

ORIGINAL CHARTER.

Repealed by Chapter 364, of the Acts of 1891.

CHAPTER 109, ACTS OF 1846.

SECTION 1. The inhabitants of the town of Cambridge, in the county of Middlesex, shall continue to be a body corporate and politic, under the name of the City of Cambridge; and, as such, shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now incumbent upon, and appertaining to, said town, as a municipal corporation.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, and the government thereof, shall be vested in one principal officer, to be styled the mayor; one council of six, to be denominated the board of aldermen; and one council of twenty, to be denominated the board of common council,—which two boards shall, in their joint capacity, be denominated the city council. A majority of each board shall constitute a quorum for the transaction of business. No member of either board shall receive any compensation for his services.

The mayor and aldermen shall be chosen by the inhabitants of the city at large, voting in their respective wards.

The members of the common council shall be apportioned among the several wards, as nearly as may be, according to the number of inhabitants therein; and each ward shall elect the number of common councilmen to which it shall be entitled on such apportionment, from persons who shall be residents in the ward by which they shall be chosen.

SECT. 3. The city of Cambridge hereby is, and shall continue to be, divided into three wards; and the boundaries thereof shall be the same as the boundaries of the wards into which the town of Cambridge is now divided. But the city council shall, once in five years, and not oftener, revise the same, and may, by a vote of not less than two-thirds of the members of each board present, and voting thereon, so alter the boundaries of said wards as shall be most for the convenience of the inhabitants thereof. For the first five years after the passage of this act, the ward now known as ward number one shall elect five members of the common council;

the ward now known as ward number two shall elect nine members of the common council; and the ward now known as ward number three shall elect six members of the common council.

SECT. 4. The annual meeting of the inhabitants for the choice of city officers shall be holden on the first Monday in March; and all city and ward officers who are chosen by the people shall be chosen by ballot, and shall hold their respective offices for one year from the first Monday in April succeeding the annual meeting, and until others shall be chosen and qualified to act in their stead.

SECT. 5. All meetings of the inhabitants for the purpose of voting at elections, or for the transaction of municipal affairs, whether in general or in ward meetings, shall be holden in pursuance of warrants for that purpose, which shall be issued by the mayor and aldermen, and shall be in such form, and served and returned in such manner, and at such time, as the city council by any by-law shall direct.

SECT. 6. Each ward, at the annual meeting, shall choose for itself a warden, clerk and three inspectors of elections who shall be sworn to the faithful and impartial discharge of their respective duties relative to elections; a certificate that said oath has been taken shall be entered in the records of the ward by the clerk thereof.

The warden shall preside at all ward meetings, and shall be invested with all the powers, and shall perform all the duties, of a moderator of town meetings. If, at any such meeting, the warden shall not be present, the clerk shall call the meeting to order, and preside until a warden *pro tempore* shall be chosen; and if the clerk shall not be present, a clerk *pro tempore* shall be chosen.

The inspectors of elections shall, at all meetings, aid and assist the warden in preserving order, and in assorting and counting the votes; and all votes shall be assorted, counted, recorded and declared, in open ward meeting.

The clerk shall record in the ward records the votes and proceedings of all ward meetings, and shall enter on said record the names of all persons voted for, and the number of votes given for each, in words at length, and shall, within twenty-four hours after each and every ward meeting holden for the purpose of any election, deliver to the city clerk a true copy of the record of such election, certified by himself, the warden and a majority of the inspectors. The clerk shall deliver to his successor in office all the records, record-books, journals, documents, papers and other things held by him in his capacity of clerk of the ward.

Each ward shall also, at the annual meeting, choose the number of common councilmen which it shall be entitled to elect. But if the choice of ward officers or common council-

men cannot be conveniently effected or completed on that day, the meeting shall be adjourned from day to day, to complete the choice. The clerk of the ward shall, within twenty-four hours after such choice, deliver to the respective persons elected common councilmen a certificate of their election, signed by himself, the warden and a majority of the inspectors.

SECT. 7. The qualified voters in each ward shall, at the annual meeting, give in to the warden and inspectors their votes for a mayor and six aldermen; a copy of the record of which shall be delivered to the city clerk, as provided in the preceding section. The city clerk shall, immediately after receiving said copies, enter the same, or a plain and intelligible abstract thereof, on the city records, and then lay said copies before the mayor and aldermen, who shall thereupon examine the same, and cause the persons who shall have been chosen mayor and aldermen, respectively, by a majority of votes in all the wards, to be notified in writing of their election.

