall be chosen by ballot, in each of said  
3 wards, a warden, clerk, and three inspectors of elec-

4 tions, who shall hold their offices for one year, and  
5 until others have been chosen in their places, and  
6 qualified to act. And it shall be the duty of such  
7 warden to preside at all ward meetings, with the  
8 powers of moderator of town meetings. And if, at  
9 any such meeting, the warden shall not be present,  
10 the clerk of such ward shall call the meeting to or-  
11 der, and preside until a warden pro tempore shall  
12 be chosen by ballot. And if, at any meeting, the  
13 clerk shall not be present, a clerk pro tempore shall  
14 be chosen by ballot. The clerk shall record all the  
15 proceedings, and certify the votes given, and deliver  
16 over to his successors in office all such records and  
17 journals, together with all other documents and pa-  
18 pers held by him in said capacity.

19 It shall be the duty of the inspectors of elections,  
20 to assist the warden, in receiving, sorting and count-  
21 ing the votes. And the warden, clerk and inspec-  
22 tors so chosen, shall respectively be under oath,  
23 faithfully and impartially to discharge their several  
24 duties relative to all elections, which oath may be  
25 administered by the clerk of such ward to the war-  
26 den, and by the warden to the clerk and inspectors,  
27 or by any justice of the peace for the county of Mid-  
28 dlesex. And all warrants for the meetings of the  
29 citizens for municipal purposes, to be held either in  
30 wards or in general meetings, shall be issued by the  
31 mayor and aldermen, and shall be in such form, and  
32 shall be served, executed and returned at such time  
33 and in such manner, as the city council may, by any  
34 by-law, direct and appoint.

1   SECT. 5. The mayor and four aldermen, one al-  
2 derman being selected from each ward, shall be  
3 elected by the inhabitants of the city at large, voting  
4 in their respective wards, and six common council-  
5 men shall be elected from and by each ward, being  
6 residents in the wards where elected ; all said offi-  
7 cers shall be chosen by ballot, and shall hold their  
8 offices one year from the first Monday in April, and  
9 the mayor, until another shall be elected in his place  
10 and qualified.

1   SECT. 6. On the first Monday in March, annual-  
2 ly, the qualified voters in each ward shall give in  
3 their votes for a warden, clerk and three inspectors,  
4 a mayor, four aldermen, one of whom shall reside in  
5 each of the wards, and six common council men; all  
6 the votes given for the several officers respectively,  
7 shall be assorted, counted, declared and registered  
8 in open ward meeting, by causing the names of per-  
9 sons voted for, and the number of votes given for  
10 each, to be written in the ward record, in words at  
11 length. The ward clerk, within twenty-four hours  
12 after such election, shall deliver to the persons elect-  
13 ed common council men, certificates of their elec-  
14 tion, signed by the warden and clerk, and a majority  
15 of the inspectors, of election, and shall deliver to  
16 the city clerk, a true copy of the records of such  
17 election, also certified by the clerk, warden, and a  
18 majority of inspectors. *Provided, however,* that if the  
19 choice of common council men cannot conveniently  
20 be effected on that day, the meeting may be adjourn-  
21 ed to another day, not more than two days thereaf-



22 ter, to complete such election. The board of alder-  
23 men shall, as soon as conveniently may be, examine  
24 the copies of the records of the several wards, cer-  
25 tified as aforesaid, and shall cause the person who  
26 shall have been elected mayor, by a majority of the  
27 votes given in all the wards, to be notified, in writ-  
28 ing, of his election; but if it shall appear that no  
29 person shall have been so elected, or if the person  
30 elected shall refuse to accept the office, the board  
31 shall issue their warrants for another election, and  
32 the same proceedings shall be had, in all respects,  
33 as are hereinbefore described, for the choice of may-  
34 or, and repeated, from time to time, until a mayor  
35 shall be chosen.

36 In case of the decease, resignation or absence of  
37 the mayor, and the same being declared, and a vote  
38 passed by the aldermen and common council, re-  
39 spectively, declaring the cause and expediency of  
40 electing a mayor, for the time being, to supply  
41 the vacancy thus occasioned, the aldermen and com-  
42 mon council shall meet in convention, and elect a  
43 mayor to hold the office until such occasion be re-  
44 moved, or until a new election.

