

if not received when tendered, may at any time thereafter be received from the said company without costs, by the said owner or his legal representative.

79. Nothing herein contained shall authorize any incorporated company to take or use private property without just compensation, as agreed upon between the owner or awarded by a jury, first paid or tendered to the parties entitled thereto.

80. The citizens of this State, or any company now or hereafter to be incorporated under the authority of this article, shall have the right to connect with the rail road or rail roads hereby provided for, any other rail road, if in the judgment of any three of the county commissioners of the county for the time being, passed upon hearing of all parties interested, no injury would be done by such connection to the rail road of said corporation.

81. Any company incorporated for mining purposes under the provisions of this article, may charge any citizens or company so connecting, when using their own cars, a rate not exceeding two cents per ton per mile, on all coal or other articles that may be so transported on the rail roads of said company, from any point on said rail road to the Chesapeake and Ohio Canal, or to the Baltimore and Ohio Rail Road, or other lines of canals and rail roads; *Provided*, that the said company shall return the empty cars of such citizen or company to the point from whence they started, free of charge.

82. No cars shall be placed on any rail road of any company as aforesaid, unless they be adapted, in size and all necessary particulars, to said rail road, in accordance with the regulations of the said company, which shall always provide the necessary motive power for running said cars, and the said cars shall be in the exclusive care and charge of said company whilst on its rail road.

83. No rail road built by any mining company formed under this article shall be more than ten miles in length.

84. Every rail road constructed under the provisions of this article shall provide all necessary means, and transport all persons and property that may be offered for transportation, on its said rail road, and in all cases other than those provided for in the eighty-first section of this article, or in all cases in which the