

per ton per mile, on all coal or other articles that may be transported on the railroads of said corporation, from any point on said road to the Chesapeake and Ohio canal, or to the Baltimore and Ohio railroad, or other lines of canals and railroads; provided, that the said corporation shall return the empty cars of such citizen or corporation to the point from whence they started, free of charge.

See secs. 364, 373 and 384, and notes to sec. 180.

An. Code, sec. 253. 1904, sec. 235. 1888, sec. 152. 1868, ch. 471, sec. 149.

187. No cars shall be placed on any railroad of any such corporation as aforesaid, unless they be adapted in size and all necessary particulars to said railroad, in accordance with the regulations of the said corporation, 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 corporation whilst on its railroad.

See notes to sec. 180.

An. Code, sec. 254. 1904, sec. 236. 1888, sec. 153. 1868, ch. 471, sec. 147.

188. No railroad built by any mining or other corporation under the eight¹ preceding sections of this article shall be more than ten miles in length.

See notes to sec. 180.

An. Code, sec. 255. 1904, sec. 237. 1888, sec. 154. 1868, ch. 471, sec. 148.

189. Every railroad constructed under the preceding provisions of this article shall be furnished with all necessary means for the transportation of all persons and property that may be offered for transportation thereon; and in all cases other than that provided for in section 186 of this article, or in all cases in which the said corporation furnishes the said cars and motive power, and is subject to all the expenses of transportation, it shall be authorized to charge rates not exceeding two and a half cents per ton per mile on all coal or other articles, and two cents per mile for every passenger that may be transported on said road.

This section does not mean that no mining company can construct a railroad unless it owns rolling stock with which to operate it; traffic arrangements may be made with a railroad company. *New York Mining Co. v. Midland Mining Co.*, 99 Md. 514.

See secs. 364, 373 and 384, and notes to sec. 180.

An. Code, sec. 256. 1904, sec. 238. 1888, sec. 155. 1868, ch. 471, sec. 146.

190. Any railroad that may hereafter be constructed or purchased by any such corporation formed under this article shall be so located or used as to occupy as little space at the passage through the gap at Will's mountain, near Cumberland, as may be compatible with the full and convenient use of said railroad, and in such manner as to produce as little obstruction as may be to the location of other railroads through said gap by any corporation now authorized, or that may hereafter be authorized to construct the same under the authority of this article.

See notes to sec. 180.

¹ Sec. 245 of the 1912 edition was repealed by ch. 417 of 1918.