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THE  
MUNICIPAL REGISTER,  
CONTAINING THE  
CITY CHARTER,  
WITH  
RULES AND ORDERS  
OF THE  
CITY COUNCIL;  
ALSO  
THE ORDINANCES,  
AND A  
LIST OF THE OFFICERS  
OF THE  
*City of Roxbury,*  
FOR  
1857.

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ROXBURY:  
NORFOLK COUNTY JOURNAL PRESS.  
1857.

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# CITY CHARTER.

COMMONWEALTH OF MASSACHUSETTS.

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

## AN ACT to Establish the City of Roxbury.

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

SECT. 1. The inhabitants of the town of Roxbury shall continue to be a body politic and corporate, under the name of the City of Roxbury, 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.

Roxbury to be a city.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal officer, to be styled the Mayor ; one council of eight, to be called the board of aldermen ; and one council of twenty-four, to be called the common council ; which boards, in their joint capacity, shall be denominated the city council, and the members thereof shall be sworn to the faithful performance of the duties of their respective offices. A majority of each board shall con-

Administration to be vested in Mayor, Aldermen and Common Council.

To serve  
without  
pay.

stitute a quorum, for doing business, and no member of either board shall receive any compensation for his services.

Selectmen  
to divide  
the Town  
into Wards.

SECT. 3. It shall be the duty of the selectmen of the town of Roxbury, as soon as may be, after the passage of this act, and its acceptance by the inhabitants, as hereinafter provided, to divide said town into eight wards, as follows, to wit: *first*, by drawing a line between the second and third parishes, as near the old territorial parish line as may be convenient, and constituting the second parish one ward; *second*, by drawing a line in the same manner between the first and third parishes, and dividing the third parish into two wards, to contain, as nearly as may be convenient, an equal number of inhabitants; and, *third*, by dividing the first parish into five wards, as nearly equal in number of inhabitants as may be consistent with convenience in other respects.

To be re-  
vised every  
five years  
by City  
Council.

And it shall be the duty of the city council, once in five years, to revise, and, if it be needful, to alter said wards in such manner as to preserve as nearly as may be, an equal number of voters in each ward; *provided, however*, that the second parish shall always constitute at least one ward, and the third parish shall constitute at least two wards, without any addition of territory to either.

Election  
and duties  
of Warden  
and Clerk,  
and Inspec-  
tors of  
Elections.

SECT. 4. On the second Monday in March, annually, there shall be chosen by ballot, in each of said wards, a warden, clerk, and three inspectors of elections, residents of wards in which they are chosen, who shall hold their offices for one year, and until others shall have been chosen in their places, and qualified to act. It shall be the duty of such warden to preside at all ward meetings, with the power of moderators of town meetings. And if at any meeting the warden shall not be present, the clerk of such ward shall call the meeting to order, and preside until a warden pro tempore shall be chosen by ballot. And if at any meetings the clerk shall not be present, a clerk

pro tempore shall be chosen by ballot. The clerk shall record all the proceedings and certify the votes given, and deliver over to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. And it shall be the duty of the inspectors of elections to assist the warden in receiving, assorting, and counting the votes. And the warden, clerk and inspectors so chosen, shall respectively make oath or affirmation, faithfully and impartially to discharge their several duties, relative to all elections, which oath may be administered by the clerk of such ward, to the warden, and by the warden to the clerk and inspectors, or by any justice of the peace for the county of Norfolk.

All warrants for meetings of the citizens for municipal purposes, to be held either in wards or in general meeting, shall be issued by the mayor and aldermen, and shall be in such form, and shall be served, executed and returned in such manner, and at such times, as the city council may by any by-law direct.

Warrants  
for Ward  
and City  
meetings

SECT. 5. The mayor and eight aldermen, one alderman to be selected from each ward, shall be elected by the qualified voters of the city, at large, voting in their respective wards, and three common councilmen shall be elected from and by the voters of each ward, and shall be residents of the wards in which they are elected; all said officers shall be chosen by ballot, and shall hold their offices for one year from the first Monday in April: and the mayor, until another shall be elected and qualified in his place.

Elections  
of Mayor  
and City  
Council.

SECT. 6. On the second Monday in March, annually, immediately after a warden, clerk, and inspectors shall have been elected and sworn, the qualified voters in each ward shall give in their votes for mayor, aldermen and common councilmen, as provided in the preceding section; and all the votes so given, shall be assorted, counted,

Proceedings  
at Ward  
meetings.

declared and registered in open ward meeting, by causing the names of persons voted for, and the number of votes given for each, to be written in the ward records in words at length.

Certificates  
of Election.

The clerk of the ward, within twenty-four hours after such election, shall deliver to the persons elected members of the common council, certificates of their election, signed by the warden and clerk, and by a majority of the inspectors of elections, and shall deliver to the city clerk a copy of the records of such election, certified in like manner; *provided, however*, that if the choice of common councilmen cannot be conveniently effected on that day, the meeting may be adjourned, from time to time, to complete such election.

The board of aldermen shall, as soon as may be convenient, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who may have been elected mayor, to be notified in writing of his election; but if it shall appear that no person has received a majority of all the votes, or if the person elected shall refuse to accept the office, the board shall issue their warrants for a new election, and the same proceedings shall be had as are hereinbefore provided, for the choice of mayor, and repeated from time to time, until a mayor is chosen.

To supply  
vacancy in  
the office of  
Mayor

In case of the decease, resignation or absence of the mayor, or his inability to perform the duties of his office, it shall be the duty of the board of aldermen and the common council, in convention, to elect a mayor for the time being, to serve until another is chosen, or until the occasion causing the vacancy is removed.

and Alder-  
men.

And if it shall appear that the whole number of aldermen have not been elected, the same proceedings shall be had, as are hereinbefore provided for the choice of mayor. Each alderman shall be notified in writing, of his election, by the mayor and aldermen for the time being.

Mayor's  
oath.

The oath prescribed by this act shall be admin-

istered to the mayor by the city clerk, or any justice of the peace for the county of Norfolk.

The aldermen and common councilmen elect, shall, on the first Monday of April, at ten o'clock in the forenoon, meet in convention, when the oath required by this act shall be administered to the members of the two boards present, by the mayor or by any justice of the peace for the county of Norfolk, and a certificate of such oath having been taken, shall be entered on a journal of the mayor and aldermen, and of the common council, by their respective clerks.

And whenever it shall appear that no mayor has been elected previously to the said first Monday in April, the mayor and aldermen for the time being, shall make a record of that fact; an attested copy of which the city clerk shall read at the opening of the convention to be held as aforesaid.

Notice to Convention when no Mayor is chosen.

After the oath has been administered as aforesaid, the two boards shall separate; and the common council shall be organized by the choice of a president and a clerk, to hold their office during the pleasure of the common council, and to be sworn to the faithful performance of their duties.

Organization of the Common Council.

In case of the absence of the mayor elect, on the first Monday in April, the city government shall organize itself in the manner hereinbefore provided, and may proceed to business in the same manner as if the mayor were present, and the oath of office may be administered to the mayor at any time thereafter in a convention of the two branches.

In absence of Mayor at first meeting.

In the absence of the mayor, the board of aldermen may choose a chairman *pro tempore*, who shall preside at joint meetings of the two boards.

Mayor pro tem.

Each board shall keep a record of its own proceedings, and judge of the elections of its own members; and in failure of election, or in cases of vacancy, may order new elections. And in case of any such vacancy declared by either board, the mayor and aldermen shall order a new election.

Each Board judge of Elections of its own members, &c.

Duties of Mayor.

SECT. 7. The mayor thus chosen and qualified, shall be the chief executive officer of said city. It shall be his duty to be vigilant in causing the laws and regulations of the city to be enforced, and keep a general supervision over the conduct of all subordinate officers, with power to remove them for neglect of duty. He may call special meetings of the boards of aldermen and common council, or either of them, when necessary in his opinion, by causing notices to be left at the places of residence of the several members; he shall communicate, from time to time, to both of them, such information, and recommend such measures, as in his opinion the interests of the city may require; he shall preside in the board of aldermen, and in convention of the two branches, but shall have only a casting vote.

Compensation.

The salary of the mayor for the first year in which this charter shall take effect, shall be six hundred dollars, and no more; his salary shall afterwards be fixed by the city council, but neither increased nor diminished during the year for which he is chosen; and he shall have no other compensation: *provided, however,* that the city council shall have power to appoint the mayor commissioner of highways, when, in their opinion, such an office is necessary, and allow him a suitable compensation therefor.

May be appointed Commissioner of Highways.

Executive power in the Mayor and Aldermen.

SECT. 8. The executive power of said city generally, and the administration of the police, with all the powers heretofore vested in the selectmen of Roxbury, shall be vested in the mayor and aldermen, as fully as if the same were herein specially enumerated.

Police Office.

And the mayor and aldermen shall have full and exclusive power to appoint a constable and assistants, or a city marshal and assistants with the powers and duties of constables, and all other police officers; and the same to remove at pleasure.

Constables' bonds.

And the mayor and aldermen may require any person, appointed a constable of the city, to give

bonds, with such security as they may deem reasonable, before he enters upon the duties of his office, upon which bonds the like proceedings and remedies may be had, as are by law provided in case of constables' bonds taken by the selectmen of towns.

And the mayor and aldermen shall have the same power to grant licenses to innholders, victuallers and retailers within the city, which is possessed by the mayor and aldermen of the city of Boston. Licenses.

The city council shall annually, as soon after their organization as may be convenient, elect, by joint ballot in convention, a treasurer and collector of taxes, a chief engineer, a city clerk, and three assessors of taxes, and fix their compensations. They shall, also, in such manner as they shall determine, appoint or elect all other subordinate officers, for whose election or appointments other provision is not herein made, define their duties and fix their compensations. To appoint certain officers.

All sittings of the common council shall be public, and all sittings of the mayor and aldermen shall also be public, when they are not engaged in executive business. Sittings public.

The city council shall take care that no moneys be paid from the treasury, unless granted or appropriated: shall secure a just and proper accountability by requiring bonds, with sufficient penalties and sureties, from all persons trusted with the receipt, custody, or disbursement of money; shall have the care and superintendence of the city buildings, with power to let, or to sell what may be legally sold; and to purchase property, real or personal, in the name and for the use of the city, whenever its interest or convenience may, in their judgment, require it. And the city council shall, as often as once in a year, cause to be published, for the use of the inhabitants, a particular account of the receipts and expenditures, and a schedule of city property.

Mayor to  
nominate.

SECT. 9. In all cases in which appointments are directed to be made by the mayor and aldermen, the mayor shall have the exclusive power of nomination; such nomination, however, being subject to be confirmed or rejected by the board of aldermen: *provided, however*, that no person shall be eligible to any office of emolument, the salary of which is payable out of the city treasury, who, at the time of such appointment, shall be a member of the board of aldermen or of the common council.

Members of  
City Council  
not eligible  
to offices of  
emolument.

Duties of  
City Clerk.

SECT. 10. The city clerk shall also be clerk of the board of aldermen, and shall be sworn to the faithful performance of his duties. He shall perform such duties as shall be prescribed by the board of aldermen, and he shall perform all the duties, and exercise all the powers, by law incumbent upon, or vested in, the town clerk of the town of Roxbury. He shall be chosen for one year, and until another shall be chosen and qualified in his place; but may be at any time removed by the city council.

Overseers  
of the Poor.

SECT. 11. The qualified voters of each ward, at their respective annual ward meetings for the choice of officers, shall elect by ballot one person in each ward to be an overseer of the poor, who shall be a resident of said ward; and the person thus chosen, together with the mayor, shall constitute the board of overseers of the poor, and shall have all the powers and be subject to all the duties now by law appertaining to the overseers of the poor for the town of Roxbury.

School  
Committee.

The qualified voters shall, at the same time and in the same manner, elect three persons from the city at large, and two persons from each ward, to be members of the school committee: and the persons thus chosen shall constitute the school committee, and have the care and superintendence of the public schools.

Assistant  
Assessors.

The qualified voters shall, at the same time and in like manner, elect one person in each ward to be an assistant assessor, who shall be a resident of



said ward; and it shall be the duty of the persons so chosen to furnish the assessors with all necessary information relative to persons and property taxable in their respective wards, and they shall be sworn to the faithful performance of their duty.

The persons to be chosen by the city council as Assessors. assessors, shall constitute the board of assessors, and shall exercise the powers and be subject to the duties and liabilities of assessors in towns.

All taxes shall be assessed, apportioned and collected in the manner prescribed by law relative to town taxes: *provided, however,* that it shall be lawful for the city council to establish further and additional provision for the collection thereof. Council may make further provision for collection of Taxes.

Should there fail to be a choice of overseers of the poor, members of the school committee, or assistant assessors in any ward, the vacancy or vacancies shall be filled by the city council in convention, in the same manner that is provided for filling vacancies in the senate of this Commonwealth. Vacancies, how filled.

SECT. 12. The city council shall have exclusive Highways. authority and power to lay out any new street or town way, and to estimate the damages any individual may sustain thereby; but all questions relating to the subject of laying out, accepting, altering, or discontinuing any street or way, shall first be acted upon by the mayor and aldermen. And any person dissatisfied with the decision of the city council in the estimate of damages, may make complaint to the county commissioners of the county of Norfolk, at any meeting held within one year after such decision; whereupon the same proceedings shall be had as are now provided by the laws of the Commonwealth in cases where persons are aggrieved by the assessment of damages by selectmen, in the twenty-fourth chapter of the Revised Statutes. Appeal to County Commissioners.

SECT. 13. All power and authority now by law Health. vested in the Board of Health for the Town of Roxbury, or in the selectmen of said town, shall

be transferred to, and invested in the city council, to be carried into execution in such manner as the city council shall deem expedient.

Common  
Sewers.

SECT. 14. The city council shall have authority to cause drains and common sewers to be laid down through any street or private lands, paying the owners such damages as they may sustain thereby; and to require all persons to pay a reasonable sum for the privilege of opening any drain into said public drain or common sewer.

Inspection  
of Lumber,  
&c.

And the city council may make by-laws, with suitable penalties, for the inspection, survey, measurement and sale of lumber, wood, coal, and bark, brought into the city for sale.

Prosecu-  
tions for  
breach of  
City Laws,  
&c.

SECT. 15. All fines, forfeitures, and penalties accruing for the breach of any by-laws of the City of Roxbury, or of any of the ordinances of the city council, or of any of the orders of the mayor and aldermen, may be prosecuted for and recovered before any justice of the peace in said city of Roxbury, by complaint or information in the name of the Commonwealth, in the same way and manner in which other criminal offences are now prosecuted before the justices of the peace within this Commonwealth; reserving, however, in all cases, to the party complained of and prosecuted, the right of appeal to the Court of Common Pleas, then next to be held in the county of Norfolk, from the judgment and sentence of any justice of the peace.

And the appeal shall be allowed on the same terms and the proceedings be conducted therein in the same manner as provided in the one hundred and thirty-eighth chapter of the Revised Statutes of this Commonwealth.

And it shall be sufficient in all such prosecutions to set forth in the complaint the offence fully, plainly, substantially, and formally, and it shall not be necessary to set forth such by-law, ordinance or order, or any part thereof.

All fines, forfeitures and penalties so recovered

and paid, shall be paid to the treasurer of the City of Roxbury, and shall enure to such uses as said city council shall direct.

When any person upon any conviction before a justice of the peace, for any breach of any by-law of said City of Roxbury, or any of the ordinances of the city council, or any of the orders of the mayor and aldermen, shall be sentenced to pay a fine, or ordered to pay any penalty or forfeiture, provided by any such by-law, ordinance, or order, or upon claiming an appeal, shall fail to recognize for his appearance at the court appealed to, and there to prosecute his appeal and to abide the sentence or order of the court thereon, and in the mean time to keep the peace and be of good behavior, and upon not paying the fine, penalty or forfeiture and costs so assessed upon him, he shall be committed to prison, there to remain until he or she shall pay such fine, forfeiture or penalty and costs, or be otherwise discharged according to law.

The provisions of this section shall also apply to all prosecutions founded on the by-laws or ordinances of the town of Roxbury, which may continue in force after this act shall go into operation.

SECT. 16. It shall be the duty of the city council annually, in the month of October, to meet in convention and determine the number of representatives to be elected by the city to the General Court in such year, which shall be conclusive, and the number thus determined shall be specified in the warrant calling meetings for the election of representatives.

Representatives.

SECT. 17. All elections for County, State, and United States officers, who are voted for by the people, shall be held at meetings of the citizens qualified to vote in such elections, in their respective wards, at the time fixed by law for these elections respectively; and at such meetings all the votes given for said several officers respectively, shall be assorted, counted, declared and registered in open ward meeting, by causing the names of all

Proceedings at and after meetings for election of County, State and Federal officers.

persons voted for, and the number of votes given for each, to be written in the ward record in words at length. The ward clerk shall forthwith deliver to the city clerk a certified copy of the record of such elections. The city clerk shall forthwith record such returns, and the mayor and aldermen shall within two days after every such election, examine and compare all said returns, and make out a certificate of the result of such elections, to be signed by the mayor and a majority of the aldermen, and also by the city clerk, which shall be transmitted or delivered in the same manner as similar returns are by law directed to be made by selectmen of towns. And in all elections for representatives to the General Court, in case the whole number proposed to be elected shall not be chosen by a majority of the votes legally returned, the mayor and aldermen shall forthwith issue their warrant for a new election, conformably to the provisions of the Constitution, and the laws of the Commonwealth.

List of  
Voters.

SECT. 18. Prior to every election, the mayor and aldermen shall make out lists of all the citizens of each ward qualified to vote in such elections, in the manner in which selectmen of towns are required to make out lists of voters; and for that purpose they shall have full access to the assessors' books and lists, and be entitled to the assistance of all assessors, assistant assessors, and the city officers, and they shall deliver said lists, so prepared and corrected, to the clerks of said wards, to be used at such elections; and no person shall be entitled to vote whose name is not borne on such list.

