

SENATE No. 354.

Commonwealth of Massachusetts.

IN SENATE, May 28, 1869.

The Committee on Towns, to whom was committed the petition of Warren Ordway and others, for the annexation of the town of Bradford to the city of Haverhill, have duly considered the same and report the accompanying Bill.

Per order,

GEO. H. SWEETSER, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-Nine.

AN ACT

To unite the City of Haverhill and Town of Bradford.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. All the territory now comprised within
2 the limits of the town of Bradford, in the county of
3 Essex, with the inhabitants and estates therein, is
4 hereby annexed to and made a part of the city of
5 Haverhill, subject to the same municipal regulations,
6 obligations and liabilities, and entitled to the same
7 immunities in all respects as the said city of Haver-
8 hill: *provided, however,* that until legally changed,
9 said territory shall continue to be, for the purpose of
10 electing senator, part of the fourth senatorial dis-
11 trict. All the duties now required by law to be per-
12 formed by the selectmen and town clerk of the town

13 of Bradford, or either of them, pertaining to the elec-
14 tion of representatives in congress, state councillors,
15 senators and members of the house of representa-
16 tives, shall in like manner devolve upon the board of
17 aldermen and city clerk of Haverhill.

1 SECT. 2. All the public property of the said town
2 of Bradford shall be vested in and is hereby declared
3 to be the property of the city of Haverhill; and said
4 city of Haverhill shall succeed to all the rights,
5 claims, causes of action, rights to uncollected taxes,
6 liens, uses, trusts, duties, privileges and immunities
7 of said town of Bradford. The town treasurer of
8 the town of Bradford shall, on or before the second
9 Monday of January, eighteen hundred and seventy,
10 under the direction of the selectmen of said town of
11 Bradford, who shall for this purpose and all other
12 purposes necessary to carry into full effect the pro-
13 visions of this act continue to hold their offices over,
14 transfer, deliver, pay and account for, to the city treas-
15 urer of the city of Haverhill, all books, papers,
16 moneys and other property in his possession as town
17 treasurer of said town of Bradford, when this act
18 shall take effect, and the city of Haverhill shall be-
19 come liable for and subject to all the debts, obliga-
20 tions, duties, responsibilities and liabilities of said
21 town of Bradford. All actions and causes of actions
22 which shall be pending or which shall have accrued
23 at the time this act shall take effect, in behalf of
24 or against the town of Bradford, shall survive and
25 may be prosecuted to final judgment and execution in
26 behalf of or against the city of Haverhill.

1 SECT. 3. This act shall not take full effect unless
2 accepted by a majority of the legal voters of the city
3 of Haverhill, present and voting thereon by ballot at
4 a meeting which shall be held in said city of Haver-
5 hill, and also by a majority of the legal voters of the
6 town of Bradford, present and voting thereon by bal-
7 lot, at a meeting which shall be held in said town.
8 Said meetings shall be held on the first day of
9 September next, and upon notice thereof duly given
10 at least seven days before the time of said meetings,
11 and the polls shall be opened at twelve o'clock, noon,
12 of said day, and shall be closed at four o'clock in
13 the afternoon. The ballots given in shall be assorted,
14 counted and declared in the meeting in which they
15 are given in the city of Haverhill, in open meeting,
16 and shall be registered in the city records; and in
17 the town of Bradford the ballots given in shall be as-
18 sorted, counted and declared in open town meeting,
19 and shall be recorded upon the records of the town.

20 It shall be the duty of the selectmen of the city of
21 Haverhill to certify as soon as may be the ballots cast
22 in the city of Haverhill, and the number of ballots
23 cast in favor of this act, and the number of ballots
24 cast against said acceptance in said city to the secre-
25 tary of the Commonwealth.

26 The selectmen of the town of Bradford, shall as soon
27 as may be, make a like return of the ballots cast in said
28 town, and the number of ballots cast in favor of ac-
29 cepting this act, and the number of ballots against
30 said acceptance in said town to the secretary of the
31 Commonwealth; and if it shall appear that the ma-

32 jority of the votes cast in the city of Haverhill, and
33 a majority of the votes cast in the town of Bradford,
34 respectively, is in favor of accepting this act, the said
35 secretary shall immediately issue and publish his cer-
36 tificate declaring this act to have been duly accepted.

1 SECT. 4. So much of this act as authorizes and
2 directs the submission of the question of acceptance
3 of this act to the legal voters of said city and town,
4 respectively, provided in the third section of this act,
5 shall take effect upon its passage.

1 SECT. 5. If this act shall be accepted as herein
2 provided, it shall take effect on the third day of No-
3 vember, in the year eighteen hundred and sixty-nine,
4 so far as to authorize, legalize and carry into effect
5 the acts and provisions of the third and fourth sections
6 of this act; but for all other purposes, except as men-
7 tioned in sections third and fourth of this act, it shall
8 take effect on the first Monday of January, in the
9 year of our Lord eighteen hundred and seventy.

1 SECT. 6. In dividing the city of Haverhill into
2 wards, as provided in section fourth of the act to es-
3 tablish the city of Haverhill, passed March thirty-
4 first, eighteen hundred and sixty-nine, the selectmen
5 mentioned in said act, shall include the territory here-
6 to annexed to the city of Haverhill, provided this act
7 be accepted as aforesaid, and divide said city in seven
8 wards.

1 SECT. 7. If this act shall be accepted as herein
2 provided, the act aforesaid establishing the city of

3 Haverhill, shall be, and hereby is so amended as to
4 give full force and effect to this act.

1 SECT. 8. If any election or balloting upon the
2 question of the acceptance of this act by either said
3 city or said town, shall, within two months thereafter,
4 be declared void by the supreme judicial court upon
5 summary proceedings, which may be had in any
6 county, upon the petition of fifty voters of either of
7 said city or said town, the question of accepting said
8 acts shall again be submitted to the legal voters of
9 said city or town, and a meeting therefor shall, with-
10 in thirty days thereafter be called, held, conducted,
11 and the votes returned, and other proceedings had
12 thereon in like manner as herein before provided.
13 But no election or balloting shall be held void for in-
14 formality in calling, holding or conducting the elec-
15 tion or returning the votes or otherwise, except upon
16 proceedings instituted therefor and determined with-
17 in sixty days thereafter as aforesaid.