

SENATE....No. 76.

[Proposed as substitute for Report reference to the next General Court.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty.

AN ACT

To incorporate the Broadway Extension 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 SECT. 1. Frederick Nickerson, Ezra H. Baker,
2 and Alvan Simonds, their associates and successors,
3 are hereby made a corporation by the name of the
4 Broadway Extension Company, with all the powers
5 and privileges, and subject to all the duties, liabilities
6 and restrictions, set forth in the forty-fourth chapter
7 of the Revised Statutes.

1 SECT. 2. The said corporation may construct and
2 maintain a pile bridge not exceeding eighty feet in
3 width over Fort (or Fore) Point Channel, in Boston,
4 at such points as may be selected by the mayor and
5 aldermen of said Boston, between East Orange and
6 Troy Streets, on the westerly side of the channel, with
7 a suitable draw and draw-piers, subject to be altered
8 and widened at the expense of the said corporation
9 and their assigns, as the mayor and aldermen may,
10 from time to time, require: *provided, however,* that
11 the opening at said draw shall be of such width as
12 may be determined by the mayor and aldermen, and
13 the said draw-piers to said bridge shall be built to
14 the satisfaction of the said mayor and aldermen of
15 said Boston.

1 SECT. 3. The said corporation may purchase or
2 otherwise enter upon and take any land necessary for
3 the purposes of this act, and may make streets not
4 exceeding eighty feet in width, from the southerly
5 termination of said bridge to Dorchester Avenue, at
6 its junction with Broadway, and from the northerly
7 termination of said bridge to Albany Street, and if
8 the corporation are not able to agree with the owners
9 of said land, the actual damage shall be assessed and
10 paid to the owners in the manner provided by the
11 laws of the Commonwealth, in the case of laying out
12 or widening streets in the city of Boston.

1 SECT. 4. The said corporation shall, before pro-
2 ceeding under this act to take the lands or flats of
3 other persons, give bonds, with satisfactory sureties
4 to the city of Boston, for the use of the owners of

5 lands so taken, that they will pay all such damages
6 as may be assessed against them, as provided for in
7 the preceding sections.

1 SECT. 5. Said street shall be made to pass over the
2 main rail track of the Old Colony Railroad Company,
3 of sufficient height to enable their locomotives to
4 pass and repass, and said Old Colony Railroad Com-
5 pany are hereby authorized and empowered to change
6 and alter said railroad track on the east side of Fore
7 Point Channel, as they may deem necessary for the
8 convenience of said Broadway, extended as provided
9 in this act.

1 SECT. 6. The city of Boston may, by vote of the
2 mayor and aldermen of said city, and upon such
3 terms as may be agreed upon between them and the
4 said corporation, take and hold all the rights and
5 powers granted by this act, and construct and main-
6 tain, or maintain after they are constructed, the bridge
7 and streets herein authorized: *provided*, that the said
8 city, in case of such transfer, shall be subject to the
9 same duties and liabilities as are imposed by this act
10 upon the corporation aforesaid.

1 SECT. 7. Before commencing the construction of
2 the bridge aforesaid, the said corporation shall give
3 bonds, with satisfactory sureties, to the mayor and
4 aldermen of the city of Boston, in the penal sum of five
5 thousand dollars, that the draw in the same shall be
6 properly opened for the passage of vessels by night
7 and by day, until such time as the said bridge may
8 be transferred to, and accepted by the city of Boston.

1 SECT. 8. The said corporation may purchase, hold
2 and convey such real and personal property as may
3 be necessary for the purposes authorized by this act.

1 SECT. 9. The said streets and bridge with all their
2 respective abutments, draws and draw-piers, shall be
3 constructed under the direction and to the satisfaction
4 of the mayor and aldermen, and the said corporation
5 shall keep the same in good repair and safe condition,
6 and shall open the said draws and afford all proper
7 and convenient accommodations to vessels having
8 occasion to pass the same by day and by night.

1 SECT. 10. The capital stock of the said corporation
2 shall not exceed three hundred thousand dollars, to be
3 divided into shares of one hundred dollars each, and no
4 shares shall be issued for a less sum, to be actually
5 paid in on each, than the par value of the shares
6 which shall be first issued.

1 SECT. 11. If the said streets and bridge shall not
2 be completed within seven years from the passage of
3 this act, then this act shall be void.