If a mayor, or the whole number of aldermen, shall not have been so elected, or if either of the persons elected shall refuse to accept the office to which he was chosen, the mayor and aldermen shall make a record of the fact, and forthwith issue their warrant for another election; and the same proceedings shall be had, in all respects, as are provided in this section for the choice of mayor and aldermen; and the same shall be repeated, from time to time, until a mayor and the whole number of aldermen shall have been chosen.

Whenever the office of mayor shall become vacant, by death, resignation or otherwise, the boards of aldermen and common council shall, respectively, by vote, declare the same, and the cause thereof, and the expediency of filling such vacancy, and the two boards shall thereupon meet in convention, and elect a mayor to fill such vacancy for the time said cause shall continue, or until a new election.

SECT. 8. The mayor, aldermen and common council shall, before entering on the duties of their office, be sworn to the faithful performance of the duties of their respective offices, and for that purpose shall meet in convention on the first Monday in April in each year, at ten of the clock in the forenoon, when such oath may be administered to the mayor elect, if present, by any judge of any court of record in the Commonwealth, or by any justice of the peace for the county of Middlesex; and to the aldermen and common councilmen by the mayor, he being first sworn as aforesaid, or by such justice of the peace. A certificate that such oath has been taken shall be entered in the journal of the mayor and aldermen, and of the common council, by their respective clerks. If, from any cause, the mayor, or any one or more of the

aldermen or common councilmen, shall not be present on the first Monday in April, to take the oath required of them, the same may be administered to them at any time thereafter, before entering on the duties of their office.

SECT. 9. The mayor, thus chosen and qualified, shall be the chief executive officer of the city. He shall cause the laws and regulations of the city to be executed and enforced. He shall exercise a general supervision over the conduct of all subordinate officers, and cause their violation or neglect of duty to be punished. He may call special meetings of the board of aldermen and common council, or either of them, when in his opinion the interests of the city require it, by causing a notification to be left at the usual dwelling-place of each member of the board or boards to be convened. He shall, from time to time, communicate to said boards, respectively, such information, and recommend such measures, as the interests of the city shall in his judgment require. He shall preside in the board of aldermen, and in joint meeting of the two boards; but shall have a casting vote only. He shall have the exclusive power of nomination in all cases in which appointments are directed to be made by the mayor and aldermen; but such nominations shall be confirmed or rejected by the board of aldermen. He shall be *ex officio* chairman of the school committee, and of the board of overseers of the poor. His salary for the first year under this charter shall be six hundred dollars, and no more. He shall afterwards receive for his services such salary as the city council shall determine, payable at stated periods, and shall receive no other compensation; but such salary shall not be increased or diminished during his continuance in office.

SECT. 10. The mayor and aldermen shall compose one board, and shall sit and act together as one body, at all meetings of which the mayor shall preside, if present; but in his absence, the board may choose a chairman for the time being. All their sittings shall be public, when not engaged in executive business.

SECT. 11. The executive powers of the city and the administration of police, with all the powers heretofore vested by law in the selectmen of Cambridge, shall be vested in the mayor and aldermen, as fully as if the same were herein specifically enumerated. They shall have full and exclusive power to appoint a city marshal and assistants, a constable or constables, and all other police officers, and to remove the same from office, for sufficient cause. They may require the marshal and constables, before entering on the duties of their office, to give bonds, with sufficient sureties, to any reasonable amount, upon which the like proceedings and remedies may be had as are by law provided in case of con-

stables' bonds required by selectmen of towns in this Commonwealth. They shall have power to grant licenses to innholders and victuallers, and retailers within the city, in the same manner as the mayor and aldermen of the city of Boston now have by provision of law. They shall prepare, revise, correct and post up, in the manner that selectmen of towns are required to do, an alphabetical list of voters in each ward of the city; and for that purpose shall have access to the assessors' books and lists, and be entitled to the aid and assistance of the assessors, collector, and other city officers, and shall deliver the list so prepared and corrected to the clerks of the respective wards, to be used at elections. And they shall do and perform all the duties which the selectmen of towns are by law required to do and perform within their respective towns, unless it be otherwise provided in this act.

SECT. 12. The mayor and aldermen shall, within two days after every meeting of the inhabitants holden for the choice of county, state, or United States officers, examine and compare the copies of the record of votes returned from all the wards, and make out returns of the same, including the names of all the persons voted for, and the number of votes given for each; which returns shall be signed by the mayor and a majority of the aldermen, and countersigned by the city clerk, and shall be transmitted or delivered in the manner that similar returns are required to be made by selectmen of towns. They shall notify the persons chosen to represent the city in the general court, of their election, within three days after the choice; and if the whole number of representatives determined upon by the city council shall not have been chosen at any such meeting, they shall forthwith issue their warrant for a new election, conformably to the constitution and laws of the Commonwealth.

