

SENATE....No. 120.

Commonwealth of Massachusetts.

IN SENATE, March 26, 1856.

The Joint Committee on Towns, to whom was referred the Petition of John Fenno and others, of Chelsea, and various Petitions in aid of same, praying for the passage of a law such as may be necessary to annex the Town of Chelsea to the City of Boston, having heard the parties interested, after due consideration,

REPORT:

In 1634 this territory became a part of Boston, and continued so until the year 1738, when it was incorporated as a town, having an area of 6,000 acres. In 1845, the town of North Chelsea was set off from Chelsea, with an area of 4,500 acres.

In 1835, the population of the whole territory was 1,150. In 1848, the population of the present town of Chelsea was 5,200; in 1850, 6,700; in 1855, 10,151. The present valuation of this town, \$5,531,000. The number of voters about 1,500, and of these, about 1,100 have petitioned for the

passage of the law aforesaid. Said petitioners represent \$4,500,000, or $\frac{9}{11}$ of the whole valuation of the town. The present debt of the town of Chelsea is \$68,000. The town property, consisting of a large town house, many school-houses and a farm, is valued at from \$250,000 to \$300,000. Of this property, a portion of the unimproved real estate might be sold at once for \$50,000. There is now, in addition to the above, an excellent fire department, fully organized, with sufficient apparatus.

The arguments advanced by the petitioners, in support of their petition, were as follows, viz. :—

1st. A city form of government is essentially necessary, for the proper management of their municipal affairs. If they are not allowed to become a part of the city of Boston, they will be obliged, within a year or two, to ask for a city charter. As four-fifths of their present population are, substantially, citizens of Boston at the present time, having no connection with the town of Chelsea, excepting as a lodging place, their interests would be better promoted by the granting of their present petition, than by incorporating them as an independent city.

2d. Their growth would be promoted, and their property increased in value, as many persons would seek a home in this place, who now live and do business in Boston, when they could do so without divorcing their business from their municipal relations. This would be accomplished without injury to Boston, as the present city limits are so contracted as not to allow places of residence for its rapidly-increasing population.

3d. That it cannot operate disadvantageously to the city of Boston, because, first, the town debt is (as already shown) equal in amount to only one-fourth of the town property; second, the streets are in excellent condition, and sewers to a considerable extent now constructed. No large expenditure would be called for, for many years to come.

4th. While it is earnestly desired by the inhabitants of Chelsea, and in their opinion would much promote their welfare, it would also increase the population of Boston, extend and magnify her limits, increase her commercial importance,

and, statistically, give her higher rank than she now has among the great cities of the land.

5th. The population of Boston increased, between the years 1850 and 1855, 23,000; of this increase 22,100 were foreigners. The population of Chelsea increased, in the same time, 3,451. Of the legal voters of Chelsea, not more than twenty are naturalized citizens. The annexation of Chelsea to Boston would tend to neutralize, politically, this increasing foreign influence.

The City of Boston was represented before the Committee by a committee of its City Council, and opposed the granting the prayer of the petitioners, on the ground that the City Council were not in favor of the measure, and they believed the inhabitants of the city entertain the same sentiment.

In view of all the facts herein set forth, the Committee recommend the passage of the accompanying Bill, leaving the question to be settled by the legal voters of the two places.

For the Committee,

GEO. ODIORNE, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-Six.

AN ACT

To reannex Chelsea to Boston.

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 that territory now comprised within
2 the limits of the town of Chelsea, in the county of
3 Suffolk, with all the inhabitants and estates therein,
4 is hereby reannexed to the city of Boston, in said
5 county, and shall hereafter be considered and deemed
6 to be a part of the city of Boston, except only as
7 herein after provided.

1 SECT. 2. The territory hereby transferred, with
2 the inhabitants residing therein, shall continue to con-

3 stitute a fixed representative district for the election of
4 representatives to the general court, to remain so fixed
5 until the next apportionment of representatives, and
6 for the purpose of sending representatives shall con-
7 tinue to be a corporation; and for this purpose and
8 the purposes necessary therefor, but for none other,
9 preserve and retain its corporate existence until the
10 next apportionment or until such time as it, and said
11 city of Boston, shall, pursuant to the provisions of
12 the constitution, form themselves or be formed into a
13 representative district.

14 An annual meeting of the inhabitants of said ter-
15 ritory shall be held in March or April, at which shall
16 be chosen a town clerk and three selectmen, but no
17 other officers. It shall be the duty of the selectmen
18 so chosen to call the annual meetings, and also all
19 meetings for the election of town representatives, to
20 decide on the qualifications of voters at such meet-
21 ings, to receive the return of the votes cast, to cer-
22 tify the result, and to discharge all other duties re-
23 specting such annual meetings, and respecting the elec-
24 tion of town representatives, in the same manner, and
25 to the same extent, as selectmen of other towns now do.

