

[The original charter and amendments, which are repealed by the following act, will be found in appendix at the end of this book.]

AN ACT

TO AMEND THE CHARTER OF THE CITY OF CAMBRIDGE.

CHAPTER 364, ACTS OF 1891.

1. Municipal powers continued.
2. Administration of affairs and government vested in mayor and city council. Each branch to sit separately. Mayor and aldermen, how chosen. Common council, apportionment of members. How elected.
3. Number and boundaries of wards. Present apportionment of councilmen. Members of common council to be reapportioned every five years.
4. Annual municipal election. Term of office. Election of assessors and school committee. Term of office. Vacancies.
5. Elections to be held in pursuance of warrants. General meetings of qualified voters.
6. In case of non-election of the mayor or members of the city council. Vacancies, how filled. Removal from one ward to another shall not create a vacancy.
7. Mayor, aldermen and common councilmen to be sworn. Certificate of oath to be entered in record.
8. Executive powers, vested in the mayor. Surveyor of highways. Mayor to have control of police force. Special meetings of city council. Shall communicate such information as the interests of city require. Shall be *ex-officio* chairman of school committee. General duties. May summon heads of departments for consultation.
9. Officers shall be resident citizens. Mayor shall appoint officers. Appointment of assistant assessors. Appointments by mayor shall not be acted upon for one week, except, etc.
10. Removal of officers.
11. Ordinances, orders, etc., to be presented to the mayor for approval. He may veto votes of the city council. If not returned by mayor within ten days, order, etc., to be in force. Partial veto. May veto orders and votes of the aldermen.
12. Mayor to execute deeds, leases, etc.
13. Mayor shall keep record of official acts, may appoint a clerk. Salary.
14. Existing powers vested in city council. Quorum. No member shall receive compensation. Sittings to be public, except, etc.
15. City council may make ordinances and fix penalties.
16. Laying out, altering, etc., streets, and taking land for sewers. Damages and appeal.
17. Fire department. Powers of engineers.
18. Money not to be paid out unless appropriated. Report of receipts and expenditures.
19. Election of city clerk and assistant. May be removed. Duties. Election of city messenger and clerk of committees.
20. Election of city treasurer and city auditor. Treasurer to be collector of taxes. May be removed. Election of city solicitor. May be removed.
21. Election of overseers of the poor.
22. Treasurer may appoint deputy collectors of taxes. Special powers of treasurer.
23. Fees and commissions to be paid into city treasury.
24. Vacancies in board of assessors.
25. Members of city council shall not take part in the employment of labor. Nor, be appointed to any office of emolument.
26. Board of aldermen to be final judge of election of its members, and the members of school committee. President of board of aldermen. Special meetings. Mayor not to preside or appoint committees.
27. Board of aldermen may authorize the construction of sidewalks and assess for expense.
28. May fix number and compensation of police force. May grant licenses. General duties of aldermen.

29. President and clerk of common council. Duties of clerk. To be final judge of election of its members.
30. Vacancies in either branch.
31. School committee and overseers of poor, powers and duties. Superintendent of schools. Janitors of school-houses. Overseers of the poor to organize.
32. City council, etc., may employ clerks and attendants.
33. Officers to continue until successors are qualified.
34. Heads of departments to appoint subordinates, except chief of police and engineer of fire department.
35. Contracts for labor and material. Care of public works and buildings. Executive officers to be accountable to mayor. Contracts exceeding \$300. to be approved by the mayor. No expenditures

- in excess of appropriation to be made.
36. Heads of departments to furnish estimates to mayor. Mayor to submit them, with recommendations, to the city council. City council to make appropriations.
37. Ordinances to remain in force unless inconsistent.
38. Not to affect the licensing of railway drivers, etc., the appointment of registrar of voters, metropolitan sewerage system, or the civil service laws. Or the tenure of office of officers now in position. Water board and Cambridge cemetery commissioners.
39. Repeal of original charter and amendments, etc., etc. Repeal not to revive any act before repealed.
40. Act to be submitted to people for acceptance.
41. When to take effect.