Meetings of  
the citizens.

SECT. 19. General meetings of the citizens qualified to vote, may, from time to time, be held, to consult upon the public good; to instruct their representatives, and to take all lawful measures to obtain redress for any grievances, according to the right secured to the people by the Constitution of this Commonwealth. And such meetings may and

shall be duly warned, by the mayor and aldermen, upon the requisition of fifty qualified voters.

SECT. 20. For the purpose of organizing the system of government hereby established, and putting the same into operation in the first instance, the selectmen of the town of Roxbury for the time being, shall, on some day during the months of March and April of the present year, issue their warrants seven days at least previous to the day so appointed for calling meetings of the said citizens at such place and hour as they may deem expedient, for the purpose of choosing a warden, clerk and inspectors for each ward, and all other officers whose election is provided for in the preceding sections of this act, and the transcripts of the records of each ward, specifying the votes given for the several officers aforesaid, certified by the warden and clerk of such ward, at said first meeting, shall be returned to the said selectmen, whose duty it shall be to examine and compare the same, and in case said elections should not be completed at the first meeting, then to issue new warrants until such elections shall be completed; and to give notice thereof in the manner hereinbefore provided to the several persons elected. And at said first meeting, any inhabitant of said ward, being a legal voter, may call the citizens to order, and preside until a warden shall have been chosen. And at said first meeting, a list of voters in each ward, prepared and corrected by the selectmen for the time being, shall be delivered to the clerk of each ward, when elected, to be used as herein before provided. And the selectmen shall appoint such time for the first meeting of the city council as they may judge proper, after the choice of city officers as aforesaid, or a majority of the members of both branches, in the year one thousand eight hundred and forty-six, and shall also fix upon the place and the hour of said first meeting, and a written notice thereof shall be sent by said selectmen, to the place of abode of each of the city officers chosen,

First organization of the City Government.

as provided in this section. And after this first election of city officers, and this first meeting for the organization of the city council, as in this section is provided, the day of holding the annual elections, and the day and hour for the meeting of the city council, for the purpose of organization, shall remain as provided in the sixth section of this act.

And it shall be the duty of the city council, immediately after the first organization, to elect all necessary city officers, who shall hold their offices respectively until others are chosen and qualified; and at the meetings to be called, as prescribed in this section, for the choice of ward and city officers, the said inhabitants may, and shall, also give in their votes for county officers, which votes shall be recorded, certified and returned in the manner provided in the seventeenth section of this act.

Power of  
the City  
Council to  
make  
By-Laws.

SECT. 21. The city council shall have power to make all such salutary and needful by-laws, as towns, by the laws of this Commonwealth, have power to make and establish, and to annex penalties, not exceeding twenty dollars, for the breach thereof, which by-laws shall take effect and be in force from and after the time therein respectively limited, without the sanction of any court, or other authority whatever; *provided, however,* that all laws and regulations now in force in the Town of Roxbury, shall, until they shall expire by their own limitation, or be revised or repealed by the city council, remain in force; and all fines and forfeitures for the breach of any by-law, or ordinance, shall be paid into the city treasury.

Annual  
town meet-  
ing suspend-  
ed, &c., and  
town officers  
to hold over,  
&c.

SECT. 22. The annual town meeting for the Town of Roxbury, which by law is required to be held in the month of March, or April, is hereby suspended, and all town officers now in office, shall hold their places until this act shall go into operation; and in case this charter shall not be accepted in the manner and form as hereinafter provided, then the selectmen shall issue their warrant accord-

ing to law, for holding the annual town meeting of the inhabitants, in which all the proceedings shall be the same as if this act had not been passed.

SECT. 23. All officers of the town of Roxbury, 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. Delivery, &c. of Records to City Clerk.

SECT. 24. All such acts, and parts of acts, as are inconsistent with the provisions of this act, shall be, and the same are hereby repealed. Repeal of inconsistent provisions.

SECT. 25. 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. Legislature may alter and amend this act.

SECT. 26. This act shall be void, unless the inhabitants of the Town of Roxbury, at a legal town meeting called for that purpose, shall by a vote of a majority of the voters present, and voting thereon, by a written ballot, determine to adopt the same within twenty days from and after its passage. Act to be void unless accepted by the inhabitants.

SECT. 27. This act shall go into operation from and after its passage. When to take effect.

[Passed March 12, 1846.]

EXTRACT FROM THE RECORDS OF THE TOWN OF  
ROXBURY.

At a meeting of the Freeholders and other Inhabitants of the Town of Roxbury, qualified to vote in Town affairs, duly warned and legally assembled at the Town Hall, in said town, on Wednesday, the twenty-fifth day of March, A. D. 1846.

ART. 1. John J. Clarke, Esq., was chosen Moderator.

The Town voted that the Poll be closed at six o'clock this day.

ART. 2. The qualified voters were called upon by the Moderator to bring in their ballots, Yea or Nay, for the acceptance or rejection of the Act of the Legislature to "Establish the City of Roxbury."

The same being sorted and counted, it appeared that the whole number of ballots given in was one thousand and twenty-eight.

Eight hundred and thirty-six Yeas.

One hundred and ninety-two Nays.

Whereupon the Moderator then declared that the "Act to Establish the City of Roxbury," had been accepted by the people.

The Meeting was then dissolved.

A true Record.

*Attest:* NATH'L S. PRENTISS, *Town Clerk.*

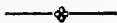
August 31, 1846.

A true copy from the Record.

JOSEPH W. TUCKER, *City Clerk.*



# A M E N D M E N T .



## COMMONWEALTH OF MASSACHUSETTS.

In the Year One Thousand Eight Hundred and Fifty.

AN ACT in addition to an Act to establish the City of Roxbury.

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

SECT. 1. The several municipal officers whose election by the people is provided for in the act to which this is an addition, shall, subsequently to the March election of the present year, be chosen on the second Monday of December, annually, and shall enter upon the duties of their respective offices on the first Monday in January, each year; but the officers chosen for the municipal year, commencing with the first Monday of April next, shall hold their offices only until the first Monday of January ensuing.

SECT. 2. So much of the sixth section of the act to which this is an addition, as relates to warden, clerk and inspectors, is hereby repealed.

SECT. 3. Any vacancy in the office of overseer of the poor, assistant assessor, or school committee, may be filled in the manner provided in the sixth section of that act to which this is in addition, for filling vacancies in the common council.

SECT. 4. The list of jurors in the City of Roxbury, shall be prepared by the mayor and aldermen of the city, in the same manner as is required in the ninety-fifth chapter of

the Revised Statutes, to be done by the selectmen, within and for their respective towns; and the lists, when made out by the mayor and aldermen, shall be submitted to the common council for concurrent revision or amendment.

SECT. 5. The said mayor and aldermen, and the clerk of the city, shall severally have and exercise, all the powers and duties, with regard to the drawing of jurors in the City of Roxbury, and all other matters relating to jurors therein, which are, in the ninety-fifth chapter of the Revised Statutes, required to be performed by the selectmen and town clerks in their respective towns; and all venirens for jurors to be returned from Roxbury, shall be served on said mayor and aldermen.

SECT. 6. This act shall be void, unless approved by the voters of Roxbury, at meetings held simultaneously in the several wards, upon notice duly given, at least seven days before the time of said meetings, and within thirty days after the passage of this act.

SECT. 7. The mayor and ward officers chosen under this act, shall hold their respective offices for one year, and until others shall have been chosen in their places and qualified to act.

SECT. 8. This act shall take effect from and after its passage.

[Approved by the Governor, Feb. 12, 1850.]

ACCEPTANCE OF THE AMENDMENT.

IN BOARD OF ALDERMEN, FEB. 25, 1850.

*Ordered*, That Aldermen Young and Ward be a Committee to examine the returns of votes from the several wards, as given in this day upon an amendment to the City Charter, who subsequently reported as follows:

The Special Committee to whom was referred the returns of votes from the several wards, as given in this day, upon an amendment to the City Charter, entitled "An Act in addition to an Act to Establish the City of Roxbury," passed February 12, 1850, submit the following report:

The whole number of ballots given in the several wards was one hundred and twenty-four.

For the amendment to the City Charter, *one hundred and fifteen*; against the amendment, *nine*.

No return was received from ward seven.

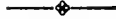
C. YOUNG, }  
R. WARD, } *Committee.*

Report read and accepted, and the amendment declared to be adopted.

A true copy from the Record.

*Attest* :           JOSEPH W. TUCKER, *City Clerk.*

# A M E N D M E N T.



COMMONWEA H F MASSACHUSETTS.

In the Year One Thousand Eight Hundred and Fifty-Two.

AN ACT in further addition to an Act to establish the  
City of Roxbury.

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

SECT. 1. The number of wards of said City shall be five, and each ward respectively, shall embrace the same territory as at present, unless altered as hereinafter provided. It shall be the duty of the City Council, once in five years, to revise, and, if it be needful, to alter said wards in such manner as to preserve, as nearly as may be, an equal number of voters in each ward.

SECT. 2. The second section of the said act, entitled "An Act to establish the City of Roxbury," is hereby so far amended, that from and after the election of the five additional Common Councilmen for the current municipal year, whose election is hereinafter provided for, the Council called the Common Council, shall consist of twenty.

SECT. 3. The Mayor and eight Aldermen, one Alderman to be selected from each ward, and three Aldermen from the city at large, shall be elected annually, by the qualified voters of the city at large, voting in their respective wards, and four Common Councilmen shall be elected annually from and by the voters of each ward, who shall be residents of the wards in which they are elected; all of

said officers shall be chosen by ballot, and shall hold their offices for one year from the first Monday of January, and the Mayor until another shall be elected and qualified in his place; all of said officers shall be elected on the second Monday of December annually, and shall enter upon the duties of their respective offices on the first Monday of January each year.

SECT. 4. There shall be elected, at such time in the month of February or March, of the present year, as the Mayor and Aldermen shall appoint, by the qualified voters of the city at large, voting in their respective wards, three Aldermen from the city at large, in addition to those already elected from wards, and one Common Councilman shall be elected from and by the voters of each ward, in addition to those already elected; and the Common Councilmen so elected shall be residents of the wards in which they are elected; all of said officers shall be chosen by ballot, and shall enter upon the duties of their respective offices as soon as may be after their election, and shall hold their respective offices until the first Monday of January next; and in case of failure of election, of either of said Aldermen or Common Councilmen, or in case of vacancy from any other cause, the Mayor and Aldermen shall order a new election for the purpose of filling such vacancy, as is provided in the sixth section of the act to which this is in addition.

SECT. 5. This act shall be void, unless the inhabitants of Roxbury, at any general meeting, duly warned by public notice, of at least seven days, by the Mayor and Aldermen, shall, (within thirty days from the passage hereof,) by written vote, adopt the same.

SECT. 6. All acts, or parts of acts, inconsistent herewith, are hereby repealed.

SECT. 7. This act shall take effect from and after its passage.

[Approved by the Governor, Feb. 11, 1852.]

## ACCEPTANCE OF THE AMENDMENT.

EXTRACT FROM THE RECORDS OF THE CITY OF ROXBURY.

At a meeting of the Inhabitants of the City of Roxbury, qualified to vote in elections, duly warned and legally assembled at the City Hall in said city, on Monday, the twenty-third day of February, 1852.

ART. 1. Laban S. Beecher, Esq. was chosen Moderator.

It was voted that the Poll be closed at 7 o'clock.

ART. 2. The qualified voters were called upon by the Moderator to bring in their ballots, Yea or Nay, for the acceptance or rejection of the act of the Legislature, entitled "An Act in further addition to an Act to establish the City of Roxbury," passed Feb. 11, 1852.

The same being sorted and counted, it appeared that the whole number of ballots given in, was two hundred and fifty-eight.

Two hundred and forty-five Yeas.

Thirteen Nays.

Whereupon the Moderator then declared that the "Act in further addition to an Act to establish the City of Roxbury," had been accepted by the people.

The meeting was then dissolved.

A true Record.

JOSEPH W. TUCKER, *City Clerk.*

# STATE LAWS.

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## AN ACT

### Concerning the Power of Cities.

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

SECT. 1. The City Council of any city shall have power and authority to make all by-laws not inconsistent with the laws of the Commonwealth, that may be necessary to preserve the peace, good order, and internal police of such city, and they may annex suitable penalties, not exceeding twenty dollars for any one breach thereof, to be recovered by complaint before any Police Court in such city, or any Justice of the Peace in a city where no Police Court is established. *Provided*, That nothing herein contained shall be construed to affect the provisions of an Act entitled an Act to prevent obstructions in the streets of cities, and to regulate hackney coaches and other vehicles, passed at the present session of the Legislature.

SECT. 2. So much of an Act passed on the ninth day of April, in the present year, entitled an Act concerning the powers of cities or towns, as relates to any city in the Commonwealth, is hereby repealed.

[Approved by the Governor, April 24, 1847.]

## A N A C T

Relating to a Public Cemetery in the City of Roxbury.

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

SECT. 1. The City Council of Roxbury is hereby authorized to elect, by joint ballot in convention, a board of five Commissioners, for the term of five years, who shall have the sole care, superintendence and management of the Rural Cemetery, established by said City Council; one member of which board shall go out of office each year, and one member shall be chosen annually in the month of March: but said board or either member thereof, after having had an opportunity to be heard in his or their defence, may be removed at any time, by a concurrent vote of two-thirds of each branch of the City Council; and in case of a vacancy in said board of Commissioners by death, resignation, removal or otherwise, such vacancy shall be filled by the choice of another Commissioner in the manner aforesaid, who shall hold his office for the residue of the term for which such member so deceased, resigned or removed, would have held the same. Said board may be organized by the choice of a chairman and secretary from their own number, and a major part of said board shall constitute a quorum for the exercise of the powers and the performance of the duties of the said office. And the term for which the several members of the first board of Commissioners shall hold their office, shall be determined by the City Council as follows: The Commissioner first chosen, shall hold his office for five years; the Commissioner next chosen, shall hold his office for four years; the Commissioner next chosen, shall hold his office for three years; the Commissioner next chosen, shall hold his office for two years; and the Commissioner next chosen, shall hold his office for one year.

SECT. 2. The said board of Commissioners shall set apart and appropriate a portion of said Cemetery as a public burial-place for the use of the inhabitants of the City of Roxbury, free of any charge therefor; and they shall lay



out said Cemetery in suitable lots, or other subdivisions, for family or other burial places, with all the necessary paths and avenues, and may plant and embellish the same with trees, shrubs, flowers, and other rural ornaments, and may enclose and divide the same with proper fences, and erect or annex thereto such suitable edifices, appendages and conveniences, as they shall from time to time deem expedient; and said board may make all necessary by-laws, rules and regulations, in the execution of their trust, not inconsistent with this act and the laws of the Commonwealth, as they may deem expedient.

SECT. 3. Said board of Commissioners shall have authority to grant and convey to any person or persons by deeds duly executed, the sole and exclusive right of burial, and of erecting tombs, cenotaphs, and other monuments in any of the designated lots or subdivisions of said Cemetery, upon such terms and conditions as they shall by their rules and regulations prescribe.

SECT. 4. The proceeds of sales of lots or rights of burial in said Cemetery, shall be paid into the city treasury, to be kept separate from any other funds of the city, and subject to the order of said Commissioners, and such proceeds shall be devoted to the liquidation of the debt incurred in the purchase of the land for said Cemetery, and to the improvement and embellishment thereof, as aforesaid, under the direction of said board of Commissioners. And no other moneys shall be appropriated from the city treasury by the City Council, for such improvement and embellishment.

SECT. 5. Said board of Commissioners shall annually, in the month of February, and whenever required by the City Council, make and render a report in writing of all their acts and proceedings, and of the condition of the Cemetery, and an account of the receipts and expenditures for the same, and the funds subject to their order.

SECT. 6. This act shall be void unless the City Council of Roxbury shall accept the same at a meeting of said City Council, called for that purpose, within thirty days after its passage.

SECT. 7. This act shall take effect from and after its passage.

[Approved by the Governor, March 24, 1848.]

[Accepted by the City Council.]

## A N A C T

In Addition to an Act relating to a Public Cemetery in the City of Roxbury.

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

SECT. 1. The Board of Commissioners of the Rural Cemetery in Roxbury, elected by the City Council, pursuant to an act approved March twenty-fourth, one thousand eight hundred and forty-eight, are authorized to take and hold any grant, donation, or bequest of property, upon trust, to apply the same, or the income thereof, for the improvement or embellishment of the said Cemetery, or for the erection, repair, preservation, or renewal of any monument, fence or other erection, or for the planting and cultivation of trees, shrubs or plants in or around any lot, or for improving the said premises in any other manner or form, consistent with the purposes for which said Cemetery is established, according to the terms of such grant, donation or bequest; and whenever any such grant, donation or bequest, or any deposit shall be made by the proprietor of any lot in said Cemetery, for the annual repair, preservation or embellishment of such lot and the erections thereon, the said Commissioners may give to such proprietor, or his representative, an agreement or obligation, in such form, and upon such terms and conditions as they may establish, binding themselves and their successors to preserve and keep in repair said lot, forever, or for such period as may be agreed on.

SECT. 2. Any sums of money, so received by said Commissioners, shall be invested by the City Treasurer of Roxbury, under the direction of said Commissioners, in public stocks, or mortgages of real estate, and all such property received under the provisions of the foregoing section (unless other provision is made by the terms of any such grant, donation or bequest,) shall be made under the charge of said City Treasurer, but shall always remain separate from and independent of any other moneys or property belonging to the City of Roxbury, and free from

the control of the City Council. And the income of such fund or funds shall be received by said Treasurer, subject to the order of said Commissioners, and shall be appropriated by them in such manner as shall, in their opinion, best promote the purposes for which said grants, donations, bequest or deposits are made.