26 The warrants for all meetings called in pursuance
27 of this section shall be signed by the selectmen, or a
28 majority of them, and directed to some person or per-
29 sons appointed by them for that purpose, who shall
30 forthwith notify such meeting by posting the same or
31 copies thereof in twenty of the most public places in
32 said town, at least fifteen days before the time of such
33 election; and in case of the neglect, refusal, or in-
34 ability of the selectmen to call any of the said meet-
35 ings, any justice of the peace of the county, may,

36 upon application to him in writing by ten or more of
37 the legal voters of said town, call such meetings by a
38 warrant under his hand, directed to one or more per-
39 sons, who shall notify such meetings by posting the
40 same, or copies thereof, in the same manner as is pro-
41 vided in this section for warrants issued by the select-
42 men; and the justice who shall have issued the war-
43 rant shall preside at the meeting so called, and dis-
44 charge all the duties which the selectmen might have
45 performed.

46 At all meetings for the election of representatives,
47 the qualified voters present, or a majority of them,
48 may consider and decide whether they will choose
49 representatives or not, and what number they will
50 send. They may also adjourn said meeting, if neces-
51 sary, to the next day, and again, to the next succeed-
52 ing day, but no further. And in case a second
53 meeting shall be necessary for the choice of repre-
54 sentatives, such meeting shall be held on the fourth
55 Monday of the same month of November. If by
56 reason of the neglect to choose and return members
57 to the house of representatives, agreeably to the con-
58 stitution, the said house shall impose a fine on said
59 town or its inhabitants; the fine so imposed shall be
60 assessed upon, and paid by, said town, or its inhabi-
61 tants, and the selectmen are hereby authorized to
62 assess and collect said fine.

63 It shall be the duty of the selectmen, prior to
64 every annual meeting, and to every meeting for the
65 election of representatives, to make out and post
66 lists of all the inhabitants of said town, qualified to
67 vote at such meetings, in the manner in which select-
68 men and assessors are required to make out similar

69 lists of voters; and for that purpose, they shall have
70 free access to the assessors' books and lists, and be
71 entitled to the aid and assistance of the assessors,
72 assistant-assessors, and other officers of the said city
73 of Boston.

74 It shall be the duty of the town clerk to record
75 the votes passed at the meeting at which he shall
76 have been elected, and at the meetings for the election
77 of representatives, and at any annual meeting; but
78 he shall discharge no other duties unless the same be
79 necessary to carry out the provisions of this act.
80 Whenever there shall be a vacancy in the office
81 of town clerk, or the said clerk shall not be present,
82 the selectmen shall call upon the qualified voters
83 present to elect a town clerk, *pro tempore*. All other
84 duties of a town clerk, other than those above
85 enumerated, shall be performed by the city clerk of
86 the city of Boston.

1 SECT. 3. The territory hereby transferred shall
2 form a separate and additional ward of said city, and
3 shall so remain until the next alteration of ward
4 limits, by the said city council, according to law;
5 and the ward so established shall be entitled to the
6 same number of councilmen, school committee men,
7 overseers of the poor, assistant assessors, ward offi-
8 cers and all other officers not herein mentioned, as
9 the other wards of said city are now respectively
10 entitled to.

1 SECT. 4. The territory so transferred, and the
2 inhabitants therein and their estates, shall be liable
3 for all taxes already assessed and not paid, and also

4 all city, county and state taxes that may hereafter be
5 assessed on them by said town of Chelsea and before
6 this act shall take effect, in the same manner as they
7 would have been liable if this act had not been
8 passed.

1 SECT. 5. All the public property of the said town
2 of Chelsea shall become, and is hereby declared to
3 be, the property of the city of Boston ; and the town
4 treasurer of Chelsea shall, under the direction of the
5 selectmen of said town, who for this purpose shall con-
6 tinue to hold their offices over, transfer, deliver, pay over
7 and account for, to the city treasurer of Boston, all
8 books, papers, moneys, and other property in his pos-
9 session as treasurer, when this act shall take effect; and
10 the city of Boston shall thereafter be liable for the
11 public debt of Chelsea.

1 SECT. 6. This act shall not take effect unless the
2 inhabitants of the city of Boston, and town of Chel-
3 sea, respectively, qualified to vote in city or town
4 affairs, shall accept the same, at a meeting to be called
5 for that purpose by the board of aldermen of said
6 city, and by the selectmen of said town, respectively,
7 within six months after its passage. And it shall be
8 the duty of the board of aldermen of said city and
9 of the selectmen of said town, respectively, to warn
10 meetings for said purpose, within the period afore-
11 said, upon the requisition of fifty qualified voters of
12 their said city and town, respectively, and the said
13 meetings in said city may be either general or ward
14 meetings ; and if upon the return of the votes cast at
15 such meetings it shall appear that a majority of said

16 votes in said city and town, respectively, are in favor
17 of the acceptance of this act, then it shall be the
18 duty of the mayor and aldermen of said city, and the
19 selectmen of said town, to forthwith certify said re-
20 turns to the secretary of the Commonwealth, who, if
21 the mayor and aldermen of said city, and the select-
22 men of said town, shall have certified to him in the
23 manner aforesaid, shall, on the first day of November
24 next, issue and publish his certificate, declaring this
25 act to have been accepted according to law.