45 And, if it shall appear that the whole number of  
46 aldermen shall not have been elected, the same pro-  
47 ceedings shall be had, as are herein before directed in  
48 regard to the choice of mayor. And each alderman  
49 elected, shall be notified in writing of his election,  
50 by the mayor and aldermen for the time being. The  
51 oath prescribed by this act, shall be administered to  
52 the mayor by any justice of the peace for the county  
53 of Middlesex.

54 The aldermen and common council men elect,  
55 shall, on the first Monday of April, at 10 o'clock in  
56 the forenoon, meet in convention, when the oath re-  
57 quired by this act, shall be administered to the mem-  
58 bers of the two boards present, by the mayor, being  
59 himself first sworn as aforesaid, or by any justice of  
60 the peace for the county of Middlesex, and a certifi-  
61 cate of such oath having been taken, shall be entered  
62 in the journal of the mayor and aldermen, and of  
63 the common council, by their respective clerks.

64 And, whenever, on examination, by the mayor  
65 and aldermen for the time being, of the returns of  
66 votes given for mayor at the meeting of the citizens  
67 holden for the purpose of electing that officer, last  
68 preceding the first Monday of April, in each year,  
69 no person shall appear to have a majority of all the  
70 votes given for mayor, the mayor and aldermen by  
71 whom such examination is made, shall make a record  
72 of that fact, an attested copy of which, the city clerk  
73 shall read at the opening of the convention to be held,  
74 as aforesaid, on the first Monday of April.

75 After the oaths required by this act, shall have  
76 been administered as aforesaid, the two bodies shall  
77 separate; and the board of common council shall be  
78 organized by the choice of a president, and also of  
79 a clerk, who shall be under oath faithfully to per-  
80 form the duties of his office, and who shall hold his  
81 office during the pleasure of the common council.

82 In case of the unavoidable absence by sickness or  
83 otherwise, of the mayor elect, on the first Monday  
84 of April, in each year, the city government shall or-  
85 ganize itself in the mode herein before provided, and  
86 may proceed to business in the same manner as if

87 the mayor were present, and the oath required to be  
88 taken by the mayor, may, at any time thereafter, be  
89 administered, as herein provided, in convention of  
90 the two branches.

91 The board of aldermen may, in the absence of the  
92 mayor, choose a presiding officer pro tempore, who  
93 shall also preside at joint meetings of the two boards.  
94 Each board shall keep a record of its own pro-  
95 ceedings, and judge the elections of its own mem-  
96 bers; and, in case of failure of election, or vacancy  
97 by death, resignation, or otherwise, may order new  
98 elections. And in case of any such vacancy, de-  
99 clared by either body, the mayor and aldermen shall  
100 issue their warrants for a new election.

1 SECT. 7. The mayor, thus chosen and qualified,  
2 shall be the chief executive officer of said city. It  
3 shall be his duty to be vigilant and active in causing  
4 the laws and regulations of the city to be executed  
5 and enforced, to exercise a general supervision over  
6 the conduct of all subordinate officers, and to cause  
7 their violation or neglect of duty to be punished.  
8 He may call special meetings of the board of alder-  
9 men and common council, or either of them, when,  
10 in his opinion, the interests of the city require it, by  
11 causing a summons or notification to be left at the  
12 usual dwelling place of each member of the board  
13 or boards to be convened. He shall, from time to  
14 time, communicate to both of them such information,  
15 and recommend such measures, as the business and  
16 interests of the city may, in his opinion, require. He  
17 shall preside in the board of aldermen, and in joint  
18 meeting of the two boards, but shall have a casting



19 vote only. The salary of the mayor, for the first  
20 year in which this charter shall take effect, shall be  
21 six hundred dollars, and no more. He shall after-  
22 wards be compensated for his services by a salary to  
23 be fixed by the city council, payable at stated peri-  
24 ods, and shall receive no other compensation; but  
25 such compensation shall not be increased nor dimin-  
26 ished during his continuance in office.

