

CHAP. 257

Ohio Railroad Company, or by any other railroad company leased, operated, owned or controlled by the said Baltimore and Ohio Railroad Company, unless the said Baltimore and Ohio Railroad Company shall on or before said date so arrange its freight charges upon coal delivered to it from the Cumberland and Pennsylvania Railroad Company for shipment over its lines, that the joint and combined freight charges of the said two railroad companies shall not exceed the lowest total freight charges upon coal shipped to the same destination over the line of the Baltimore and Ohio Railroad Company, or over the line of any railroad company leased, operated, owned or controlled by the said Baltimore and Ohio Railroad Company from any point in the State of Pennsylvania or West Virginia, which is as far or further distant from such destination as or than the point in Allegany county, at which such coal is delivered to the Cumberland and Pennsylvania Railroad Company; the intention of this provision being to provide that shippers of coal from Allegany county, in the State of Maryland, shall not be required to pay greater freight charges than shippers of coal from the States of Pennsylvania and West Virginia are required to pay upon their coal hauled equally far or further.

Inquiry to be made.

SEC. 2. *And be it further enacted,* That it shall be and is hereby made the duty of the State's Attorney for Allegany county on the first day of June next, and at any time thereafter, when he may believe there is reason for so doing, to cause inquiry to be made as to whether the said Cumberland and Pennsylvania Railroad Company is permitting its tracks to connect with those of the Baltimore and Ohio Railroad Company, or is permitting, suffering or allowing its tracks, right of way or other property to be used by the said Baltimore and Ohio Railroad Company, or by any other railroad companies leased, operated, owned or controlled by the said Baltimore and Ohio Railroad Company in violation of the terms of this Act; and in case the said State's attorney shall have reason to believe, on or after said date, that the said Cumberland and Pennsylvania Railroad Company is not complying with the terms and provisions of this Act, then it shall be the duty of the said State's Attorney to institute proceedings in the Circuit Court for Allegany county, Maryland, against the Cumberland and Pennsylvania Railroad