

City of Cambridge.
In Board of Aldermen.

May 10th 1853.

The joint standing committee on Ordinances, to whom was referred the order of April 26th last, to inquire into the expediency of repealing the eleventh section of Ordinance No 12, entitled, "An ordinance to prevent ~~contaminated~~ unclean and injurious practices in the streets and other public places in the city," have had the same under consideration, and are of opinion that said eleventh section contains good and wholesome restrictions, which, if carried out in conformity with the designs of its framers will in the end be of great public utility, and be the means of saving the city often times from heavy damages, and therefore ought not to be repealed.

The committee are satisfied that the difficulty of enforcing said ~~eleventh~~ section, arises from the fact that a licence cannot be granted to remove buildings, or in other words to encumber the public streets, except by the Mayor and Aldermen as one board, and provided in the second section, and that said section gives no authority to the Mayor and Aldermen

to delegate the power thus invested in them, to any other person. It is presumed that the construction of said second section has heretofore been somewhat misunderstood, and that the board of aldermen have in some instances granted licences, through the mayor, for removing buildings, which has raised a question, whether or not they were legally to delegate their authority.

Believing that the whole matter can be easily remedied, by a simple process, whereby a licence may be granted, which would be legal and valid, in all cases, in which it may be deemed expedient and proper to grant them, your committee would recommend the accompanying draft as a substitute for section second of ordinance No 12.

Section 2^d. "The Mayor and Aldermen, or such person as they may authorize ~~therein~~ ^{there} to, may grant a licence in writing to any person, for the purpose of building, or other lawful purposes, to dig up, obstruct, or encumber so much and such parts of any street, lane, alley, sidewalk, or other public place in the city, on such terms and conditions, as they shall deem to be safe and proper."

all which is respectfully submitted

J. H. Davenport for
the committee

Report - Ordinance 1

10 May 1853

An Ordinance, as recommended,
passed to be enrolled.

L. R. Paige, Clerk.