

CHAP. 365.

For constructing a rail road, powers similar to the Baltimore & Ohio rail road company

SEC. 6. *And be it enacted, That for the purpose of enabling the said company to transport the produce of the mines and the country through which their rail road passes, in the cheapest and most expeditious manner, the said company, and the president and directors thereof, shall be and are hereby respectively invested with all and singular the rights, powers, privileges, authorities, immunities and advantages, for the surveying, locating, establishing, constructing and using a rail road and its necessary appurtenances, beginning the same at the mines of the said company, and running to a convenient point or points on the basin or canal of the Chesapeake and Ohio Canal Company, at or near the town of Cumberland, in this State; and for the using preserving and controlling in perpetuity the said rail road, its necessary vehicles and appurtenances, and every part thereof, or borrowing money on the credit of the company for its lawful purposes, which by the act incorporating the Baltimore and Ohio Rail Road Company, and the several supplements, were for the lawful purposes of said company and the benefit of its corporators given, granted, authorised and secured to the said company and its president and directors respectively, as fully and perfectly as if the same were herein severally repeated; Provided, that it shall not be lawful for the said Clifton Coal Mining Company to occupy or use any portion of the lands in the gorge of the Mountains, from the mouth of Braddock's run towards Cumberland, that may be necessary for the accommodation of the canal and works of the Chesapeake and Ohio Canal Company, or for the main route of the Baltimore and Ohio Rail Road, or that may be within the limits of either of the public roads there now existing, except to cross these roads without injury to the same; and provided also, that full right and privilege is hereby reserved to the citizens of this State, or any company now or hereafter to be incorporated under the authority of this State, to connect with the rail road hereby provided for, any other rail road, if in the opinion and judgment of the commissioners of Allegany county, for the time being, passed upon full hearing of all parties interested, no injury would be*

Gorge of the mountain—reserved right to connect

Proviso