

HOUSE...No. 175.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 28, 1853.

The Joint Standing Committee on Roads and Bridges, to whom was referred the petition of A. O. Varnum and others, and the petitions in aid thereof, praying that they might be incorporated for the purpose of constructing a bridge over the Merrimac River between Dracut and Lowell, have considered the same, and report the accompanying bill.

For the Committee,

M. K. BOOTH.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-
Three.

AN ACT

To Establish the Proprietors of the Merrimac River
Bridge.

*Be it enacted by the Senate and House of Representa-
tives in General Court assembled, and by the authority of
the same, as follows :*

1 SECT. 1. Archibald O. Varnum, James H. B. Ayer,
2 Nathaniel Fox, their associates and successors, are
3 hereby made a corporation by the name of the pro-
4 prietors of the Merrimac River Bridge, with all the
5 powers and privileges, and subject to all the duties,
6 restrictions and liabilities set forth in the forty-fourth
7 chapter of the Revised Statutes.

1 SECT. 2. Said corporation is hereby authorized and
2 empowered to erect a bridge over the Merrimac River,

3 the southerly end thereof to be opposite to Long Is-
4 land, and within eight hundred feet of the northerly
5 line of land belonging to the Lawrence Manufacturing
6 Company ; and to purchase and hold such real estate
7 as may be necessary for the purpose of said bridge
8 and the avenues thereto. Said bridge shall be well
9 built, of suitable materials, at least twenty-eight feet
10 in width, covered with plank, with sufficient railing or
11 other protection on both sides for the security of pas-
12 sengers travelling thereon, and shall be kept in good
13 repair at all times.

1 SECT. 3. Said corporation shall have the right to
2 collect and receive the same rates of toll as are allowed
3 by law to be received by the Central Bridge Corpora-
4 tion, in Lowell: *provided*, that whenever the tolls
5 collected on said Merrimac River Bridge shall be suffi-
6 cient to reimburse the proprietors for the cost of the
7 real estate, and for the building of said bridge, with
8 six per cent. interest annually, and for all the expenses
9 of the repairs upon said bridge, and all current and
10 incidental expenses of its management and superin-
11 tendence, then said bridge shall revert to, and be
12 vested in the Commonwealth, to be maintained as a
13 free bridge forever.

1 SECT. 4. Said proprietors of the Merrimac River
2 Bridge shall have the right to purchase and hold the
3 Central Bridge, in Lowell, and the franchise thereof,
4 and the Patucket Bridge, so called, over the Merrimac
5 River, at Patucket Falls, and the franchise thereof,
6 or either of said bridges and the franchises thereof,
7 for such sum or sums as may be agreed on between the

8 said corporations respectively. And in case the said pro-
9 prietors of the Merrimac River Bridge shall agree with
10 either or both of said other corporations upon the price
11 of either or both of said bridges, the Central Bridge
12 Corporation, and the proprietors of Patucket Bridge,
13 so called, or either of them, are hereby authorized to
14 make the transfer of their bridges and the franchises
15 thereof as aforesaid: *provided*, that the city of Lowell
16 and the town of Dracut, in the case of Central Bridge,
17 shall consent to the transfer of said bridge to the
18 corporation created by this act, and shall release their
19 rights therein.

1 SECT. 5. From and after the completion of the
2 transfer of either or both of said bridges, the said pro-
3 prietors of the Merrimac River Bridge shall have the
4 right to collect and receive the same rates of toll that
5 are now received by said corporations respectively, for
6 the space of five years from the completion of said trans-
7 fer or transfers respectively; after which time, either
8 or both of said bridges may be laid out as county
9 roads or townways, by the county commissioners of
10 Middlesex County, as in their judgment the necessity
11 and convenience of the public may require.

1 SECT. 6. Said proprietors of the Merrimac River
2 Bridge, if they elect to erect a bridge as authorized by
3 this act, shall, when said bridge is completed, make a
4 report of the cost of said bridge and the avenues
5 thereto, to the governor and council, and thereafter
6 shall, in the month of January in each year, make to
7 the governor and council an annual report of the
8 receipts and expenses of said bridge for the year next

9 preceding. And in case the said proprietors of the
10 Merrimac River Bridge shall purchase either or both
11 of said bridges, they shall forthwith report to the gov-
12 ernor and council the sum or sums paid for said
13 transfers respectively or either of them, and thereafter
14 shall make an annual report of the receipts and ex-
15 penses of said bridges respectively, to the governor
16 and council.

1 SECT. 7. If the said Patucket Bridge and Central
2 Bridge, or either of them, shall not be purchased as is
3 hereinbefore provided, or if the said Merrimac River
4 Bridge, and the avenues thereto, shall not be com-
5 pleted and opened for travel within four years from
6 the passage of this act, then the same shall be null
7 and void.

