

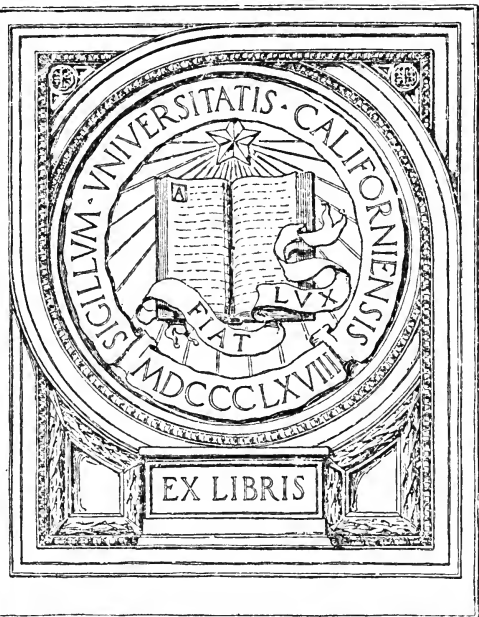
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CHARTER

OF THE

CITY OF CAMBRIDGE, MASSACHUSETTS

Being Chapter 364, Acts of 1891

As amended by Chapter 173, Acts of 1896, Chapter 397, Acts of 1901, Chapter 357, Acts of 1902, Chapter 491, Acts of 1907, Chapter 565, Acts of 1907, Chapter 566, Acts of 1907, Chapter 271, Acts of 1908, Chapter 362, Acts of 1908, Chapter 395, Acts of 1909, Chapter 81, Acts of 1912.

ACCEPTANCES

- Chapter 364, Acts 1891, on December 8, 1891. Yes, 3714; No, 1833.
 Chapter 173, Acts 1896, on April 1, 1896.
 Chapter 397, Acts 1901, on May 16, 1901.
 Chapter 357, Acts 1902, on June 27, 1902.
 Chapter 491, Acts 1907, on December 10, 1907. Yes, 4121; No, 3266.
 Chapter 565, Acts 1907, on December 10, 1907. Yes, 3785; No, 3502.
 Chapter 566, Acts 1907, on December 10, 1907. Yes, 3887; No, 3162.
 Chapter 271, Acts 1908, approved on March 25, 1908. (Did not require acceptance.)
 Chapter 362, Acts 1908, approved on April 7, 1908. (Did not require acceptance.)
 Chapter 395, Acts 1909, approved on May 14, 1909. (Did not require acceptance.)
 Chapter 441, Acts 1911, approved May 13, 1911. (Did not require acceptance.)
 Chapter 81, Acts 1912, approved on February 9, 1912. (Did not require acceptance.)
 Chapter 804, Acts 1913, on November, 1913. Yes, 7279; No, 2443.

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.

*Section 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 common council consisting of twenty members. Each branch shall sit

* See Section 4.

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separately, except when required to meet in joint convention by the provisions of this charter or by a concurrent vote. The qualified voters of the whole city shall elect from among their number the mayor and aldermen. In the year nineteen hundred and one, after the redivision of the city into wards according to section three of this act, the city council shall apportion two members of the common council to each ward, 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.

Section 3. In the year nineteen hundred and one the city shall be divided into eleven wards, the boundaries thereof to be determined and defined by the city council so as to include in each ward, as nearly as may be, the same number of male voters, but without disturbing the boundaries of the existing representative districts established by the county commissioners of the county of Middlesex. These boundaries so determined and defined shall be retained until the same shall be changed under the general law relating thereto. The apportionment of councilmen for the year nineteen hundred and one shall be retained until October in the year nineteen hundred and five. The City Council shall in the month of October, in the year nineteen hundred and five, and every fifth year thereafter, apportion the members of the common council to the several wards as nearly as may be on the basis of male voters.

Section 4. An annual election for the choice of city officers shall be holden on the Tuesday next following the second Monday in March, 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 April succeeding the annual election and continuing till the first Monday in April 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. The school committee shall consist of five members, to be elected as follows:—for the purpose of electing a school committee the city shall be divided into three districts. Wards one, two and three shall constitute the first district; wards four, five, six and seven shall constitute the second district; wards eight, nine, ten and eleven shall constitute the third district. The qualified voters of each dis-

trict shall elect from among their number one member of the school committee to serve for three years; and the qualified voters of the whole city shall elect from among their number two members of the school committee, each to serve for three years. At the municipal election next succeeding the adoption of this act one member of the school committee at large and a member from the first district shall be chosen for three years; one member at large and a member from the second district for two years; and a member from the third district for one year; and upon the election and qualification of these members the terms of all the present members of the school committee shall cease and determine. At each succeeding regular election the voters of the city and of the respective districts shall choose from among their number in place of those members of the school committee whose terms are about to expire an equal number of members to serve for three years. The qualified voters of the city shall at any such election fill for the unexpired term all vacancies then existing in the offices of assessor and school committee. Nothing, however, in this act shall affect the tenure of office of any person elected to the office of school committee during the years nineteen hundred and nineteen hundred and one, but every such person and his respective successor or successors shall hold such office during the remainder of such unexpired term.