1 SECT. 8. The executive powers of said city, and  
2 the administration of police, with all the powers  
3 heretofore vested in the selectmen of Cambridge,  
4 shall be vested in the mayor and aldermen, as fully,  
5 as if the same were herein specially enumerated.  
6 And the mayor and aldermen shall have full and  
7 exclusive power to appoint a city marshal and assist-  
8 ants, and a constable or constables, and all other  
9 police officers, and may remove the same, when, in  
10 their opinion, sufficient cause for the removal exists.  
11 And the mayor and aldermen may require that any  
12 person who may be appointed a constable of the  
13 city, shall give bonds, with such security and to such  
14 amount as they may deem reasonable and proper,  
15 before he shall be entitled to enter upon the dis-  
16 charge of the duties of his office; upon which bonds  
17 the like proceedings and remedies may be had, as  
18 are by law provided in case of constables' bonds re-  
19 quired by selectmen of towns in this Commonwealth.  
20 And the mayor and aldermen shall have full power  
21 to grant licenses to innholders, victuallers and re-  
22 tailers within the city, in as full and ample a manner  
23 as the mayor and aldermen of the city of Boston, by  
24 virtue of the laws of this Commonwealth.



25 The city council shall, annually, as soon after  
26 their organization as may be convenient, elect, by  
27 joint ballot in convention, a city treasurer and col-  
28 lector of taxes, and city clerk, and shall, in such  
29 manner as the city council shall determine, by any  
30 by-law made for the purpose, appoint or elect all  
31 subordinate officers, not herein otherwise directed,  
32 for the ensuing year, define their duties and fix their  
33 compensation, in cases where such duties and com-  
34 pensations shall not be defined and fixed by the laws  
35 of this Commonwealth.

36 All sittings of the common council shall be public,  
37 and all sittings of the mayor and aldermen, when  
38 they are not engaged in executive business. The  
39 city council shall take care that moneys shall not be  
40 paid from the treasury, unless granted or appropri-  
41 ated ; shall secure a just and prompt accountability,  
42 by requiring bonds, with sufficient penalty and sure-  
43 ties, from all persons trusted with the receipt, cus-  
44 tody or disbursement of money ; shall have the care  
45 and superintendence of the city buildings, and the  
46 custody and management of all city property, with  
47 the power to let, or sell what may be legally sold,  
48 and to purchase property, real or personal, in the  
49 name and for the use of the city, whenever its inter-  
50 ests or convenience may in their judgment require  
51 it. And the city council shall, as often as once a  
52 year, cause to be published, for the use of the inhab-  
53 itants, a particular account of the receipts and ex-  
54 penditures, and a schedule of city property.

1 SECT. 9. In all cases in which appointments are  
2 directed to be made by the mayor and aldermen,

3 the mayor shall have the exclusive power of nomina-  
4 tion,—such nomination, however, being subject to  
5 be confirmed or rejected by the board of aldermen ;  
6 *provided, however,* that no person shall be eligible to  
7 any office, the salary of which is payable out of the  
8 city treasury, who, at the time of his appointment,  
9 shall be a member either of the board of aldermen  
10 or common council. And neither the mayor, nor  
11 any aldermen, or member of the common council,  
12 shall, at the same time, hold any other office under  
13 the city government.

1     SECT. 10. The city clerk, chosen by the city  
2 council, as provided in the eighth section, shall be  
3 clerk of the board of aldermen, and shall be sworn  
4 to the faithful performance of his duties. He shall  
5 perform such duties as shall be prescribed by the  
6 board of aldermen, and shall perform all the duties,  
7 and exercise all the powers, by law incumbent upon,  
8 or vested in, the town clerk of the town of Cambridge.  
9 He shall be chosen for one year, and until another  
10 is chosen and qualified in his place, but may be, at  
11 any time, removed by the city council.