Be it enacted, etc., as follows :

SECTION 1. The inhabitants of the city 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 provided for herein, or otherwise pertaining to said city as a municipal corporation.

SECT. 2. The administration of the fiscal, prudential, and municipal affairs of said city, and the government thereof, shall be vested in a mayor and a city council, which shall consist of a board of aldermen consisting, until the municipal year beginning on the first Monday in January in the year eighteen hundred and ninety-three, of ten members, and thereafter of eleven members, and a common council consisting of twenty members. Each branch shall sit separately, except when required to meet in joint convention by the provisions of this charter or by a concurrent vote. The mayor and aldermen shall be chosen by the qualified voters of the whole city. The city council shall apportion the members of the common council among the several wards as nearly as may be on the basis of population, and the qualified voters of each ward shall elect from among their number the members of the common council to which it shall be entitled on such apportionment.

SECT. 3. The city shall continue to be divided into five wards, which shall retain their present boundaries until the

same shall be changed under the general law relating thereto. The present apportionment of councilmen shall be retained until October in the year eighteen hundred and ninety-five. The city council shall, in the month of October in the year eighteen hundred and ninety-five and every fifth year thereafter, apportion the members of the common council to the several wards, in accordance with the provisions of the preceding section.

SECT. 4. An annual election for the choice of city officers shall be holden on the Tuesday next following the second Monday in December, and all officers who are chosen by the qualified voters shall be chosen by ballot; and such officers, except the assessors and the members of the school committee, shall hold their respective offices for the succeeding municipal year; to wit, beginning with the first Monday in January succeeding the annual election and continuing till the first Monday in January of the year following and until others shall be chosen and qualified to act in their stead. The qualified voters of the city shall at each annual election choose one of their number to be assessor for the term of three years, and one person from each ward as a member of the school committee for the term of three years, and shall, at such election, fill for the unexpired term such vacancies as occur at the end of the municipal year.

SECT. 5. All meetings of the qualified voters, for the purpose of voting at elections or for the transaction of municipal affairs, whether in city or in ward meetings, shall be holden in pursuance of warrants for that purpose, which shall be issued by the board of aldermen and shall be in such form and served and returned in such manner and at such time as the city council by ordinance shall direct. The board of aldermen shall issue their warrant for a general meeting of the qualified voters, for any constitutional or legal purpose, whenever requested to do so, in writing, by thirty such voters.

SECT. 6. If at the annual election a mayor or the required number of members of the city council shall not have been elected, or if any person elected shall refuse to accept the office to which he was chosen, the board of aldermen shall make a record of the fact and forthwith issue their warrant for another election; and the same proceedings

Present apportionment of councilmen.

Members of common council to be reapportioned every five years.

Annual municipal election.

Term of office.

Assessors and school committee. Election of. Term of office.

Vacancies.

Elections to be held in pursuance of warrants.

General meetings of qualified voters.

In case of non-election of the mayor or members of the city council.

Municipal powers continued.

Administration of affairs and government vested in mayor and city council.

Each branch to sit separately.

Mayor and aldermen, how chosen.

Common council, apportionment of members.

How elected.

Number and boundaries of wards.

shall be had as are provided by law for the original election ; and the same shall be repeated from time to time until a mayor and the required number of members of the city council shall have been chosen. Whenever a vacancy shall occur in either office by death, resignation, or otherwise, the board of aldermen may, and if such vacancy occur prior to the first of September in any year shall, forthwith issue their warrant for a new election. The removal of a person holding office from one ward to another shall not create a vacancy in such office, nor shall a change of ward boundaries create a vacancy in any office.

SECT. 7. The mayor, aldermen and members of the common council shall, before entering upon their offices, be sworn to the faithful performance of their respective duties ; and for that purpose shall meet in convention on the first Monday in January in each year at ten of the clock in the forenoon, when such oath may be administered to the mayor elect by any judge of any court of record in the Commonwealth or by any justice of the peace, and to the aldermen elect and common councilmen elect by the mayor, he being first sworn as aforesaid, or by any justice of the peace. A certificate that such oath has been taken shall be entered in the journals of the board of aldermen and of the common council by their respective clerks. If the mayor or any one or more of the aldermen or common councilmen shall not be present on the first Monday in January to take the oath required of them, the same may be administered to the mayor or aldermen at any meeting of the board of aldermen, and to the common councilmen at any meeting of the common council, thereafter, before entering upon office. A certificate that such oath has been taken shall be entered in the journal of the board at the meeting at which it was administered.

