

SENATE....No. 18.

Commonwealth of Massachusetts.

IN SENATE, February 5, 1862.

The Committee on Towns, to whom was committed the Bill relating to Commissioners on Shade Trees and Public Grounds in the city of Worcester, report that said Bill ought to pass.

Per order,

HARTLEY WILLIAMS, *Chairman.*

Commonwealth of Massachusetts.

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

AN ACT

Relating to Commissioners on Shade Trees and Public
Grounds in the City of Worcester.

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

1 SECT. 1. The city council of Worcester is hereby
2 authorized to elect, by joint ballot, in convention, a
3 board of three commissioners, one member thereof to
4 be elected each and every year, in the month of
5 January, to hold office for the term of three years,
6 who shall have the sole care, superintendence and
7 management of the public grounds belonging to said
8 city of Worcester and of all the shade and ornamental
9 trees standing and growing thereon, and also of all
10 the shade and ornamental trees standing and growing
11 in or upon any of the public streets and highways of
12 said city; but said board, or any member thereof,

13 after having had an opportunity to be heard in his
14 or their defence, may be removed at any time, by a
15 concurrent vote of two-thirds of each branch of the
16 city council ; and in case of a vacancy in said board
17 of commissioners, by death, resignation, removal or
18 otherwise, such vacancy shall be filled by the choice
19 of another commissioner, in the manner aforesaid,
20 who shall hold his office for the remainder of the term
21 for which the member in whose place he shall be
22 elected would have held the same. Said board may
23 be organized by the choice of a chairman and secre-
24 tary from their own number, and a major part of said
25 board shall constitute a quorum for the transaction
26 of business ; and the terms for which the several mem-
27 bers of the first board of commissioners to be chosen,
28 shall hold their office, shall be determined as follows :
29 The commissioner first chosen shall hold his office
30 three years ; the next commissioner chosen shall hold
31 his office for two years ; and the commissioner next
32 chosen shall hold his office for one year.

1 SECT. 2. The said board of commissioners shall
2 lay out said public grounds or such part thereof as
3 they shall from time to time judge proper ; and it
4 shall be the duty of said commissioners, from time to
5 time, as appropriations shall be made therefor by the
6 city council, to cause all necessary paths and avenues
7 to be constructed therein, and to cause said public
8 ground to be planted and embellished with trees, as
9 they shall think proper ; and said commissioners shall
10 also cause such shade and ornamental trees to be
11 planted in and upon said public streets and highways
12 in said city as they shall think proper, and as appro-

13 priations shall be made therefor by the city council,
14 and shall adopt and use all necessary and proper
15 means to preserve the same, and promote the growth
16 thereof. And said board may make all necessary
17 by-laws and regulations in the execution of their trust,
18 not inconsistent with this act, and the laws of the
19 Commonwealth, as they shall deem expedient.

1 SECT. 3. Said board of commissioners shall, annu-
2 ally, in the month of January, and whenever required
3 by the city council, make and render a report of all
4 their acts and doings, and of the condition of the
5 public grounds and shade and ornamental trees there-
6 on, and in said streets and highways, and an account
7 of receipts and expenditures for the same.

1 SECT. 4. The mayor and aldermen of said city
2 shall insert in the warrant for the next annual meet-
3 ing for the election of state officers, an article request-
4 ing the legal voters of said city, in their respective
5 wards, to give in their written votes upon the ques-
6 tion whether they will accept this act, and if a major-
7 ity of the votes given upon said question shall be in
8 the negative, then this act shall be null and void.