

HOUSE....No. 29.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, January 24, 1862.

The Committee on the Judiciary, to whom was referred the Order of the House in relation to the City of Fall River, report the accompanying Bill.

Per order,

C. CUSHING.

Commonwealth of Massachusetts.

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

AN ACT

In relation to the City of Fall River.

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. The town property of the heretofore town
2 of Fall River in the State of Rhode Island, shall be
3 deemed and held, on and after the first day of March
4 next, to be property of the city of Fall River, and the
5 legal debts of said town to be the debts of said city:
6 *provided*, that if said town of Fall River shall, before
7 said first day of March, have determined, in town
8 meeting duly called, to sell said town property, other
9 than town records, and to pay all the debts of said
10 town, and shall actually have sold said property and
11 paid said debts, then neither the property nor the
12 debts shall devolve on said said city; and *provided*,

13 *further*, that it shall be lawful for such of the inhabi-
14 tants of the town of Fall River as reside on territory
15 declared by the “ Act in relation to the Rhode Island
16 Boundary,” of the tenth day of April, one thousand
17 eight hundred and sixty-one, to be part of the town of
18 Westport, to demand of the said city of Fall River, in
19 case the town property of said town of Fall River
20 becomes devolved on said city, indemnity for their
21 proportion of interest in said property, and to receive
22 the same on their paying to said city their proportion
23 of the debts of said town of Fall River.

1 SECT. 2. It shall be the duty of the city council of
2 the city of Fall River, on or before the first day of
3 March next, to take measures in order, on that day,
4 to demand and receive from the town officers of the
5 heretofore town of Fall River in Rhode Island, or
6 from any other persons, the town records, muniments
7 of title, town papers, and all other corporate property
8 of said town, except such, if any, as the said town may
9 have lawfully sold before the said first day of March
10 next, as herein before provided: and it shall be the
11 duty of all such town officers or other persons, on
12 demand, to deliver the same to the proper city officers
13 as designated by said city council.

1 SECT. 3. It shall be the duty of the respective
2 town officers of the said heretofore town of Fall River
3 or other persons in possession, to proceed, on the first
4 day of March next, to deposit all records, files, and
5 other evidences of conveyances and titles of real estate
6 in the custody of the register of deeds for the northern
7 district of the county of Bristol; and to deposit all

8 records, files and other evidences of conveyances or
9 titles of personal estate in the custody of the city
10 clerk of said city of Fall River; and to deposit all
11 records of probate of wills, settlement of estates, and
12 other probate matters, including original papers, in
13 the registry of probate of said county of Bristol.
14 And, in default thereof, it shall be the duty of the
15 said city clerk, register of deeds and register of pro-
16 bate, respectively, to demand and enforce the delivery
17 of the same.

1 SECT. 4. The school districts of said town of Fall
2 River, as constituted by authority of the State of
3 Rhode Island, except that part of the same which is
4 annexed to the town of Westport, by the "Act in
5 relation to the Rhode Island Boundary," shall be
6 deemed and taken as such within the Commonwealth
7 of Massachusetts, until changed or reconstituted
8 under the laws thereof; and said school districts
9 shall have all the powers, and be subject to all the
10 duties of school districts, and shall continue to hold
11 and manage their school property, as fully and to the
12 same intents, as if originally constituted under and
13 in virtue of the laws of the Commonwealth: *provided*,
14 that the inhabitants of such part of the school
15 district of said town as by the aforesaid "Act in
16 relation to the Rhode Island Boundary," was declared
17 to be part of the town of Westport, shall be entitled
18 to demand of said school district indemnity
19 for their interest in the school property, on paying to
20 said district their proportion of the debts thereof.
21 And any clerk, trustee, or treasurer of either of said
22 districts shall have power, and it shall be their duty

23 on or soon after the first day of March next, to call
24 a meeting of the legal voters thereof to reorganize
25 the said districts respectively, according to the laws
26 of Massachusetts.

1 SECT. 5. In case of disagreement between the city
2 of Fall River and the inhabitants of said town of
3 Fall River, or the inhabitants of so much of the same
4 as becomes part of the town of Westport, or between
5 the school district of said town and the part
6 of it annexed to the seventeenth school district of
7 Westport by said "Act in relation to the Rhode
8 Island Boundary," as to division of property or debts,
9 or division of paupers, or as to taxes or obligations,
10 or as to any matters consequent, or change of juris-
11 diction by said act, the superior court for the county
12 of Bristol is hereby authorized and required, on appli-
13 cation of either of said parties, to appoint three dis-
14 interested persons to hear said parties, and award
15 thereon, which award, when accepted by the court,
16 shall be final and conclusive of said matters.

1 SECT. 6. The ward officers of the several wards of
2 the city of Fall River, shall be deemed and held as
3 such to all lawful intents, as the respective wards of
4 said city bearing the numbers of the wards severally
5 in and for which said ward officers were elected, until
6 the first Monday of January next, or until others are
7 lawfully elected in their place.

1 SECT. 7. This act shall take effect on its passage.