SECT. 8. The executive powers of said city and all the executive powers now vested in the mayor and in the board of aldermen, and in the surveyors of highways, shall be and hereby are, vested in the mayor, to be exercised through the several officers and boards of the city in their respective departments, under his general supervision and control. He shall at all times have the control and direction of the police force. He may call special meetings of the board of alder-

men and of the common council, or either of them, when in his opinion the interests of the city require it, by causing the 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 be *ex-officio* chairman of the school committee but shall have no right to vote. The mayor shall cause the laws, ordinances, orders, and regulations of the city to be executed and enforced. He shall exercise a general supervision and control over the official acts and conduct of all officers, and take proper action to cause every violation or neglect of duty to be punished. It shall be his duty to secure an honest, efficient, and economical conduct of the entire executive and administrative business of the city and the harmonious and concerted action of the different departments. The mayor may at any time summon heads of departments or subordinate officers for information, consultation, or advice upon the affairs of the city.

SECT. 9. All officers of the city not elected by the qualified voters shall be resident citizens of the city of Cambridge, and shall, except as herein otherwise provided, be appointed by the mayor, subject to confirmation by the board of aldermen, and for such terms respectively as are or may be fixed by law or ordinance, or, in case of an appointment to fill a vacancy, for the unexpired term. Subject to confirmation, as aforesaid, the mayor shall, annually, in the month of February, appoint one person from each ward to be an assistant assessor for the term of one year, beginning with the first day of March of that year. No appointment made by the mayor shall be acted upon by the board of aldermen until the expiration of one week after such appointment is transmitted to said board, except by unanimous consent of said board.

SECT. 10. The mayor after due hearing may, with the approval of a majority of the board of aldermen, remove any member of the board of overseers of the poor or of the board of health, any assistant assessor, any member of the police force or fire department, and any other officer of the city, except the members of the city council and school

The mayor shall communicate such information as the interests of city require.

Shall be *ex-officio* chairman of school committee.

General duties.

May summon heads of departments for consultation.

Officers shall be resident citizens.

Mayor shall appoint officers.

Assistant assessors, appointment of.

Appointments by mayor shall not be acted upon for one week, except, etc.

Removal of officers.

Vacancies, how filled.

Removal from one ward to another shall not create a vacancy.

Mayor, aldermen and common councilmen to be sworn.

Certificate of oath to be entered in record.

Executive powers vested in the mayor.

Surveyor of highways.

Mayor to have control of police force.

Special meetings of city council.

committee and their clerks and attendants, the principal assessors, the city clerk, the assistant city clerk, the city treasurer, the city auditor, the city messenger, clerk of committees, and city solicitor, for cause assigned by him.

SECT. 11. 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 the convention of the two branches, and every order of either branch involving expenditure of money, shall be presented to the mayor. If he approve thereof he shall signify his approval 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, upon 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, vote to pass the same, it shall be in force, unless it originally required concurrent action, in which case it shall, together with the objections, be sent to the other branch of the city council, where it shall also be reconsidered, and if approved by two thirds of such other branch, it shall likewise be in force. In all cases the vote shall be taken by yeas and nays. If such ordinance, order, resolution or vote shall not be returned within ten days after it shall have been presented to the mayor, the same shall be in force. He may except from his approval of any ordinance, order, resolution or vote of which he has the power of veto, any portion involving a distinct item of expenditure; in such case, instead of returning the original he shall transmit a copy of such portion not approved, which portion shall be reconsidered in the manner and with the effect above provided. The mayor's approval shall likewise be required to, and he shall have a similar power of veto, and with like limitations, over any order or vote of the board of aldermen which involves the exercise of any of the powers conferred by law upon the mayor and aldermen, or upon the board of aldermen as a separate board, but nothing herein contained shall affect the powers of said board in relation to votes cast at elections, nor shall the veto power of the mayor extend to elections.

