

HOUSE . . . . No. 578.

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[Bill accompanying the petition of Merchants Municipal Committee.]

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Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Ninety-seven.

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AN ACT

To consolidate the Board of Aldermen and the Common Council and to reorganize the City Government of the City of Boston.

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

1 SECTION 1. The city council of the city of  
2 Boston shall consist of the president of the city  
3 council, twelve aldermen at large, and twenty-five  
4 ward aldermen, who shall sit and act as one legis-  
5 lative body. There shall be elected at the annual  
6 municipal election in the year eighteen hundred  
7 and ninety-seven, by the registered voters of the  
8 city, under the same provisions of law, so far as  
9 applicable, as those under which the mayor of

10 said city is now elected, a president of the city  
11 council, for the term of one year, and twelve  
12 aldermen at large, six for the term of two years  
13 and six for the term of one year; and there shall  
14 be elected at said election by the registered voters  
15 of each ward, under the same provisions of law,  
16 so far as applicable, as those under which mem-  
17 bers of the common council are now elected, one  
18 ward alderman for the term of one year; at every  
19 subsequent annual municipal election there shall  
20 be elected by the registered voters of the city, as  
21 aforesaid, six aldermen at large for the term of  
22 two years, and such other aldermen at large, for  
23 the unexpired balance of terms as may be neces-  
24 sary to fill any vacancies; and there shall be  
25 elected at every such election by the registered  
26 voters of each ward as aforesaid, one ward alder-  
27 man for the term of one year, and in the year  
28 eighteen hundred and ninety-eight, and in every  
29 alternate year thereafter, there shall be elected at  
30 such elections a president of the city council to  
31 serve for the term of two years. The term of  
32 each member of the city council shall begin with  
33 the first Monday of January next following his  
34 election, and on said day the members-elect shall  
35 meet and be sworn as now provided for members-  
36 elect of the city council of said city.

1    SECT. 2. A political party entitled to make  
2 nominations to be placed upon the official election  
3 ballot shall nominate its candidates, if any, for the  
4 offices of alderman at large and ward alderman

5 by direct plurality vote, at party caucuses held in  
6 the several wards. A candidate for the office of  
7 president of the city council may either be nom-  
8 inated by a political party by direct plurality vote,  
9 at party caucuses in the several wards, or by a  
10 convention of delegates chosen at such caucuses,  
11 as the city committee of such political party may  
12 from time to time determine.

1    SECT. 3. The salary of the president of the city  
2 council, paid in monthly payments, shall be five  
3 thousand dollars per annum, or such smaller salary  
4 as the city council shall by ordinance prescribe,  
5 no change of such salary to take effect during the  
6 municipal year in which the change is made; each  
7 of the other members of the city council shall be  
8 paid, in monthly payments, a salary of one thou-  
9 sand dollars per annum, and such further sum not  
10 exceeding twenty dollars in any one month as he  
11 shall certify has been incurred and paid by him as  
12 expenses in the performance of his official duties.  
13 The president may appoint and fix the compensa-  
14 tion of one clerk to assist him in the performance  
15 of his duties; may, by requisition on the superin-  
16 tendent of printing, provide such stationery,  
17 printing and documents, within the appropriation  
18 therefor, and, subject to the approval of the city  
19 council, appoint such clerks and other employees  
20 as he shall deem necessary to enable members of  
21 the city council to perform their duties: *provided,*  
22 *however,* that such clerks and employees, except  
23 one clerk of the city council, if the city clerk is

24 not required by ordinance to act in such capacity,  
25 one clerk of committees, one assistant clerk of  
26 committees, one reading clerk, one stenographer  
27 and one chief messenger, shall be classified under  
28 the civil service rules, and shall be appointed in  
29 the same manner as other clerks and messengers  
30 in said city, from lists certified by the civil service  
31 commissioners; and *provided further*, that the  
32 superintendent of public buildings shall have the  
33 exclusive charge of the care and repair of all  
34 rooms in the city hall. No money shall be paid  
35 out of the city treasury for expenses of the city  
36 council, or of any committee thereof, or to or for  
37 the compensation or expenses of any member, or  
38 any officer or employee thereof, except as provided  
39 in this section.