Section 5. All the 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.

Section 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 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 July 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.

*Section 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.

Section 8. The executive powers of said city shall continue to be 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 may call special meetings of the board of aldermen 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, twenty-four hours at least before the time set for such meeting. He shall from time to time communicate to said boards respectively such information, and recommend such measures, as the interest of the city shall in his judgment require. 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

* See Section 4.

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 whole executive and administrative business of the city, and the harmonious and concerted action of the different departments. The mayor may at any time summon boards, heads of departments, or subordinate officers for information, consultation, or advice upon the affairs of the city, and he may at any time, with or without notice, and without expense to the city unless such expense has been authorized by the city council, investigate the affairs of any department and the official acts and conduct of any official in the administrative service of the city.

Section 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 two persons from each ward, one from each of the two principal political parties, to be assistant assessors for the term of one year, beginning with the first day of March of that year. The persons so appointed as assistant assessors shall perform together the work of assessing poll taxes in their respective wards. 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.

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

Section 11. Every ordinance, order, resolution or vote for the passage of which concurrence of the board of aldermen and of the

* See Chapter 425, Acts 1913.

common council may be necessary, except on a question of the convention of the two branches, or of any investigation of any officer or department of the city government, and except as may otherwise be provided herein, and every order of either branch involving expenditure of money, shall be presented to the mayor. If he approves thereof he shall signify his approval by signing the same, but if not he shall return the same with his objections in writing to the branch in which it originated, which shall enter the objections of the mayor, at length, upon its records and shall proceed to reconsider such ordinance, order, resolution or vote, and if after such reconsideration two-thirds of said branch, notwithstanding the 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 such 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 was presented to the mayor, the same shall be in force. The mayor's approval shall likewise be required for, and he shall have a similar power of veto, and with like limitations, over any order or vote of appropriation of the school committee and 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, and such order or vote shall be reconsidered, and may be passed by a two-thirds vote of said committee or board, notwithstanding the mayor's objections, as hereinbefore provided. Nothing herein contained shall affect the powers of the board of aldermen in relation to votes cast at elections, nor shall the veto power of the mayor extend to elections. He may except from his approval of any ordinance, order, resolution or vote of the city council or either branch thereof or of the school committee, when such ordinance, order, resolution or vote appropriates or requires an appropriation of money, any part involving a distinct item of appropriation. In such case, instead of returning the original he shall transmit a copy of the part not approved, which part shall be reconsidered in the manner and with the effect above provided. But no request for information from any board or city officer shall be subject to veto of the mayor.

Section 12. The mayor shall have sole power to sign, seal, execute and deliver, in behalf of the city, deeds and leases of land 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.

Section 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.

Section 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 the consideration of appointments by the mayor, shall be public. But all votes on elections and on confirmations shall be taken in public.

Section 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, or public weighers, measurers and surveyors, surveyors of mechanics' work, inspectors of junk shops and 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.

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

Section 17. The city council may establish a fire department with such offices, 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 fire wards 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.

Section 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 intrusted 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.

*Section 19. The city council shall annually in the month of February by concurrent vote, the board of aldermen acting first, elect by a ballot a city clerk **who 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 describe. 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

** See Chapter 425, Acts 1913.

a 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.

*Section 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 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 treasurer and auditor shall deliver up to their respective successors in office as soon as chosen or qualified, or to any person designated by the city council, on their ceasing to fill each office, all books, funds, papers, or other things kept or held by them as such officers. In the year nineteen hundred and eight, and every third year thereafter, in the month of April, the city council, by concurrent vote, the board of aldermen acting first, shall elect a solicitor for the city of Cambridge who shall be a resident citizen of Cambridge and admitted to practise in the courts of the commonwealth. He shall hold office for three years from the first day of May of that year and until a successor is chosen in his place, and shall be subject to removal at any time by the city council after a hearing for cause assigned by them.