SECT. 12. The mayor shall have sole power to sign, seal,

execute, and deliver, in behalf of the city, deeds and leases of lands sold or leased by the city, and other deeds, agreements, contracts, leases, indentures and assurances on behalf of the city, except as herein otherwise provided.

SECT. 13. The mayor shall cause to be kept a record of all his official acts, and may, without confirmation by the board of aldermen, appoint a clerk, whose compensation shall be fixed by the city council. The mayor shall 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 term of office.

SECT. 14. All the powers now vested by law in the city of Cambridge, or in the inhabitants thereof as a municipal corporation, except as herein otherwise provided, shall be vested in the city council and shall be exercised by a concurrent vote, each branch having a negative on the other. A majority of each branch shall constitute a quorum for the transaction of business. No member of either branch shall receive any compensation for his services. All sittings of the city council, or of either branch thereof, except for the consideration of candidates for election and except the sittings of the board of aldermen for consideration of appointments by the mayor, shall be public. But all votes on elections and on confirmations shall be taken in public.

SECT. 15. The city council shall have power to make ordinances and to fix penalties therein, as provided herein and by general law, which shall take effect from the time therein limited, without the sanction or confirmation of any court or justice thereof. All city ordinances shall be duly published, and in such newspaper or newspapers in said city as the city council shall direct. The city council may also by ordinance regulate the loads of vehicles using the streets of said city, and provide for the appointment, in accordance with the provisions of section nine, of public weighers, measurers, and surveyors, surveyors of mechanics' work, inspectors of junk shops and of junk collectors, inspectors of pawnbrokers and of dealers in second-hand articles, and other needful officers, and define their powers and duties, and fix their compensation.

SECT. 16. The city council shall have exclusive authority,

Ordinances, orders, etc., to be presented to the mayor for approval.

He may veto votes of the city council.

If not returned by mayor within ten days, order, etc., to be in force.

Partial veto.

May veto orders and votes of the aldermen.

Mayor to execute deeds, leases, etc.

Mayor shall keep record of official acts, may appoint a clerk.

Salary.

Existing powers vested in city council.

Quorum.

No member shall receive compensation

Sittings to be public, except, etc.

City council may make ordinances and fix penalties

Laying out, altering, etc., streets, and taking land for sewers.

subject to the veto power of the mayor, to lay out, alter, discontinue, or fix the grade of any highway, street or town way, and to take land therefor and for the construction of public drains and common sewers, and to estimate the damage which any person shall sustain thereby, but action upon said matters shall be first taken by the board of aldermen. Any person dissatisfied with the decision of the city council in the estimate of damages may, within one year thereafter, make complaint and application for a jury to the superior court in the county of Middlesex, upon which application the same proceedings shall be had as are or may be provided in sections one hundred and five, one hundred and six, one hundred and seven and one hundred and eight, of chapter forty-nine of the Public Statutes, or any acts in amendment thereof.

Damages and appeal.

Fire department.

SECT. 17. The city council may establish a fire department, with such officers, apparatus, and regulations for the government thereof as shall from time to time be prescribed by ordinance not inconsistent with this act. The engineers of the fire department shall have the powers of firewards and all powers conferred by section four of chapter thirty-five of the Public Statutes, in like manner as if said city had accepted said section.

Powers of engineers.

Money not to be paid out unless appropriated.

SECT. 18. The city council shall take care that no money shall be paid out from the city treasury unless previously granted and appropriated, and shall secure a just and proper accounting, in such manner as they may direct, from all boards and officers entrusted with the receipt, custody or disbursement of the moneys or funds of the city. The city council shall publish, once in every year at least, 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; the mayor and all officers and boards of the city shall make for such purpose such reports as the city council may request.

Report of receipts and expenditures.

Election of city clerk and assistant.