1    SECT. 4. The president of the city council  
2 shall serve as acting mayor in the same manner as  
3 the chairman of the board of aldermen of a city is  
4 authorized by general law to serve in such capac-  
5 ity, and his succession to the office of mayor shall  
6 constitute a vacancy in the office of president;  
7 shall, when present, preside at the meetings of  
8 the city council; shall from time to time designate  
9 some member thereof to preside in his absence  
10 and when he leaves the chair; shall fix the num-  
11 ber of members of all committees of the city coun-  
12 cil and designate the chairman and members of  
13 such committees, and no committee shall be con-  
14 stituted without his written approval: *provided*,  
15 *however*, that not less than one-third of the mem-

16 bers of every committee, and not less than one-  
17 half of the members of any committee authorized  
18 to recommend appropriations, shall be aldermen  
19 at large; shall be a member of every committee,  
20 and chairman of every committee authorized to  
21 recommend appropriations or to prepare rules;  
22 shall have the direction of the officers appointed  
23 by him, and may remove them for such cause as  
24 he may deem sufficient and shall specify in his  
25 order of removal; and shall in the month of No-  
26 vember of each year make a report, which shall  
27 be printed as a city document, giving a summary  
28 of the work of the city council for the municipal  
29 year.

1    SECT. 5. The city council shall be the judge  
2 of the election and qualification of its members;  
3 shall from time to time, subject to the approval of  
4 the president, provide rules for its proceedings;  
5 shall, when a vacancy occurs in the office of pres-  
6 ident of the city council, elect, by vote of a ma-  
7 jority of all the members, some registered voter  
8 not then a member, to be president of the city  
9 council, to serve for the remainder of the municipi-  
10 pal year, and a new president shall be elected at  
11 the next annual municipal election to serve for the  
12 unexpired term, if a new president for the full  
13 term is not then to be elected; shall, when a va-  
14 cancy occurs in the office of any member, elect by  
15 vote of a majority of all the members a registered  
16 voter to fill the vacancy for the remainder of the  
17 municipal year; shall have and exercise all the

18 powers, authorities and duties, not inconsistent  
19 with this act, held under special laws by the city  
20 council or the common council or the mayor and  
21 aldermen or board of aldermen acting as county  
22 commissioners, or as other public officers, or as a  
23 branch of the city council, or held by the city  
24 council or the common council or the mayor and  
25 aldermen or the board of aldermen of cities under  
26 general laws.

1 SECT. 6. Every vote authorizing the expendi-  
2 ture of money, or the granting of any location,  
3 franchise, right, or privilege in or under a public  
4 way, shall receive at least two separate readings,  
5 the second reading at least one week after the  
6 first: *provided, however*, that whenever the mayor  
7 shall send to the city council a communication  
8 stating that in his opinion a certain measure  
9 named therein should be considered without de-  
10 lay, no other business shall be transacted after the  
11 meeting to which the communication is sent until  
12 such measure is disposed of; in any vote making  
13 any such grant any terms or conditions for the  
14 benefit of the city which may be specifically rec-  
15 ommended by the mayor may be imposed, and in  
16 such case the grant shall be exercised only on  
17 condition that such terms or conditions shall con-  
18 tinue to be complied with.

1 SECT. 7. The vote upon any measure before  
2 the city council shall be taken by yeas and nays  
3 whenever any six members present shall ask for

4 the same, and no measure upon which the yeas  
5 and nays are called shall be passed unless a ma-  
6 jority of all the members of the city council, in-  
7 cluding a majority of all the aldermen at large,  
8 are recorded in its favor. No order authorizing  
9 a loan shall be passed except by a yea and nay  
10 vote of two-thirds of all the members of the city  
11 council, including a majority of the aldermen at  
12 large, unless such order has been recommended  
13 by the mayor as being for the benefit of the city  
14 as a whole, in which case it may be passed by a  
15 majority of all the members of the city council,  
16 including a majority of the aldermen at large.  
17 No two items of expenditure to be met by loan  
18 shall be authorized by the same order or vote, but  
19 each such item shall be acted upon separately and  
20 independently.

