

CHAPTER 395.

CHAP. 395.

Passed June 4, 1833

An act for the promotion of Internal Improvement.

If Ches. & Ohio canal com. and Balt. and Ohio rail road com accept this act, &c.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That if the Chesapeake and Ohio canal company and the Baltimore and Ohio rail road company in general meeting of said corporations respectively assembled, shall approve, assent and agree to the several provisions of this act, so far as they are applicable to said corporations respectively, and shall severally communicate said approval, assent and agreement under their corporate seals, and the signatures of their presidents to the Governor of this State, on or before the first day of August next, the Treasurer of the Western Shore of Maryland shall subscribe to the capital stock of each of said corporations the sum of three millions of dollars, and pay for the same in the manner and upon the conditions hereinafter mentioned, and from the date of the said subscription the stipulation heretofore made by the Baltimore and Ohio rail road company, and so much of the act of Assembly heretofore passed, restricting the said company from proceeding with the construction of its rail road in the valley of the Potomac River, above Harper's Ferry, until after the Chesapeake and Ohio Canal company, shall have finished its canal to Cumberland, or otherwise or the time limited by law for its being completed to said town, shall have elapsed as imposes said restrictions, or is inconsistent with the provisions of this act, shall be null and void, and the said rail road company may thenceforth proceed with the construction of its work, *pari passu* with, but without preceeding the construction of the said canal or its works, in the said valley where the said rail road and canal or their works will be in *juxta* position; and all the passes of said river where the said canal and rail road must from the nature of the ground be brought into contact, the construction of said canal and rail road shall proceed jointly upon such plan and for such a distance as the commissioners, whose appointment is hereinafter provided for shall determine; *provided,*

By 1st August next

Treas. W. S. shall subscribe three millions to each

Whereupon restriction on rail road to cease

May proceed *pari passu*

Commissioners