SECT. 3. The City of Roxbury shall be responsible for the good faith of said Commissioners and the Treasurer of said city, in the execution of any trust which they may assume pursuant to the foregoing provisions. But said Commissioners shall not be liable to make any renewal or reconstruction of any monument, or other erection, on any lots in said Cemetery, unless such liability shall be expressed in the agreement given by them as aforesaid, or in the terms and conditions under which they accept any grant, donation or bequest.

SECT. 4. This act shall be void, unless the City Council of Roxbury shall accept the same at a meeting of said Council called for that purpose, within thirty days after its passage.

SECT. 5. This act shall take effect from and after its passage.

[Approved by the Governor, Feb. 25, 1852.]

[Accepted by the City Council.]

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## A N A C T

### Relating to Town and Private Ways.

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

SECT. 1. When any town or private way shall be laid out, altered, or widened, by selectmen or county commissioners, they shall, in their report or return thereof, allow the owner of the land through which said way may pass, a reasonable time to take off his trees, fences, and other property, which may obstruct the building of such way.

SECT. 2. If said owner shall not remove the same within the time allowed for that purpose, he shall be deemed

to have relinquished his right thereto for the benefit of the town, if said way be a town way; and if said way be a private way, for the benefit of such person or persons as said selectmen or county commissioners shall determine.

SECT. 3. If a jury shall be ordered to assess the damages done by the location, alteration or widening of such way, they may extend the time for the owner of the land to remove his trees, fences and other property as aforesaid; and if the owner shall neglect to remove the same within such extended time, he shall be deemed to have relinquished his claim thereto, as before provided.

[Approved by the Governor, April 5, 1848.]

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## A N A C T

To Regulate the Storage and Transportation of Gunpowder in the City of Roxbury.

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

SECT. 1. No person shall keep or have, in any building or other place, within one hundred and fifty yards of any wharf or main land, in the City of Roxbury, any quantity of gunpowder exceeding twenty-five pounds, except in the discharge of military duty, or as hereinafter provided.

SECT. 2. The Mayor and Aldermen of said City of Roxbury may grant licenses for the sale of gunpowder in said city, which shall continue in force one year, unless sooner annulled by said Mayor and Aldermen; and said Mayor and Aldermen may at any time annul said licenses for good cause; and said Mayor and Aldermen may at any time within the year for which the said license may be granted, or from year to year, renew the same. For each original license there shall be paid a fee of five dollars, and for each renewal thereof a fee of one dollar, to be paid to the Treasurer of said city.

SECT. 3. The Mayor and Aldermen may make and establish rules and regulations relative to the times and places of transporting gunpowder in, through, and over

said city, or any part thereof, either by land or water; the kind of carriages, boats, ships or vessels, in and by which the same shall be transported; the manner in which gunpowder shall be kept by such persons as have been licensed to keep the same; and all such other rules and regulations relative to the keeping or transportation of gunpowder in said Roxbury, except in the performance of military duty, as to them may seem needful or expedient.

SECT. 4. Any gunpowder had and kept in said city, or transported in and through the same, except in the performance of military duty, or under a license, as herein before provided, may be seized by any engineer of the Fire Department of said city, and by him safely kept, until disposed of, as hereinafter provided.

SECT. 5. When any gunpowder shall be so seized, the person seizing shall libel the same, in the manner provided by the one hundred and eighteenth chapter of the Revised Statutes, for the "seizing and libelling of forfeited goods;" and the same proceedings shall be had upon and in pursuance of said libel, as are provided in said chapter, from the twentieth to the thirty-fifth sections thereof, both inclusive, so far as said proceedings may conveniently be applied to the article of gunpowder; and all the provisions of that portion of said chapter above referred to shall be in force in relation to the seizure of gunpowder as above provided, as fully as if the article of gunpowder were specially mentioned therein.

SECT. 6. Either of the engineers of the Fire Department of said city may at any time enter into the place of business of any party licensed to keep gunpowder, for the purpose of ascertaining whether or not the provisions of this act, and the conditions of such party's license, have been duly observed and complied with.

SECT. 7. The rules and regulations herein above referred to, relative to the transportation and keeping of gunpowder in said city, shall be posted up in reasonable time after the making thereof, in not less than eight public places in said city, and published in one or more newspapers printed in the county of Norfolk, and among the regular rules and ordinances of said city.

[Approved by the Governor, April 21, 1848.]

## A N A C T

Relating to Town and County Roads.

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

The County Commissioners of the several counties, and the selectmen of the several towns, and the mayor and aldermen of the several cities of this Commonwealth, shall cause permanent stone bounds, not less than three feet long, two feet of which, at least, shall be inserted in the earth, to be erected at the termini and angles of all roads hereafter laid out by them, when practicable; and when not practicable, a heap of stones, a living tree, a permanent rock, or the corner of an edifice, may be a substitute for said stones.

[Approved by the Governor, April 25, 1848.]

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## A N A C T

Imposing a Penalty on Town or City Officers, for Neglect of certain Duties.

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

If any selectman, or other town or city officer, shall wilfully neglect or refuse to perform any of the duties required of him by the fifth chapter of the Revised Statutes, he shall forfeit a sum not exceeding two hundred dollars, to be recovered in the manner provided in the twelfth section of said fifth chapter.

[Approved by the Governor, May 2, 1848.]

## A N A C T

## Concerning the Erection of Balustrades upon Buildings in Cities.

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

The City Council of any city in this Commonwealth shall have power, from time to time, to make and adopt such rules and regulations for the erection and maintenance of balustrades, or other projections upon the roofs or sides of buildings, in such cities, as in their judgment the safety of the citizens may require. And the city council of any city may annex penalties for the violation of any such rules and orders, not exceeding twenty dollars in any one instance ; which penalties may be recovered, for the use of the city, by complaint before the police court of such city, or any justice of the peace in a city where no police court is established : *Provided*, That no such rule or order shall take effect or go into operation, until the same shall have been published at least sixty days in some newspaper printed in such city or county within which such city is included.

[Approved by the Governor, May 9, 1848.]

## A N A C T

## In Relation to Public Health.

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

SECT. 1. All the powers vested in, and the duties prescribed to boards of health of towns, by the general laws, shall be vested in, and prescribed to, city councils of cities, in case no special provision to the contrary is made to such laws themselves, or in the special laws applicable to any particular city.

SECT. 2. The power and duties above named, may be exercised and carried into effect by city councils, in any

manner which they may prescribe, or through the agency of any persons to whom they may delegate the same, notwithstanding a personal exercise of the same, collectively or individually, is prescribed in the instance of towns, as above referred to. And city councils are hereby authorized to constitute either branch, or any committee of their number, whether joint or separate, the board of health for all, or for particular purposes, within their own cities.

SECT. 3. Whenever any nuisance, source of filth, or cause of sickness, shall be found on private property, within any city, the board of health or health officer shall order the owner or occupant thereof to remove the same, at his own expense, within twenty-four hours, or such other time as they shall deem reasonable, after notice served as provided in the succeeding section ; and if the owner or occupant shall neglect so to do, he shall forfeit a sum not exceeding twenty dollars for every day during which he shall knowingly permit such nuisance or cause of sickness to remain, after the time prescribed as aforesaid for the removal thereof.

SECT. 4. The order mentioned in the last section shall be communicated by a written notice, served personally upon the owner, occupant, or their authorized agent, or by any person competent to serve a notice in a civil suit ; or such notice may be left at the owner, occupant or agent's last and usual place of abode, if the same be known, and is within the State ; and if the owner or agent's residence is unknown, or without the State, the premises being unoccupied, then such notice may be served by posting up the same on the premises, and by advertising in one or more public newspapers, in such manner and for such length of time as the board of health, or health officer, shall deem expedient.

SECT. 5. If the owner or occupant shall not comply with the order above mentioned, the board of health may cause the said nuisance, source of filth, or cause of sickness to be removed, and all expenses incurred thereby shall be paid by the said owner or occupant, or by such other person as shall have caused or permitted the same, if said owner or occupant, or such other person, shall have had actual notice from the board of health, of the existence of said nuisance, source of filth, or cause of sickness.



SECT. 6. All expenses incurred by any town or city in the removal of nuisances or for the preservation of the public health, and which are recoverable of any private person or corporation, by virtue of any provisions of law, may be sued for and recovered in an action of debt, before any court having jurisdiction of the amount claimed.

SECT. 7. All fines and forfeitures incurred under the general laws, or the special laws applicable to any town or city, or the ordinances, by-laws and regulations of any town or city, relating to health, shall enure to the use of such town or city; and may be recovered by complaint, in the name of the treasurer, before any justice of the peace of the county, or police court of the city in which the offence may have been committed.

SECT. 8. The tenth, eleventh and forty-sixth sections of the twenty-first chapter of the Revised Statutes, and so much of the act of one thousand eight hundred and sixteen, chapter forty-four, relating to the board of health for the town of Boston, as is inconsistent with the foregoing provisions, are hereby repealed, saving all proceedings and causes of proceeding, and forfeitures incurred under and by virtue of such repealed acts.

[Approved by the Governor, May 2, 1849.]

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## A N A C T

In Relation to the Laying out of Highways and other  
Ways.

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

In all cases where any suit shall hereafter be brought, wherein the validity or legal effect of the proceedings of any county commissioners, selectmen, town, city, or mayor and aldermen, in respect to the laying out, altering, or discontinuing of any way, which laying out, altering, or discontinuing shall take place after the passage of this act, shall be drawn in question, the time limited for applications for a jury, to assess the damages caused by such laying

out, alteration or discontinuance, shall be so far extended, that such application may be made at any time within one year after the final determination of any such suit; *provided*, that such suit shall have been brought within one year from the time of such laying out, altering, or discontinuance.

[Approved by the Governor, May 2, 1849.]

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## A N A C T

### In Relation to Railroad Crossings.

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

SECT. 1. The application now required by the eightieth section of the thirty-ninth chapter of the Revised Statutes to be made by selectmen to county commissioners, in the matter of a crossing, by a railroad, of any turnpike, highway or town way, may, when said crossing is within the limits of the City of Boston, be made, by any two inhabitants of said city, to the mayor and aldermen thereof, and such inhabitants shall be liable for costs when the railroad corporation shall be the prevailing party, and before the hearing of the application shall give bonds, with sufficient surety, for the payment of such costs, if the mayor and aldermen shall so adjudge.

SECT. 2. The foregoing provisions, and the provisions of the seventy-ninth, eightieth, and eighty-first sections of the thirty-ninth chapter of the Revised Statutes, are hereby declared applicable to all crossings by railroads of any highway, turnpike, town way, or travelled place, upon the same level therewith, which now does or may hereafter exist; *provided*, that whenever it shall be adjudged that a railroad corporation shall provide security against a travelled place, not laid out and adjudged to be a town way or highway, the said corporation shall provide a gate for the same, or bars, as the county commissioners shall order.

SECT. 3. The county commissioners may direct gates to be built across the turnpike, highway or town way when

the same crosses such railroad, instead of across said railroad.

SECT. 4. The original jurisdiction of all questions touching obstructions to turnpikes, highways, or town ways, caused by the construction or operation of railroads, shall be vested in the county commissioners of their respective counties wherein such obstructions shall occur.

SECT. 5. The supreme judicial court shall have jurisdiction in equity, and may compel railroad corporations to raise or lower any turnpike, highway, or town way, when the county commissioners have decided, or may decide, in due and legal form, that such raising or lowering of any such way is necessary for the security of the public, and to compel railroad corporations to comply with the orders, decrees and judgments of county commissioners, in all cases touching obstructions, by railroads, in any of said ways.

[Approved by the Governor, May 2, 1849.]

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## A N A C T

Concerning Truant Children, and Absentees from School.

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

SECT. 1. Each of the several cities and towns in this Commonwealth, is hereby authorized and empowered to make all needful provisions and arrangements concerning habitual truants, and children not attending school, without any regular and lawful occupation, growing up in ignorance, between the ages of six and fifteen years ; and also all such ordinances and by-laws, respecting said children, as shall be deemed most conducive to their welfare, and the good order of such city or town ; and there shall be annexed to such ordinances suitable penalties, not exceeding, for any one breach, a fine of twenty dollars ; *provided*, that said ordinances and by-laws shall be approved by the court of common pleas for the county, and shall not be repugnant to the laws of the Commonwealth.

SECT. 2. The several cities and towns, availing themselves of the provisions of this act, shall appoint, at the annual meetings of said towns, or annually by the mayor and aldermen of said cities, three or more persons, who alone shall be authorized to make the complaints, in every case of violation of said ordinances or by-laws, to the justice of the peace, or other judicial officer, who by said ordinances shall have jurisdiction in the matter; which persons, thus appointed, shall alone have authority to carry into execution the judgments of said justices of the peace, or other judicial officers.

SECT. 3. The said justices of the peace, or other judicial officers, shall in all cases, at their discretion, in place of the fine aforesaid, be authorized to order children proved before them to be growing up in truancy, and without the benefit of the education provided for them by law, to be placed, for such periods of time as they may judge expedient, in such institution of instruction, or house of reformation, or other suitable situation, as may be assigned or provided for the purpose, under the authority conveyed by the first section of this act, in each city or town availing itself of the powers herein granted.

[Approved by the Governor, May 3, 1850.]

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## A N A C T

Providing for the Appointment of Police Officers.

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

The mayor and aldermen of the several cities, and the selectmen of the several towns in this Commonwealth, may from time to time, appoint such police officers for their respective cities and towns as they may judge necessary, with all or any of the powers of constables, except the power of serving and executing any civil process. And the said police officers shall hold their offices during the pleasure of the mayor and aldermen, and selectmen, by whom they are respectively appointed.

[Approved May 15, 1851.]

## A N A C T

Relating to the Erection and Use of Buildings for Stables and Bowling Alleys.

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

SECT. 1. If any person shall erect, occupy or use any building, in any city or town, for a stable for more than four horses, or for a bowling alley, except in such parts of such city as the mayor and aldermen thereof, or of such town as the selectmen thereof shall direct, he shall forfeit a sum not exceeding fifty dollars, for every month he shall so occupy or use such building, and in the like proportion for a longer or shorter time. And the supreme judicial court, or any one of the justices thereof, either in term time or vacation, may issue an injunction to prevent such erection, occupancy or use, without such direction.

SECT. 2. This act shall not be in force in any city unless the city council thereof, nor in any town unless the inhabitants thereof, at a legal meeting, shall, within sixty days from the passing hereof, by vote adopt the same.

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

[Approved by the Governor, May 24, 1851.]

[Adopted by the City Council.]

## A N A C T

Concerning Streets and Ways in the City of Roxbury.

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

SECT. 1. When any street or way, which now is, or hereafter shall be opened in the city of Roxbury, over any private land, by the owners thereof, and dedicated to or permitted to be used by the public, before such street shall have been accepted and laid out according to law, it

shall be the duty of the owners of the lots abutting thereon, to grade such street or way at their own expense, in such manner as the safety and convenience of the public shall, in the opinion of the mayor and aldermen of said city, require; and if the owners of such abutting lots shall, after reasonable notice given by the said mayor and aldermen, neglect or refuse to grade such street or way in manner aforesaid, or to close the same from the public, if the same shall not have been dedicated to the public use, it shall be lawful for the said mayor and aldermen to cause the same to be graded as aforesaid, and the expense thereof shall, after due notice to the parties interested, be equitably assessed upon the owners of such abutting lots, by the said mayor and aldermen, in such proportions as they shall judge reasonable; and all assessments so made shall be a lien upon such abutting lands, in like manner as taxes are now a lien upon real estate; *provided, always*, that nothing contained in this act shall be construed to affect any agreements heretofore made respecting any such streets or ways as aforesaid, between such owners and said city: *provided, also*, that any such grading of any street or way, by the mayor and aldermen as aforesaid, shall not be construed to be an acceptance of such street or way by the city of Roxbury.

SECT. 2. No street or way shall hereafter be opened as aforesaid in said city, of a less width than thirty feet, except with the consent of said mayor and aldermen, in writing, first had and obtained for that purpose.

SECT. 3. This act shall take effect in thirty days from the passing thereof, unless the city council of said city shall within that time vote not to accept the same.

[Approved by the Governor, April 12, 1853.]

## AN ACT

In Relation to the Grades of certain Streets and Ways.

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

SECT. 1. When any street or way, which now is, or hereafter shall be opened, in any city or town which shall accept this act as hereinafter provided, over any private land by the owners thereof, and dedicated to or permitted to be used by the public, before such street or way shall have been accepted, and laid out according to law, it shall be the duty of the owners of the lots abutting thereon, to grade such street or way at their own expense, in such manner as the safety and convenience of the public shall, in the opinion of the mayor and aldermen of any city, or selectmen of any town, require; and if the owners of such abutting lots shall, after reasonable notice given by the said mayor and aldermen, or selectmen, neglect or refuse to grade such street or way in manner aforesaid, or to close the same from public use, it shall be lawful for the said mayor and aldermen, or selectmen, to cause the same to be graded as aforesaid, and the expense thereof shall, after due notice to the parties interested, be equitably assessed upon the owners of such abutting lots, by the said mayor and aldermen, or selectmen, in such proportions as they shall judge reasonable; and all assessments so made shall be a lien upon such abutting lands, in the same manner as taxes are now a lien upon real estate; *provided always*, that nothing contained in this act shall be construed to affect any agreements heretofore made, respecting any such streets or ways as aforesaid. between such owners and any city or town; *provided, also*, that any such grading of any street or way by the mayor and aldermen, or selectmen, as aforesaid, shall not be construed to be an acceptance of such street or way, by any such city or town, and that the said grading of such street or way, by any such owners, or on such notice or procurement of such mayor and aldermen, or selectmen, shall not be construed to be a dedication to the public use of any such

street or way, or any part thereof, by the owner or owners of the same.