The mayor and aldermen shall issue their warrant for a general meeting of the inhabitants, for any constitutional or legal purpose, whenever requested so to do, in writing, by thirty legal voters.

The board of aldermen shall be the final judge of the election and qualifications of its members; and whenever a vacancy shall occur therein, by death, resignation, or otherwise, may order a new election.

SECT. 13. An act establishing the fire department in the town of Cambridge, passed March seventeenth, one thousand eight hundred and thirty-two, and an act in addition thereto, passed March thirtieth, one thousand eight hundred and thirty-five, shall continue in force, and all the power and authority now vested in the selectmen of Cambridge, in relation to the fire department in that town, shall be transferred to, and vested in, the mayor and aldermen.

SECT. 14. The persons chosen and qualified as members of the common council shall sit and act together as one body, distinct from the mayor and aldermen, except when the two bodies are required to meet and act in convention. The said council shall, from time to time, choose one of its members to preside at all meetings of the board, and preserve order therein; and shall also choose a clerk, who shall be sworn to the faithful discharge of the duties of that office, and shall hold such office during the pleasure of the council. The clerk so chosen and qualified shall attend the common council when in session, and keep a journal of its acts, votes and proceedings, and perform such other services in his said office as the council may require. All sittings of the common council shall be public. The common council shall be the final judge of the election and qualifications of its members; and whenever a vacancy shall occur therein, by death, resignation or otherwise, may order a new election.

SECT. 15. All the powers now vested by law in the town of Cambridge, or in the inhabitants thereof, as a municipal corporation, shall be vested in the city council, composed as provided in the second section, and shall be exercised by concurrent vote, each board having a negative on the other.

SECT. 16. The city council shall have power to make all such salutary and needful by-laws as towns, by the laws of the Commonwealth, have power to make, and to annex penalties, not exceeding twenty dollars, for the breach thereof; which by-laws shall take effect and be in force from the time therein limited, without the sanction or confirmation of any other authority whatever. All such by-laws and all city ordinances shall be duly published, and in such newspaper or newspapers as the city council shall direct. All fines and forfeitures for the violation of any by-law or ordinance of the city shall be recovered by complaint before any justice of the peace for the county of Middlesex, and shall enure to such uses as the city council shall direct; but the party prosecuted shall have the right of appeal to the court of common pleas, in the same manner, and upon the same terms and conditions, as are provided by law for appeals from the judgment of justices of the peace in other criminal prosecutions. It shall be sufficient, in any such complaint, to set out the offence plainly and substantially; but the by-law or ordinance on which the complaint is founded need not be recited or set out.

SECT. 17. The city council shall take proper care that no money be paid from the city treasury unless previously granted and appropriated; shall secure a just and prompt accountability from all persons intrusted with the receipt, custody or disbursement of the moneys or funds of the city; shall have the care and superintendence of the city

buildings and all city property; and the power to let or sell what may be legally let or sold, and to purchase property, real or personal, in the name, and for the use of the city, whenever the interest or convenience of the city shall require it. The city council shall, once in every year, at least, publish, for the use and information of the inhabitants, a particular account of the receipts and expenditures of the city, and a schedule of the property and debts of the city.

SECT. 18. The city council shall have exclusive authority and power to lay out new streets or ways within said city, and to estimate the damage which any person shall sustain thereby; but all petitions and questions relating to laying out, widening, altering, or discontinuing any street or way shall be first acted on by the mayor and aldermen. Any person aggrieved by the decision or judgment of the mayor and aldermen, or of the city council, in relation to laying out, widening, altering or discontinuing any street or way, or in the estimate of damages, may, within six months thereafter, make complaint to the county commissioners in the county of Middlesex; upon which complaint the same proceedings shall be had as are provided in the twenty-fourth chapter of the revised statutes, in cases where persons are aggrieved by the decision or judgment of selectmen of towns.

SECT. 19. The city council shall have the power to construct drains and common sewers through any highways, streets or private lands, paying the owners such damage as they shall sustain thereby; and to require all persons to pay a reasonable sum for the right to open any drain into such public drain or common sewer.

SECT. 20. All the power and authority now vested by law in the board of health for the town of Cambridge shall be transferred to, and vested in, the city council, and shall be carried into execution by the appointment of health commissioners, or in such other manner as the city council shall determine.

SECT. 21. The city council shall have the power to provide for the appointment or election of all necessary officers for the good government of the city, not otherwise provided for, and to prescribe their duties and fix their compensation; but no person shall be elected by the city council, or appointed by the mayor and aldermen, to any office of emolument, who, at the time of his election or appointment, shall be a member of the board of aldermen, or of the common council.

