

**REPORT OF THE COMMISSION  
APPOINTED TO REVISE  
THE CITY CHARTER; WITH  
A DRAFT OF A NEW CHARTER**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649321292

Report of the Commission appointed to revise the city charter; With a Draft of a New Charter by Various

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**VARIOUS**

**REPORT OF THE COMMISSION  
APPOINTED TO REVISE  
THE CITY CHARTER; WITH  
A DRAFT OF A NEW CHARTER**



REPORT  
OF THE  
COMMISSION APPOINTED TO REVISE  
THE  
CITY CHARTER;  
WITH A DRAFT  
OF A  
NEW CHARTER.

---

BOSTON:  
ROCKWELL AND CHURCHILL, CITY PRINTERS,  
No. 29 ARCH STREET.  
1875.



## CITY OF BOSTON.

---

*To the City Council of the City of Boston:—*

The undersigned, members of the Commission appointed by the Mayor, under an order of the City Council of October 31, 1873, for the purpose of revising the city charter, have the honor to submit herewith the draft of an act, to be recommended to the Legislature of the Commonwealth for enactment, if the same shall be deemed to be conducive to the interests of the city.

In the performance of the duty assigned to them, the Commissioners have endeavored to make only such changes in the form of government of the city, and in the mode of administering its municipal affairs, as seem to be required by the great increase of the population of the city and the large extension of its territory. Originally, the simple form of a town government, established according to the well-known usage of New England, was found adequate to a due performance of all municipal duties. The people in their primary assembly, the town meeting, were able to exercise an immediate control over their own prudential affairs, and by their votes to direct the expenditure of all moneys raised by taxation for municipal objects. But in the progress of time, as the number of inhabitants increased and the public exigencies multiplied, the need of a more vigilant and constant oversight of public affairs became apparent. It was found that a town meeting was too large a body of men for due consultation and deliberation. A prudent and economical administration of public concerns required more time and at-

tention than could be efficiently and intelligently given in an assembly of all the voters of the town. The citizens of a busy and prosperous community, engrossed with their own personal concerns, having no direct interest in public affairs, and charged with no special duty with reference to them, would not give to the town the services which were essential to good order and the general welfare. Considerations of this nature rendered necessary the adoption of a form of local government for large towns, such as was contemplated in the 2d article of amendment to the Constitution of Massachusetts, by which the Legislature was authorized to grant city charters to towns containing more than twelve thousand inhabitants. The first charter of the city of Boston was granted immediately after the adoption of this amendment in 1822. The leading feature of it was to enable the inhabitants of the town to delegate to a mayor and to small and select bodies of men, called the City Council, the chief corporate powers and duties, which the town had previously exercised in town meetings, and had caused to be carried into effect through their selectmen and other town officers. The charter thus granted was wisely framed and judiciously adapted to the state of the municipal affairs of the town and the condition of its inhabitants at the time of its enactment. The usages of the town, the mode of conducting elections and managing the public business, were preserved in the first charter, as far as was consistent with the main object of securing a government designed to be carried on chiefly by representatives of the people instead of by the people themselves. But the lapse of half a century since the adoption of the first charter has wrought great changes in the city and in its municipal affairs. Its population in 1822 was only a little more than forty thousand. It now contains upward of three hundred and forty thousand. Its territory at that time embraced an area of about two thousand acres; now it includes more than twenty-one thousand five hundred acres. Its valuation in



1822 amounted only to about forty-two millions; in 1874 it rose to upward of eight hundred millions. The change has not been merely in the extent of its territory, the number of its inhabitants and the amount of its taxable property. The character of its population has greatly changed. Instead of a small, compact community, the leading citizens of which were well known to each other, it has become a large metropolis, with a population spread over a large extent of territory divided into numerous villages, widely separated, having but few interests in common, and the inhabitants of which are but little known to each other. With these changes have come their natural consequences. Many institutions, public works and organizations have grown up or been established, such as the public exigencies require, and which have added largely to the duties of the public officers of the city, essentially changed their character and rendered their administration more difficult and complicated. Among these may be named the introduction and supply of water; the maintenance of a large police force; the care and preservation of the public health; the efficient management of a fire department; the great increase of public ways and streets to be laid out, widened and kept in repair; the multiplication of public schools, and the establishment of hospitals and libraries. This enumeration comprises only a portion of the duties now required of the servants of the city. All of them need constant care and supervision, in order that efficient and faithful service may be maintained in all departments, and that due economy may be exercised in the expenditures of the large amounts of money necessary to their support.

It would seem to be clear that duties so numerous and important cannot be properly superintended and managed by persons who render gratuitous services only, or who are chosen to office, not for their experience in the duties which they may be called upon to perform, or their peculiar fitness and skill in the work of the different departments, which they

may have in charge. The city is a great corporation, upon which is devolved not an abstract duty only of providing for the public welfare, but the practical work of the city, in administering its various departments and executing the public works committed to its care. No prudent individual or well-conducted business corporation would trust the management of important affairs to the care of inexperienced, incompetent or inadequately paid agents. No good reason can be given for the adoption of a different policy by the city. The great object in providing for the performance of official services in behalf of the city should be to so regulate it, that its servants should, as far as practicable, be trained by experience and practice, and be made subject to proper control.

In the draft of the charter herewith submitted the terms of office of the Mayor, and of the members of the City Council, have been extended to three years. This will prevent the frequent changes consequent on shorter terms, and will tend to give to the city the benefit of a greater knowledge and experience by those to whom the management of municipal affairs is to be intrusted.

To the City Council is given the entire control over all appropriations of public money, and the purposes for which it is to be expended. This is in conformity to the provisions of the old charter, and to the uniform practice of giving to the immediate representatives of the people the power to determine upon the use to be made of all moneys raised for municipal purposes.

In order to secure the services of capable and efficient men, to be placed in charge of the various departments of the city, it has been deemed expedient to provide that they should be selected and nominated by the Mayor and confirmed by the City Council. By this method of appointment, the responsibility of selection in the first instance is placed on the first officer of the city, whose duty it will be to examine into the qualifications of candidates for the places to be

filled, before submitting nominations to the City Council. They will then be subjected to scrutiny and inquiry by the members of the Council, who will be able to ascertain whether the appointment is in all respects suitable. In this way it is believed that faithful and competent public officers will be more surely obtained than by a different mode of appointment. Personal and local influences will be less likely to prevail, where the sole responsibility of a nomination is placed on a single person, the Mayor of the city, and a confirmation by the City Council is required. This guards against the danger arising, on the one hand, from giving the sole power of appointment to a single person, and, on the other, from reposing the power entirely in a popular body.

The Constitution of the School Committee has not been essentially changed, but a great reduction has been made in the number of persons to be chosen. This seemed to be required in order that the committee might be of a size competent to dispatch the business before it with promptness and efficiency. It has also been provided that a board of examiners of the teachers and of the pupils should be established. The labor required to examine teachers and the different schools of the city is so great that it cannot be properly performed by the voluntary service of the members of the committee. The services of a trained body of men, who shall determine on the qualifications of teachers, and shall see that this duty is faithfully performed by a thorough and systematic examination of the condition of the schools, the discipline of the pupils, and the manner in which their studies are pursued, seemed to be necessary if the high character of our public schools is to be continued and maintained.

Other amendments of the charter are proposed, which will be obvious on reading the draft herewith submitted. Most of them are already in force, having been provided by special enactments of the Legislature or by ordinances of the city from time to time, as the necessities of the city required. They