

## SENATE.....No. 44.

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### Commonwealth of Massachusetts.

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IN SENATE, Feb. 22d, 1848.

The Committee on the Judiciary, to which was committed the petition of the city of Charlestown, praying for certain alterations and amendments to its charter, report the accompanying bill.

A. H. NELSON, *for said Committee.*

## Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Forty-  
Eight.

### AN ACT

Further to amend the Act to establish the City of  
Charlestown.

*BE it enacted by the Senate and House of Representa-  
tives, in General Court assembled, and by the authority of  
the same, as follows :*

1   SECT. 1. The provisions of the act entitled "An  
2 Act to regulate the side-walks in the town of Charles-  
3 town," passed on the twelfth day of June, in the year  
4 eighteen hundred and twenty-four, may be extended  
5 to all the streets in the city of Charlestown, as soon  
6 as they shall be properly graded and put in good con-  
7 dition, although they may not be paved; and the cer-  
8 tificate of the superintendent of streets, or of the com-  
9 missioner of highways,—whichever officer may be  
10 appointed for the time being,—shall be sufficient to  
11 authorize the city council to bring such street under  
12 the provisions of said act. The said superintendent,

13 or commissioner, shall perform all the duties and obli-  
14 gations required by said act of the surveyors of high-  
15 ways.

1 SECT. 2. The mayor and aldermen shall have ex-  
2 clusive authority and power to lay out any new street  
3 or town-way, and also to accept, widen, alter, or dis-  
4 continue, any existing way or street, or any part  
5 thereof, and to estimate and award the damages any  
6 individual may sustain thereby. And their order, so to  
7 lay out, accept, widen, alter, or discontinue, after  
8 giving the notice prescribed by law to be given by se-  
9 lectmen of towns, in such cases, shall be final and  
10 conclusive : *provided, however*, that any person dis-  
11 satisfied with the estimate and award of damages so  
12 made, may claim, in writing, within two months from  
13 the final adoption of said order, a right to be heard  
14 before the city council, sitting in convention ; and the  
15 city council, after such hearing, may, if they see fit,  
16 make a new estimate and award of damages ; and if  
17 the party shall then be dissatisfied with their decision,  
18 he may make the complaint to the county commission-  
19 ers of the county of Middlesex, as now provided for  
20 by law.

1 SECT. 3. The city council, on being notified by the  
2 board of overseers of the poor, or of the school com-  
3 mittee, of any vacancy existing in their respective  
4 boards, by the resignation of any member thereof, or  
5 from any other cause, shall meet in convention, and  
6 elect, by ballot, some one to fill such vacancy, from  
7 the citizens of the ward in which the former member  
8 resided.

1    SECT. 4. If, in any year, a majority of the board of  
2 aldermen shall not be elected by the first Monday in  
3 April, the existing board of aldermen shall hold their  
4 offices until a majority of the new board shall be  
5 elected and qualified in their places.

1    SECT. 5. The mayor and aldermen, upon the requi-  
2 sition of fifty qualified voters, shall issue their war-  
3 rant for a general meeting of the citizens, only when  
4 the subject proposed is for some constitutional or legal  
5 purpose ; and the meeting shall be held at the time  
6 and place named in the warrant, without adjournment,  
7 and the mayor and city clerk shall act as the presiding  
8 and recording officers thereat.

1    SECT. 6. All parts of the act to establish the city  
2 of Charlestown, and of the act to amend the same,  
3 passed in the year eighteen hundred and forty-seven,  
4 which are inconsistent with the provisions of this act,  
5 are hereby repealed.

1    SECT. 7. This act shall take effect from and after  
2 its passage.