

received when tendered, may, at any time thereafter, be recovered from the said company, without cost, by the said owner or owners, his, her or their legal representatives; *Provided further*, that any person or persons have the privilege of connecting a lateral road with the main rail road of the said company, subject to the reasonable regulations of the said company, and the payment of such tolls as they may impose, not exceeding three cents per ton per mile, on all goods, merchandise and other property, and not exceeding two cents per mile for every passenger transported thereon, and that the said company be, and they are hereby required to transport on said road all coal or other property of every description, which may be brought to the said rail road for transportation, under the restrictions above stated.

**Power to construct a lock and dam.** SEC. 5. *And be it enacted*, That the said Manor Mining and Manufacturing company shall have power to construct a lock and dam improvement, or a work consisting of part lock and dam, and part canal, or part rail road, along the ravine or valley of the North Branch of Potomac river, from the junction of said North Branch with the Savage river to the source thereof; and shall be capable in law of purchasing, leasing and holding such estate, real personal or mixed, as shall be necessary for said improvement; and upon such part of said work as may consist of lock and dam, or canal or slack water, said company shall be entitled to charge, collect and receive such tolls as are allowed by its charter to the Chesapeake and Ohio canal company, and the supplements thereto, and said Manor Mining and Manufacturing company shall have the same rights and privileges, and be subject to the same restrictions in reference to transportation on said improvement, and to the charge of tolls thereon and their collection, as are conferred upon said Chesapeake and Ohio canal company by its charter, and the supplements thereto.

**Not authorised to divert the waters unless consent be given.** SEC. 6. *And be it enacted*, That nothing contained in this act shall authorise the said company to use or divert the waters of the north Branch of Potomac river, in Allegany county, from their usual course for any purpose whatever, unless said company shall have first obtained the consent of all persons who may own or have an interest in any water right on said river to be effected by such use; and unless said company shall have first agreed or contracted with the owner or owners of any water right that may be effected as aforesaid, or with his, her or their legal representatives, as to the compensation to be paid for the use of such water rights for the purposes of said company.

**Compensation to be allowed.**