

HOUSE No. 46.

Bill accompanying the petition of James DeNormandie for legislation relative to membership on the board of trustees of the Roxbury Latin School. Judiciary. January 8.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Six

AN ACT

Bill relative to the Membership on the Board of Trustees of
the Roxbury Latin School.

*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. Chapter 34 of the acts of seventeen hun-
2 dred and eighty-eight, being the act approved January
3 twenty-one, seventeen hundred and eighty-nine, entitled
4 "An act for incorporating certain persons therein named,
5 by the name of the trustees of the grammar school, in the
6 easterly part of the town of Roxbury, and for repealing
7 all the laws heretofore made for that purpose," is hereby
8 amended as follows:—

9 First. By striking out the words "not at any one
10 time," "more than," and "nor less than nine," in the
11 paragraph beginning with the words "That the number
12 of" and ending with the words "come before them," so
13 that said paragraph shall read as follows:— "That the
14 number of said trustees shall consist of thirteen, five of
15 whom shall constitute a quorum for transacting business,
16 and a major part of the members present at any stated
17 meeting thereof shall decide all questions that may prop-
18 erly come before them."

19 Second. By striking out the words “And to perpet-
20 uate the succession of the said trustees, Be it further
21 enacted by the authority aforesaid, that as often as one
22 or more of the said trustees shall die, resign, remove, or
23 in the judgment of the major part of the said trustees
24 for the time being be rendered by age, infirmity or other-
25 wise incapable of discharging the duties of his office, then
26 and so often the remaining part of the trustees then sur-
27 viving, or the major part of them, at some stated meeting,
28 shall elect by ballot, one or more persons, being reputable
29 freeholders in the town of Roxbury aforesaid, to supply
30 such vacancy or vacancies: *provided, always*, that the
31 minister and the two oldest deacons of the first church of
32 Christ in the said town of Roxbury shall always, by
33 virtue of their said offices, be members of the said corpo-
34 ration,” and by inserting in place thereof the following: —

35 “The minister and the two oldest deacons in length of
36 service of the first church of Christ in the said town of
37 Roxbury, now incorporated as the First Religious So-
38 ciety in Roxbury under chapter one hundred and thirty-
39 three of the acts of the year eighteen hundred and twenty-
40 four, shall always by virtue of their said offices be mem-
41 bers of the said corporation. Each of the other members
42 of said corporation in office when this act takes effect
43 shall remain such member until he shall die, resign, or
44 in the judgment of the major part of the trustees for the
45 time being be rendered by age, infirmity, or otherwise,
46 incapable of discharging the duties of his office. Any
47 vacancies existing when this act takes effect and any
48 which may thereafter occur among the members then in
49 office, other than the aforesaid minister and two deacons,
50 shall be filled by the election by the board of members
51 from nominations by the graduates of said school, as
52 hereinafter provided, until five members have been so

53 elected, and thereafter the said ten members other than
54 the aforesaid minister and two deacons shall be elected
55 by the board, five being elected from nominations by the
56 graduates of said school and the other five members from
57 among the residents of the territory formerly constituting
58 the town of Roxbury. The five members elected from
59 nominations by the graduates of said school shall hold
60 office for a term of five years, except as hereinafter pro-
61 vided, and the five other members shall hold office until
62 they die or resign: *provided* that whenever in the judg-
63 ment of the major part of the whole number of trustees
64 for the time being any of said ten members shall be ren-
65 dered by age, infirmity or otherwise, incapable of dis-
66 charging the duties of his office, then and so often the
67 remaining part of the trustees, or the major part of them,
68 may declare his office vacant. All vacancies, from what-
69 ever cause arising, shall be filled in the manner provided
70 for the election of the member whose office has become
71 vacant.

72 The five members to be elected from nominations by
73 the graduates of said school shall be elected as follows: —

74 Within thirty days after the time when this act takes
75 effect, if there be then any vacancy in said board of trus-
76 tees, and thereafter whenever vacancies occur which are
77 to be filled from nominations by the graduates, within
78 thirty days after the occurrence of said vacancy, the secre-
79 tary of the trustees shall call a meeting to be held in Bos-
80 ton not less than sixty nor more than ninety days after the
81 time when this act takes effect or the occurrence of such
82 vacancy, as the case may be, of the graduates of said school
83 of five or more years' standing. Notice of such meeting
84 shall be given by mail to all of such graduates whose ad-
85 dresses are known to said secretary. At such meeting, a
86 chairman and secretary shall be chosen, and said secretary

87 shall keep and transmit to the trustees a record of the
88 proceedings of the meeting attested by him which the
89 secretary of the trustees shall enter on his records. Such
90 of said graduates as are present at that meeting shall
91 select from the whole number of graduates of more than
92 five years' standing, a committee of three who shall nomi-
93 nate in writing to the trustees three times as many of
94 the graduates of the school of more than five years' stand-
95 ing as there are vacancies to be filled from nominations
96 by the graduates, and from such nominations the trus-
97 tees shall elect one for each such vacancy. Each gradu-
98 ate so elected shall hold office for five years or until his
99 successor shall be elected, provided that the term of any
100 graduate elected to fill an unexpired term shall be lim-
101 ited to that term. The election of trustees of either class
102 shall be by ballot at some stated meeting.

1 SECTION 2. This act shall take effect when accepted
2 by a majority of the trustees in office on behalf of said
3 corporation at a meeting held within one year of its
4 passage. The secretary of said corporation shall forth-
5 with upon such acceptance record in the registry of
6 deeds of the county of Suffolk a copy of the vote of ac-
7 ceptance, with a certificate of its adoption by the trus-
8 tees as herein required and the date of its adoption, duly
9 verified by him.