SECT. 22. The city council shall, annually, in the month of April, meet in convention, and elect by joint ballot a city clerk who shall be sworn to the faithful discharge of the duties of his office, and shall hold his office one year, and

till another shall be chosen and qualified; removable, however, at the pleasure of the city council. The city clerk shall be *ex officio* clerk of the board composed of the mayor and aldermen. He shall keep a journal of all the votes and proceedings of the mayor and aldermen, and also of the city council when sitting in convention, and shall perform such other duties as the mayor and aldermen or the city council shall prescribe. He shall also perform all the duties, and exercise all the powers incumbent upon, and vested in, the town clerk of the town of Cambridge. He shall deliver to his successor in office, as soon as chosen and qualified, all journals, records, record-books, papers, documents or other things held by him in his capacity of city clerk.

SECT. 23. The city council shall also, in the month of April, annually, in convention and by joint ballot, elect a city treasurer, a collector of taxes, and all other subordinate officers, who are not chosen by the inhabitants or appointed by the mayor and aldermen; and shall also fill all vacancies which shall exist in the boards of assessors, assistant assessors, overseers of the poor, or school committee, by reason of a failure to elect by the inhabitants at the annual meeting. The candidates for filling such vacancies shall be determined in the manner provided by the constitution of the Commonwealth for fixing upon candidates to fill vacancies in the state senate.

SECT. 24. The city council shall, annually, in the month of October, meet in convention, and determine the number of representatives which the city shall elect to the general court, and publish such determination, which shall be conclusive; and the number thus determined shall be specified in the warrant calling the meeting for the election of representatives.

SECT. 25. The city council shall, in the month of January, in the year one thousand eight hundred and fifty-one, and once in every five years thereafter, determine the number of members of the common council which each ward shall be entitled to elect, as provided in the second section.

SECT. 26. The qualified voters of the city, at the annual meeting, shall choose seven persons for a school committee, two of whom shall be residents in ward number one, three in ward number two, and two in ward number three; six persons to be overseers of the poor, two of whom shall be residents in each ward; three persons to be assessors one of whom shall be a resident in each ward; and such number of assistant assessors as the city council shall determine. The assessors and assistant assessors shall be sworn to the faithful discharge of the duties of their office, and shall perform all such duties as the assessors of towns are required by law to perform; and the boards of school committee and overseers

of the poor, with the mayor as chairman of each, shall perform all such duties as the school committees and overseers of the poor in towns are required by law to perform.

SECT. 27. All meetings of the inhabitants, for the election of county, state, or United States officers who are voted for by the people, shall be held in their respective wards, at the time fixed by law for those elections respectively.

SECT. 28. After the acceptance of this act by the inhabitants of the town of Cambridge, and during the month of April in the present year, the selectmen of said town, for the purpose of the first election under this charter, shall issue their warrant for a meeting of the inhabitants in their respective wards, for the choice of all city officers who are directed to be chosen by the people, and such county officers as are to be voted for by other towns in the county of Middlesex at their annual meeting in the present year. Such warrant shall be served seven days, at least, before the time appointed for said meeting, and shall designate the time and place of the meeting in the respective wards.

At said meeting, the wards respectively shall choose a warden, clerk, three inspectors of elections, and the number of members of the common council which they are entitled to elect by the third section of this act; and shall also give in their votes for a mayor, six aldermen, seven members of the school committee, six overseers of the poor, three assessors, and such county officers as are then to be voted for.

If the whole number of ward officers or common councilmen, in either ward, cannot be chosen on that day, the meeting may be adjourned from day to day, to complete the choice. The clerks of the respective wards shall deliver certificates to the persons elected members of the common council, and copies of the record of the election to said selectmen, within the time, and signed and certified in the manner, provided in the sixth section. The selectmen shall, within two days after receiving said returns, examine and compare the same, ascertain the result of the election, and give notice in writing, to the persons chosen mayor and aldermen, of their election. If a mayor, or the whole number of aldermen, shall not have been elected at such meeting, the selectmen shall forthwith issue their warrant for another meeting, as provided in this section; and the same proceedings shall be had and repeated, until a mayor and six aldermen shall have been chosen. Any legal voter in the respective wards may call the said first meeting to order, and preside until a warden shall have been chosen.

SECT. 29. Immediately after the election of city officers, as provided in the preceding section, the said selectmen shall appoint a place, and some day not later than the first Monday in June of the present year, for the first meeting of the city

council, and for the organization of the city government established by this act; and shall give notice thereof in writing to all the city officers elect, and shall also publish a notice thereof in one or more newspapers printed in Boston.