SECT. 2. The mayor and aldermen of any city, or the selectmen of any town, by which this act shall be accepted, are hereby authorized to fix and establish the grade of any street or way mentioned in the first section of this act, before the same is actually graded as therein provided, or of any other street or way not legally accepted, and to cause a plan of such grade to be deposited in the office of the clerk of such city or town; and all those who improve the lots abutting on any such street or way after the grade of it shall have been so established and recorded, shall, in their improvements, either by building or otherwise, conform to said grade, and shall be entitled to no damages for the making of such street or way according to said grade, provided such street or way be actually made within two years after the grade thereof is established and recorded. The establishing and recording of the grade of any street or way as aforesaid, shall not be considered an acceptance of such street or way by any city or town.

SECT. 3. No street or way, mentioned in the first and second sections of this act, shall be dug up, or in any way obstructed in any part thereof, without the consent of the mayor and aldermen of the city, or the selectmen of the town in which such street or way is situated.

SECT. 4. This act shall not take effect in any city or town until it shall have been accepted by the city council of such city, or by the inhabitants of such town, at a legal meeting.

[Approved by the Governor, May 11, 1853.]

[Accepted by the City Council, June 27, 1853.]

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## A N A C T

Concerning the Election of City, Town, and County Officers.

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

SECT. 1. In all elections hereafter holden for the choice of town, city, or county officers, by the people, the person



receiving the highest number of votes, shall be declared elected.

SECT. 2. Whenever two or more persons are to be elected to the same office, the several persons, to the number required to be chosen, having the highest number of votes, shall be declared elected.

SECT. 3. All acts and parts of acts, inconsistent herewith, are hereby repealed.

SECT. 4. This act shall take effect from and after its passage.

[Approved by the Governor, Feb. 27, 1854.]

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## A N A C T

In Relation to Prosecutions for Fines enuring to the Use  
of Cities.

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

SECT. 1. The city marshal, or other principal police officer of any city in the Commonwealth, may prosecute for all fines and forfeitures which may enure to the use of such city, or of the poor thereof, and may also prosecute for trespasses committed on any public building or inclosure within the limits of such city.

SECT. 2. So much of the sixty-second and sixty-third sections of the fifteenth chapter of the Revised Statutes as is inconsistent with the provisions of this act, is hereby repealed.

[Approved by the Governor, April 29, 1854.]

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## A N A C T

To Regulate the Sidewalks in the City of Roxbury.

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

SECT. 1. Whenever the mayor and aldermen of the city of Roxbury shall deem it expedient to construct sidewalks

in any of the streets or portions of streets in said city, they are hereby empowered and authorized to furnish such edgestones as may be required therefor, the abutters bearing the expense of the materials; and whenever two-thirds of the abutters on any street shall unite in a petition to the city government for the construction in their street of sidewalks, with edgestones, and for the covering said sidewalks with brick, flat stones, or plank, the same shall be made, and the expense of the above-named materials shall be assessed upon the abutters, in proportion to the length of the lines of their respective estates on said street; and it is herein further provided, that in case of refusal of any abuttor or abutters to pay the amount so assessed, in such time as said city government of Roxbury shall designate, then such amount or amounts shall be recovered by an action of contract to be brought by the mayor and aldermen of said city, or by any other person or persons duly authorized for the purpose, before any tribunal or court having competent jurisdiction in the premises.

SECT. 2. This act shall take effect from and after its passage.

[Approved by the Governor, March 26, 1855.]

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## A N A C T

To establish a Police Court in the City of Roxbury.

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

SECT. 1. A police court is hereby established in the city of Roxbury, to consist of one competent and discreet person, to be appointed and commissioned by the governor, pursuant to the constitution, as standing justice.

SECT. 2. The said court shall have original and exclusive jurisdiction over all crimes, offences and misdemeanors committed within said city of Roxbury whereof justices of the peace now have or may hereafter have jurisdiction; also of all suits and actions whith may now or at any time hereafter be heard, tried and determined before any justice

of the peace in the county of Norfolk, whenever all the parties shall reside in Roxbury, and service of the writ shall be had on the defendant in said county; but the jurisdiction of the court of common pleas shall not be affected by this act. The said court shall have original and concurrent jurisdiction, with justices of the peace, in said county of Norfolk, over all crimes, offences and misdemeanors, whereof justices of the peace within said county now have or may have jurisdiction; also of all suits and actions within the jurisdiction of any justice of the peace within the county of Norfolk.

SECT. 3. An appeal shall be allowed from all judgments of said police court in like manner and to the same extent that appeals are now allowed by law from judgments of justices of the peace; and the justice of said police court shall not be or act as counsel for any party in any cause which may be pending in said court, or which shall have been heard, tried or examined therein.

SECT. 4. The justice of said court shall receive an annual salary of not less than one thousand dollars, the amount of which, if above that sum, shall be determined not oftener than once in each year by the concurrent vote of the city council of said city; and said salary shall be paid in equal quarterly payments out of the treasury of said city, and shall be in full for all services which he is or may hereafter be required or authorized to perform as said justice.

SECT. 5. A court shall be held by said justice, at some suitable place in said city of Roxbury, to be provided at the expense of said city, on every day of the week, Sundays, Christmas, the Fourth of July, and public days of Thanksgiving and Fast excepted, at nine of the clock in the forenoon, and as much oftener as may be necessary, to take cognizance of crimes, offences and misdemeanors; and on one day in each week, to be appointed and made known by said justice, for the entry and trial of civil actions. And said justice may adjourn said court, as justices of the peace may now adjourn the same hearings or trials; and he shall from time to time establish all necessary rules for the orderly and uniform conducting of the business of the court.

SECT. 6. The justice of said court shall keep a fair record of all proceedings in said court, and shall make return to the several courts of all legal processes and of his doings therein in the same manner as justices of the peace are now by law required to do; and he shall also annually, in the month of December, exhibit to the city council of said city of Roxbury, a true and faithful statement of all moneys received by him as fees.

SECT. 7. All fines and forfeitures and all costs in criminal prosecutions in said court shall be received by said justice, and shall be by him accounted for and paid over to the same persons in the same manner and under the same penalties as are by law prescribed in the case of justices of the peace. All costs in such prosecutions not thus received shall be made up, taxed, certified and allowed, and shall be paid in like manner as is provided in case of justices of the peace.

SECT. 8. All fees and charges of said justice, both in civil and criminal proceedings, shall be received by him, and by him accounted for and paid to the treasurer of said city of Roxbury, quarterly.

SECT. 9. The jurisdiction of said police court shall not be limited by reason of any interest on the part of the justices of said court in the payment of fines and costs into the treasury of said city of Roxbury or county of Norfolk.

SECT. 10. There shall be appointed by the governor, by and with the advice and consent of the council, two special justices of said court, either of whom shall have power, in case of the absence, sickness, interest, or other disability of the standing justice, to issue the processes of said court, to hear and determine any matter or cause pending, and to exercise all the powers of the standing justice, until such disability be removed. And said special justices shall be paid for the services as performed by them, out of the salary of the standing justice, such sum as the standing justice would be entitled to for the same service.

SECT. 11. All suits, actions and prosecutions, which shall be pending within said city of Roxbury before any justice of the peace when this act shall take effect, shall be heard and determined as though this act had not passed.

SECT. 12. The governor shall have power, by and with the advice and consent of the council, to appoint said standing and special justices at any time after receiving notice of the acceptance of this act by the city council of Roxbury.

SECT. 13. The city council of Roxbury may, whenever the business of said court shall, in the judgment of said council, require it, elect, by concurrent vote, a suitable person to act as clerk of said court. Such clerk, when determined on, shall be chosen annually, and shall be sworn to the faithful performance of the duties of his office, and shall give bond to the city of Roxbury in such sum as the mayor and aldermen of said city shall from time to time determine, with surety or sureties to the acceptance of the city treasurer, with condition for the faithful performance of the duties of his office. Said clerk shall not be retained or employed as counsel or attorney in any suit, complaint, or other proceeding whatever before said court, nor in any which shall have been heard and tried or examined therein. Said clerk, when chosen, shall perform all the duties required of said standing justice by sections six, seven and eight of this act. In case of the death or absence of said clerk after he shall have been chosen, the court shall appoint a clerk *pro tempore*, who shall act until the standing clerk shall resume the duties of his office, or another shall be chosen, as herein provided; said clerk *pro tempore* shall receive the same rate of compensation for his services as the standing clerk, to be paid out of the salary of said standing clerk. Said standing clerk shall receive in full compensation for all his services as clerk, except for certificates and copies of papers and proceedings of said court, such sum, annually, as shall be annually fixed upon by concurrent vote of the city council; and said salary shall be paid quarterly from the treasury of the city of Roxbury.

SECT. 14. This act shall be void, unless the city council of Roxbury shall, by concurrent vote, accept the same within sixty days from and after its passage.

[Approved by the Governor, April 9, 1855.]

[Adopted by the City Council, April 27, 1855.]

## A N A C T

## Regulating the Use of Steam Engines and Furnaces.

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

SECT. 1. No furnace for melting of iron, or stationary steam engine, designed for use in any mill for the planing or sawing of boards, or turning of wood in any form, or when any other fuel than coal is used to create steam, shall hereafter be erected, or put up to be used, in any city or town in this commonwealth, unless the mayor and aldermen of such city, or selectmen of such town, shall have previously granted license therefor, designating the place where the building or buildings shall be erected, in which such steam engine or furnace shall be used, the materials and construction thereof, and such other provisions and limitations, as to the height of flues, and protection against fire, as they shall judge necessary for the safety of the neighborhood; such license to be granted on written application, and to be recorded in the records of such city or town.

SECT. 2. Whenever the mayor and aldermen of any city, or the selectmen of any town, after due notice in writing to the owner of any such steam engine or furnace heretofore erected, or in use, and a hearing of the matter, shall adjudge the same to be dangerous, or a nuisance to the neighborhood, they may make and record an order, prescribing such rules, restrictions and alterations, as to the building in which such steam engine or furnace is constructed or used, the construction and height of its smoke-flues, or other provisions, as they shall deem the safety of the neighborhood to require; and it shall be the duty of the city or town clerk to deliver a copy of such order to a constable, who shall serve such owner with an attested copy thereof, and make return of his doings thereon to said clerk, within three days from the delivery thereof to him.

SECT. 3. Any such engine or furnace hereafter erected, without license made and recorded as aforesaid in section

first, shall be deemed and taken to be a common nuisance, without any other proof thereof than proof of its use; and any steam engine or furnace used contrary to the provisions of section second of this act, shall be taken and deemed to be a common nuisance.

SECT. 4. The mayor and aldermen of any city, or selectmen of any town, shall have the same power and authority to abate and remove any such steam engine or furnace erected or used contrary to the provisions of this act, as are given to the board of health, in the tenth and eleventh sections of the twenty-first chapter of the Revised Statutes.

SECT. 5. Whenever application shall be made for license as aforesaid, the mayor and aldermen of any city, or selectmen of any town, shall assign a time and place for the consideration of the same, and shall cause public notice thereof to be given at least fourteen days beforehand, in such manner as said mayor and aldermen, or selectmen, may direct, and at the expense of the applicant, in order that all persons interested may be heard before the granting of a license.

SECT. 6. Any owner of a steam engine or furnace, aggrieved by any such order, as provided in section second of this act, may apply to the court of common pleas, if sitting in the county in which such engine or furnace is situated, or to any justice thereof in vacation, for a jury, and such court of justice shall issue a warrant for a jury to be impanelled by the sheriff, in the same manner as is provided in the twenty-fourth chapter of the Revised Statutes, in regard to the laying out of highways; such application shall be made within three days after such order is served upon the said owner; and the said jury shall be impanelled within fourteen days from the issuing of said warrant.

SECT. 7. Upon any application to said court of common pleas, or to any justice thereof, for a jury, said court or justice, on granting the same, may, in its or his discretion, issue an injunction restraining the further use of said engine or furnace, until the final determination of such application by the jury and court to which such verdict may be returned.

SECT. 8. The jury shall find a verdict either affirming or annulling the said order in full, or making alterations

therein, as they may see fit; which verdict shall be returned to the next term of the said court by the sheriff for acceptance, in like manner as in the case of highways, and, which verdict being accepted, shall be binding to the same effect as the original order would have been without such appeal.

SECT. 9. If the verdict shall affirm such order, costs shall be recovered by the city or town against such applicant; if the verdict shall annul such order in whole, damages and costs shall be recovered by the complainant against such city or town; and in case the verdict shall alter such order in part, the court may render such judgment as to costs, as to justice shall appertain.

SECT. 10. This act shall not be in force in any town or city, unless the inhabitants of the town, or the city council of the city, shall adopt the same at a legal meeting of said inhabitants or city council called for that purpose.

SECT. 10. This act shall take effect from and after its passage.

[Approved by the Governor, April 25, 1845.]

[Adopted by the City Council, April 30, 1855.]

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## A N A C T

Relating to the By-Laws of Cities and Towns.

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

Whenever the inhabitants of any town, or the city council of any city, in this Commonwealth, shall, in any lawful by-law, impose a duty, and shall affix a penalty for neglect or refusal to perform the same, they may also provide that the said duty, in case of such neglect and refusal, may be performed by officers named in such by-law, at the expense of the party liable, which may be recovered by action of contract, in the name of any such city or town, in any court competent to try the same. But the amount recovered shall never exceed the amount of the penalty fixed in such by-law.

[Approved by the Governor, May 3, 1855.]



## A N A C T

In addition to an Act to Regulate the Storage and Transportation of Gunpowder in the City of Roxbury.

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

SECT. 1. Whenever by virtue of an act to regulate the storage and transportation of gunpowder in the city of Roxbury, passed the twenty-first day of April, in the year eighteen hundred and forty-eight, any gunpowder shall be seized and libelled, and upon trial it shall appear that such gunpowder was lawfully seized, the same shall be decreed to be forfeited, and shall be disposed of according to the provisions of the one hundred and eighteenth chapter of the Revised Statutes concerning the seizing and libelling of forfeited goods.

SECT. 2. This act shall take effect from and after its passage.

[Approved by the Governor, May 3, 1855.]

## A N A C T

In Relation to Offensive Trades.

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

SECT. 1. The board of health of any city or town in this Commonwealth may, from time to time, assign certain places for the exercising of any trade or employment which is a nuisance, or hurtful to the inhabitants or their estates, dangerous to the public health, or the exercise of which is attended by noisome or injurious odors, or otherwise injurious to their estates; and they may forbid the exercise of either of them in places not so assigned; and the said board may also forbid the exercise of such trade or employment within the limits of the city or town, or in any particular locality thereof.

SECT. 2. All orders of the board of health, as provided in the first section, shall be served upon the occupant of the place where such trade or employment is exercised, or upon any person having charge thereof; and in case of neglect or refusal to obey such order within twenty-four hours after the said service, by such occupant or other person, they and each of them shall be liable to a fine of not less than fifty dollars, nor more than five hundred dollars, to be recovered by indictment; and in case of such neglect or refusal, it shall be the duty of said board of health to prevent the exercise of such trade or employment, and to take all necessary measures to that end.

SECT. 3. Any person aggrieved at any such order of the board of health may apply to the court of common pleas, if sitting in the county in which such order is made, or to any justice thereof in vacation, for a jury; and such court or justice shall issue a warrant for a jury to be impanelled by the sheriff in the same manner as is provided in the twenty-fourth chapter of the Revised Statutes in regard to the laying out of highways. Such application shall be made within three days after the service of such order, and the jury shall be impanelled at such time and place as the court or justice may direct.

SECT. 4. In case of appeal, as provided in the preceding section, such trade or employment shall not be exercised while the same is pending; and in case of any violation of this section, said appeal shall be dismissed forthwith.

SECT. 5. The jury shall find a verdict, either affirming or annulling the said order in full, or making alteration therein, as they may see fit, which verdict shall be returned to the next term of the said court by the sheriff, for acceptance, in like manner as in the case of highways, and which verdict, being accepted, shall be binding to the same effect as the original order would have been without such appeal.

SECT. 6. If the verdict shall affirm such order, costs shall be recovered by the city or town against such applicant; if the verdict shall annul such order in whole, damages and costs shall be recovered by the complainant against such city or town; and in case the verdict shall alter such order in part, the court may render such judgment, as to costs, as to justice shall appertain.

SECT. 7. This act shall take effect from and after its passage; but it shall not be in force in any city or town unless the inhabitants of such town, or the city council of such city, shall adopt the same at legal meetings.

[Approved by the Governor, May 18, 1855.]

[Approved by the City Council, July 16, 1855.]

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## A N A C T

For the Suppression of certain Common Nuisances.

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

SECT. 1. All buildings, places, or tenements, used as houses of ill fame, resorted to for prostitution, lewdness, or for illegal gaming, or used for the illegal sale or keeping of intoxicating liquors, are hereby declared to be common nuisances, and are to be regarded and treated as such.

SECT. 2. Any person keeping or maintaining any such common nuisance, shall be punished by fine not exceeding one thousand dollars, or by imprisonment in the county jail not more than one year.

SECT. 3. If any person, being a tenant or occupant, under any lawful title, of any building or tenement not owned by him, shall use said premises, or any part thereof, for any of the purposes enumerated in the first section of this act, such use shall annul and make void the lease or other title under which said occupant holds, and without any act of the owner, shall cause to revert and vest in him the right of possession thereof; and said owner may make immediate entry, without process of law, upon the premises, or he may avail himself of the remedy provided in the one hundred and fourth chapter of the Revised Statutes; and the provisions of said chapter shall be deemed to extend to all such cases; and any person appealing from any judgment rendered upon said complaint, shall be required to enter into the same recognizance now provided by the one hundred forty-second chapter of the laws of eighteen hundred and forty-eight.

