

SENATE....No. 99.

Commonwealth of Massachusetts.

IN SENATE, April, 1850.

The Joint Committee on Mercantile Affairs and Insurance, to whom was committed the Petition of the City of Charlestown, and others, praying for leave to fill up certain flats in Mystic River, report the accompanying Bill.

ALBERT THORNDIKE.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty.

AN ACT

To authorize the City of Charlestown to fill up certain
Flats in Mystic 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 city of Charlestown, and others, pro-
2 prietors of land and flats situated in Charlestown,
3 bounding on the southerly side of Mystic river, between
4 Tuft's upper mill pond and Chelsea bridge, are hereby
5 authorized to enclose, by a good and sufficient sea-wall,
6 and to fill up a portion of the flats lying between the
7 north, or main channel, and the south channel in
8 said river, and bounded by the following described
9 lines, viz. :

10 Beginning at the easterly angle of said mill pond,
11 and running southeasterly in a straight line, to a
12 point on the northwesterly side of Chelsea bridge,
13 seven hundred feet northerly, from the northerly
14 side of the south draw in said bridge, thence to the

15 channel in a circular curve, of one thousand feet
16 radius, (which, being continued, would pass through
17 a point two hundred feet west of the most easterly
18 angle in the northerly timber dock in the United
19 States' navy yard;) thence, in a straight line, to a
20 point on the northerly side of the south channel, in
21 the line of the northwesterly side of Elm street, pro-
22 duced northeasterly, and five hundred feet from the
23 northeasterly side of Medford street: *provided*, that,
24 before any structure hereby authorized, shall be com-
25 menced, the regulation and control of all flats, the
26 property of individuals or corporations, lying between
27 said north channel and the first described line, and
28 two hundred feet distant therefrom, shall be sur-
29 rendered to the Commonwealth, and that the owners
30 of the shore, between the line of said Elm street and
31 said Tuff's mill pond, shall agree that the expense of
32 building the sea-wall, filling up, and excavating oppo-
33 site their respective estates, shall be assessed on said
34 estates.

1 SECT. 2. Said proprietors shall be required to
2 keep open to its present depths, the said south chan-
3 nel, from the point of termination at said Elm street,
4 to the main channel, near the easterly angle of the
5 aforesaid timber dock, at the easterly corner of the
6 navy yard.

1 SECT. 3. Said proprietors shall widen the north
2 channel, by excavating the mud from the southerly
3 side thereof, to the depth of the present channel, to a
4 straight line, drawn from a point thirteen hundred
5 feet from Medford street, opposite Webster street, to
6 a point in Chelsea bridge, four hundred feet south-
7 erly from the north draw in said bridge; and thence,

8 at right angles to said bridge, to the channel below
9 Chelsea bridge, and shall remove the whole of the
10 shoal in the middle of said channel opposite Chelsea
11 creek, to the general depth of the channel, and keep
12 the same clear, for the convenience of navigation;
13 and if, in consequence of this widening of the chan-
14 nel, there shall be any shoaling of the same, on the
15 northerly side of said river, in front of the wharves
16 belonging to the United States, said proprietors shall
17 restore the channel in that part to its original depth.

1 SECT. 4. Said proprietors shall excavate, to the
2 depth of four feet, the remaining flats, between said
3 north channel and a line parallel to the northeasterly
4 boundary of the enclosure hereby authorized, and two
5 hundred feet distant therefrom, and they shall have
6 the right to extend and maintain pile wharves on the
7 northerly side of said enclosure, to a distance of two
8 hundred feet therefrom: *provided*, no such wharves
9 shall extend into the channel, and way-lay vessels
10 at the end of these said wharves, and receive wharf-
11 age and dockage therefrom.

1 SECT. 5. Said proprietors shall fill the portion of
2 flats hereby authorized to be enclosed, to the depth
3 of eight feet, all above low water mark, with said
4 flats to be excavated as aforesaid, and material taken
5 from the flats or marsh on the margin of said river,
6 above those improvements, all between high and low
7 water, in places to be approved by a commissioner, or
8 commissioners, to be appointed by the governor; and
9 the whole of the work authorized and required by
10 this act, shall be done under the supervision, and to
11 the satisfaction of said commissioner or commission-
12 ers, who shall be paid for his or their services by said
13 proprietors.

1 SECT. 6. For the purposes aforesaid, said proprie-
2 tors are hereby made a corporation, by the name of
3 the Mystic River Corporation, and for this purpose
4 shall have all the powers and privileges, and be sub-
5 ject to all the duties, restrictions, and liabilities, set
6 forth in the thirty-eight and forty-fourth chapters of
7 the Revised Statutes.

1 SECT. 7. Said corporation may hold real and per-
2 sonal estate for the purpose aforesaid, and their whole
3 capital stock shall not exceed two hundred thousand
4 dollars.

1 SECT. 8. This act shall be void, unless the struc-
2 ture described above shall be commenced within three
3 years, and completed within eight years, from and
4 after its passage.

