

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1858.



AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1858.

THIRTY-SEVENTH LEGISLATURE.

HOUSE.]

[No. 39.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND FIFTY-EIGHT.

AN ACT to amend the charter of the Cumberland Marine Railway Company, and the act incorporating the Franklin Wharf Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

- SECTION 1. So much of the third section of the
- 2 act to incorporate the Franklin Wharf Company, ap-
 - 3 proved August twenty-ninth, eighteen hundred and
 - 4 fifty, as authorized the said company to widen their
 - 5 wharf below low water mark beyond the westerly side
 - 6 line of their lot, as described in the conveyance to
 - 7 Abel Chase and others, of July one, eighteen hundred
 - 8 and fifty, protracted until it strikes the westerly side
 - 9 of their existing wharf, and thence by the westerly

10 side of the said wharf to the harbor line, is hereby
11 repealed.

SECT. 2. Ether Shepley, Nathaniel J. Miller and
2 John B. Brown of Portland, or a majority of them, in
3 case of disagreement or a refusal of either of them to
4 act in the premises, are hereby appointed a committee
5 to appraise and determine in writing, upon due notice
6 to and a hearing of the parties, the fair value of the
7 erections made by the said Franklin Wharf Company
8 below low water mark westerly of the line described
9 in the first section of this act.

SECT. 3. The Cumberland Marine Railway Com-
2 pany shall have, hold and enjoy for itself and its
3 assigns forever, the land and flats inside of the estab-
4 lished harbor line of Portland and below Commercial
5 street, which are in front of and contained within the
6 side lines protracted to said harbor line, of the two
7 parcels of flats and uplands conveyed to Isaac Sturdi-
8 vant, as follows, viz: by deed of Thomas McLellan,
9 of the Freeman estate, dated May twenty-nine, eigh-
10 teen hundred and thirty-three, and recorded in the
11 registry of deeds for Cumberland county, volume one
12 hundred and thirty-five, page five, and bounded on the
13 easterly side by the westerly side line of the Franklin
14 Wharf Company, as described in the first section of

15 this act; and by deed of Daniel Mountford and others,
16 dated December seventeenth, eighteen hundred and
17 twenty-one, recorded in the said registry, volume
18 ninety, page two hundred and twenty-one, and by the
19 said Sturdivant conveyed to the said Cumberland
20 Marine Railway Company; and the said Cumberland
21 Marine Railway Company are hereby authorized to
22 occupy and improve for wharves, docks and buildings,
23 the land and flats granted to them within the limits
24 above described.

SECT. 4. This act shall take effect and have force
2 from and after the payment, or tender of payment, to
3 the said Franklin Wharf Company by the said Cum-
4 berland Marine Railway Company, of the amount of
5 the appraisal provided for in the second section of this
6 act, within ninety days after the publication of the
7 award of the said committee, and not otherwise.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, March 18, 1858.

On motion of Mr. TAPLEY of Saco, laid on the table, and 350
copies of same ordered to be printed for the use of the Legislature.

GEO. W. WILCOX, *Clerk.*