SECT. 4. If any person shall knowingly let any building or tenement, owned by him or under his control, for any of the purposes in the first section of this act enumerated, or shall knowingly permit any such building or tenement, or any part thereof, to be so used while under his control, or shall, after due notice of any such use of said building or tenement, omit to take all reasonable measures to eject the said person or persons from said premises, as soon as the same may lawfully be done, he shall be deemed and taken to be guilty of aiding in the maintenance of such nuisance, and be punished by a fine of not less than one hundred, nor more than one thousand dollars, or by imprisonment in the county jail not less than thirty days, nor more than six months.

[Approved by the Governor, May 19, 1855.]

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## AN ACT

### Concerning Vacancies in School Committees.

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

SECT. 1. Whenever vacancies occur in the school committee of any town or city in this Commonwealth, or when from any cause any member or members of said committee are unable to act, the remaining member or members, together with the selectmen of said town, or the mayor and aldermen of said city, assembled in convention, shall, by joint ballot, fill vacancies in said committee; and the school returns, signed by a majority of the committee thus constituted, shall be equally valid as if signed by a majority of the committee originally chosen.

SECT. 2. The convention provided for in section first shall be called by the remaining member or members of the said committee.

SECT. 3. The act, entitled "An Act concerning vacancies in School Committees," approved May twenty-fourth,

eighteen hundred and fifty-one, and all other acts or parts of acts, inconsistent with this act, are hereby repealed.

SECT. 4. This act shall take effect from and after its passage.

[Approved by the Governor, April 8, 1856.]

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## A N A C T

Concerning the Election of Civil Officers.

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

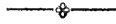
SECT. 1. In order to determine the result of any election of any civil officer or officers in this Commonwealth, the whole number of persons who voted at such election shall first be ascertained by counting the whole number of separate ballots given in, and the person or persons who shall receive the highest number of votes shall be deemed and declared to be elected; and in all returns of elections the whole number of ballots given shall be distinctly stated, but blank pieces of paper shall not be counted as ballots.

SECT. 2. If at any election where more than one civil officer is to be elected to the same office, any two or more candidates shall receive an equal number of votes, being a plurality, by reason whereof the whole number to be elected cannot be completed, the candidates having such equal number of votes, shall be deemed not to be elected.

SEC. 3. All acts or parts of acts, inconsistent herewith or with the fourteenth article of the amendments to the Constitution of Massachusetts, are hereby repealed.

[Approved by the Governor, May 5, 1856.]

# CITY ORDINANCES.



[All the Ordinances were published in the Municipal Register of 1855.]

[No. 1.]

AN ORDINANCE prescribing the manner of Recording the Ordinances of the City.

[No. 2.]

AN ORDINANCE concerning the form of Warrants, and the service and return thereof.

[No. 3.]

AN ORDINANCE relating to the Election of certain City Officers.

[No. 4.]

AN ORDINANCE authorizing the appointment and prescribing the duties of a City Marshal.

[No. 5.]

AN ORDINANCE establishing the office of City Messenger.

[No. 6.]

AN ORDINANCE establishing a system of Accountability in the Expenditures of the City.

[No. 7.]

AN ORDINANCE to preserve the Public Health, by regulating the use of Chemical Laboratories, and the manufacturing of White Lead and Red Lead.

[No. 8.]

AN ORDINANCE establishing a system for Collecting the Taxes of the City of Roxbury.

[No. 9.]

AN ORDINANCE establishing the office of Commissioner or Commissioners of Highways, and defining the Duties thereof.

[Repealed.]

[No. 10.]

AN ORDINANCE regulating the Fire Department of the City of Roxbury.

[Repealed.]

[No. 11.]

AN ORDINANCE establishing a Watch for preserving the safety and good order of the City of Roxbury.

[No. 12.]

AN ORDINANCE in relation to Burial Grounds and the Interment of the Dead.

[No. 13.]

AN ORDINANCE to prevent Unlawful and Injurious Practices in the streets and other public places of the City.

[No. 14.]

AN ORDINANCE prescribing Rules and Regulations relative to Nuisances, Sources of Filth, and Causes of Sickness within the City of Roxbury.

[No. 15.]

AN ORDINANCE directing the manner in which the Ordinances of the City Council shall be promulgated.

[No. 16.]

AN ORDINANCE restraining the going at large of Dogs within the City of Roxbury.

[No. 17.]

AN ORDINANCE requiring a separate Record to be kept of the Streets and Highways in the City.

[No. 18.]

AN ORDINANCE to establish the City Seal.

[No. 19.]

AN ORDINANCE relative to the enacting style of the City Ordinances.

[No. 20.]

AN ORDINANCE providing for the execution of Deeds, Leases, and other legal instruments in behalf of the City.

[No. 21.]

AN ORDINANCE in addition to an Ordinance regulating the Fire Department of the City of Roxbury.

[Repealed.]

[No. 22.]

AN ORDINANCE relating to the Expenditures for Schools.

[No. 23.]

AN ORDINANCE in addition to "An Ordinance to prevent Unlawful and Injurious Practices in the streets and other public places of the City.



[No. 24.]

AN ORDINANCE establishing the name of the Rural Cemetery.

[No. 25.]

AN ORDINANCE in relation to Numbering Houses and other Buildings.

[No. 26.]

AN ORDINANCE in addition to "An Ordinance prescribing Rules and Regulations relative to Nuisances, Sources of Filth and Causes of Sickness within the City of Roxbury."

[No. 27.]

AN ORDINANCE in addition to "An Ordinance in relation to Burial Grounds and the Interment of the Dead."

[No. 28.]

AN ORDINANCE in addition to "An Ordinance to prevent Unlawful and Injurious Practices in the streets and other public places in the City."

[No. 29.]

AN ORDINANCE prescribing the Form of Deeds to be executed for the conveyance of Lots in Forest Hills Cemetery.

[No. 30.]

AN ORDINANCE in addition to an Ordinance No. 10, regulating the Fire Department of the City of Roxbury.  
[Repealed.]

[No. 31.]

AN ORDINANCE in addition to "An Ordinance to establish a Watch for preserving the safety and good order of the City of Roxbury."

[No. 32.]

AN ORDINANCE in addition to an addition to "An Ordinance prescribing Rules and Regulations relative to Nuisances, Sources of Filth and Causes of Sickness within the City of Roxbury."

[No. 33.]

AN ORDINANCE in relation to Truant Children, and Absentees from School.

[Repealed.]

[No. 34.]

AN ORDINANCE regulating the Fire Department of the City of Roxbury.

[No. 35.]

AN ORDINANCE in relation to Truant Children, and Absentees from School.

[Repealed.]

[No. 36.]

AN ORDINANCE in addition to "An Ordinance prescribing Rules and Regulations relative to Nuisances, Sources of Filth and causes of Sickness within the City of Roxbury."

[No. 37.]

AN ORDINANCE establishing the Office of City Crier.

[No. 38.]

AN ORDINANCE in relation to Truant Children, and Absentees from School.

[No. 39.]

AN ORDINANCE concerning the removal of House Offal and Night Soil from the City.

[No. 40.]

AN ORDINANCE establishing the Office of Commissioner of Streets, and defining the Duties thereof.

[No. 41.]

AN ORDINANCE in relation to the Acceptance of Streets in the City of Roxbury.

[No. 42.]

AN ORDINANCE to repeal "An Ordinance authorizing the appointment and prescribing the duties of a City Marshal."

[No. 43.]

AN ORDINANCE establishing the Office of City Solicitor.

[No. 44.]

AN ORDINANCE relating to Expenditures for Lamps.

[No. 45.]

AN ORDINANCE authorizing the appointment and prescribing the Duties of City Marshal.

[No. 46.]

AN ORDINANCE amendatory of "An Ordinance in relation to the acceptance of Streets in the City of Roxbury."

[No. 47.]

AN ORDINANCE amendatory of "An Ordinance regulating the Fire Department of the City of Roxbury."

[No. 48.]

AN ORDINANCE establishing the Office of City Physician.



# City of Roxbury.

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## RULES AND ORDERS

OF THE

# BOARD OF ALDERMEN.

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I. The order of business shall be as follows:—

1. The journal of the previous meeting shall be read.
2. Petitions shall next be called for, and be disposed of by reference or otherwise.
3. Such nominations, appointments and elections as may be in order, shall be considered and disposed of.
4. The orders of the day shall be taken up, meaning by the orders of the day, the business remaining unfinished at the previous meeting, and such communications as may have been subsequently sent up for the Common Council.
5. New business may be introduced by any member of the Board.

II. Every ordinance shall pass through the following stages before it shall be considered as having received the final action of this Board, viz.: first reading, second reading, passage to be enrolled, passage to be ordained; and every joint resolution shall have two several readings before the question shall be taken on its final passage.

III. An ordinance may be rejected at either stage of its progress, but shall not pass through all its stages in one day.

IV. Standing Committees shall be appointed on the Police of the City, on Licenses, on Laying Out and Widening Streets, on Bills and Accounts presented for payment, and on Enrolment; each of said Committees to consist of three members.

V. No member shall be interrupted while speaking; but by a call to order, or for the correction of a mistake; nor shall there be any conversation among the members while a paper is being read or a question stated from the Chair.

VI. All Committees shall be appointed and announced by the Mayor, except such as the Board of Aldermen shall determine to elect by ballot.

VII. The above rules and orders of business shall be observed in all cases, unless suspended by a vote of two thirds of the members present for a specific purpose.

# RULES AND ORDERS

OF THE

## COMMON COUNCIL.



### RIGHTS AND DUTIES OF THE PRESIDENT.

SECT. 1. The President shall take the chair at the hour to which the Council shall have adjourned; shall call the members to order, and, on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read, and proceed to business. In the absence of the President, any member present can call the Council to order, and preside until a President *pro tempore* shall be chosen by ballot. If, upon a ballot for President *pro tempore*, no member shall receive a majority of votes, the Council shall proceed to a second ballot, in which a plurality of votes shall prevail.

SECT. 2. He shall preserve order and decorum; he may speak to points of order in preference to other members; and shall decide all questions of order, subject to an appeal to the Council, on motion of any member regularly seconded.

SECT. 3. He shall declare all votes; and if any member doubt the vote, the President, without further debate upon the question, shall require the members voting in the affirmative and negative, to rise and stand until they are counted, and he shall declare the result; but no decision shall be declared, unless a quorum of the Council shall have voted.

SECT. 4. He shall rise to address the Council, or to put a question, but may read sitting.

SECT. 5. The President may call any member to the chair; provided such substitution shall not continue longer than one evening. When the Council shall determine to go into Committee of the Whole, the President shall appoint the member who shall take the chair. The President may express his opinion on any subject under debate; but in such case he shall leave the chair, and appoint some other member to take it; and he shall not resume the chair while the same question is pending. But the President may state facts, and give his opinion on questions of order without leaving his place.

SECT. 6. On all questions and motions, the President shall take the sense of the Council by yeas and nays, provided one-third of the members present shall so require.

SECT. 7. In all cases the President may vote.

SECT. 8. He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that in naming sums and fixing times, the largest sum and longest time shall be put first.

SECT. 9. After a motion is stated by the President, it shall be disposed of by vote of the Council, unless the mover withdraw it before a decision or amendment.

SECT. 10. When a question is under debate, the President shall receive no motion, but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit, to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged.

SECT. 11. He shall consider a motion to adjourn as always first in order; and that motion and the motion to lay on the table, or to take from the table, shall be decided without debate.

SECT. 12. He shall put the previous question in the fol-



lowing form:—“*Shall the main question be now put?*”—and all debate upon the main question shall be suspended until the previous question shall be decided. After the adoption of the previous question, the sense of the Council shall forthwith be taken upon amendments reported by a committee, upon pending amendments, and then upon the main question.

SECT. 13. On the previous question, no member shall speak more than once without leave; and all incidental questions of order, arising after a motion is made for the previous question, shall be decided without debate, except on appeal, and on such appeal no member shall be allowed to speak more than once without leave of the Council.

SECT. 14. When two or more members happen to rise at once, the President shall name the member who is first to speak.

SECT. 15. All Committees shall be appointed and announced by the President, except such as the Council determine to elect by ballot; and it shall be in order for any member to move that the President be appointed on any Committee.

#### RIGHTS AND DUTIES OF MEMBERS.

SECT. 16. When any member is about to speak in debate, or deliver any matter to the Council, he shall rise in his place, and respectfully address the presiding officer; shall confine himself to the question under debate, and avoid personality. He shall sit down as soon as he has done speaking. No member shall speak out of his place without leave of the President.

SECT. 17. No member, in debate, shall mention another member by his name; but may describe him by the ward he represents, or such other designation as may be intelligible and respectful.

SECT. 18. No member speaking shall be interrupted by another, but by rising to call to order, or to correct a mistake. When a member is called to order, he shall immediately sit down, unless permitted to explain, and the Council, if appealed to, shall decide on the case without debate; and if the decision is against the member, he shall not be permitted to speak, unless by way of excuse for the same, until he has made satisfaction.

SECT. 19. No member shall speak more than twice to the same question, without leave of the Council; nor more than once, until all other members, choosing to speak, shall have spoken; and if on the "previous question," no more than once without leave.

SECT. 20. When a motion is made and seconded, it shall be considered by the Council, and not otherwise; and no member shall be permitted to submit a motion in writing, until he has read the same in his place, and it has been seconded.

SECT. 21. Every motion shall be reduced to writing, if the President direct, or any member of the Council request it.

SECT. 22. When a vote has passed, it shall be in order for any member of the *majority* to move for a reconsideration thereof on the same or succeeding meeting, and if the motion is seconded it shall be open to debate; but if the motion to reconsider it is not made till the next meeting, the subject shall not be reconsidered, unless a majority of the whole Council shall vote therefor. And no more than *one* motion for the reconsideration of any vote shall be permitted.

SECT. 23. No member shall be permitted to stand up, to the interruption of another, whilst any member is speaking; or to pass unnecessarily between the President and the person speaking.

SECT. 24. Every member who shall be in the Council when a question is put, shall vote, unless for special reasons excused.

SECT. 25. The division of a question may be called for when the sense will admit of it.

SECT. 26. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Council.

SECT. 27. No standing rule or order of the Council shall be suspended, unless three-fourths of the members present shall consent thereto; nor shall any rule or order be repealed or amended, without one day's notice being given of the motion therefor, nor unless a majority of the whole Council shall concur therein.

SECT. 28. Every member shall take notice of the day and hour to which the Council may stand adjourned, and shall give his punctual attendance accordingly.

SECT. 29. No member shall be obliged to be on more than three standing committees at the same time, nor to be chairman of more than one.

OF COMMUNICATIONS, COMMITTEES, REPORTS AND RESOLUTIONS.

SECT. 30. All memorials and other papers addressed to the Council, shall be presented by the President, or by a member in his place, who shall explain the subject thereof, and they shall lie on the table, to be taken up in the order in which they are presented, unless the Council shall otherwise direct. And every member presenting a petition, remonstrance, order, resolution, or other paper, shall endorse his name thereon, with a brief statement of the nature and object of the instrument.

SECT. 31. Standing committees of this Council shall be appointed on the following subjects, viz.: On Election and

Returns, and on Enrolled Ordinances and Resolutions, each to consist of three members.

SECT. 32. No Committee shall sit during the sitting of the Council, without special leave.

SECT. 33. The rules of proceeding in Council shall be observed in Committee of the Whole, so far as they may be applicable, excepting the rules limiting the time of speaking; but no member shall speak twice to any question, until every member choosing to speak shall have spoken.

SECT. 34. When Committees of the Council, chosen by ballot, or Committees consisting of one member from each ward, have been appointed or elected, whether joint or otherwise, the first meeting thereof shall be notified by the Clerk, by direction of the President, and they shall organize by the choice of Chairman, and report to the Council; and when Committees, other than those above specified, are nominated by the President, the person first named shall be Chairman, and in case of the absence of the Chairman, the Committee shall have power to appoint a Chairman *pro tem*.

SECT. 35. All messages to the Mayor and Aldermen, shall be drawn up by the Clerk and sent by the Messenger.

SECT. 36. All ordinances, resolutions and orders shall have two several readings before they shall be finally passed by this Council; and all ordinances, after being so passed, shall be enrolled.

SECT. 37. No ordinance, order or resolution, imposing penalties, or authorizing the expenditure of money, except orders for printing, by either branch of the City Council, shall have more than one reading on the same day, if one third of the members present object.

SECT. 38. The seats of the members of the Council shall be numbered, and determined by lot; and no member shall change his seat but by permission of the President.

SECT. 39. All Special Committees, unless otherwise or-

dered, shall consist of three members. And no report shall be received from any committee, unless agreed to in committee assembled.

SECT. 40. The Clerk shall keep brief minutes of the votes and proceedings of the Council,—entering thereon all accepted orders and resolutions; shall notice reports, memorials, and other papers submitted to the Council, only by their titles, or a brief description of their purport; but all accepted reports from Special Committees of this Board, shall be entered at length in a separate journal, to be kept for that purpose, and provided with an index.

SECT. 41. All salary officers shall be voted for by written ballot.

SECT. 42. It shall be the duty of all Standing Committees of the Council, to keep records of all their doings in books provided for that purpose by the Clerk; and it shall be the duty of the Clerk to attend the meetings of said Committees, and make said records when requested so to do.

SECT. 43. No meeting of any Committee shall be called upon less notice than twenty-four hours.

SECT. 44. In all elections by ballot, on the part of the Council, blank ballots, and all ballots for persons not eligible, shall be reported to the Council, but shall not be counted in making up the returns, except in cases where this Council have only a negative upon nominations made by the Mayor and Aldermen.