The mayor, aldermen, members of the common council, and all other city officers elect, shall meet at the time and place designated in such notices, and shall respectively take the oath required of them by this act, and shall then enter upon and perform all the duties of their respective offices, in the same manner as if they had been elected prior to the first Monday in April of the present year.

SECT. 30. The annual town meeting of the town of Cambridge, for the present year, shall be suspended, and may be holden in the month of May or June, if this act shall not be adopted by the inhabitants of the town, as provided in the thirty-fourth section.

SECT. 31. All officers of the town of Cambridge, having the care and custody of any records, papers or property belonging to said town, shall deliver the same to the city clerk within one week after his entering upon the duties of his office.

SECT. 32. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

SECT. 33. Nothing in this act contained shall be so construed as to prevent the legislature from altering or amending the same, whenever they shall deem it expedient.

SECT. 34. This act shall be void, unless the inhabitants of the town of Cambridge, at a legal town meeting, called for that purpose, shall, by a majority of the voters present, and voting thereon by ballot, determine to adopt the same, within twenty days after its passage.

SECT. 35. This act shall go into operation from and after its passage.

Adopted by the inhabitants of the city, March 30, 1846.

AMENDMENTS.

CHAPTER 155, ACTS OF 1853.

SECTION 1. The election of mayor, aldermen, and common councilmen, and such other officers of the city of Cambridge as are now by law to be chosen on the first Monday in March annually, shall in future be made on the first Monday in December annually; and the said officers, so chosen, shall hold their respective offices for the same term of time, and the same proceedings shall be had in relation to such elections, as are provided in the act entitled, "An Act to estab-

lish the city of Cambridge," to which this is in addition: *provided*, nevertheless, that the next choice of the said city officers, after the acceptance of this act by the inhabitants of the said city of Cambridge, as hereinafter provided, shall be made at such time, and in such manner, as are prescribed in the act aforesaid: and the officers so elected shall severally hold their offices until the first Monday of January next succeeding such election; anything in this act to the contrary notwithstanding.

SECT. 2. The election of a city clerk, a city treasurer, and a collector of taxes, who are now by law to be chosen, and all vacancies which are now by law required to be filled, by the city council, in the month of April annually, shall in future be respectively made and filled by the city council in the month of January annually, in the like form and manner, and for the same term of service, as are prescribed in the act to which this act is in addition: *provided*, nevertheless, that the next choice of such officers, and the next vacancies occurring, after the acceptance of this act by the inhabitants aforesaid, as hereinafter provided, shall be made and filled at such time, and in such manner, as are prescribed in the act aforesaid, to which this is in addition; and the officers so elected shall severally hold their offices until the first Monday in January next succeeding such election; anything in this act to the contrary notwithstanding.

SECT. 3. The officers chosen by virtue of this act shall enter upon the duties of their respective offices on the first Monday in January in each year, and shall be liable to all the duties and restrictions, and shall exercise all the powers, to which the said officers are respectively subject or entitled, by virtue of the act to which this is in addition, and of all other acts having relation to this subject-matter.

SECT. 4. The boundaries of the several wards, and the number of members of the common council which each ward shall be entitled to elect, shall continue to be the same as at present established, until the month of October, in the year one thousand eight hundred and fifty-six; at which time, and once in every five years thereafter, the city council shall revise the same, and make such alterations therein, in like form and manner, as are prescribed in the act to which this is in addition.

SECT. 5. The city council of the city of Cambridge may establish a fire department for the said city, to consist of so many engineers and other officers, and so many enginemen and other members, as the city council, by ordinance, shall, from time to time, prescribe; and the said city council shall have authority to make such provisions in regard to the time and mode of appointment, and the occasion and mode of removal, of either such officers or members, and to make

such requisitions in regard to their conduct and government, and to the management and conduct of fires and persons attending at fires, subject to the penalties provided for the breach of the city by-laws, as they shall deem expedient: *provided*, that the appointment of enginemen, hosemen, and hook-and-ladder men, shall be made by the mayor and aldermen exclusively.

SECT. 6. An act establishing a fire department in the town of Cambridge, passed March seventeenth, in the year one thousand eight hundred and thirty-two, and an act in addition thereto, passed March thirtieth, in the year one thousand eight hundred and thirty-five, shall continue in force, except in regard to the power of making by-laws and publishing the same, and except also in so far as they are otherwise inconsistent with the preceding section, in which respects they shall be void.