SECT. 19. The city council shall annually in the month of February by concurrent vote, the board of aldermen acting first, elect by ballot a city clerk and assistant city clerk, each of whom shall be sworn to the faithful discharge of his duties and shall hold his office for one year from the first day of March of that year, and until another shall be

chosen and qualified, but may be removed however at the pleasure of the city council. The city clerk shall be *ex-officio* clerk of the board of aldermen. He shall keep a journal of the votes and proceedings of the aldermen and also of the city council when sitting in convention, and shall perform such other duties as the aldermen and the city council may prescribe. He shall also perform all the duties and exercise all the powers usually pertaining to said office. He shall deliver up to his successor in office, as soon as chosen and qualified, all journals, records, record books, papers, documents or other things kept or held by him in his capacity of city clerk. The city council shall also annually in the month of April, by concurrent vote, the board of aldermen acting first, elect by ballot a city messenger and clerk of committees, each of whom shall hold office for one year from the first day of May of that year, and until another is chosen in his place, subject to removal at any time, by the city council.

May be removed.
Duties.

Election of city messenger and clerk of committees.

SECT. 20. The city council shall also annually in the month of February, by concurrent vote, the board of aldermen acting first, elect by ballot a city treasurer, who shall be the collector of taxes, and a city auditor, each of whom shall be sworn to a faithful discharge of his duties, and shall hold his office for one year from the first day of March of that year, and until another shall be chosen and qualified, but may be removed however at the pleasure of the city council. The treasurer and auditor shall deliver up to their respective successors in office as soon as chosen and qualified, or to any person designated by the city council, on their ceasing to fill such office, all books, funds, papers or other things kept or held by them as such officers. The city council shall also annually in the month of April, by concurrent vote, the board of aldermen acting first, elect a solicitor for the city of Cambridge, who shall be a resident citizen of Cambridge and an attorney and counsellor of the courts of the Commonwealth, and who shall hold office for one year, but may be removed however at the pleasure of the city council.

Election of city treasurer and city auditor.

Treasurer to be collector of taxes.

May be removed.

Election of city solicitor.

May be removed.

SECT. 21. The city council shall annually in the month of March, elect one person to be a member of the board of overseers of the poor, for the term of five years, beginning with the first Monday in May of that year.

Overseers of the poor, election of.

Treasurer may appoint deputy collectors of taxes.

SECT. 22. 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 with sufficient sureties 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. He shall as such collector have all special powers conferred on a treasurer appointed collector by vote of a city council.

Special powers of treasurer.

Fees and commissions to be paid into city treasury.

SECT. 23. 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 persons such compensation for services as the city council shall from time to time determine.

Vacancies in board of assessors.

SECT. 24. The city council shall, in joint convention, fill for the remainder of the municipal year all vacancies which shall at any time arise in the board of assessors.

Members of city council shall not take part in the employment of labor.

SECT. 25. Neither the city council nor either branch thereof, nor any member or committee thereof, or of either branch thereof, nor the board of aldermen acting in any capacity in which said board may act separately under special powers conferred upon it, nor any member or committee of said board acting in any such capacity, shall directly or indirectly take part in the employment of labor, nor, except as otherwise provided in this act, in the appointment or removal of any officers or subordinates for whose appointment and removal provision is herein made. No person shall be elected or appointed 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.

Nor, be appointed to any office of emolument.

Board of aldermen to be final judge of election of its members, and the members of school committee.

SECT. 26. The board of aldermen shall be the final judge of the election and qualification of its members and of the members of the school committee. The board of aldermen shall choose one of its members as president, who shall pre-

side at the meetings of the board and at joint conventions of the two branches of the city council. He may at any time call a special meeting of the board of aldermen by causing a notice to be left at the usual dwelling-place of each member. The mayor shall not be a member of, nor preside at any of the meetings, nor appoint any of the committees of the board of aldermen.

President of board of aldermen.

Special meetings.

Mayor not to preside or appoint committees.

SECT. 27. The board of aldermen may authorize the construction of sidewalks or the completion of any partially constructed sidewalk in said city. Such sidewalks may be with or without edgestones, and covered with brick, flat stones or concrete, and the expense of such edgestones and covering materials shall be assessed upon the abutting lands in just proportions, and shall constitute a lien thereon and be collected in the same manner as taxes on real estate. Such sidewalks when constructed and covered with brick, flat stones or concrete, as aforesaid, shall afterwards be maintained at the expense of the city.