1 SECT. 8. The vote of the city council upon  
2 the final passage of every measure shall, before it  
3 takes effect, have the approval of the mayor, ex-  
4 ercised in the manner provided by law for approv-  
5 ing votes of the board of aldermen of said city, or  
6 shall receive the votes of three-fourths of all the  
7 members, including the votes of a majority of all  
8 the aldermen at large, taken by yeas and nays,  
9 whenever such vote fails to receive his approval.  
10 The mayor may approve the sum named in any  
11 item of an ordinance, order, resolution or vote,  
12 authorizing the expenditure of money, or any less  
13 sum, and such item shall take effect only to the  
14 extent of the sum approved.

1    SECT. 9. The terms of office of all officers  
2 appointed by the mayor, except those of members  
3 of boards, shall unless sooner expiring by limita-  
4 tion, expire on the thirty-first day of January in  
5 the year eighteen hundred and ninety-eight, and  
6 the terms of all members of boards expiring on \*  
7 April thirtieth of any year shall expire on January  
8 thirty-first of such year, and the mayor shall here-  
9 after appoint all members of boards for the terms  
10 provided by law, and all other officers appointed  
11 by him for the term of two years, each term begin-  
12 ning with the first day of February in the year of  
13 appointment; all such officers shall continue to  
14 hold office after the expiration of their terms until  
15 their respective successors are appointed and con-  
16 firmed, where confirmation is required.

1    SECT. 10. There shall be established as an ad-  
2 junct to the government of said city a municipal  
3 board of commerce and finance, consisting of  
4 seven members, who shall be chosen as follows:  
5 in the month of December of every year in which  
6 a mayor is to be elected, the Boston Associated  
7 Board of Trade shall choose two members, and  
8 the Boston Chamber of Commerce, the Merchants'  
9 Association, the Real Estate Exchange, the  
10 Clearing House Association, and the Shoe and  
11 Leather Exchange shall each choose one mem-  
12 ber, to serve for the term of two years from the  
13 first Monday of January next ensuing. The per-  
14 sons receiving certificates of election as such  
15 members, signed by the several presidents and

16 secretaries of said organizations, shall respectively  
17 be deemed to be chosen as aforesaid. Said board  
18 shall organize annually on the first Monday of  
19 January by the choice of a chairman and secre-  
20 tary, shall keep a record of all its proceedings,  
21 and shall be provided by the mayor with a situa-  
22 ble room in the city hall for the holding of its  
23 meetings, and with necessary clerical assistance.  
24 The functions of said board shall be purely advis-  
25 ory. It shall, in its discretion, report in writing  
26 upon any matter or question pertaining to the de-  
27 velopment of commerce, trade, transportation or  
28 industry, or to public finance or taxation, which  
29 may be referred to it for investigation or consid-  
30 eration, either by the mayor or by the city coun-  
31 cil, and it may upon its own initiative and without  
32 such reference take up the investigation or con-  
33 sideration of any such matter or question, and ad-  
34 dress a communication embodying its conclusions  
35 to the mayor, the city council, or the general  
36 court, or may appear before any committee of the  
37 city council or of the general court, or before any  
38 other public authority.

1    SECT. 11. All acts and parts of acts relating  
2 to the aldermen or to the members of the common  
3 council of said city, so far as they are not incon-  
4 sistent with the provisions of this act, shall apply  
5 to the members of the city council herein provided  
6 for, and all acts providing for the election of alder-  
7 men and members of the common council of said  
8 city, and all acts and parts of acts inconsistent

9 herewith are hereby repealed, and all ordinances  
10 or parts of ordinances inconsistent herewith are  
11 hereby annulled.

1     SECT. 12. This act, so far as it relates to the  
2 nomination and election of members of said city  
3 council, shall take effect upon its passage, and  
4 shall take full effect on the first Monday of Jan-  
5 uary, eighteen hundred and ninety-eight.



