

HOUSE...No. 285.

Commonwealth of Massachusetts.

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

AN ACT

For the Improvement of the Northerly Shore of South Boston.

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 interest of the Commonwealth in
2 the flats of the northerly shore of South Boston
3 above the harbor lines established by law, as the limit
4 of solid fillings, between the southerly end of South

5 Boston Free Bridge, and the easterly end of Fourth
6 Street extended, is hereby released to the shore
7 owners, allotting to each shore estate the flats in front
8 thereof, in proportion to its width nearest the upland,
9 as herein provided.

1 SECT. 2. The governor, with the advice and con-
2 sent of the council, is hereby authorized to appoint
3 three commissioners, subject to removal, whose duty
4 it shall be, first to make an accurate survey of said
5 shore above said limit of solid fillings, and devise a
6 general plan for the improvement thereof for the
7 benefit of Boston Harbor, which plan shall reserve
8 and provide for such streets, ways and sewers as the
9 mayor and aldermen of the city of Boston shall re-
10 quire, or said commissioners shall deem needful, free
11 of any land damages below the present line of pri-
12 vate right, except for filling up; and said streets,
13 ways and sewers may be completed and opened for
14 use, from time to time, as the public convenience and
15 welfare shall require.

16 Second, to allot the flats hereby released, as herein
17 provided, and value the Commonwealth's interest in
18 each allotment, and delineate and mark said allot-
19 ments and valuation upon said plan, and submit the
20 same to the examination of said shore owners, and if
21 need be, to revise the same, having in view an equi-
22 table division of said flats, including former special
23 grants, between the shore owners and the Common-
24 wealth; and said commissioners shall, as soon as
25 practicable, report said plan and allotments, with
26 their doings in the premises, to the governor and
27 council for their approval and confirmation, and when

28 so confirmed, said plan and allotments shall be re-
29 corded in Suffolk registry of deeds; and thereafter
30 the flats hereby released below the present line of
31 private right, shall be improved in conformity with
32 said plan. And said commissioners may require the
33 aid and advice of the attorney-general, as may be
34 needful in the premises.

1 SECT. 3. Sixty days after the registration of the
2 plan and allotment shall be allowed to each shore
3 owner to determine whether he will pay for such lot
4 or lots, as may have been awarded to him for his
5 shore right; and after the expiration of the said sixty
6 days from said registration, all lots not paid for shall
7 be open to competition, and may be sold to any per-
8 son wishing to purchase the same.

1 SECT. 4. Each of said allotments shall be subject
2 to the payment of its assessed value into the treasury
3 of the Commonwealth, before it shall vest in the
4 owner or owners of the shore estate taking the same;
5 and a receipt from the treasurer for such payment
6 when made, shall be recorded as aforesaid; one-half
7 of all such payments shall constitute a harbor fund,
8 to be appropriated by the legislature, from time to
9 time, for the preservation and improvement of Boston
10 harbor, and the payment of any expenses on account
11 thereof.

1 SECT. 5. Said commissioners shall appoint a time
2 and place for hearing all parties interested in the
3 premises, by giving thirty days' notice thereof by pub-
4 lication in three newspapers printed in Boston; and

5 they shall keep an account of all expenses incurred in
6 executing their commission, and shall be allowed a
7 reasonable compensation for their actual services, to
8 be approved by the governor and council; and the
9 governor may draw his warrant upon the treasury of
10 the Commonwealth, from time to time, to pay the
11 same.

1 SECT. 6. No structure of any kind upon said
2 shore shall be extended beyond the line of solid fill-
3 ings, established by an act concerning the harbor of
4 Boston, passed on the twenty-fifth day of May in the
5 year one thousand eight hundred and fifty-three, with-
6 out leave being hereafter obtained from the legislature,
7 under all the penalties provided in said act.

1 SECT. 7. This act shall take effect from and after
2 its passage.

IN SENATE, May 8, 1856.

Passed to be engrossed.

Sent down for concurrence.

P. L. COX, *Clerk.*