

*Chap. 59* AN ACT PROVIDING FOR THE APPOINTMENT OF THE CITY CLERK OF THE CITY OF CHELSEA BY THE MAYOR, SUBJECT TO THE APPROVAL OF THE BOARD OF ALDERMEN, AND FOR THE REMOVAL OF A CLERK SO APPOINTED.

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

SECTION 1. Part II of chapter six hundred and eighty of the acts of nineteen hundred and eleven is hereby amended by inserting after section fifty-one, as amended, the following new section:— *Section 51A*. The mayor shall appoint, subject to the approval of the board of aldermen, a city clerk, who shall, unless sooner removed, hold office until his successor is qualified. Said city clerk may be removed by the mayor, for such cause as he shall deem sufficient and shall assign in writing in his order of removal, and the removal shall take effect upon the filing of the order in the office of the city clerk and the service of a copy of such order upon said city clerk either personally or at his last or usual place of residence. The city clerk shall keep such order on file and subject to public inspection.

SECTION 2. The city clerk of the city of Chelsea in office immediately prior to the effective date of this act shall continue to hold office in accordance with the terms of his appointment, notwithstanding any provision of this act.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the city of Chelsea at the biennial municipal election in the current year 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 thirty-nine, entitled 'An act providing for the appointment of the city clerk of the city of Chelsea by the mayor, subject to the approval of the board of aldermen, and for the removal of a clerk so appointed', be accepted?" If a majority of the votes cast on said question is in the affirmative, then this act shall take full effect on the first Monday of January in the year nineteen hundred and forty, but not otherwise.

*Approved March 11, 1939.*

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*Chap. 60* AN ACT RELATIVE TO LAYING OUT, ALTERING AND DISCONTINUING WAYS IN THE CITY OF EVERETT.

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

SECTION 1. Section twenty-three of chapter three hundred and fifty-five of the acts of eighteen hundred and ninety-two is hereby amended by striking out, in the second line, the word "exclusive" and inserting in place thereof the words: — , to the exclusion of any other officer or board of said city, — and by adding at the end the following sentence:— Nothing in this section shall be construed to exclude the jurisdiction of the county commissioners of Middlesex county in respect to ways, streets and highways

in said city, — so as to read as follows: — *Section 23.* The city council shall, subject always to the approval of the mayor, have, to the exclusion of any other officer or board of said city, authority and power to order the laying out, locating anew and discontinuing of and the making of specific repairs in all streets and ways and all highways within the limits of the city; to assess the damages sustained thereby by any person and, except as herein otherwise provided, to act in matters relating to such laying out, locating anew, altering, discontinuing or repairing, but in all such matters action shall first be taken by the board of aldermen. Any person aggrieved by the action of the city council hereunder shall have all the rights and privileges now by law in similar cases allowed in appeals from decisions of selectmen. Nothing in this section shall be construed to exclude the jurisdiction of the county commissioners of Middlesex county in respect to ways, streets and highways in said city.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Everett, subject to the provisions of its charter, but not otherwise. *Approved March 11, 1939.*

AN ACT FURTHER REGULATING THE MAKING AND RECORDING OF CERTIFICATES OF BIRTH OF CERTAIN ABANDONED CHILDREN AND FOUNDLINGS. *Chap. 61*

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

SECTION 1. Chapter forty-six of the General Laws is hereby amended by inserting after section one, as amended, the following new section: — *Section 1A.* Each town clerk shall receive or obtain and record in the record of births facts relative to births of abandoned children and foundlings found within the limits of his town and the identity of whose parents is unknown. The facts relative to births required by section one shall, so far as possible, be set forth in records subject to this section, except that the town wherein such child or foundling was found shall be recorded as the place of birth, and that the date recorded as the date of birth shall be that determined by the director of the division of child guardianship in the department of public welfare. Such a record shall constitute the birth record of such child or foundling.

G. L. (Ter. Ed.), 46, new section 1A, added.

Facts relative to births of abandoned children, etc., to be recorded.

SECTION 2. Said chapter forty-six is hereby further amended by striking out section six, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 6.* Parents, within forty days after the birth of a child, and every householder, within forty days after a birth in his house, shall cause notice thereof to be given to the clerk of the town where such child is born. The director of the division of child guardianship in the department of public welfare, within forty days after the

G. L. (Ter. Ed.), 46, § 6, amended.

Notice of births and deaths by parent, keeper, etc.