1     SECT. 11. The citizens at their respective ward  
2 meetings, to be held on the first Monday of March,  
3 annually, shall elect, by ballot, two persons in each  
4 ward to be overseers of the poor ; and the persons  
5 thus chosen shall, with the mayor of the city, to-  
6 gether, constitute the board of overseers of the poor,  
7 and shall have all the powers, and be subject to all  
8 the duties, now by law appertaining to the overseers  
9 of the poor for the town of Cambridge. And the

10 citizens shall, at the same time and in like manner,  
11 elect two persons in each ward to be members of the  
12 school committee; and the persons so chosen, to-  
13 gether with the mayor, shall constitute the school  
14 committee, and have the care and superintendence  
15 of the public schools. And the citizens shall, at the  
16 same time, and in like manner, elect one person in  
17 each ward to be an assessor; and the persons, thus  
18 chosen assessors in the several wards, shall consti-  
19 tute the board of assessors, and shall exercise the  
20 powers, and be subject to the duties and liabilities, of  
21 assessors in towns. An assistant assessor for each  
22 ward may be chosen, in the same manner as is herein  
23 provided for the choice of assessor, when the city  
24 council shall so order, which assistant assessors shall  
25 be sworn to the faithful performance of their duties.  
26 All taxes shall be assessed, apportioned, and col-  
27 lected, in the manner prescribed by the laws of the  
28 Commonwealth.

29 *Provided, however,* that the city council may estab-  
30 lish further or additional provisions for the collection  
31 thereof. Should there fail to be a choice of overseers  
32 of the poor, members of the school committee, asses-  
33 sors or assistant assessors, in any ward, the vacancy  
34 or vacancies shall be filled by the city council in  
35 convention, and the candidates for the several va-  
36 cancies shall be determined in the same manner as  
37 is provided by the Constitution of this State, for fix-  
38 ing upon the candidates to fill any vacancies which  
39 may exist in the Senate of the Commonwealth.

1 SECT. 12. The city council shall have exclusive au-  
2 thority and power, to lay out any new street or town-



3 way, and to estimate the damage any individual may  
4 sustain thereby ; and all questions relating to the  
5 subject of laying out, widening, altering or discon-  
6 tinuing any street, shall be first acted upon by the  
7 mayor and aldermen. And any person aggrieved by  
8 the decision or judgment of the city council, in the  
9 estimate of damages, may make complaint to the  
10 county commissioners, in the county of Middlesex,  
11 at any meeting held within one year after such de-  
12 cision, whereupon the same proceedings shall be had  
13 as are now provided by the laws of the Common-  
14 wealth, in cases where persons are aggrieved, by  
15 the assessment of damages by the selectmen, in the  
16 24th chapter of the Revised Statutes.

1 SECT. 13 All the power and authority now by  
2 law vested in the board of health for the town of  
3 Cambridge, shall be transferred to, and vested in,  
4 the city council, to be carried into execution by the  
5 appointment of health commissioners, or in such oth-  
6 er manner as the city council may deem expedient.

1 SECT. 14. The city council shall have authority  
2 to cause drains and common sewers to be laid down  
3 through any streets or private lands, paying the  
4 owners such damage as they may sustain thereby,  
5 and to require all persons to pay a reasonable sum  
6 for the privilege of opening any drain into said pub-  
7 lic drain or common sewers. And may make by-  
8 laws with suitable penalties, for the inspection, sur-  
9 vey, admeasurement and sale of wood, coal and  
10 bark, brought into the city for sale.



1   SECT. 15. There hereby is established, within  
2 the city of Cambridge, a police court, to consist of  
3 one learned, able and discreet person, to be ap-  
4 pointed and commissioned by the Governor, pursu-  
5 ant to the Constitution, to take cognizance of all  
6 crimes, offences and misdemeanors, committed with-  
7 in the city of Cambridge, whereof justices of the  
8 peace now have, or may hereafter have, jurisdiction.  
9 And the court hereby established shall hear and de-  
10 termine all suits, complaints and prosecutions, in  
11 like manner as is by law provided for the exercise of  
12 the powers and authority which are or may be vested  
13 in justices of the peace, and do all acts necessary  
14 to, and consistent with, such powers and authority.  
15 And the said police court shall also have original  
16 jurisdiction and cognizance of all suits and actions  
17 which may now, or at any time hereafter, be heard,  
18 tried and determined before any justice of the peace  
19 in the county of Middlesex; and no writ, in any  
20 such suit or action, shall be made returnable before  
21 any justice within said city of Cambridge, but to  
22 said police court only; and an appeal shall be al-  
23 lowed from all judgments of said police court, in like  
24 manner and to the same extent, that appeals are now  
25 allowed by law from judgments of justices of the  
26 peace; and the justice of said police court shall not  
27 be of council or attorney to any party in any matter  
28 or thing whatsoever, which may be pending in said  
29 court.