SECT. 7. The city council shall have exclusive power and authority to lay out new streets or ways within the said city, and to estimate the damage which any person shall sustain thereby; but all petitions and questions relating to the laying out, widening, altering or discontinuing of any street or way, shall be first acted upon by the mayor and aldermen. Any person dissatisfied with the decision of the city council in the estimate of damages may, within six months thereafter, make a complaint to the county commissioners, in the county of Middlesex; upon which complaint the same proceedings shall be had as are provided in the twenty-fourth chapter of the revised statutes, in cases where persons are aggrieved by the assessment of damages by selectmen.

SECT. 8. If a vacancy shall exist in any of the boards of assessors, assistant assessors, overseers of the poor or school committee, by failure of the inhabitants to elect, by neglect or refusal to serve, by death, resignation or any other cause, the city council shall fill such vacancy as soon as may be after the knowledge of the fact; *provided*, that nothing herein contained shall be construed to prevent the operation of the act passed on the twenty-sixth day of April, in the year one thousand eight hundred and forty-nine, being chapter one hundred and forty-four of the acts of said year, relating to such vacancies, therein mentioned, as may occur in the school committee after the date of the warrant for the annual town meeting for the election of their successors.

SECT. 9. All boards and officers, acting under the act of incorporation of the city of Cambridge, and intrusted with the expenditure of public money, shall be accountable therefor to the city council, in such manner as they may direct.

SECT. 10. No board or committee of the city council, or of either branch thereof, shall make any contracts on behalf of, or binding upon, the said city, the amount of which con-

tracts shall exceed the specific appropriations of the city council previously made therefor.

SECT. 11. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 12. This act shall be void, unless the inhabitants of the said city of Cambridge, at a legal meeting called for that purpose, shall, by a majority of the voters present, and voting thereon by ballot, determine to adopt the same.

Adopted by the inhabitants of the city, December 5, 1853.

CHAPTER 75, ACTS OF 1857.

SECTION 1. The qualified voters of the city of Cambridge, at their annual meeting for the election of municipal officers, first to be held after the passage of this act, shall elect three persons to be assessors; and the person who receives the highest number of votes, or in case two or more persons receive an equal number of votes, the person who is senior by age, shall hold the office for three years, and until another is chosen and qualified in his stead; and the person who receives the next highest number of votes, or who is senior by age in the contingency aforesaid, shall hold the office for two years, and until another is chosen and qualified in his stead; and the other person shall hold the office for one year, and until another is chosen and qualified in his stead; and at every subsequent election one person shall be chosen to be an assessor for three years, and until another is chosen and qualified in his stead; and the persons thus chosen assessors shall constitute the board of assessors, and shall exercise the powers, and be subject to the duties and liabilities, of assessors of towns. The qualified voters shall, at the same time, and in like manner, elect such number of assistant assessors as the city council may, from time to time, determine, and such assistant assessors shall hold their offices for the term of one year.

SECT. 2. The city council shall, in the month of January, annually, in convention, and by joint ballot, fill all vacancies that may exist in the overseers of the poor, or in the assessors or assistant assessors, by reason of a failure to elect by the inhabitants at their annual meeting. The candidates for filling such vacancies shall be determined in the manner provided in the constitution of the Commonwealth for filling vacancies in the State Senate. All vacancies in either of said boards of officers, arising from any other cause, may be filled by the city council in like manner from the citizens at large.

SECT. 3. The qualified voters of the city, at the annual meeting, shall choose ten persons for a school committee, three of whom shall be residents of ward numbered one, four

of ward numbered two, and three of ward numbered three; but whenever the number of wards shall be increased to four, there shall be chosen two from each ward, and two at large; and whenever a greater number of wards shall be constituted, there shall be chosen two from each ward.

SECT. 4. In addition to the election of officers in the month of January, provided for in the "Act in addition to 'An Act to establish the city of Cambridge,'" approved April fourteenth, one thousand eight hundred and fifty-three, the city council shall, in the month of January, annually, in convention and by joint ballot, elect all subordinate officers who are not chosen by the inhabitants, or appointed by the mayor and aldermen; and the doings of the city council in the election of such subordinate officers, for the years one thousand eight hundred and fifty-five, one thousand eight hundred and fifty-six, and one thousand eight hundred and fifty-seven, are hereby confirmed, and shall be as valid and effectual as if the elections had been made in accordance with the provisions of the acts to which this act is in addition.

SECT. 5. Whenever it shall appear to the mayor and aldermen that there is a vacancy in any of the ward offices, it shall be their duty to issue their warrant in due form to fill all such vacancies, at such time and place as they may deem advisable; and the same proceedings shall be had, and adjournments, if necessary, as are prescribed for the election of such officers at the annual meeting.

