

CHAP. 257

Preamble.

WHEREAS, The said Baltimore and Ohio Railroad Company, now either directly or indirectly, has obtained and now has the control and management of the said Cumberland and Pennsylvania Railroad Company, and of its tracks, right of way and other property, and in this manner has obtained, and now has practically the control of the output of coal in this State; and

WHEREAS, The said Baltimore and Ohio Railroad Company has through subsidiary corporations controlled by it become largely interested in the coal fields of West Virginia and Pennsylvania and has fixed freight charges upon coal shipped from points in said Allegany county over the lines of the Cumberland and Pennsylvania Railroad Company and the Baltimore and Ohio Railroad Company to tidewater points, and freight charges upon coal shipped from points on its line in Pennsylvania and West Virginia to the same tidewater points, so as to compel shippers of coal from Allegany county, in the State of Maryland, to pay on an average fifteen cents a ton more for coal shipped from said county to such tidewater points than shippers in Pennsylvania and West Virginia are required to pay on coal shipped from said States to the same tidewater points, although the Allegany county coal field in Maryland is much nearer said tidewater points than either of the coal fields in the other States mentioned; and

WHEREAS, It was the purpose of the State in granting to the Cumberland and Pennsylvania Railroad Company its charter hereinbefore mentioned, and in afterwards extending and enlarging its corporate rights and franchises, to promote the development of the Allegany county coal field, and thus increase the material prosperity of the State; and

WHEREAS, It is now apparent that the extensive corporate rights and franchises granted by this State to the said Cumberland and Pennsylvania Railroad Company are not now being used and exercised for the purpose intended by the State, but on the other hand are being used to the detriment of the material interests of the State and in such a way as to promote the development of coal fields in the State of Pennsylvania and West Virginia to the disadvantage of the State of Maryland; and

WHEREAS, There now exists another railroad running from Cumberland to the seaports, and by the first day of June