Board of aldermen may authorize the construction of sidewalks and assess for expense.

SECT. 28. The board of aldermen shall from time to time fix the number and compensation of the members of the police force, and establish general regulations for its government. They shall have power to grant licenses to innholders, victuallers and retailers, and to grant other licenses for which provision is or shall be made by general law or ordinance, and may at any time revoke any license granted by them. They shall do all acts and perform all the duties which the selectmen of towns or the boards of aldermen of cities are by law required to do and perform, unless otherwise provided by general law or in this act.

May fix number and compensation of police force.

May grant licenses.

General duties of aldermen.

SECT. 29. The common council shall choose one of its members as president, who shall preside at its meetings, and shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office and shall hold 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 service in such office as the council may require. The common council shall be the final judge of the election and qualification of its members.

President and clerk of common council.

Duties of clerk.

To be final judge of election of its members.

SECT. 30. The city council, the board of aldermen, and the common council may respectively fill for the unexpired

Vacancies in either branch.

term any vacancy arising by reason of the death, resignation or removal of any officer elected by them,

SECT. 31. The school committee and overseers of the poor shall respectively perform all such duties as the school committee and overseers of the poor in towns are required by law to perform. The school committee shall annually elect a superintendent of schools and the teachers of the public schools, any of whom shall be removable by vote of the committee. The mayor shall appoint the janitors of school-houses, subject to confirmation by the school committee, and may remove them at pleasure for cause assigned; and such janitors shall perform their duties under the direction of the school committee. The overseers of the poor 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 members of the board shall be eligible to be chosen by said board to any position of emolument.

SECT. 32. The city council, the board of aldermen, the common council, and the school committee, may severally employ such clerks and attendants as they may deem proper for the suitable conduct of their business, and may remove the same at pleasure.

SECT. 33. Every officer of the city shall, unless sooner removed, continue after the expiration of his term of service to hold his office until his successor is appointed or elected and duly qualified.

SECT. 34. All heads of departments and boards of the city, except the chief of police and the chief engineer of the fire department, shall appoint their respective subordinates, for such terms of service, respectively, as are or may be fixed by law or ordinance, which appointments shall be forthwith certified by them to the mayor; the said officers and boards may remove such subordinates for such cause as they shall assign in writing in the order for removal, which order shall be forthwith communicated to the mayor.

SECT. 35. The several executive boards of the city and officers at the head of departments shall, in their respective departments, make and execute all necessary contracts for the employment of labor, the supply of materials, and the

construction, alteration and repair of all public works and buildings, and have the entire care, custody and management of all public works, institutions and buildings, and other property, and the direction and control of all the executive and administrative business of said city. All executive boards and officers shall be at all times accountable for the proper discharge of their duties to the mayor as the chief executive officer. They, and all subordinate officers shall, at all times, furnish such information as to matters under their control as the mayor or the city council may request. Every contract made in behalf of the city, in which the amount involved exceeds three hundred dollars, shall require the approval of the mayor before going into effect. No expenditures shall be made and no liability shall be incurred or be binding upon the city for any purpose beyond the appropriation previously made therefor. This section shall in no wise be construed as limiting or restricting the powers given to the school committee by the Public Statutes or any amendment thereto.

SECT. 36. The heads of departments and all other officers and boards having authority to expend money shall annually before the twentieth day of January, furnish an estimate to the mayor of the money required for their respective departments and offices for one year beginning with the first day of December preceding, and the mayor shall examine such estimates and submit the same with his recommendations thereon to the city council on or before the first day of February. The city council shall thereupon make the appropriation for the financial year beginning with the first day of December preceding.

SECT. 37. All ordinances of the city of Cambridge, or portions thereof, inconsistent with the provisions of this act are annulled, but such portions as are not inconsistent herewith are continued in force until amended or repealed by the city council.

SECT. 38. Nothing contained herein shall affect the provisions of chapter one hundred and eight of the acts of the year eighteen hundred and eighty-six, of chapter seventy of the acts of the year eighteen hundred and eighty-eight, of chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, or the enforcement of the

Care of public works and buildings.