SECT. 6. In case of the absence of any ward officer at any ward meeting, such officer may be chosen *pro tempore*, and shall have all the powers, and be subject to all the duties, of the regular officer at such meeting.

SECT. 7. It shall be the duty of the warden to preside at all ward meetings, with the powers of moderators of town meetings. In case of his absence, the clerk, and in case of the absence of the clerk, any inspector shall preside, according to seniority, until a warden shall be chosen, as above provided.

SECT. 8. The boundaries of the several wards, and the number of members of the common council which each shall be entitled to elect, shall continue the same as at present established, until the month of October, in the year one thousand eight hundred and fifty-seven, at which time, and every fifth year thereafter, the city council shall revise the boundaries of the wards, and may increase the number thereof, and apportion the members of the common council to the several wards in accordance with the provisions of the act to which this act is in further addition: *provided, however*, that the whole number of wards in the city shall not exceed five.

SECT. 9. Whenever the number of wards shall be increased, as provided in the preceding section, the number of aldermen shall be increased proportionally, and the inhabitants shall be entitled to elect, annually, a number of aldermen equal to twice the number of wards in the city.

SECT. 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 11. This act shall be void, unless the inhabitants of the city of Cambridge, at a legal meeting, called for that purpose, shall, by a majority of the voters present and voting thereon by ballot, determine to adopt the same, within six months after its passage.

Adopted by the inhabitants of the city, May 1, 1857.

CHAPTER 68, ACTS OF 1867.

SECTION 1. The qualified voters of the city of Cambridge, at their annual meeting for the election of municipal officers first to be held after the passage of this act, shall elect a school committee consisting of three persons from each ward, one of whom from each ward shall hold office for the term of one year, one for the term of two years, and one for the term of three years.

SECT. 2. The ballots for said school committee shall designate the term of years during which each person voted for shall serve.

SECT. 3. After such election shall have been held, there shall be elected annually one person from each ward to serve as a member of the school committee for the term of three years.

SECT. 4. This act shall not take effect until accepted by the voters of said city, at a meeting duly held for said purpose.

Accepted by the inhabitants of the city November 5, 1867.

CHAPTER 336, ACTS OF 1869.

SECTION 1. The mayor of the city of Cambridge shall be *ex officio* chairman of the school committee, and of the board of overseers of the poor; but shall have a casting vote only.

SECT. 2. Every ordinance, order, resolution or vote, to which the concurrence of the board of aldermen and of the common council may be necessary (except on a question of convention of the two branches), and every order of either branch, involving the expenditure of money, shall be presented to the mayor. If he approve thereof, he shall signify his approbation by signing the same; but if not, he shall return the same with his objections to the branch in which it originated, which shall enter the objections of the mayor at

length on its records, and proceed to reconsider said ordinance, order, resolution or vote; and if, after such reconsideration, two thirds of the board of aldermen or common council, notwithstanding such objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the city council (if it originally required concurrent action), where it shall also be reconsidered, and if approved by two thirds of the members present, it shall be in force; but in all cases the vote shall be determined by yeas and nays, and if such ordinance, order, resolution or vote shall not be returned within ten days after it shall have been presented, the same shall be in force. But the veto power of the mayor shall not extend to the election of officers, required by any law or ordinance to be chosen by the city council in convention, or by concurrent action, unless expressly so provided therein.

SECT. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 4. This act shall be void, unless the inhabitants of the city of Cambridge, at a legal meeting called for that purpose, shall, by a majority of the voters present and voting thereon by ballot, determine to adopt the same within six months after its passage.

Adopted by the inhabitants of the city, November 2, 1869.

CHAPTER 229, ACTS OF 1870.

SECTION 1. The city treasurer of the city of Cambridge shall be the collector of taxes within and for said city.

SECT. 2. All acts and parts of acts establishing the office of collector of taxes, and providing for the election of such officer in the city of Cambridge, are hereby repealed.

SECT. 3. This act shall take effect from its passage.

CHAPTER 337, ACTS OF 1873.

The qualified voters of the city of Cambridge, at the first annual meeting for the election of municipal officers, after the passage of this act, shall elect six persons to be overseers of the poor, two from the district comprising the first and fifth wards, two from the district comprising the second and fourth wards, and two from the district known as the third ward, as said wards are now constituted. The person receiving the highest number of votes in each district shall hold office for two years, and the other person elected shall hold office for one year; *provided* that in case the two persons elected from a district shall have the same number of votes, the person who is senior in age shall hold office for two years, and the other person shall hold office for one year; and at every subsequent annual meeting for the

choice of municipal officers, one person shall be elected overseer of the poor from each district, to hold office for two years, and until his successor is chosen and qualified.

