

HOUSE....No. 118.

[Proposed as a substitute for House Document, No. 100.]

Commonwealth of Massachusetts.

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

AN ACT

To authorize the Transfer of Certain Flats in Boston
Harbor.

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 Commissioners on the Back Bay
2 are authorized to sell, or lease, for such term of years
3 as they may deem expedient; under the provisions
4 of the one hundred and third chapter of the resolves
5 of the year one thousand eight hundred and fifty-nine,
6 to the Boston and Maine Railroad Company, or to
7 the Eastern Railroad Company, for the purpose of
8 widening the bridges of the said companies across
9 Charles River, all the flats within the area lying
10 easterly of a line running through the centre of what

11 was a dock between land of the Boston and Maine
12 Railroad Company, and the Eastern Railroad Com-
13 pany, northerly of Causeway Street, in Boston. And
14 the consideration obtained for the release of said flats,
15 shall be set apart as a fund, to be called the Boston
16 Harbor Fund; and shall be invested by the treasurer
17 of the commonwealth, with the approbation of the
18 governor and council, and the income of said fund,
19 or of said flats through any lease or leases that shall
20 be executed by authority of this act, shall be appro-
21 priated under the authority of the governor and
22 council to the preservation and improvement of
23 Boston harbor.

1 SECT. 2. The conditions of sale or lease, shall
2 provide; that the said widening shall be on piles,
3 driven in extension of the present lines of piles, and
4 that the said railroad company or companies, shall
5 make compensation for the water displaced by said
6 piles, by excavation from the flats or marshes,
7 between high and low water mark above this im-
8 provement, in a place, and in such a time, and to
9 such an extent, as shall be approved of by the
10 committee on the harbor, of the city of Boston and
11 a commissioner, to be appointed by the governor and
12 council, said commissioner to be paid by the said
13 railroad company or companies, such compensation
14 as the governor and council shall direct.

1 SECT. 3. For the purposes of this act, the
2 operation of the restrictions of the one hundred and
3 third chapter of the resolves of the year one thousand
4 eight hundred and fifty-nine, inconsistent with the
5 provisions of this act, are hereby suspended.