

HOUSE No. 1202.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 3, 1900.

The committee on Mercantile Affairs, to whom was referred the petition (with accompanying bill, House, No. 689) of John C. Cobb and others for legislation to incorporate the Roxbury Wharf and Terminal Company for the purpose of providing improved facilities for the warehousing, shipment and delivery of merchandise and freight, report the accompanying bill.

Messrs. WILLARD of Chelsea, Dow of Topsfield and VARNNEY of Lowell, of the House, dissent.

For the Committee,

THOMAS F. PORTER.

Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred.

AN ACT

To incorporate the South Bay Wharf and Terminal Company.

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. John C. Cobb, Charles W. Leath-
2 erbee, E. Clarence Hovey and Peter B. Bradley,
3 their associates and successors, are hereby made
4 a corporation under the name of the South Bay
5 Wharf and Terminal Company, to be established
6 in the city of Boston, with all the powers and
7 privileges and subject to all the duties, restrictions
8 and liabilities set forth in all general laws which
9 now are or hereafter may be in force relating to
10 all similar corporations organized under the gen-
11 eral laws of this Commonwealth except so far as
12 is otherwise especially provided by this act.

1 SECTION 2. Said corporation is hereby author-
2 ized to construct, maintain and operate docks,

3 wharves, elevators, tracks, warehouses and other
4 buildings, and lighters and other conveyances
5 suitable for terminal facilities and for the recep-
6 tion, storing, delivering and forwarding of freight
7 and merchandise to be received in or sent through
8 the city of Boston; also to transact all such busi-
9 ness as is usually performed by persons or cor-
10 porations engaged in receiving, storing, delivering
11 or forwarding freight or merchandise, and for
12 that purpose may be appointed public warehouse-
13 man pursuant to the laws of the Commonwealth,
14 but shall not be authorized to carry on the busi-
15 ness of buying and selling merchandise.

1 SECTION 3. Said corporation for the purposes
2 set forth in this act may at any time purchase by
3 agreement with the owner thereof and hold any
4 portion of the land with the wharves, docks and
5 buildings thereon now belonging to the Roxbury
6 central wharf, and may also purchase by agree-
7 ment with the owners thereof such other wharves,
8 land, docks and buildings as may be convenient
9 and necessary to enable it to carry out the pur-
10 poses of this act.

1 SECTION 4. The capital stock of said corpora-
2 tion shall be not less than three hundred thousand
3 dollars, which may be increased from time to time
4 by a vote of the corporation in accordance with
5 the provisions of chapter one hundred and six of
6 the Public Statutes and of chapter one hundred
7 and ninety-nine of the acts of eighteen hundred

8 and ninety-nine relating to mechanical and manu-
9 facturing corporations, and shall be divided into
10 shares of the par value of one hundred dollars
11 each, but said corporation shall not begin the
12 transaction of business until its capital stock to
13 the amount of three hundred thousand dollars
14 shall have been paid in as required by sections
15 forty-six and forty-eight of chapter one hundred
16 and six of the Public Statutes, and a certificate
17 thereof filed in the office of the secretary of the
18 Commonwealth.

1 SECTION 5. Any railroad corporation within
2 or without the Commonwealth owning a railroad,
3 the tracks of which connect either directly or over
4 intervening roads with the terminal grounds of
5 the corporation hereby created, any steamship
6 company engaged in the carriage of freight or
7 merchandise between the port of Boston and any
8 other port, and any incorporated transportation
9 company may purchase and hold stock in said
10 South Bay Wharf and Terminal Company, and
11 in such case may be represented and vote at all
12 meetings of said last-named corporation by its
13 president or any agent appointed by its board of
14 directors for that purpose.

1 SECTION 6. Said corporation may, subject to
2 the approval of the harbor and land commission-
3 ers, build its wharves to the commissioners' line
4 and fill any of its lands between high water mark
5 and said commissioners' line: *provided*, only that

6 the same may be done in such manner and to such
7 extent and on such terms as to compensation as
8 the said commissioners may determine.

1 SECTION 7. The tracks of this corporation on
2 its terminal grounds shall be connected with the
3 tracks of the New York, New Haven and Hart-
4 ford Railroad Company at or within the limits of
5 said grounds, and any other corporation which
6 may now or hereafter be authorized to lay tracks
7 on any land or street adjacent to the terminal
8 grounds of this corporation may connect its
9 tracks with the tracks of this corporation, and
10 this corporation may, with the consent of the
11 board of aldermen of the city of Boston, lay
12 tracks in any street adjacent to its terminal
13 grounds or tracks for the purpose of connecting
14 said grounds and tracks with the tracks of such
15 other corporation, or to enable it to carry on the
16 business for which it is hereby incorporated; and
17 if this corporation and said New York, New
18 Haven & Hartford Railroad Company, or any
19 such other corporation authorized to connect, shall
20 not agree upon the methods thereof, such methods
21 shall be prescribed and altered by the railroad
22 commissioners.

1 SECTION 8. It shall be the duty of the cor-
2 poration hereby created to receive, store and
3 deliver for the public and for any transportation
4 company with which it may have connections,
merchandise and freight at reasonable rates and

6 under reasonable regulations, and so far as the
7 capacity of said corporation may admit; and any
8 transportation company which can reasonably join
9 with said corporation in giving facilities for the
10 transportation and delivery of merchandise and
11 freight to the public shall so join on fair and
12 reasonable terms to be determined in case of dis-
13 agreement by the board of railroad commis-
14 sioners.

1 SECTION 9. Said corporation may from time
2 to time issue its bonds and secure them by a mort-
3 gage of its property and franchise to an amount
4 not exceeding its capital stock then paid in.

1 SECTION 10. This act shall take effect upon
2 its passage.