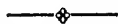
SECT. 45. It shall be the duty of every Committee of the Council, to whom any subject may be specially referred, to report thereon within four weeks from the time said subject is referred to them, or ask for further time.

SECT. 46. In any case not provided for by the rules and orders of the City Council, the proceedings shall be conducted according to "Cushing's Manual of Parliamentary Practice."

# JOINT RULES AND ORDERS

OF THE

## CITY COUNCIL.



SECT. 1. At the commencement of the Municipal year, the following Joint Standing Committees shall be chosen by ballot, viz. :—

*A Committee on Finance* :—To consist of the Mayor, one Alderman and five members of the Common Council.

*A Committee on Accounts* :—To consist of two Aldermen, and three members of the Common Council.

And the following shall be appointed, viz. :—

*A Committee on Public Property* :—To consist of three members of the Board of Mayor and Aldermen, and five members of the Common Council.

*A Committee on Public Instruction* :—To consist of the Mayor, two Aldermen, and the President and four members of the Common Council.

*A Committee on the Poor and Almshouse* :—To consist of the Mayor, one Alderman, and three members of the Common Council.

*A Committee on Fuel* :—To consist of two members of the Board of Mayor and Aldermen, and three members of the Common Council.

*A Committee on Highways, Bridges and Sidewalks* :—To consist of the Mayor, two Aldermen, and five members of the Common Council.

*A Committee on the Fire Department* :—To consist of

three members of the Board of Mayor and Aldermen, and five members of the Common Council.

*A Committee on Burial Grounds*:—To consist of the Mayor, two Aldermen, and five members of the Common Council.

*A Committee on Lamps*:—To consist of two members of the Board of Mayor and Aldermen, and three members of the Common Council.

*A Committee on Printing*:—To consist of two members of the Board of Mayor and Aldermen, and three members of the Common Council.

On all Joint Committees wherein it is provided that the Mayor shall be a member, in case of the non-election, decease, inability or absence of that officer, the Chairman of the Board of Aldermen shall act *ex officio*. And the members of the Board of Aldermen and of the Common Council, who shall constitute the Joint Standing Committees, shall be chosen or appointed by their respective Boards.

The member of the Board of Aldermen first named in every Joint Committee, of which the Mayor is not a member, shall be its Chairman; and in case of his resignation or inability, the member of the same Board next in order; and after him the member of the Common Council first in order, shall call meetings of the Committee and act as Chairman.

The Mayor shall be *ex officio* Chairman of any Joint Special Committee of which he is a member. And whenever the Chairman of any such Committee shall have omitted to call a meeting of its members for the space of one week from the time any subject has been referred to it, either two of the members of every such Joint Standing Committee shall have power to call meetings thereof.

SECT. 2. In all cases of disagreement between the two Boards, when either Board shall request a conference and

appoint a Committee for that purpose, the other Board shall also appoint a Committee to confer, which Committees shall forthwith meet, provided both branches are then in session; otherwise, as soon as convenient, and state to each other, either verbally or in writing, as either shall choose, the reasons of the respective Boards for and against the amendment, confer freely thereon, and report to their respective branches.

SECT. 3. When either Board shall not concur in any ordinance or other paper sent from the other Board, the Board so non-concurring, shall give notice thereof to the other branch by written message.

SECT. 4. All by-laws passed by the City Council, shall be termed ORDINANCES; and the enacting style shall be,—  
“*Be it ordained by the City Council of the City of Roxbury.*”

SECT. 5. In all votes, when either or both branches of the City Council express any thing by way of command, the form of expression shall be “ORDERED;” and when either or both branches express *opinions, principles, facts, or purposes*, the form shall be, “RESOLVED.”

SECT. 6. No Committee shall act by separate consultation, and no report shall be received unless agreed to in Committee actually assembled.

SECT. 7. No Chairman of any Committee shall audit or approve any bill or account against the City, for any supplies or services which shall not have been ordered or authorized by the Committee.

SECT. 8. No Committee shall enter into any contract with, or purchase, or authorize the purchase of any article of any of its members.

SECT. 9. The reports of all Committees, agreed to by a majority of the members, shall be made to the Board in which the business referred originated. And all Committees may report by ordinance, resolve or otherwise.



SECT. 10. All reports and other papers submitted to the City Council, shall be written in a fair hand, and no report of any kind shall be endorsed on the memorials or other papers referred to the Committees of either branch; and the clerks shall make copies of any papers to be reported by Committees at the request of the respective Chairman thereof.

SECT. 11. Each Board shall transmit to the other, all papers on which any Ordinance or Joint Resolutions shall be printed; and all papers on their passage between the two Boards may be under the signatures of the respective clerks, except Ordinances and Joint Resolutions in their last stage, which shall be signed by the presiding officers.

SECT. 12. The titles of all Ordinances and Joint Resolutions shall be prefixed upon their introduction.

SECT. 13. Every Ordinance shall have as many readings in each Board as the rules of each Board require, after which the question shall be on passing the same to be enrolled; and when the same shall have passed to be enrolled, it shall be sent to the other Board for concurrence; and when such Ordinance shall have so passed to be enrolled in each Board, the same shall be enrolled by the Clerk of the Common Council, and examined by a Committee of that Board; and on being found by said Committee to be truly and correctly enrolled, the same shall be reported to the Council, when the question shall be on passing the same to be ordained; and when said Ordinance shall have so passed to be ordained, it shall be signed by the President of the Common Council, and sent to the other Board, when a like examination shall be made by a Committee of that Board, and if found correctly enrolled, the same shall be reported to the Board, and the question shall be on passing the same to be ordained; and when the same shall have passed to be ordained, it shall be signed by the Mayor.

SECT. 14. Every Order and Joint Resolution shall have as many readings in each Board as the rules of such Board require, after which the question shall be on passing the same; and when the same shall have passed, except orders for printing, for the use of either branch of the City Council, it shall be sent to the other Board for concurrence.

SECT. 15. No enrolled Ordinance shall be amended.

SECT. 16. All messages between the two Boards shall be reduced to writing by the respective clerks, and may be transmitted by the Clerk or the Messenger.

SECT. 17. It shall be the duty of every Joint Committee, (the Committee on Highways, Bridges and Sidewalks excepted,) to whom any subject may be specially referred, to report thereon within four weeks, or ask for further time.

SECT. 18. Either Board may propose to the other, for its concurrence, a time to which both Boards will adjourn.

SECT. 19. No business shall be transacted by the City Council in convention, except such as shall have been previously agreed upon.

SECT. 20. After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any object, unless provision for the same shall be made by a specific transfer from some of the appropriations contained in the annual resolution, or by expressly creating therefor a City debt; but no such debt shall be created, unless the resolution, authorizing the same, pass by the affirmative votes of two-thirds of the whole number of each branch of the City Council, voting by yea and nay.

SECT. 21. No vote, by which an order, resolve or ordinance has been passed in its final stage, shall be reconsidered in either Board after the same has been finally acted upon in the other Board, unless the motion for reconsideration be made, or notice given at the same meeting at which the vote to be reconsidered passed.





GOVERNMENT  
OF THE  
CITY OF ROXBURY,  
1857.

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MAYOR.

JOHN S. SLEEPER, Eustis Street.  
[Salary \$1000. Charter, Sec. 7.]

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ALDERMEN.

CHARLES E. GRANT,	Chestnut Street,	AT LARGE.
BENJAMIN THOMPSON,	Kenilworth St.,	"
WALDEN PORTER,	Warren Street,	"
JOSEPH H. CHADWICK,	Eustis Street,	WARD 1.
GEORGE S. GRIGGS,	Milford Place,	" 2.
HENRY WILLIS,	Washington Street,	" 3.
GEORGE LEWIS,	Highland Street,	" 4.
CHARLES C. NICHOLS,	Circuit Street,	" 5.

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COMMON COUNCIL.

HENRY P. SHED, *President*, Mount Vernon Place.

*Ward 1.*

Franklin Williams,	.	.	Zeigler Street.
William Morse,	.	.	Davis Street.
George J. Lord	.	.	Mall Street.
Albert Brewer,	.	.	Zeigler Street.

*Ward 2.*

William P. Fowle,	.	.	Auburn Street.
Thomas L. D. Perkins,	.	.	Washington Street.
Phineas Colburn,	.	.	Ruggles Street.
Alvin M. Robbins,	.	.	Williams Place.

*Ward 3.*

John W. May,	.	.	Washington Street.
Samuel Little,	.	.	Washington Street.
Alfred G. Hall,	.	.	Phillips Street.
John Bowdlear,	.	.	Rockingham Place.

*Ward 4.*

Samuel A. Shurtleff,	.	.	Linwood Place.
John R. Hall,	.	.	Centre Street.
William Graham,	.	.	Norfolk Street.
James A. Tower,	.	.	Norfolk House.

*Ward 5.*

Robert C. Nichols,	.	.	Cliff Street.
William K. Lewis,	.	.	Warren Street.
Henry P. Shed,	.	.	Mount Vernon Place.
William Barton,	.	.	Warren Place.

*City Clerk and Clerk of Board of Aldermen.*

JOSEPH W. TUCKER, Lambert Street.

Salary \$1000 ; Fees payable into the City Treasury.  
[Chosen by City Council in Convention, in January.  
Office, City Hall.]

*Clerk of Common Council.*

JOSHUA SEAVER, Ruggles, corner Sumner Place.

Salary \$200. [Chosen by Common Council.]

*City Messenger.*

WILLIAM N. FELTON, Zeigler Street.

Salary \$450. [Chosen by concurrent vote in April.  
Ordinance No. 5.]

## JOINT STANDING COMMITTEES.

## ON FINANCE.

The Mayor.		<i>Common Council.</i>
<i>Alderman</i> Willis.		Messrs. May, Williams, Shurtleff, Fowle, Lewis.

## ON ACCOUNTS.

<i>Aldermen</i> Thompson, Lewis.		<i>Common Council.</i>
		Messrs. Little, Nichols, Brewer.

## ON PUBLIC PROPERTY.

<i>Aldermen</i> Grant, Lewis, Chadwick.		<i>Common Council.</i>
		Messrs. Williams, Little, Shurtleff, Barton, Robbins.

## ON PUBLIC INSTRUCTION.

The Mayor.		<i>Common Council.</i>
<i>Aldermen</i> Lewis, Grant.		Messrs. Shed, May, Tower, Lord, Fowle.

## ON HIGHWAYS, BRIDGES, AND SIDEWALKS.

The Mayor.		<i>Common Council.</i>
<i>Aldermen</i> Willis, Thompson.		Messrs. Nichols, May, Perkins, Hall, J. R. Morse.

## ON THE FIRE DEPARTMENT.

<i>Aldermen</i> Nichols, Chadwick, Griggs.	<i>Common Council.</i> Messrs. Morse, Lewis, Graham, Colburn, Bowdlear.
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## ON BURIAL GROUNDS.

The Mayor. <i>Aldermen</i> Porter, Grant.	<i>Common Council.</i> Messrs. Lewis, Fowle, Brewer, Hall, A. G., Hall, J. R.
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## ON FUEL.

<i>Aldermen</i> Griggs, Porter.	<i>Common Council.</i> Messrs. Brewer, Perkins, Graham.
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## ON POOR AND ALMSHOUSE.

The Mayor. <i>Alderman</i> Porter.	<i>Common Council.</i> Messrs. Shurtleff, Robbins, Tower.
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## ON LAMPS.

<i>Aldermen</i> Chadwick, Thompson.	<i>Common Council.</i> Messrs. Little, Lord, Lewis.
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## ON PRINTING.

<i>Aldermen</i> Willis, Nichols.	<i>Common Council.</i> Messrs. Nichols, Barton, Williams.
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STANDING COMMITTEES OF THE BOARD OF  
ALDERMEN.

## ON POLICE.

The Mayor, *Aldermen* Thompson and Nichols.

## ON LICENSES.

The Mayor, *Aldermen* Grant and Griggs.

## ON ENROLMENT.

*Aldermen* Lewis, Chadwick and Willis.

## ON LAYING OUT AND WIDENING STREETS.

The Mayor, *Aldermen* Nichols and Lewis.

ON BILLS OR ACCOUNTS PRESENTED FOR ALLOWANCE OR  
PAYMENT.

*Aldermen* Nichols, Porter and Griggs.

STANDING COMMITTEES OF THE COMMON  
COUNCIL.

## ON ELECTIONS.

Messrs. Fowle, A. G. Hall and Colburn.

## ON ENROLLED ORDINANCES.

Messrs. Barton, Bowdlear and Tower.

## TREASURY DEPARTMENT.

Joseph W. Dudley, *Treasurer and Collector*. Blanchard Place. Salary \$1,400. [Chosen by City Council, in Convention, in January. Office, City Hall. See Ordinance No. 8.

## ASSESSORS.

Joseph N. Brewer, Joshua Seaver, Enos F. Bronsdon.  
 [Chosen by City Council, in Convention, in April.] Receive \$250 each, and \$100 Clerk hire.

## ASSISTANT ASSESSORS.

Ward 1. Joseph Bugbee, 2. Gera Farnum, 3. Uriah T. Brownell,	Ward 4. Granville W. Wilson, 5. Stephen Hammond.
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[Chosen in each Ward where they reside.] Receive \$20 each.

## OVERSEERS OF THE POOR.

The Mayor, *ex officio*, Chairman.

Ward 1. Warren Marsh, 2. Ira Allen, 3. S. S. Littlefield,	Ward 4. Nelson Worthen, 5. George Gregerson.
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[Chosen in each Ward where they reside.]

## THE ALMSHOUSE.

Ezra Young, *Superintendent*. Salary \$500. [Appointed by Overseers of the Poor.]

Joseph H. Streeter, M. D., *Physician*. Salary \$100. [Appointed by Overseers of the Poor.]

## SURVEYORS OF HIGHWAYS.

John S. Sleeper,  
 Charles E. Grant,  
 Benjamin Thompson,  
 Walden Porter,  
 Joseph G. Chadwick,

George S. Griggs, Henry Willis, George Lewis, Charles C. Nichols.
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## COMMISSIONER OF STREETS.

Richard Ward, Lambert Avenue. Salary \$650. Chosen by the Mayor and Aldermen, in January. See Ordinance No. 40.]

## FIRE DEPARTMENT.

[Ordinance No. 34.]

## CHIEF ENGINEER.

Samuel F. Train. Salary \$225.

## ASSISTANT ENGINEERS.

- |                      |  |                  |
|----------------------|--|------------------|
| 1. Gilbert S. May,   |  | 3. John Withers, |
| 2. Jonas Fillebrown, |  | 4. Reuben Weeks. |

[The Chief and Assistant Engineers are chosen by the City Council, in Convention, in April. The rank of the Assistant Engineers is determined by the Mayor and Aldermen. They receive \$60 each; the Secretary an additional sum of \$15.]

## FOREMEN OF ENGINES.

*Warren Co. No. 1.* Dudley, corner Warren Street.  
John A. Foley.

*America Co. No. 2.* Centre Street.  
George White.

*Jamaica Co. No. 3.* Centre, near Perkins Street.  
[Vacant.]

*Torrent Co. No. 6.* Eustis Street.  
Chester M. Gay.

*Tremont Co. No. 7.* Ruggles Street.  
Abraham Baldner.

*Washington Hook & Ladder Co.* Dudley, cor. Warren St.  
Charles A. Adams.

*Cochituate Hose Co.* Near Railroad Crossing, Wash'ton St.  
Thomas A. Scott.

THE FOLLOWING TABLE EXHIBITS THE PAY OF THE OFFICERS AND MEMBERS OF THE SEVERAL ENGINE COMPANIES.

Name of Engine.	Foreman.	Clerk.	Steward.	No. of Men, exclusive of Officers.	Pay of Members.
Warren, No. 1, . . . . .	\$80	\$70	\$100	38	\$36
America, No. 2, . . . . .	80	70	100	38	36
Jamaica, No. 3, (Vacant,)					
Torrent, No. 6, . . . . .	80	70	100	38	36
Tremont, No. 7, . . . . .	80	70	100	38	36
Hook and Ladder Company, .	70	60	80	18	36
Cochituate Hose Company, .	65	55	65	10	36

The Members of the Engine Companies are appointed by the Mayor and Aldermen. Their compensation is determined by the City Council.

## POLICE DEPARTMENT.

### POLICE COURT.

#### STANDING JUSTICE.

Peter S. Wheelock, Bower Street. Salary \$1,000.  
Fees payable into City Treasury.

#### SPECIAL JUSTICES.

Joshua Seaver,                      Eben Jones.

#### CITY MARSHAL.

Abraham S. Parker, Tremont Street. Salary \$2.25 per diem. [Ordinance No. 45. Appointed by the Mayor and Aldermen.]

## ASSISTANT MARSHALS, WATCHMEN AND POLICE OFFICERS.

William D. Cook,	Hiram A. Campbell,
Henry J. V. Myers,	Samuel McIntosh,
Joseph Hubbard,	Henry L. Ford,*
James Ball,	Charles T. Trask,*
Elliott Trask,	Jeremiah M. Sweat,*
Hawley Folsom,	Matthew Clark.*

[\* Pay as Night Watchmen, \$1.50.]

Salary \$2 per diem; fixed by the City Council. All fees paid into the City Treasury. [Appointed by the Mayor and Aldermen.]

## CONSTABLES.

A. S. Parker,	Samuel S. Littlefield,
William D. Cook,	Charles T. Trask.
Henry J. V. Myers,	Morrill P. Berry,
Joseph Hubbard,	Samuel McIntosh,
Elliott Trask,	Bartlett W. Dexter,
Hawley Folsom,	Henry L. Ford,
James Ball,	Ezra Young,
Hiram A. Campbell,	Jeremiah M. Sweat,
Luke Jewett,	Matthew Clark.

[Appointed by the Mayor and Aldermen.]

