

HOUSE No. 597.

[Bill accompanying the petition of John M. Berry. Towns.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred.

AN ACT

To provide for the Election of Town Councils.

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

1 SECTION 1. Any town having fifteen thousand
2 inhabitants may elect a town council of one hun-
3 dred members, which shall have and exercise all
4 the powers of the inhabitants of the town assem-
5 bled in town meeting.

1 SECTION 2. In every town having such town
2 council, all tax bills shall be numbered consecu-
3 tively, with printed numbers upon their face, and
4 every tax bill shall have a coupon attached
5 thereto similarly numbered, certifying that the

6 person to whom the bill is made is a taxpayer in
7 said town in the year in which such tax is as-
8 sessed.

1 SECTION 3. The members of every town coun-
2 cil shall be chosen by ballot at the annual election
3 of state officers in November. Nominations shall
4 be made in the manner provided by law for the
5 nomination of aldermen at large in cities. Each
6 voter shall vote for one candidate only, and shall
7 securely attach to his ballot the coupon to his tax
8 bill or deposit the same with his ballot in a sealed
9 envelope. The town clerk shall make and record
10 a list in numerical order of the coupons cast for
11 each candidate. The one hundred persons re-
12 ceiving the largest number of votes shall be
13 deemed elected. If by reason of two or more
14 candidates receiving the same number of votes it
15 does not appear which of them is elected, the re-
16 maining members of the town council shall elect
17 from the candidates so receiving the same number
18 of votes the number necessary to make up the full
19 number of one hundred.

1 SECTION 4. Any voter may at any time, upon
2 payment of a fee of ten cents, present his tax bill
3 to the town clerk with a written demand signed
4 by him that his vote shall be transferred to any
5 member of the town council whom he may therein
6 designate, whether said vote has previously been
7 transferred or not, and the town clerk shall there-
8 upon make and record such transfer. Each mem-

9 ber of the town council shall be entitled to cast
10 upon every question arising therein as many votes
11 as were cast for him at his election and have not
12 since been transferred to any other member, added
13 to the number of votes which, when last trans-
14 ferred, were by such transfer assigned to him:
15 *provided*, that no transfer shall effect the votes of
16 the town council at a meeting held within one
17 week after the time of the transfer.

1 SECTION 5. The town clerk shall be clerk of
2 the town council. He shall provide at each meet-
3 ing of the town council a sufficient number of
4 blanks for votes, upon which shall appear the
5 names of the members in alphabetical order, with
6 the number of votes which each member is en-
7 titled to cast at that meeting in each of two
8 parallel columns opposite his name.

9 All votes of the town council shall be taken by
10 yea and nay, and the town clerk shall place a
11 mark on one of said blanks against the number in
12 the first column opposite the name of every mem-
13 ber voting yea, and a mark against the number in
14 the second column opposite the name of every
15 member voting nay. He shall then strike out all
16 other numbers and add those checked to deter-
17 mine the vote.

1 SECTION 6. Any person who shall pay for any
2 voter except himself the fee for transferring a
3 vote provided in section four, or who shall, in
4 order to aid or promote any such transfer, directly

5 or indirectly by himself or through another per-
6 son give, pay, expend or contribute, or promise to
7 give, pay, expend or contribute, any money or
8 valuable thing except the fee required to be paid
9 to the town clerk for the transfer of his own vote,
10 shall be punished by imprisonment in jail not ex-
11 ceeding one year.

1 SECTION 7. This act shall not be in force ex-
2 cept in such towns as shall, at a town meeting
3 called for that purpose, vote to accept it. Any
4 town accepting this act may at any time after one
5 year vote to revoke its acceptance, and this act
6 shall thereafter cease to be in force in such town
7 until again accepted by a vote passed at least one
8 year after the time of such revocation.