Section 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.

Section 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 securities 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 a vote of a city council.

Section 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

* See Section 5, Chapter 565, Acts of 1907, post.

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.

Section 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.

Section 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 of 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 eligible for election or appointment to any municipal office by the mayor or city council, or either branch thereof, the salary of which office is payable from the city treasury, during the term for which such person was chosen as member of the city council.

Section 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 preside 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.

Section 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 on 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.

Section 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 inn holders, 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.

Section 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 qualifications of its members.

Section 30. The city council, the board of aldermen, and the common council may respectively fill for the unexpired term any vacancy arising by reason of the death, resignation or removal of any officer elected by them.

Section 31. The school committee and overseers of the poor shall respectively perform all those duties which the school committee and overseers of the poor in towns are required by law to perform. The school committee shall annually appropriate money for the maintenance of the schools and school buildings and for the salaries of all teachers and other employees including janitors of school buildings, employed by them: *provided, however*, that the words "maintenance of school buildings" shall not include the restoration of a school building when damaged or destroyed by fire, explosion or other unavoidable casualty. The total amount thus to be appropriated for the aforesaid purposes in addition to the money which may be given therefor, the income collected, the balance of appropriations of preceding years, and the money which may be authorized by acts of the general court passed prior to the year nineteen hundred and thirteen and not repealed, shall not exceed the following sums for the period specified:—For the financial year ending on the thirty-first day of March, nineteen hundred and fourteen, five dollars and twenty-five cents; for the financial year ending on the thirty-first day of March, nineteen hundred and fifteen, five dollars and fifty cents; for the financial year ending on the thirty-first day of March, nineteen hundred and sixteen, five dollars and

seventy-five cents, and for each financial year thereafter six dollars on each one thousand dollars of taxable property of the city, to be estimated by taking the average amount of taxable property during the three preceding years. The school committee shall appoint a superintendent of schools and shall elect the teachers of the public schools as provided by section thirty-two of chapter forty-two of the Revised Laws. It shall approve the situation and plans of all school buildings. It shall have entire charge of the buildings used for school purposes and shall have authority to appoint and remove, under the laws regulating the civil service, the janitors and other persons employed therein. It shall have entire control of the expenditure of moneys devoted to the maintenance of schools. The overseers of the poor shall, annually on the first Monday of May, meet and organize, and 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 the board to any position of emolument.

Section 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.

Section 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.

Section 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 term 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.

Section 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 amendments thereto.

Section 36. The heads of departments and all other officers and boards having authority to expend money, shall, annually, before the twentieth day of April 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 April 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 May. The city council shall thereupon make the appropriation for the financial year beginning with the first day of April preceding.

Section 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.

Section 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 provisions of chapter three hundred and twenty of the acts of 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.

Section 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 the 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 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.

Section 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.

Section 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.

CHAPTER 565, ACTS of 1907

Section 5. In the year nineteen hundred and eight and every third year thereafter in the month of May the city council shall elect a city clerk; and in the year nineteen hundred and nine and every third year thereafter in the month of May the city shall elect a city auditor; and each of these officers shall be elected by concurrent vote, the board of aldermen acting first, and shall hold office for three years from the first day of June of that year until a successor is chosen in his place, and provision of chapter four hundred and ninety-one of the acts of the year nineteen hundred and seven to the contrary notwithstanding. The city treasurer, *assistant city clerk, city messenger and clerk of committees shall be elected during the month of May by the city council, by concurrent vote, the board of aldermen acting first, and each of these officers shall hold office for one year from the first day of June, and until a successor is chosen in his place. The qualifications and duties of these officers respectively shall continue to be as already provided by law.

Section 6. All ordinances of the city of Cambridge, or parts thereof, inconsistent with the provisions of this act are annulled, but such parts as are not inconsistent herewith are continued in force until amended or repealed by the city council.

CHAPTER 441, ACTS of 1911

AN ACT RELATIVE TO UNEXPENDED BALANCES OF APPROPRIATIONS FOR SCHOOL PURPOSES IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Section 1. The unexpended balance in any year of the amount appropriated by law for school purposes in the city of Cambridge may, by written request of the school committee addressed to the city treasurer, be carried to the credit of the school committee for use in subsequent years for school purposes, and this shall be in addition to the five dollars on each one thousand dollars of taxable property to be appropriated or expended by the school committee in any subsequent years.

Section 2. This act shall take effect upon its passage.

Approved May 13, 1911.

* See Chapter 425, Acts 1913.

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