## CORONERS.

Thomas Adams,	. . .	Vernon Street.
Morrill P. Berry,	. . .	Vernon Street.

## TRUANT OFFICERS.

William D. Cook,	Elliott Trask,
Henry J. V. Myers,	Hawley Folsom,
Joseph Hubbard,	Hiram A. Campbell.

[Ordinance No. 38. Appointed by the Mayor and Aldermen.]

## CITY SOLICITOR.

William Gaston, Linden Park. Salary \$800. [Ordinance No. 43.] Chosen by concurrent vote, in February.

## HEALTH DEPARTMENT.

## BOARD OF HEALTH.

The Mayor and Aldermen.

## CONSULTING PHYSICIANS.

Charles M. Windship, M. D.    John S. Flint, M. D.  
 Timothy R. Nute, M. D.

[Appointed by the Mayor and Aldermen, in May or June,  
 Ordinance No. 14.]

## CITY PHYSICIAN.

Arial I. Cummings, M. D., Dudley Street. Salary \$200.  
 [Chosen by concurrent vote in the City Council in May.  
 Office, rear of City Hall.]

## SUPERINTENDENT OF BURIAL GROUNDS.

The Undertaker.

## UNDERTAKER.

John C. Seaver, Zeigler Street. [Ordinance No. 12.]

## CEMETERY AT FOREST HILLS.

## BOARD OF COMMISSIONERS.

[Elected by the City Council. See Act, page 26.]

	Term Expires.
William J. Reynolds, . . . . .	1858.
Linus B. Comins, . . . . .	1859.
Jonathan French, . . . . .	1860.
Francis C. Head, . . . . .	1861.
Alvah Kittredge, . . . . .	1862.

Alvah Kittredge, *Chairman.*

Francis C. Head, *Secretary.*

Joseph W. Dudley, City Treas., *Treasurer.*

Joseph W. Tucker, *Register.*

Daniel Brims. *Superintendent.*

The following Officers are first elected by the Mayor and Aldermen, and then sent to the Common Council for their concurrence. They are all paid by fees.

*Field Drivers and Hogsreeves*—Bradbury Pevear, William Lingham, William D. Cook, Hiram A. Campbell, Henry L. Ford.

*Fence Viewers*—John Dove, William Seaver, David Simpson.

*Pound Keeper*—Ezra Young.

*Tythingmen*—Elbridge A. Hovey, Phineas B. Smith, Nathaniel Adams.

*Sealers of Leather*—Reuben M. Stackpole, Joseph W. Winslow.

*Surveyors of Lumber*—Gera Farnum, Tillson Williams.

*Measurers of Wood and Bark*—Joseph Bugbee, Elbridge A. Hovey, Stephen Faunce, William Seaver, Henry Basford, George B. Faunce, Stephen Hammond.

*Weigher of Hay*—Andrew W. Newman.

*Scaler of Weights and Measures*—Melzar Waterman.

## PUBLIC SCHOOLS.

## SCHOOL COMMITTEE.

William H. Ryder, *Chairman*.

Arial I. Cummings, *Secretary*.

*Elected at Large.*

George Putnam, Julius S. Shailer, William H. Ryder.

*Elected by Wards.*

Ward 1.—Horatio G. Morse, Henry W. Farley.

Ward 2.—Joshua Seaver, Ira Allen.

Ward 3.—Timothy R. Nute, A. I. Cummings,

Ward 4.—Joseph N. Brewer, Jonathan P. Robinson.

Ward 5.—Edwin Ray, Alfred P. Putnam.

## SUB-COMMITTEES.

*Books.*—Messrs. Ryder, Shailer, Morse, Farley, Brewer.

*Finance.*—Messrs. Seaver, G. Putnam, Robinson.

*Regulations.*—Messrs. Shailer, Nute, Seaver.

*Filling Vacancies in Primary & Intermediate Schools.*—  
Messrs. Ryder, Morse, Shailer, Cummings, Ray.

## OF DIFFERENT SCHOOLS.

Schools.	Location.	Local Committee.
English High, for Boys	Mt. Vernon Place	G. Putnam, Morse, Robinson.
Latin . . . . .	Mt. Vernon Place	Under charge of Trustees.
High School for Girls	Kenilworth Street	Shailer, Brewer, Cummings.
Dudley . . . . .	{ Kenilworth and } { Bartlett Streets }	Brewer, A. P. Putnam, Nute.
Washington . . . .	Washington Street	Seaver, Allen, Ray.
Dearborn . . . . .	Abney Place . .	Morse, Ray, A. P. Putnam.
Eliot . . . . .	Gore Avenue . .	Farley, Nute, Robinson.
Francis Street . . .	Francis Street . .	Allen, Robinson, Cummings.
Intermediate . . . .	Vernon Street . .	Seaver.

## LATIN SCHOOL.—Boys.

Augustus H. Buck, *Principal*.

## ENGLISH HIGH SCHOOL.—Boys.

S. M. Weston, *Principal*.

George H. Gorely, *Assistant*.

These Schools are under the direction of a Board of Trustees, consisting of the following gentlemen :

George Putnam, *President*.  
James Guild, *Treasurer*.  
Charles K. Dillaway, *Secretary*.  
Enoch Bartlett,  
Thomas D. Anderson,  
D. A. Simmons,  
Samuel H. Walley,

Benjamin Kent,  
B. E. Cotting,  
A. C. Thompson,  
Theodore Otis,  
S. P. Blake,  
James Guild,  
John S. Sleeper.

[The City pays an annual sum towards the support of these Schools, and by a mutual arrangement the School Committee have a joint jurisdiction over the English High School.]



HIGH SCHOOL.—*Girls.*

Robert Bickford, *Principal.*  
Martha S. Price, *Assistant.*

DUDLEY SCHOOL.—*Girls.*

Adeline Seaver, *Principal.*

Ellen M. Haskell, Caroline Alden, Ellen A. Marean,  
Clara B. Tucker, Caroline J. Nash, C. B. Thompson, Helen  
J. Otis, *Assistants.*

WASHINGTON SCHOOL.—*Boys.*

John Kneeland, *Principal.*

Harriet E. Burrell, Anna M. Williams, Alice C. Pierce,  
Sarah M. Vose, Rebecca Jordan, Margaret A. Mathews,  
Caroline C. Drown, *Assistants.*

DEARBORN SCHOOL.—*Boys.*

William H. Long, *Principal.*

Louisa E. Harris, Ruth P. Stockbridge, S. Frances Has-  
kell, Louisa J. Fisher, Henrietta M. Young, *Assistants.*

ELIOT SCHOOL.—*Girls.*

Sarah A. M. Cushing, *Principal.*

Mary C. Eaton, Elizabeth W. Young, Almira W. Cham-  
berline, *Assistants.*

FRANCIS STREET SCHOOL.—*Both Sexes.*

Sophronia F. Wright, *Principal.*

INTERMEDIATE SCHOOL.—*Boys.*

Delia Mansfield, *Principal.*  
Nancy L. Tucker, *Assistant.*

## CURATOR.

Jonas Pierce, Jr.

## PRIMARY SCHOOLS — 1857.

TEACHERS.	LOCATION.	COMMITTEE.
1. Sarah T. Jennison . . . . .	Yeoman Street . . . . .	Morse.
2. Eliza C. Parmelee . . . . .	Yeoman Street . . . . .	Morse.
3. Sarah O. Babcock . . . . .	Yeoman Street . . . . .	Morse.
4. Julia B. Burrill . . . . .	Yeoman Street . . . . .	Morse.
5. Elizabeth A. Morse . . . . .	Eustis Street . . . . .	Cummings.
6. Margaret E. Davis . . . . .	Eustis Street . . . . .	Cummings.
7. Maria L. Young . . . . .	Summer Street . . . . .	Farley.
8. Vacant . . . . .	.....	
9. Harriet H. Fay . . . . .	Vernon Street . . . . .	Shailer.
10. Susan L. Durant . . . . .	Vernon Street . . . . .	Shailer.
11. Emily Gardner . . . . .	Sudbury Street . . . . .	Allen.
12. Susan A. Fall . . . . .	Sudbury Street . . . . .	Allen.
13. Cornelia A. Bills . . . . .	Sudbury Street . . . . .	Allen.
14. Charlotte Williams . . . . .	Sudbury Street . . . . .	Allen.
15. Ann M. Backup . . . . .	Avon Place . . . . .	Ray.
16. Carrie M. Adams . . . . .	Avon Place . . . . .	Ray.
17. Sarah W. Holbrook . . . . .	Mill Dam . . . . .	Allen.
18. Almira B. Russell . . . . .	Orange Street . . . . .	Seaver.
19. Eliza Brown . . . . .	Orange Street . . . . .	Seaver.
20. Mary A. Waldock . . . . .	Smith Street . . . . .	Nute.
21. Elvira Morse . . . . .	Smith Street . . . . .	Nute.
22. Elizabeth Waldock . . . . .	Francis Street . . . . .	Nute.
23. Henrietta M. Wood . . . . .	Centre Street . . . . .	Brewer.
24. Mary A. Morse . . . . .	Centre Street . . . . .	Brewer.
25. Caroline N. Heath . . . . .	Near Jamaica Plain . . . . .	Robinson.
26. Plooma A. Savage . . . . .	Edinboro' Street . . . . .	G. Putnam.
27. Mary G. Hewes . . . . .	Edinboro' Street . . . . .	G. Putnam.
28. Margaret G. Chenery . . . . .	Munroe Street . . . . .	Ray.
29. Sarah A. Dudley . . . . .	Elm Street . . . . .	A. P. Putnam.
30. H. B. Scammell . . . . .	Elm Street . . . . .	A. P. Putnam.
31. Caroline N. Stowell . . . . .	Wash'ton, c. Suffolk Pl. . . . .	Farley.
32. Frances N. Brooks . . . . .	Winthrop Street . . . . .	Cummings.

Teachers are elected, except those in the High School, and their salary fixed by the School Committee.

## WARD OFFICERS.

## WARD 1.

*Warden,*  
Samuel P. Kent.

*Clerk,*  
Theodore A. Sampson.

*Inspectors,*  
Chester M. Gay,  
Charles Erskine,  
Solomon Sanborn.

## WARD 2.

*Warden,*  
Joshua Seaver.

*Clerk,*  
Anthony B. Shaw.

*Inspectors,*  
Squire G. Brooks,  
Jeremiah M. Sweat,  
Charles H. Crawford.

## WARD 3.

*Warden,*  
Joseph Wiggin.

*Clerk,*  
Joseph N. Pennock.

*Inspectors,*  
Jonathan M. Harmon,  
Moses Gragg,  
George Wiggin.

## WARD 4.

*Warden,*  
Hartley E. Woodbridge.

*Clerk,*  
Edward B. Reynolds.

*Inspectors,*  
Francis Freeman,  
John Stockman,  
Richard H. Wiswall.

## WARD 5.

*Warden,*  
William K. Lewis.

*Clerk,*  
John H. Sleeper.

*Inspectors,*  
Henry Parkhurst,  
Theodore H. Bell,  
Benjamin Meriam.

## W A R D S ,

As divided and established by the Board of Selectmen of the Town of Roxbury, March 26, 1846, [See City Charter, Sect. 3,) and revised by the City Council in 1851.

WARD 1. Beginning on Washington Street, at the division line between Boston and Roxbury; thence on the easterly side of Washington Street, to the Norfolk and Bristol Turnpike; thence on the easterly side of said turnpike, to Dudley Street; thence on the northerly side of said street, to Eustis Street; thence on the easterly side of Eustis Street, to the Division line between Roxbury and Dorchester.

WARD 2. Beginning at the Boston and Roxbury line; thence on the westerly side of Washington to Vernon Street; thence on the northerly side of Vernon to Ruggles Street; thence on the easterly and northerly side of Ruggles to Parker Street; thence crossing Parker Street, over the marshes on the northerly side of said street to the creek, which is the dividing line between Brookline and Roxbury.

WARD 3. Beginning at the division line between Roxbury and Brookline on Washington Street; thence on the northerly side of Washington Street to the junction of Centre and Washington Streets; thence crossing Washington to Dudley Street; thence on the northerly side of Dudley Street to the Norfolk and Bristol Turnpike; thence on the westerly side of said turnpike to Washington Street; thence on the westerly side of said street to Vernon Street; thence on the southerly side of Vernon Street to Ruggles Street; thence crossing Ruggles Street on the westerly and southerly side of said street to Parker Street; thence crossing Parker Street over the marshes on the southerly side to the creek which divides Roxbury from Brookline, the point where the second ward terminates.

WARD 4. Beginning at the division line between Roxbury and Brookline on Washington Street; thence on the southerly side of Washington to the junction of Centre and Washington Streets; thence crossing to Dudley Street on the southerly side of Dudley Street to the Norfolk and Bristol Turnpike; thence on the westerly side of said turnpike to a stone monument; thence in a straight line to a stone monument near Leonard Hyde's on Centre Street, being the division line between West Roxbury and Roxbury; thence in a direct line to the division line between Brookline, Roxbury and West Roxbury.

WARD 5. Beginning at the Roxbury and Dorchester line on Eustis Street; thence on the westerly side of said street to Dudley Street; thence on the southerly side of said street to Norfolk and Bristol Turnpike; thence on the easterly side of said turnpike to Seaver Street; thence on the northerly side of Seaver Street to Brush Hill Turnpike; thence in a direct line to Dorchester line.

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#### W A R D R O O M S .

- Ward 1. Primary School House, Eustis Street.  
 " 2. Vestry Tremont Baptist Church, Ruggles Street.  
 " 3. City Hall, Dudley Street.  
 " 4. Octagon Hall, Dudley Street.  
 " 5. Vestry Methodist Church, Warren, corner Cliff Street.

MODES AND TIMES OF APPOINTMENT OF THE  
VARIOUS CITY OFFICERS.

City Clerk—in Convention, . . . .	January.
Undertaker—Mayor and Aldermen, Chief and Assistant Engineers—in Con- vention, . . . . .	April.
Commissioner of Streets—Mayor and Aldermen, . . . . .	January.
Field Drivers and Hogsreeves, Fence Viewers, Pound Keeper, Tything- men, Sealers of Leather, Surveyors of Lumber, Measurers of Wood and Bark, Weigher of Hay, Sealer of Weights and Measures, Weighers of Coal—Concurrent vote, first acted upon by the Mayor and Aldermen, .	April.
Officer to complain of Truants—Mayor and Aldermen, . . . . .	January.
Assessors—in Convention, . . . . .	April.
City Marshal and Assistants, Police and Watchmen—Mayor and Aldermen, .	April.
Constables—Mayor and Aldermen, .	April.
City Treasurer—in Convention, . . .	January.
Consulting Physicians—Mayor and Al- dermen, . . . . .	May or June.
City Messenger—Concurrent vote, first elected by the Mayor and Aldermen,	April.
Superintendent of Burial Grounds— Mayor and Aldermen, . . . . .	April.
City Solicitor—Concurrent vote of both branches of the City Council, . . .	February.
City Physician—Concurrent vote of both branches of the City Council, .	May.

## T A X E S .

The amount of Taxes assessed on the Real and Personal Estates in the City of Roxbury, from 1846 :

## 1846.

Valuation of Real and Personal Estates,	\$12,543,900.00
At \$5.00 per \$1,000, is . . . . .	\$62,719.50
No. of Polls 3,668, at \$1.50 each, is . . . . .	5,502.00
	<hr/>
Total Tax for 1846, . . . . .	\$68,221.50

## 1847.

Valuation of Real and Personal Estates,	\$12,628,300.00
At \$5.70 per \$1,000, is . . . . .	\$71,981.31
No. of Polls 3,806, at \$1.50 each, is . . . . .	5,709.00
	<hr/>
Total Tax for 1847, . . . . .	\$77,690.31

## 1848.

Valuation of Real and Personal Estates,	\$13,174,600.00
At \$5.70 per \$1,000, is . . . . .	\$75,095.22
No. of Polls 3,999, at \$1.50 each, is . . . . .	5,998.50
	<hr/>
Total Tax for 1848, . . . . .	\$81,093.72

## 1849.

Valuation of Real and Personal Estates,	\$13,476,600.00
At \$6.20 per \$1,000, is . . . . .	\$83,554.92
No. of Polls 3,982, at \$1.50 each, is . . . . .	5,973.00
	<hr/>
Total Tax for 1849, . . . . .	\$89,527.92

## 1850.

Valuation of Real Estate, . . . . .	\$9,560,800.00
Valuation of Personal Estate. . . . .	4,152,000.00
	<hr/>
	\$13,712,800.00
At \$6.20 per \$1,000, is . . . . .	\$85,019.36
No. of Polls 4,125, at \$1.50 each, is . . . . .	6,187.50
	<hr/>
Total Tax for 1850, . . . . .	\$91,206.86

## 1851.\*

Valuation of Real Estate, . . . . .	\$9,649,600.00
Valuation of Personal Estate, . . . . .	4,283,600.00
	<hr/>
	\$13,933,200.00
At \$6.60 per \$1,000, is . . . . .	\$91,959.12
No. of Polls 4,223, at \$1.50 each, is . . . . .	6,334.50
	<hr/>
Total Tax for 1851, . . . . .	\$98,293.62

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\* West Roxbury set off this year. Valuation of whole included.



