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claimed to be entitled to a conveyance in fee of the land in dispute in this action.

State of Maryland City of Baltimore to Wit,

At a Session of the Circuit Court for Baltimore City in the fifth Judicial Circuit of the State of Maryland begun and held at the Court House in said City on the second Monday in March being the Ninth day of the same month in the year of our Lord 1863.

Present

The Honorable William George Krebs Judge
Edward R. Sparks Esquire Sheriff
J. Thomas Adams Clerk.

Among other proceedings to Wit.

The Northern Central Railway Company
vs
The Canton Co of Baltimore

Be it remembered that at the above Term to Wit on the 29th day of April in the year of our Lord 1863 came The Northern Central Railway Company aforesaid into the Circuit Court for Baltimore City hereby J. Mason Campbell Esquire its Solicitor and exhibited to the said Court its Bill of Complaint in form following to Wit

To the Honorable William George Krebs Judge of the Circuit Court for the Baltimore City humbly complaining sheweth unto your Honor your Orator the Northern Central Railway Company that under the authority of the act of 1854 ch 250 passed by the General Assembly of Maryland and a similar act passed about the same time by the General Assembly of Pennsylvania, the several Railroad Companies described in said first mentioned act duly and legally according to the terms thereof effected the consolidation therein provided for and by means thereof your Orator came into being in December 1854 and has ever since continued in the exercise of the rights conferred by the legislation aforesaid That among said Companies was the Baltimore and Susquehanna Rail Road Company originally chartered by the State of Maryland by the act of 1827 chap 227

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for which, and for all the supplements thereto being public Laws your Orator refers to the printed Statute Book of Maryland and that all the Corporate powers privileges and property of the said Baltimore and Susquehanna Rail Road Company upon the consolidation aforesaid passed to your Orator which also became by virtue thereof and of the assumption thereby provided for liable to the burden and entitled to the benefit of all existing contracts engagements and liabilities of its said predecessor,

That amongst the supplements aforesaid is the act of 1853 ch 191 commonly known as the Tidewater Extension act by which the said Baltimore and Susquehanna Rail road Company was authorized with the assent of the Mayor and City Council of Baltimore to construct a lateral branch railroad from any point on its main stem to the water line of the Northwest branch of the Patapsco River east of Jones Falls.

That the assent of the Mayor and City Council of Baltimore having been duly obtained and said act of assembly having been duly accepted by said Company, it determined to construct the lateral road so provided for from a point on its main stem outside the limits of the City Baltimore through said City and its environs on a line which would pass through the lands belonging to the Canton Company of Baltimore which then owned and still owns a large tract bounding on the Patapsco River and extending northerly back therefrom a considerable distance and lying partly in Baltimore City and partly in Baltimore County and which line would strike said river at a point on its bank owned by said Company.

That the said Canton Company in view of the benefits to accrue to it from the construction of such lateral road and to bring about its construction proposed in writing on the 25th of February 1853 to the said Baltimore and Susquehanna Rail Road Company to give it for said lateral road free of charge the necessary right of way and other things including land and