30   All warrants issued by said court, or by any jus-  
31 tice of the peace within said city, shall be made re-  
32 turnable, and be returned before said court; and if  
33 any warrant shall be issued by any justice of the

34 peace, returnable before said court, the lawful fees,  
35 payable therefor, shall not be paid or allowed, un-  
36 less, on the examination in hearing before said court,  
37 it shall appear to said court that there was just and  
38 reasonable cause for issuing said warrant, in which  
39 case such fees, costs and charges shall be allowed  
40 and taxed, in like manner as though said warrant  
41 had been issued by a justice of the peace, according  
42 to the law now in force.

43 All fines and forfeitures, and all costs in criminal  
44 prosecutions, which shall be received by or paid into  
45 the hands of the justice of said court, shall be by  
46 him accounted for, and paid over to the same per-  
47 sons, in the same manner, and under the same pen-  
48 alties for neglect as are by law prescribed in the case  
49 of justices of the peace ; and all costs in such pros-  
50 ecutions, not thus received, shall be made up, taxed,  
51 certified and allowed, and shall be paid and satisfied  
52 in like manner as provided by law in cases of jus-  
53 tices of the peace.

54 A court shall be held by said justice at some suit-  
55 able and convenient place, to be provided at the ex-  
56 pense of said city of Cambridge, on two several days  
57 of each week, at nine of the clock in the forenoon,  
58 and as much oftener as may be necessary, to take  
59 cognizance of crimes, offences and misdemeanors,  
60 and on one day in each fortnight, at ten of the clock  
61 in the forenoon, and may be adjourned from day to  
62 day by the justice thereof, and at such other times  
63 as may be necessary for the trial of civil suits and  
64 actions ; and the justice of said court shall, from  
65 time to time, establish all necessary rules for the

66 orderly and uniform conducting of the business  
67 thereof.

68 The justice of said court shall retain to his own  
69 use all fees by him received, or which now accrue to  
70 justices of the peace in civil actions and criminal pros-  
71 ecutions, in full compensation for all services assign-  
72 ed to him by the provisions of this act.

73 The justice of said court shall keep a fair record  
74 of all proceedings in said court, and shall make re-  
75 turn, to the several courts, of all legal processes, and  
76 of his doings therein, in the same manner as justices  
77 of the peace are now by law required to do, and he  
78 shall also annually, in the month of January, exhibit  
79 to the mayor and aldermen of said city of Cambridge,  
80 a true and correct account of moneys by him receiv-  
81 ed as fees.

82 All suits, actions and prosecutions which shall be  
83 instituted and pending before any justice of the peace  
84 within the town of Cambridge, when this act shall  
85 take effect, shall be heard and determined as though  
86 this act had not been passed.

87 There shall be appointed by the Governor, by and  
88 with the advice and consent of the council, two  
89 special justices of said court, and whenever it shall  
90 happen that the standing justice of said court shall  
91 be interested in any suit or prosecution, cogniza-  
92 ble in said court, or shall, from any cause, be unable  
93 to hear and determine any matter or thing pending  
94 therein, the cause shall be assigned on the record by  
95 the standing or special justice, and the court shall  
96 be held, and its jurisdiction exercised, by one of said  
97 special justices.

98 And the said special justice shall be paid for the



99 services by him performed, out of the fees received  
100 in said court, such sum as the standing justice  
101 would be entitled to receive for the same services.

1 SECT. 16. It shall be the duty of the city coun-  
2 cil, in the month of October, annually, to meet in  
3 convention, and determine the number of represen-  
4 tatives to be elected to the General Court by the  
5 city, in such year, and to publish such determination  
6 which shall be conclusive, and the number thus de-  
7 termined shall be specified in the warrant calling  
8 meetings for the election of representatives.

