

HOUSE No. 715.

Bill accompanying the petition of Charles F. Dole, Robert Treat Paine, George E. McNeill, Samuel B. Capen and others for legislation to provide for the election of the board of aldermen of the city of Boston by some method that will insure proportional representation. Cities. February 2.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Four.

AN ACT

Relative to the Election of Aldermen in 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. Every legal voter in the city of Boston
2 shall have the right to vote for one person and no more
3 for the office of alderman.

1 SECTION 2. Any person nominated as a candidate for
2 the office of alderman in the city of Boston may, within
3 the seventy-two hours succeeding five o'clock of the last
4 day fixed for the filing of nomination papers for that
5 office, file with the city clerk a written request, signed

6 by him and acknowledged before a justice of the peace,
7 asking that any votes cast for him in excess of the num-
8 ber necessary for his election or insufficient to elect him
9 be counted for some other candidate duly nominated for
10 said office and named in said request or for some one of
11 several such candidates named therein. A candidate for
12 said office nominated to fill a vacancy caused by the
13 death, withdrawal or ineligibility of another candidate
14 for said office may file such request within the time fixed
15 for the filing of his nomination.

1 SECTION 3. The city clerk shall, in the manner and
2 within the time provided in sections two hundred and
3 five and two hundred and six of the Revised Laws for
4 posting and publishing the names of candidates, post and
5 publish a certificate showing what candidates have filed
6 requests under the provisions of section two of this act,
7 and the names, in alphabetical order, of the candidates
8 named in such request of each.

1 SECTION 4. Votes cast for a candidate who has filed
2 the request provided in section two of this act shall, if
3 ineffective for the election of the candidate for whom they
4 were cast, be applied in the manner hereinafter provided
5 for the election of some candidate named in such request.
6 After all such votes shall, so far as possible, have been
7 so applied, the persons then having the highest number
8 of votes shall be deemed and declared to be elected.
9 Vacancies may be filled by special election.

1 SECTION 5. The following shall be deemed such in-
2 effective votes and shall be transferred in the order in
3 which they are named herein, to wit: —
4 All the votes cast for a candidate who has filed such
5 request, which are in excess of one-thirteenth of the

6 whole number cast. Those cast for the candidate receiv-
7 ing the greatest number of votes shall be first transferred,
8 then those cast for the candidate receiving the next
9 largest number of votes, and so on. In case two or more
10 receive the same number of votes, votes transferred from
11 them shall be taken in the alphabetical order of their
12 names.

13 All votes cast for the candidate who has filed such re-
14 quest who has the smallest number of votes, then all
15 votes cast for such candidate who has the next to the
16 smallest number of votes, and so on; but votes shall not
17 be transferred from a candidate when there are not thir-
18 teen other candidates who have a greater number of votes
19 than that candidate. In case two or more such candidates
20 have the same number of votes, the votes transferred
21 from them shall be taken in the alphabetical order of
22 their names. In this section by the number of votes a
23 candidate has is meant the sum of the votes cast for him
24 and those which have been transferred to him.

1 SECTION 6. Every ineffective vote for a candidate
2 shall be transferred to the candidate named in his said
3 request for whom the largest number of votes were cast,
4 and who has not, within the meaning defined in section
5 six of this act, one-thirteenth of the whole number of
6 votes cast. If the same number of votes were cast for
7 two or more candidates named in such request, the can-
8 didate residing nearest the one from whom the votes are
9 to be transferred shall be preferred.

1 SECTION 7. Sections two and three of chapter four
2 hundred and twenty-six of the acts of the year nineteen
3 hundred and three are hereby repealed.