## 1852.

Valuation of Real Estate, . . . .	\$8,786,400.00
Valuation of Personal Estate, . . . .	3,148,800.00
	<hr/>
	\$11,935,200.00
	<hr/>
At \$6.40 per \$1,000, is . . . .	\$76,385.28
No. of Polls 3,440, at \$1.50 each, is . . . .	5,160.00
	<hr/>
Total Tax for 1852, . . . .	\$81,545.28

## 1853.

Valuation of Real Estate, . . . .	\$9,070,800.00
Valuation of Personal Estate, . . . .	3,361,800.00
	<hr/>
	\$12,432,600.00
	<hr/>
At \$7.80 per \$1,000, is . . . .	\$96,974.28
No. of Polls 3,623, at \$1.50 each, is . . . .	5,434.50
	<hr/>
Total Tax for 1853, . . . .	\$102,408.78

## 1854.

Valuation of Real Estate, . . . .	\$9,472,400.00
Valuation of Personal Estate, . . . .	3,896,800.00
	<hr/>
	\$13,369,200.00
	<hr/>
At \$7.80 per \$1,000, is . . . .	\$104,279.76
No. of Polls 3,833, at \$1.50 each, is . . . .	5,749.50
	<hr/>
Total Tax for 1854, . . . .	\$110,029.26

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## 1855.

Valuation of Real Estate, . . . .	\$10,714,800.00
Valuation of Personal Estate, . . . .	4,862,400.00
	<hr/>
	\$15,577,200.00
	<hr/>
At \$7.80 per \$1,000, is . . . . .	\$121,502.16
No. of Polls 3,804, at \$1.50 each, is . . . . .	5,706.00
	<hr/>
Total Tax for 1855, . . . . .	\$127,208.16

## 1856.

Valuation of Real Estate, . . . . .	\$11,594,400.00
Valuation of Personal Estate, . . . . .	5,066,000.00
	<hr/>
	\$16,660,400.00
	<hr/>
At \$9.00 per \$1,000, is . . . . .	\$149,943.60
No. of Polls 4,118, at \$1.50 each, is . . . . .	6,177.00
	<hr/>
Total Tax for 1856, . . . . .	\$156,120.60

VALUATION OF ESTATES, AND NUMBER OF POLLS IN  
ROXBURY FROM 1836 TO 1857.

1836	.	.	.	\$5,582,400	1,833
1837	.	.	.	5,875,000	2,114
1838	.	.	.	5,979,900	2,047
1839	.	.	.	6,438,600	2,129
1840	.	.	.	6,721,000	2,300
1841	.	.	.	6,941,600	2,474
1842	.	.	.	7,341,600	2,570
1843	.	.	.	7,710,000	2,554
1844	.	.	.	8,578,600	2,977
1845	.	.	.	9,569,800	3,433
1846	.	.	.	12,543,900	3,668
1847	.	.	.	12,628,300	3,806
1848	.	.	.	13,174,600	3,999
1849	.	.	.	13,476,600	3,982
1850	.	.	.	13,712,800	4,125
1851*	.	.	.	13,933,200	4,223
1852	.	.	.	11,935,200	3,440
1853	.	.	.	12,432,600	3,623
1854	.	.	.	13,369,200	3,833
1855	.	.	.	15,577,200	3,804
1856	.	.	.	16,660,400	4,118

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POPULATION OF ROXBURY AT DIFERENT PERIODS.

1765	.	.	.	.	.	1,487
1790	.	.	.	.	.	2,226
1800	.	.	.	.	.	2,765
1810	.	.	.	.	.	3,669
1820	.	.	.	.	.	4,135
1830	.	.	.	.	.	5,247
1840	.	.	.	.	.	9,089
1850†	.	.	.	.	.	18,316
1855	.	.	.	.	.	18,477

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\* West Roxbury set off, 1851.

† Including West Roxbury.

102 AMOUNT PAID FOR SCHOOLS, ETC.

AMOUNT PAID FOR SCHOOLS, INCLUDING THE BUILDING  
AND REPAIR OF SCHOOL HOUSES.

Year.	Teachers' Pay, Fuel, and Contingencies.	New School Houses,	Total.
1846	\$17,104.01	\$8,887.96	\$27,991.97
1847	20,555.23	7,953.37	28,508.60
1848	24,422.69	20,916.54	45,338.13
1849	25,480.80	4,198.59	29,578.39
1850	26,177.86	3,660.55	29,738.41
1851	21,976.32	15,013.31	36,989.63
1852	24,709.61	7,949.24	32,658.85
1853	26,391.51	3,899.12	30,290.63
1854	30,284.69	26,802.92	57,087.61
1855	32,616.68	6,239.07	38,855.75
1856	36,266.58	5,309.16	41,575.74

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AMOUNT PAID FOR REPAIR OF HIGHWAYS.

1846	.	.	.	.	.	\$7,750.83
1847	.	.	.	.	.	9,853.38
1848	.	.	.	.	.	10,029.93
1849	.	.	.	.	.	12,015.06
1850	.	.	.	.	.	12,129.46
1851	.	.	.	.	.	9,698.58
1852	.	.	.	.	.	19,364.30
1853	.	.	.	.	.	15,537.45
1854	.	.	.	.	.	18,608.96
1855	.	.	.	.	.	29,080.96
1856	.	.	.	.	.	20,370.12

## AMOUNT PAID FOR SUPPORT OF POOR—NET COST.

Year.	Average No. Inmates.	Whole No. admitted.	Net Cost.
1846 . . .	120	410	\$5,586.15
1847 . . .	187	762	9,751.95
1848 . . .	242	710	6,052.40
1849 . . .	216	627	9,207.40
1850 . . .	240	628	8,229.08
1851 . . .	227	630	8,478.96
1852 . . .	185	507	6,737.49
1853 . . .	155	356	7,227.14
1854 . . .	52	292	7,776.21
1855 . . .	25	90	4,543.92
1856 . . .	25	112	5,491.64

NOTE.—The amount given as the net cost of the respective years, is not strictly correct in every instance, as the accounts against the Commonwealth have in some instances been disallowed by the State Auditor, and a part of them subsequently allowed by the Legislature.

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AMOUNT PAID FOR SUPPORT OF FIRE DEPARTMENT,  
PAY OF MEMBERS, BUILDING ENGINES,  
HOUSES, AND REPAIR THEREOF.

Year.	Reservoirs.	Fire Department.	Total.
1846 . . .	\$1,299.00	\$5,941.12	\$7,240.12
1847 . . .	2,090.00	6,635.79	8,725.29
1848 . . .	1,993.81	5,493.06	7,468.87
1849 . . .	1,271.47	5,869.14	7,140.61
1850 . . .	912.44	5,407.76	6,320.20
1851 . . .		6,618.99	6,618.99
1852 . . .	670.77	7,634.54	8,305.31
1853 . . .	1,747.33	8,232.33	9,979.66
1854 . . .		8,681.84	8,681.84
1855 . . .	1,593.49	10,655.08	12,248.57
1856 . . .	258.56	12,203.13	12,461.69

## AMOUNT PAID FOR POLICE AND WATCH.

1846	.	.	.	.	.	\$2,363.96
1847	.	.	.	.	.	3,965.65
1848	.	.	.	.	.	4,408.41
1849	.	.	.	.	.	5,004.08
1850	.	.	.	.	.	4,075.89
1851	.	.	.	.	.	3,427.27
1852	.	.	.	.	.	4,271.30
1853	.	.	.	.	.	4,419.75
1854	.	.	.	.	.	5,370.68
1855	.	.	.	.	.	7,817.60
1856	.	.	.	.	.	9,290.88

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## AMOUNT PAID FOR LAMPS.

1846	.	.	.	.	.	\$849.06
1847	.	.	.	.	.	935.94
1848	.	.	.	.	.	899.01
1849	.	.	.	.	.	1,094.75
1850	.	.	.	.	.	1,221.18
1851	.	.	.	.	.	1,362.63
1852	.	.	.	.	.	2,431.47
1853	.	.	.	.	.	3,243.14
1854	.	.	.	.	.	2,592.75
1855	.	.	.	.	.	11,469.66
1856	.	.	.	.	.	8,551.78

# Names of Members of the City Government,

SINCE THE ADOPTION OF THE CITY CHARTER.



## MAYORS.

John Jones Clarke, 1846.  
Henry Alexander Scammel Dearborn, 1847, 48, 49, 50, 51.\*  
Samuel Walker, 1852, 53.  
Linus Bacon Comins, 1854.  
James Ritchie, 1855.  
John Sherburne Sleeper, 1856, 57.

## ALDERMEN.

Elijah Lewis, 1846, 47.  
Dudley Williams, 1846.  
Laban Smith Beecher, 1846.  
Moses Day, 1846.  
Samuel Walker, 1846.  
Samuel Jackson, 1846.  
Francis Chandler Head, 1846, 47, 48, 49, 50, 51.  
William Keith, 1846, 47, 48.  
Robert Gardner, 1847, 48.  
Richard Ward, 1847, 48, 49, 50, 51.  
William Bradbury Kingsbury, 1847, 48, 49, 50.  
Calvin Young, 1847, 48, 49, 50, 51.  
Nelson Curtis, 1847, 49, 50, 52, 53, 54, 56.  
Benjamin Franklin Campbell, 1848, 52, 53,  
Samuel Parkman Blake, 1848.  
Daniel Jackson, 1849, 50, 51.  
John Lincoln Plummer, 1849, 50, 51.  
William Mackintosh, 1849, 50.  
George Curtis, 1851, 52, 53, 54.  
Hiram Hall, 1851.  
Theodore Dunn, 1851.  
George Brown, 1851.  
Abraham Gearfield Parker, 1852, 53.  
Alvah Kittredge, 1852, 53.  
Horace Williams, 1852, 53.  
James Guild, 1852.  
John Hunt, 1852.

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\* Died July 29th, 1851, at Portland, Me. Samuel Walker was elected by the two branches of the City Council, August 11th, to fill the vacancy.

John Sherburne Sleeper, 1853.  
 Charles Hickling, 1853, 54.  
 Joseph Nathaniel Brewer, 1854.  
 George Jefferds Lord, 1854.  
 Robert Wilkins Ames, 1854.  
 Calvin Barstow Faunce, 1854, 55.  
 Benjamin Perkins, 1854.  
 Charles Bunker, 1855.  
 Samuel Sinclair Chase, 1855.  
 Joseph Houghton, 1855.  
 Asa Wyman, 1855.  
 Moses Howe Webber, 1855.  
 Francis Gardner, 1855.  
 William Davis Adams, 1855.  
 Benjamin Thompson, 1856, 57.  
 Charles Edward Grant, 1856, 57.  
 Joseph Gendell Torrey, 1856.  
 George Smith Griggs, 1856, 57.  
 Nahum Ward, 1856.  
 Jonathan Pratt Robinson, 1856.  
 Charles Carter Nichols, 1856, 57.  
 Walden Porter, 1857.  
 Joseph Houghton Chadwick, 1857.  
 Henry Willis, 1857.  
 George Lewis, 1857.

#### PRESIDENTS OF THE COMMON COUNCIL.

Francis George Shaw, 1846.  
 Linus Bacon Comins, 1847, 48.  
 William Augustus Crafts, 1849, 50, 51.  
 William Gaston, 1852, 53.  
 James Monroe Keith, 1854.  
 William Ellison, 1855.  
 John Wilder May, 1856.  
 Henry Pinkham Shed, 1857.

#### COMMON COUNCIL.

##### WARD 1.

Daniel Jackson, 1846, 47, 48.  
 Sylvester Bowman, 1846, 47, 49, 50.  
 William Dudley Seaver, 1846.  
 Simeon Litchfield, 1847, 48, 52.  
 Ebenezer Chamberlain, 1848.  
 Allen Putnam, 1849, 50.  
 James Munroe, 1849, 50.\*  
 John Parker, 1850, 51, 52.  
 Daniel Putnam Upton, 1851, 52, 53.  
 Reuben Winslow, 1851.  
 John Reed Howard, 1851.\*

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\* Resigned, and John Parker was elected to fill the vacancy.



George Jefferds Lord, 1852, 53, 57.  
 Franklin Williams, 1853, 54, 55, 56, 57.  
 Joseph Houghton Chadwick, 1853, 54.  
 Joseph Gendell Torrey, 1854.  
 Thomas Farmer, 1854.  
 William Morse, 1855, 56, 57.  
 George Harris Pike, 1855, 56.  
 Asa Wyman, Jr., 1855.  
 Samuel Pearson, Jr., 1856.  
 Albert Brewer, 1857.

## WARD 2.

Abraham Gearfield Parker, 1846, 47, 48.  
 George Smith Griggs, 1846, 47, 48.  
 Esdras Lord, 1846, 47, 48.  
 Thatcher Sweat, 1849, 50, 51.  
 Uriah Tompkins Brownell, 1849, 50, 51.  
 William Seaver, 1849, 50, 51.  
 John Milton Hewes, 1852, 53, 54.  
 Arial Ivers Cummings, 1852, 53.  
 Joseph Houghton, 1852, 53, 54.  
 Wilder Beal, 1852.  
 Phineas Colburn, 1853, 54, 56, 57.  
 Henry Basford, 1854.  
 John Morrill Marston, 1855.  
 Alvin Mason Robbins, 1855, 57.  
 William Hyde Palmer, 1855.  
 Benjamin Simons Noyes, 1855.  
 Timothy Ricker Nute, 1856.  
 William Parker Fowle, 1856, 57.  
 Thomas Langdon Dodge Perkins, 1856, 57.

## WARD 3.

William James Reynolds, 1846, 47, 48, 49, 50.  
 William Greene Eaton, 1846, 47, 48.  
 John Lansdorff DeWolf, 1846.  
 William Augustus Crafts, 1847, 48, 49, 50, 51.  
 William Gaston, 1849, 50, 51, 52, 53.  
 Joseph Crawshaw, 1851.  
 True Russell, 1852.  
 John Wells Parker, 1852, 53.  
 Calvin Barstow Faunce, 1852, 53.  
 William Lewis Hall, 1853.  
 Charles Bayley Bryant, 1854.  
 Horace King, 1854.  
 Obed Rand, 1854.  
 Alden Graham, 1854.  
 Robert Simpson, 1855.  
 Robert Webb Molineux, 1855.  
 William Ricker Huston, 1855.  
 Joseph Henry Swain, 1855.  
 John Wilder May, 1856, 57.

John Emory Gowen, 1856.  
 William Francis Dunning, 1856.  
 Samuel Little, 1856, 57.  
 Alfred Gowen Hall, 1857.  
 John Bowdlear, 1857.

## WARD 4.

Alvah Kittredge, 1846, 47, 48, 49, 50, 51.  
 Joseph Nathaniel Brewer, 1846, 47, 48, 49, 50, 51, 52, 53.  
 James Guild, 1846.  
 Nathaniel Mayhew, 1847, 48, 49, 50.  
 George Davenport, 1851, 52.  
 George Lewis, 1852, 53.  
 Frederick Guild, 1852.  
 Charles Frederick Bray, 1853.  
 Henry Davenport, 1853, 54.  
 Joseph Bond Wheelock, 1854.  
 George William Tuxbury, 1854.  
 John Roulston Hall, 1854, 57.  
 Samuel Atwood Shurtleff, 1855, 56, 57.  
 William Ellison, 1855.  
 Clark Ide Gorham, 1855.  
 Ebenezer Waters Bumstead, 1855, 56.  
 Daniel Wingate Glidden, 1856.  
 Alonzo Williams Folsom, 1856.  
 William Graham, 1857.  
 James Augustus Tower, 1857.

## WARD 5.

Linus Bacon Comins, 1846, 47, 48.  
 Stephen Hammond, 1846, 48, 49.  
 Samuel Weld, 1846, 47.  
 Thomas Lord, 1847.  
 Samuel Walker, 1848, 49, 51.  
 Aaron Davis Williams, Jr., 1849, 50, 51.  
 Hiram Hall, 1850.  
 Robert Whipple Parker, 1850.  
 Horace Williams, 1851.  
 Charles Hickling, 1852.  
 William Sherman Leland, 1852, 53.  
 William Davis Adams, 1852, 53, 54.  
 Isaac Sanderson Burrell, 1852, 53.  
 William Bird May, 1853, 54.  
 Walden Porter, 1854.  
 James Monroe Keith, 1854.  
 Henry Pinkham Shed, 1855, 57.  
 Joseph Willett Robbins, 1855.  
 John Wesley Wolcott, 1855.  
 James William Cushing, 1855, 56.  
 Robert Cofield Nichols, 1856, 57.  
 John Thomas Ellis, 1856.  
 William King Lewis, 1856, 57.  
 William Barton, 1857.

## WARD 6.\*

George James, 1846, 47.  
 Joseph Richards Weld, 1846.  
 Calvin Young, 1846.  
 Franklin Fearing, 1847, 48.  
 George Henry Williams, 1847.  
 Atkins Augustus Clark, 1848, 49.  
 Enoch Nute, 1848.  
 John Flavel Jenkins Mayo, 1849, 50.  
 Jonas Barnard, 1849, 50.  
 Hosea Ballou Stiles, 1850, 51.  
 William Henry Gray, 1851.  
 John Richardson, 1851.

## WARD 7.

John Dove, 1846, 47.  
 Anson Dexter, 1846, 47.  
 Theodore Dunn, 1846, 48, 50.  
 James Eri Forbush, 1847.  
 Stephen Merrill Allen, 1848, 49, 50.  
 Ebenezer Whitten Stone, 1848, 49.  
 Ephraim Washington Bouve, 1849.  
 Jacob Phillips George, 1850, 51.  
 John Carroll Pratt, 1851.  
 William Davis Ticknor, 1851.

## WARD 8.

Francis George Shaw, 1846.  
 George Washington Mann, 1846.  
 Ebenezer Dudley, 1846, 47.  
 Chancy Jordan, 1847, 48, 49, 50.  
 George Brown, 1847, 48, 49, 50.  
 Benjamin Guild, 1848.  
 Charles Gideon Mackintosh, 1849, 50, 51.  
 Cornelius Cowing, 1851.  
 James W—— Wason, 1851.  
 Aaron Cass, 1851.

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<sup>5</sup> Wards 6, 7 and 8, with parts of Wards 4 and 5, were set off and incorporated, by Act of the Legislature, May 24, 1851, into the Town of West Roxbury.



# I N D E X .

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