

HOUSE.....No. 56.

Commonwealth of Massachusetts.

In the Year of our Lord One Thousand Eight Hundred
and Thirty-Three.

AN ACT

To Incorporate the East Boston Wharf Company, in the
City of Boston.

1 SEC. 1. **BE** it enacted by the Senate and House
2 of Representatives, in General Court assembled, and
3 by the authority of the same, That Ammi C. Lom-
4 bard, Samuel S. Lewis, Robert G. Shaw, William
5 B. Reynolds, Charles Henshaw, Daniel D. Brodhead,
6 Amos Binney, and John Kendrick and others, their
7 associates, successors and assigns, be, and they hereby
8 are constituted a body politic and corporate, by the
9 name of the East Boston Wharf Company.

1 SEC. 2. *Be it further enacted*, That the said cor-
2 poration be, and the same hereby is declared and
3 made capable in law to have, hold and possess, by
4 fee simple, leasehold, or otherwise, *all*, or any part of
5 that certain real estate situate in that part of said
6 City of Boston known as Noddle's Island, and on the
7 westerly side of that part of said Island called Smith's
8 Hill, bounded, measuring and described as follows, to
9 wit—easterly by the westerly side of a marginal
10 street or highway, proposed to be laid out and estab-
11 lished near high water mark, and measuring on said
12 highway eight hundred and fifty feet; southerly by
13 a line running westerly through the southerly corner
14 of the old wharf, so called, at right angles with said
15 proposed highway, and extending to the harbor chan-
16 nel; northerly by a line parallel with said last de-
17 scribed line, distant eight hundred and fifty feet;
18 northerly therefrom, and running to said channel, and
19 westerly by said channel, and all rights, easements,
20 privileges and appurtenances thereto belonging. The
21 said proposed street, and said land and flats of said
22 corporation, are shown on a plan made by Stephen
23 P. Fuller, bearing date A. D. 1833, and recorded in
24 Suffolk Registry of Deeds. *Provided*, the lawful
25 owners of said property shall legally convey the same
26 to said East Boston Wharf Company. And the said
27 East Boston Wharf Company shall have power to
28 build and maintain such wharf or wharves of said
29 company as they deem expedient, and lay vessels
30 thereat; to sell, grant and alien, in fee simple, or
31 otherwise convey their corporate property, or any
32 part thereof within said described limits, and to lease,
33 manage and improve, build, rebuild, pull down, or

34 alter the same ; also to remove, construct, erect, re-
 35 pair or alter any buildings, wharf, or wharves, docks,
 36 streets, or passage-ways within said limits, according
 37 to their will and pleasure, by such forms of convey-
 38 ances and contracts as shall by their by-laws be pro-
 39 vided.

1 SEC. 3. *Be it further enacted*, That said East
 2 Boston Wharf Company, at any legal meeting, may
 3 agree upon the number of shares into which their
 4 corporate property and estate shall be divided, and
 5 agree upon the forms of certificates to be given to the
 6 proprietors, which shares shall be deemed and con-
 7 sidered as personal estate, and shall be transferable
 8 by assignment on the back of the certificate, recorded
 9 by the clerk of the corporation in a book to be kept
 10 for that purpose, and shall be liable to attachment on
 11 mesne process, and sale on execution, in the same
 12 manner, and according to the form of the statutes
 13 making provision for the attachment and sales of
 14 shares of debtors in corporate companies.

1 SEC. 4. *Be it further enacted*, That the real es-
 2 tate and other property of said corporation, shall be
 3 liable to be attached on mesne process, and to be set
 4 off and sold on executions against the said corpora-
 5 tion, in the same manner as the property or estate of
 6 individuals is by law subject to mesne or final pro-
 7 cess, and the said corporation shall have the right in
 8 equity of redeeming the same, appertaining (by the
 9 laws of this Commonwealth) to other real estate.

1 SEC. 5. *Be it further enacted*, That the said cor-
 2 poration shall have power from time to time to as-
 3 sess on the stockholders such sums of money, not
 4 exceeding in the whole one hundred dollars on each

5 share, for the purchase, improvement and good man-
 6 agement of their estate, and for removing, construct-
 7 ing, erecting, repairing or altering any building, wharf,
 8 or wharves, docks, streets, or passage-ways on the
 9 land within said described limits, or for the incidental
 10 expenses of the said corporation, or for the improve-
 11 ment and management of the corporate property and
 12 estate, agreeably to the true intent of this Act. And
 13 in case any proprietor shall refuse or neglect to pay
 14 any assessment, the said corporation may cause such
 15 of the shares of such proprietors as may be sufficient
 16 therefor, to be sold at public auction to the highest
 17 bidder, after thirty days notice to be given by publi-
 18 cation thereof in one or more newspapers printed in
 19 said Boston. And after deducting the amount as-
 20 sessed and unpaid, together with the charges of sale,
 21 the surplus, if any, shall be paid over to such proprie-
 22 tor, and the purchaser of such share or shares so sold,
 23 shall be entitled to receive a certificate of the same.

1 SEC. 6. *Be it further enacted,* That in all meet-
 2 ings of the members of said corporation for the trans-
 3 acting of business, each member or proprietor shall
 4 be entitled to one vote for every share by him held
 5 in said corporation. But no one proprietor shall ever
 6 be entitled to more than one fourth of the whole
 7 number of votes. *Provided always,* that no assess-
 8 ment shall be made at any meeting, unless the same
 9 shall be agreed to by two thirds at least in number of
 10 votes of those present or represented in said meeting,
 11 nor unless public notice shall have been given at least
 12 ten days previous to such meeting, of the purpose of
 13 such meeting, by publication thereof in one or more
 14 newspapers printed in said Boston. And proprietors

15 may appear and act by proxy in writing at any
16 meeting.

1 SEC. 7. *Be it further enacted,* That either of the
2 persons named in the first section of this Act, may
3 call the first meeting of said corporation by advertise-
4 ment in any newspaper printed in said Boston, three
5 times, the first to be not less than six days before the
6 time appointed for such meeting. And the said East
7 Boston Wharf Company, at their first meeting, and
8 afterwards annually on such days as shall be estab-
9 lished by their by-laws, may choose a President,
10 Clerk, and such other Directors or officers as they
11 may see fit for conducting their corporate affairs and
12 estate—such Clerk to be sworn before entering on
13 the duties of his office.

IN SENATE, March 7, 1833.

Read twice, and passed to be engrossed.

Sent down for concurrence,

CHAS. CALHOUN, *Clerk.*

15 may appear and act by proxy in writing at any
16 meeting.
17
18 Sec. 7. The Articles created. The title of the
19 persons named in the first section of this Act, may
20 and the first meeting of said corporation by advertise-
21 ment in any newspaper printed in said Boston three
22 times, the first to be not less than six days before the
23 first incorporation in such meeting. And the said first
24 Boston Water Company, in their first meeting, and
25 afterwards annually on such days as shall be estab-
26 lished by their by-laws, may choose a President,
27 Clerk and such other officers or officers as they
28 may see fit for conducting their corporate affairs and
29 estate—such Clerk to be sworn before entering on
30 the duties of his office, and to record the
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1833, March 5, 1833.

Printed and bound to be corrected.
Sent down for correction.

CHAS. CALHOUN, YORK.

