

sistent with this act, have and exercise all the legislative power of towns and of the inhabitants thereof, and shall have and exercise all the powers now vested by law in the city of Beverly and in the inhabitants thereof as a municipal corporation, and shall have all the powers and be subject to all the liabilities of city councils and of either branch thereof, and it may by ordinance prescribe the manner in which such powers shall be exercised. Its members shall receive in full compensation for their services as members of the board of aldermen, or of any committee thereof, such salary as may be established by ordinance, but not exceeding five hundred dollars per annum for each member. Sessions of the board whether as a board of aldermen or as a committee of the whole shall be open to the public, and a journal of its proceedings shall be kept, which journal shall be subject to public inspection. The vote of the board upon any question shall be taken by roll call when the same is requested by at least three members. Nothing herein shall prevent the board, by special vote, from holding private sittings for the consideration of nominations by the mayor.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Beverly at the next biennial city election in the form of the following question which shall be placed upon the official ballot to be used at said election: — “Shall an act passed by the general court in the year nineteen hundred and fifty-two, entitled ‘An Act authorizing the city of Beverly to increase the compensation of the members of its board of aldermen’, be accepted?” If a majority of the votes cast on said question is in the affirmative, this act shall take full effect on January first in the year nineteen hundred and fifty-four, otherwise it shall have no effect. *Approved May 16, 1952.*

*Chap. 337* AN ACT RELATIVE TO APPROVAL OF TOWN BY-LAWS BY THE ATTORNEY GENERAL.

*Be it enacted, etc., as follows:*

G. L. (Ter. Ed.), 40, § 32, etc., amended.

Approval of town by-laws by the attorney general, regulated.

Chapter 40 of the General Laws is hereby amended by striking out section 32, as amended by section 1 of chapter 520 of the acts of 1941, and inserting in place thereof the following section: — *Section 32.* Before a by-law takes effect it shall be approved by the attorney general or ninety days shall have elapsed without action by the attorney general after the clerk of the town in which a by-law has been adopted has submitted to the attorney general a certified copy of such by-law with a request for its approval, together with adequate proof that all of the procedural requirements for the adoption of such by-law have been complied with. If the attorney general does not, within said ninety days, request of such town clerk in writing further proof of such compliance stating specifically wherein such proof is inadequate, it shall be presumed that the proof submitted was adequate. If the attorney general disapproves a by-law he

shall give notice to the town clerk of the town in which the by-law was adopted of his disapproval, with his reasons therefor. If a by-law of a town takes effect by reason of the failure of the attorney general to seasonably act upon a request for its approval, the clerk of such town shall enter in his records a statement that the by-law has become effective by reason of such failure of the attorney general to act. Before a by-law takes effect it shall also be published in a town bulletin or pamphlet, copies of which shall be posted in at least five public places in the town; and if the town is divided into precincts, copies shall be posted in one or more public places in each precinct of the town; or, instead of such publishing in a town bulletin or pamphlet and such posting, copies thereof shall be published at least three times in one or more newspapers, if any, published in the town, otherwise in one or more newspapers published in the county. The requirements of publishing in a town bulletin or pamphlet and posting, or publishing in one or more newspapers, as above, may be dispensed with if notice of the by-law be given by delivering a copy thereof at every occupied dwelling or apartment in the town, and affidavits of the persons delivering the said copies, filed with the town clerk, shall be conclusive evidence of proper notice hereunder. This section shall not apply to cities.

*Approved May 16, 1952.*

AN ACT DESIGNATING THE HIGHWAY OVERPASS AT SULLIVAN SQUARE IN THE CHARLESTOWN DISTRICT OF THE CITY OF BOSTON AS THE DAVID M. CLEARY MEMORIAL OVERPASS.

*Chap.338*

*Be it enacted, etc., as follows:*

The highway overpass being constructed at Sullivan square in the Charlestown district of the city of Boston shall be known and designated as the David M. Cleary Memorial Overpass, and, upon its completion, a suitable tablet or marker bearing said designation shall be erected thereon by the state department of public works.

*Approved May 16, 1952.*

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO MAKE PERMANENT THE PRESENT TEMPORARY GRADE CROSSING OF THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY AT SOUTH STREET IN THE CITY OF NORTHAMPTON.

*Chap.339*

*Be it enacted, etc., as follows:*

The department of public utilities, acting for and in behalf of the commonwealth, is hereby authorized and directed, subject to the approval of the governor and council, to make permanent the present temporary crossing at grade across the tracks of the New York, New Haven and Hartford Railroad Company at South street (otherwise known as Old South street) in the city of Northampton.

*Approved May 16, 1952.*