

# SENATE.....No. 53.

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## Commonwealth of Massachusetts.

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IN SENATE, March 15, 1833.

The Committee on Mercantile Affairs and Insurance,  
to whom was referred the petition of David Henshaw  
and others, report a Bill.

For Committee,

G. B. WESTON, *Chairman.*

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**Commonwealth of Massachusetts.**

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

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**AN ACT**

To Incorporate the Mount Washington Association, 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 David Henshaw, Hall  
4 J. How, John H. Bird, George Brinley, George J.  
5 Homer, and their associates, successors and assigns,  
6 be, and they are hereby made a body corporate, by  
7 the name of the Mount Washington Association, for  
8 the purpose of improving Mount Washington, and  
9 shall have and possess, all the powers and privileges  
10 contained in an Act concerning Corporations, passed  
11 the eighth day of March, in the year of our Lord one  
12 thousand eight hundred and thirty three.

1 SEC. 2. *Be it further enacted*, That the said Cor-  
2 poration be, and hereby is, declared and made capable  
3 to take, hold and possess, in fee simple or otherwise,

4 all, or any part of a certain tract of land, situated in  
 5 that part of Boston called South Boston, and there  
 6 known by the name of Telegraph Hill, or Mount  
 7 Washington, bounded and described as follows, to  
 8 wit: commencing in Dorchester, on the land owned  
 9 by John H. Bird, one of the within petitioners, and  
 10 there running on a creek to Dorchester street; thence  
 11 running on Dorchester street to Broadway; thence  
 12 from Broadway to H street; thence from H street to  
 13 low water mark, the whole containing about seventy  
 14 acres, more or less, with all the privileges, and ap-  
 15 purtenances thereto belonging, and all rights and  
 16 easements therewith used and enjoyed: *Provided*,  
 17 the lawful owners and proprietors of such estates shall  
 18 convey the same to said Corporation: *And provided*,  
 19 the whole real estate of said Corporation shall not  
 20 exceed in value, the sum of five hundred thousand  
 21 dollars, and that the personal estate of said Corpora-  
 22 tion shall not exceed, in value, the sum of one hun-  
 23 dred thousand dollars. And the said Corporation  
 24 shall also have power to sell and convey, lease, mort-  
 25 gage, or otherwise dispose of said corporate property,  
 26 or any part thereof, and to manage and improve the  
 27 same at its will and pleasure, with authority to con-  
 28 struct wharves and buildings, and to lay out streets  
 29 and passage ways, as it shall deem expedient.

1 SEC. 3. *Be it further enacted*, That said Corpo-  
 2 ration may, at any legal meeting, agree upon the  
 3 number of shares into which the corporate estate and  
 4 property shall be divided, and upon the form of cer-  
 5 tificates of shares to be issued to the proprietors, and  
 6 upon the manner and conditions of transferring the  
 7 same, which shares shall be deemed and held as per-

8 sonal property. And said Corporation shall have  
9 power to assess upon each share such sums of money  
10 as may be considered as necessary for constructing,  
11 repairing and maintaining dams, docks, wharves and  
12 buildings, 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 repre-  
21 sented, nor unless notice of the purpose of such  
22 meeting shall have been given ten days at least,  
23 previous thereto, in the manner prescribed by the  
24 by-laws: *Provided,* that nothing in this Act shall  
25 interfere with the legal rights of any other person or  
26 persons whatsoever.