1 SECT. 17. All elections for County, State and  
2 United States officers, who are voted for by the peo-  
3 ple, shall be held at meetings of the citizens quali-  
4 fied to vote in such elections, in their respective  
5 wards, at the time fixed by law for those elections  
6 respectively, and, at such meetings, all the votes  
7 given for said several officers respectively, shall be  
8 assorted, counted, declared and registered in open  
9 ward meeting, by causing the names of all persons  
10 voted for, and the number of votes given for each,  
11 to be written in the ward record in words at length.  
12 The ward clerk shall forthwith deliver to the city  
13 clerk, a certified copy of the record of such elec-  
14 tions. The city clerk shall forthwith record such  
15 returns.

16 And the mayor and aldermen shall, within two  
17 days after every such election, examine and compare  
18 all said returns, and make out a certificate of the re-  
19 sult of such elections to be signed by the mayor and  
20 a majority of the aldermen, and also by the city



21 clerk, which shall be transmitted or delivered in the  
22 same manner, as similar returns are by law directed  
23 to be made by selectmen of towns. And in all elec-  
24 tions for representatives to the general court, in  
25 case the whole number proposed to be elected shall  
26 not be chosen by a majority of the votes legally re-  
27 turned, the mayor and aldermen shall forthwith is-  
28 sue their warrant for a new election, conformably to  
29 the provisions of the Constitution and the laws of  
30 the Commonwealth.

1 SECT. 18. Prior to every election, the mayor  
2 and aldermen shall make out lists of all the citizens  
3 of each ward qualified to vote in such elections, in  
4 the manner in which selectmen of towns are required  
5 to make out lists of voters; and for that purpose  
6 they shall have full access to the assessors' books and  
7 lists, and be entitled to the aid and assistance of all  
8 assessors, assistant assessors, and other city officers,  
9 and they shall deliver said lists, so prepared and cor-  
10 rected, to the clerk of said ward, to be used at such  
11 elections; and no person shall be entitled to vote  
12 whose name is not borne upon such list. They shall  
13 also cause to be posted up, in one or more public  
14 places in each ward, ten days at least before the  
15 first Monday in March, and at least ten days before  
16 the second Monday in November, annually, correct  
17 alphabetical lists of all the persons qualified to vote  
18 for the several officers to be elected at those periods  
19 respectively.

1 SECT. 19. General meetings of the citizens quali-  
2 fied to vote may, from time to time, be held, to con-

3 sult upon the public good, to instruct their repre-  
4 sentatives, and to take all lawful measures to obtain  
5 redress of any grievances, according to the right se-  
6 cured to the people by the Constitution of this Com-  
7 monwealth; and such meetings may, and shall be  
8 duly warned by the mayor and aldermen, upon the  
9 requisition of thirty qualified voters.

1     SECT. 20. For the purpose of organizing the  
2 system of government hereby established, and put-  
3 ting the same into operation in the first instance, the  
4 selectmen of the town of Cambridge, for the time  
5 being, shall, on some day during the month of March  
6 or April, of the present year, issue their warrants  
7 seven days at least previous to the day so appointed,  
8 for calling meetings of the said citizens, at such  
9 place and hour as they may deem expedient, for the  
10 purpose of choosing a warden, clerk, and three in-  
11 spectors of elections for each ward, and also to give  
12 in their votes for mayor, and four aldermen, one from  
13 each ward, six common council men, two overseers  
14 of the poor, two members of the school committee,  
15 and one assessor from each ward; and the trans-  
16 cripts of the records of each ward, specifying the votes  
17 given for a mayor, four aldermen, six common coun-  
18 cilmen, two overseers of the poor, two members of  
19 the school committee, and one assessor, certified by  
20 the warden, clerk, and a majority of the inspectors  
21 of such ward, at said first meeting, shall be returned  
22 to the said selectmen, whose duty it shall be to ex-  
23 amine and compare the same; and in case said elec-  
24 tions should not be completed at the first meeting,  
25 then to issue new warrants until such elections shall

26 be completed, and to give notice thereof in the man-  
27 ner herein before directed to the several persons  
28 elected.

