

SENATE.....No. 48.

Commonwealth of Massachusetts.

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

AN ACT

To incorporate the East Boston Company, in the city
of Boston.

1 SEC. 1. **BE** it enacted by the Senate and House of
2 Representatives in General Court assembled, and by
3 the authority of the same, That Francis J. Oliver,
4 Stephen White, William H. Sumner, and their asso-
5 sociates, successors and assigns, be, and they are
6 hereby made a body corporate, by the name of the
7 "East Boston Company," for the purpose of impro-
8 ving Noddle's Island, with the powers and require-
9 ments contained in "an Act concerning corpora-

10 tions," passed March eighth, A. D. one thousand
11 eight hundred and thirty three.

1 SEC. 2. *Be it further enacted*, That said corpo-
2 ration may purchase, hold and possess, in fee simple
3 or otherwise, all or any part of that island situate in
4 the city of Boston, known by the name of Noddle's
5 Island, with all the flats around the same, and the
6 privileges and appurtenances thereto appertaining,
7 and all rights, easements and water courses there-
8 with used and enjoyed, and to the proprietors of said
9 island belonging; with such personal property as
10 may be necessary for the proper conducting of the
11 affairs of said corporation: *Provided*, that the whole
12 real and personal estate of said corporation shall
13 not exceed in value the sum of five hundred thou-
14 sand dollars: *And provided*, that the lawful owners
15 or proprietors of such estates shall convey the same
16 to said corporation. And said corporation shall also
17 have power to sell and convey, lease, mortgage, or
18 otherwise dispose of said corporate property, or any
19 part thereof, and to manage and improve the same
20 at its will and pleasure, with authority to construct
21 dams, docks, wharves and buildings, and to lay out
22 streets and passage ways within the limits of said
23 island, as it shall deem expedient.

1 SEC. 3. *Be it further enacted*, That said corporation
2 may, at any legal meeting, agree upon the number of
3 shares into which the corporate estate and property
4 shall be divided, and upon the form of certificates
5 of shares to be issued to the proprietors, and upon
6 the manner and conditions of transferring the same;
7 which shares shall be deemed and held as personal
8 property. And said corporation shall have power to

9 assess, upon each share, such sums of money as may
 10 be considered as necessary for constructing, repairing
 11 and maintaining dams, docks, wharves and build-
 12 ings, and for the improvement and good manage-
 13 ment of the property of said corporation, and for the
 14 incidental expenses thereof; and to sell and dispose
 15 of the shares of any delinquent proprietor for the
 16 payment of assessments, in such manner as said cor-
 17 poration may, by its by-laws, determine: *Provided*,
 18 that no assessment shall be made at any meeting,
 19 unless agreed to by two thirds, at least, both in num-
 20 ber and value, of those proprietors present and rep-
 21 resented, nor unless notice of the purpose of such
 22 meeting shall have been given ten days, at least, pre-
 23 vious thereto, in the manner prescribed by the by-
 24 laws.

1 SEC. 4. *Be it further enacted*, That said corpora-
 2 tion shall set apart on said island, in such place or
 3 places thereon as the Mayor and Aldermen of the
 4 city of Boston may designate, a portion of land, not
 5 exceeding in the whole four acres, free of expense
 6 to the city, for the purpose of providing proper sites
 7 for engine houses, school houses, burial grounds,
 8 and for other public purposes: *Provided*, that no
 9 lot, except the lots for burial grounds, shall contain
 10 more than ten thousand feet, without the consent of
 11 this corporation: *And provided further*, that said
 12 Mayor and Aldermen shall designate the land so to
 13 be taken within six weeks from the passing of this
 14 Act.

1 SEC. 5. *Be it further enacted*, That nothing here-
 2 in contained shall be construed to confirm, interrupt
 3 or impair the existing rights belonging to the pro-

4 prietors, or others, of any ferry already established,
 5 or to authorize the building of any bridge, or dam,
 6 over the channel of any public navigable waters, or
 7 otherwise permanently to obstruct the same, or to
 8 restrain the power of setting up any ferry which the
 9 wants or convenience of the public may hereafter re-
 10 quire.

1 SEC. 6. *Be it further enacted*, That at all meet-
 2 ings the proprietors present shall be respectively en-
 3 titled to as many votes as they shall hold shares in
 4 said corporation: *Provided*, that no one proprietor
 5 shall ever be entitled to more than one quarter part
 6 of the whole number of votes of said corporation;
 7 and absent proprietors may vote by proxy, author-
 8 ized in writing.

HOUSE OF REPRESENTATIVES, MARCH 9, 1833.

Read three times, and passed to be engrossed.

Sent up for concurrence.

L. S. CUSHING, *Clerk*.