Executive officers to be accountable to mayor.

Contracts exceeding \$300. to be approved by the mayor.

No expenditures in excess of appropriation to be made.

Heads of departments to furnish estimates to mayor.

Mayor to submit them, with recommendations, to the city council.

City council to make appropriations.

Ordinances to remain in force unless inconsistent.

Not to affect the licensing of railway drivers, etc., the appt. of reg. of voters, metropolitan sewerage system, or the civil service laws.

School committee and overseers of poor, powers and duties.

Superintendent of schools.

Janitors of school-houses.

Overseers of the poor to organize.

City council, etc., may employ clerks and attendants.

Officers to continue until successors are qualified.

Heads of departments to appoint subordinates, except chief of police and engineer of fire department.

Contracts for labor and material.

Or the tenure of office of officers now in position.

Water board and Cambridge cemetery commissioners.

Repeal of original charter and amendments, etc., etc.

provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four or of acts in amendment thereof, or of the rules made by the commissioners appointed thereunder, and none of the provisions of this act, except those relating to the power of removal, shall affect the tenure of office of any person now holding any office or position in the city, or the present powers of the board of health therein. (Except as herein provided, the Cambridge water board and the commissioners of the Cambridge cemetery shall continue to have and exercise all powers, and be subject to all duties now conferred or imposed upon them by law or ordinance until the same shall be modified or repealed.)

SECT. 39. Chapter one hundred and thirty-nine of the acts of the year eighteen hundred and thirty-two, chapter eighty-seven of the acts of the year eighteen hundred and thirty-five, chapter one hundred and nine of the acts of the year eighteen hundred and forty-six, chapter ninety-nine of the acts of the year eighteen hundred and fifty-one, chapter one hundred and fifty-five of the acts of the year eighteen hundred and fifty-three, the provisions of section one of chapter forty-four of the acts of the year eighteen hundred and fifty-five relating to method of appointment and removal of cemetery commissioners, and of section three of said chapter relating to execution of deeds by the city clerk, chapter one hundred and twelve of the acts of the year eighteen hundred and fifty-six, chapter seventy-five of the acts of the year eighteen hundred and fifty-seven, chapter one hundred and thirty-seven of the acts of the year eighteen hundred and fifty-nine, chapter one hundred and ninety-one of the acts of the year eighteen hundred and sixty-three, chapter sixty-eight of the acts of the year eighteen hundred and sixty-seven, chapter three hundred and thirty-six of the acts of the year eighteen hundred and sixty-nine, chapter two hundred and twenty-nine of the acts of the year eighteen hundred and seventy, chapters three hundred and thirty-seven and three hundred and forty-five of the acts of the year eighteen hundred and seventy-three, chapter forty-one of the acts of the year eighteen hundred and seventy-seven, chapter one hundred and two of the acts of the year eighteen hundred and seventy-eight, chapter one hundred and ninety

of the acts of the year eighteen hundred and seventy-nine, chapters one hundred and three, one hundred and ninety-three and two hundred and thirteen of the acts of the year eighteen hundred and eighty-six, and chapter two hundred and sixty of the acts of the year eighteen hundred and ninety, are hereby repealed; but such repeal shall not revive any act heretofore repealed, nor shall the repeal of said acts or the annulling of ordinances inconsistent herewith affect any act done, liability incurred, or any right accrued or established, or any suit or prosecution, civil or criminal, to enforce any right or penalty or punish any offence under the authority of said acts or ordinances.

SECT. 40. This act shall be submitted to the qualified voters of the city of Cambridge for acceptance at the next annual municipal election held therein, and the affirmative votes of a majority of the voters present and voting thereon shall be required for its acceptance.

SECT. 41. So much of this act as authorizes the submission of the question of its acceptance to the voters of said city shall take effect upon its passage, but it shall not further take effect unless accepted by the voters of said city as herein provided. [Approved May 29, 1891.]

[Accepted by the voters at the annual election held December 8, 1891.]

Repeal not to revive any act before repealed.

Act to be submitted to people for acceptance.

When to take effect.