29 And at said first meeting, any inhabitant of said  
30 ward, being a legal voter, may call the citizens to  
31 order, and preside until a warden shall have been  
32 chosen. And at said first meeting, a list of voters  
33 in each ward, prepared and corrected by the select-  
34 men for the time being, shall be delivered to the  
35 clerk of each ward, when elected, to be used as  
36 herein before directed. And the selectmen shall  
37 appoint such time for the first meeting of the city  
38 council, as they may judge proper, after the choice  
39 of the city officers as aforesaid, or a majority of the  
40 members of both branches, not later than the first  
41 Monday of May, in the year one thousand eight hun-  
42 dred and forty-six, and shall also fix upon the place  
43 and the hour of said first meeting, and notice of the  
44 day, hour and place of said first meeting shall be  
45 published in one or more newspapers printed in the  
46 city of Boston, and a written or printed notice there-  
47 of shall be sent, by said selectmen, to the place of  
48 abode of each of the city officers chosen, as provided  
49 in this section. And after this first election of city  
50 officers, and this first meeting for the organization of  
51 the city council, as in this section is provided, the  
52 day of holding the annual elections, and the day and  
53 hour for the meeting of the city council, for the pur-  
54 pose of organization, shall remain as provided in the  
55 sixth section of this act.

56 And it shall be the duty of the city council, imme-  
57 diately after the first organization, to elect all neces-  
58 sary city officers, who shall hold their offices respect-



59 ively until the first Monday in April, then next, and  
60 until others are chosen and qualified.

61 And at the meetings to be called, as provided in  
62 this section, for the choice of ward and city officers,  
63 the said inhabitants may, and shall also give in their  
64 votes for county officers, which votes shall be record-  
65 ed, certified and returned in the manner provided in  
66 the seventeenth section of this act.

1 SECT. 21. The city council shall have power to  
2 make all such salutary and needful by-laws, as towns,  
3 by the laws of this Commonwealth, have power to  
4 make and establish, and to annex penalties not ex-  
5 ceeding twenty dollars, for the breach thereof,  
6 which by-laws shall take effect, and be in force,  
7 from and after the time therein respectively limited,  
8 without the sanction of any court, or other authority  
9 whatever ; *provided, however,* that all laws and regu-  
10 lations now in force in the town of Cambridge, shall,  
11 until they shall expire by their own limitation, or be  
12 revised or repealed by the city council, remain in  
13 force, and all fines and forfeitures for the breach of  
14 any by-law, or ordinance, shall be paid into the city  
15 treasury.

1 SECT. 22. An Act establishing the Fire Depart-  
2 ment in the town of Cambridge, passed March seven-  
3 teenth, one thousand eight hundred and thirty-two,  
4 and an act in addition thereto, passed on the thir-  
5 tieth day of March, eighteen hundred and thirty-  
6 five, shall continue in force, and all the power and  
7 authority now vested in the selectmen of the town  
8 of Cambridge, in relation to the fire department in



9 said town, shall be transferred to, and vested in the  
10 mayor and aldermen.

1   SECT. 23. The annual town meeting for the town  
2 of Cambridge, which by law is to be held in the  
3 month of February, March or April, is hereby sus-  
4 pended, and all town officers now in office, shall hold  
5 their places until this act shall go into operation,  
6 and in case this charter shall not be accepted in the  
7 manner and form as hereinafter provided, then the  
8 selectmen shall issue their warrant according to law,  
9 for holding the annual town meeting of the inhabi-  
10 tants, in which all the proceedings shall be the same,  
11 as if this act had not been passed.

1   SECT. 24. All officers of the town of Cambridge  
2 having the care and custody of any records, papers,  
3 or property belonging to said town, shall deliver the  
4 same to the city clerk, within one week after his en-  
5 tering upon the duties of his office.

1   SECT. 25. All such acts, and parts of acts, as are  
2 inconsistent with the provisions of this act, shall be,  
3 and the same are, hereby repealed.

1   SECT. 26. Nothing in this act contained, shall be  
2 so construed as to prevent the Legislature from al-  
3 tering or amending the same, whenever they shall  
4 deem it expedient.

1   SECT. 27. This act shall be void, unless the in-  
2 habitants of the town of Cambridge, at a legal town  
3 meeting, called for that purpose, shall, by a majority

4 of the voters present, and voting thereon, by a writ-  
5 ten vote, determine to adopt the same within four-  
6 teen days after its passage.

1 SECT. 28. This act shall go into operation from  
2 and after its passage. .