CHAPTER 345, ACTS OF 1873.

SECTION 1. The city treasurer of the city of Cambridge may, as collector of taxes, appoint such deputy collectors of taxes as he may, from time to time, deem expedient, who shall give bonds for the faithful discharge of their duties, in such sums as the board of aldermen of said city shall, from time to time, prescribe, and such deputies shall have the same powers as collectors of taxes of towns.

SECT. 2. Said treasurer may, as collector of taxes, issue his warrants to the sheriff of the county, or his deputy, or any of the constables of the city of Cambridge, returnable in thirty days, requiring them to collect any or all taxes due; and such warrant shall be in substance the same, and confer the same and like powers as warrants issued by assessors to collectors.

SECT. 3. This act shall take effect on its passage.

CHAPTER 41, ACTS OF 1877.

SECTION 1. The city council of the city of Cambridge shall, in the month of April in the current year, in joint convention, elect by ballot five persons, one at least from among the residents of each of the present representative districts of said city, to be overseers of the poor in said city, one person for one year, one person for two years, one person for three years, one person for four years, and one person for five years; and said council shall annually thereafter, in the month of April, in like manner elect one person to serve for five years. These persons so chosen shall, together with the mayor, who shall *ex officio* be chairman of the board, constitute the board of overseers of the poor in said city of Cambridge.

SECT. 2. The members of said board shall enter upon their duties on the first Monday of May next after their election, and hold office until others are elected and qualified in their stead; vacancies from any cause shall forthwith be filled by the city council in the same manner, and the person elected to fill any vacancy shall hold office during the unexpired term of the member who has ceased to hold office, and until another is chosen and qualified in his stead.

SECT. 3. Said board shall annually, on the first Monday of May, meet and organize, and shall choose such subordinate officers and agents as they may deem expedient, and define their duties, and fix their salaries; but no member of the board shall be eligible to be chosen by said board to any position of emolument.

SECT. 4. Said overseers shall render such accounts and reports of their expenditures, acts and doings as may be required by the city council.

SECT. 5. The present overseers of the poor in the city of Cambridge shall hold office until others are elected and qualified under the provisions of this act, and no longer.

SECT. 6. All acts and parts of acts, inconsistent with this act are hereby repealed.

SECT. 7. This act shall take effect upon its acceptance by the city council of the city of Cambridge by concurrent vote, *provided* the same shall be accepted within sixty days from the date of its passage.

Accepted by the city council, March 14, 1877.

CHAPTER 102, ACTS OF 1878.

SECTION 1. The treasurer and collector of the city of Cambridge may be removed from office at any time for sufficient cause by the mayor, with the consent and approval of three fourths of all the members of each branch of the city council, upon a yea and nay vote. The city council shall in convention by joint ballot elect a successor to any treasurer and collector thus removed; and the collector thus chosen shall complete the collection of all taxes and assessments which were committed to the former collector, and all proceedings in such collection shall be conducted in the same manner as is provided by law in the case of the death of a collector.

SECT. 2. All fees, charges and commissions of every kind and description allowed by law for the collection of taxes, betterments, rates and assessments of every kind to any person or persons authorized to collect the same upon any warrant or other command hereafter directed to the treasurer and collector of the city of Cambridge, in his capacity as treasurer or as collector, or as both treasurer and collector, shall be collected and paid into the treasury of said city, and shall be the property of said city. The city may pay to such person such compensation for his services as the city council shall, from time to time, determine.

SECT. 3. This act shall take effect upon its passage.

CHAPTER 260, ACTS OF 1890.

SECTION 1. Assistant assessors for the city of Cambridge shall be appointed by the mayor, subject to confirmation by the board of aldermen, as follows: In the month of February in the year eighteen hundred and ninety-one there shall be so appointed and confirmed five persons, one from each ward, to be assistant assessors to serve for the term of one year; and in the month of February annually thereafter

there shall be so appointed and confirmed five assistant assessors, one from each ward, to serve for the term of one year. Such persons so appointed and confirmed shall enter upon their duties on the first day of March next after their appointment.

SECT. 2. Whenever any vacancy shall exist in the office of assistant assessor from any cause such vacancy shall be filled for the unexpired term by the appointment of the mayor subject to confirmation by the board of aldermen.

SECT. 3. The present assistant assessors shall hold office until others are appointed and confirmed under the provisions of this act, and no longer.

SECT. 4. All acts and parts of acts inconsistent herewith are repealed.

SECT. 5. This act shall take effect upon its passage.

Approved, May 3, 1890.