

HOUSE...No. 41.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Feb. 21, 1854.

The Committee on Mercantile Affairs and Insurance, to whom was referred the Petition of Ralph Huntington and others, have considered the same, and Report the accompanying Bill.

OTIS RICH.

Commonwealth of Massachusetts.

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

AN ACT

To Establish the Fort Hill Corporation.

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. Ralph Huntington, William Wright,
2 William H. Sanford, William Foster, Leonard Foster,
3 and Aaron Bancroft, their associates, successors and
4 assigns, be and they are hereby constituted a body
5 corporate, by the name of the Fort Hill Corporation,
6 with all the powers and privileges, and subject to all
7 the duties, restrictions and liabilities contained in the
8 forty-fourth chapter of the Revised Statutes.

1 SECT. 2. Said corporation shall have power to pur-
2 chase, hold, and possess in fee simple, or otherwise,

3 any part, or all the land, with the buildings, and other
4 improvements thereon standing situate in that part of
5 Boston known as Fort Hill, and lying easterly of the
6 rear line of the estates fronting on Pearl Street,
7 southerly of the rear line of estates fronting on
8 Milk Street, Batterymarch Street, Broad Street, and
9 Rowe's Wharf, to the sea ; and said corporation shall
10 have power to grant, sell and convey in fee simple, or
11 otherwise, the said corporate property, or any part
12 thereof, and to lease, mortgage, improve, or otherwise
13 manage the same in such manner as may be deemed
14 most for the interest of said corporation, and by such
15 forms of conveyance, and contract, as the by-laws of
16 the company shall provide ; and said corporation may
17 hold personal property, not to exceed in amount five
18 hundred thousand dollars, necessary to promote the
19 object of the company.

1 SECT. 3. The stock and property of said corpora-
2 tion shall be divided into shares not exceeding thirty
3 thousand in number, certificates of which shall be is-
4 sued under the seal of the corporation, and signed by
5 the President and Treasurer thereof, and said shares
6 may be transferred by assignment on the back of the
7 certificate, and recorded by the clerk of said corpora-
8 tion, in a book kept for that purpose.

1 SECT. 4. The business affairs of said corporation
2 shall be conducted by a board of not more than nine,
3 nor less than five directors, to be chosen annually by
4 ballot. Each member being entitled to as many votes
5 as he may hold shares in the corporation ; and a ma-

6 jority of the directors so chosen, shall be necessary to
7 form a quorum for the transaction of business.

1 SECT. 5. The said directors may make such equal
2 assessments, from time to time, as they may deem ex-
3 pedient and necessary for the objects of the corpora-
4 tion; and may direct the same to be paid to the
5 treasurer thereof; and if any proprietor shall neglect
6 or refuse to pay any assessment, for the space of thirty
7 days from the time the same shall have been due,
8 the directors may order the treasurer to sell said
9 share or shares at public auction, to the highest bid-
10 der, after giving due notice thereof, and the same
11 shall be transferred to the purchaser, and said delin-
12 quent proprietor shall be holden to pay said corpora-
13 tion the balance, if his share or shares shall sell for
14 less than the amount assessed thereon, with the
15 interest and cost of sale; and shall be entitled
16 to the overplus, if his share or shares shall sell for
17 more than the assessment due, with the interest
18 and cost of sale; provided, however, that no assess-
19 ment shall be laid on any share in said corporation,
20 of a greater amount in the whole, than one hundred
21 dollars on each share.

1 SECT. 6. That said corporation may dig down and
2 lower the grade of said hill in such manner as shall
3 be approved by the mayor and aldermen of Boston,
4 and may lay out streets of such width and direction
5 as shall be prescribed by said mayor and aldermen,
6 at the expense of said corporation, and may, with
7 the consent of said mayor and aldermen, discontinue
8 the old streets, and hold the lands within the lines

9 thereof for its own benefit; and in case any land
10 necessary for the streets herein authorized to be laid
11 out, cannot be acquired and legally conveyed by
12 voluntary agreement, then the same may be taken,
13 and the proprietor thereof shall be entitled to reason-
14 able damage therefor, to be estimated, and recovered
15 of said corporation, in the manner provided by law
16 for the recovery of damages occasioned by the laying
17 out of highways.

