

shall provide all necessary means, cars and vehicles; and shall furnish and provide the motive power; and be subject to all expenses, chargeable to transportation, and shall transport all coal, minerals, metals, lumber, stock or other articles or property whatsoever, that may be offered for transportation, and full right and privilege is hereby reserved to the citizens of this State, or any other company or companies now existing or hereafter to be incorporated under the authority of this State, to connect any other railroad or railroads, with the railroad, if any to be constructed, by virtue of this act, in such manner, however, that no injury shall be done to the same, and the said company shall be authorized to charge any such citizen or company, when using their own cars, at a rate not exceeding two cents per ton per mile, on all coal or other commodities that may be transported on the railroad hereby authorized, if constructed; *provided*, however, that the cars or trains of other citizens or companies, when used upon the railroad hereby authorized, shall be under the exclusive management and control of the said North Branch Company and its officers. Proviso.

Sec. 7. *And be it enacted*, That the said North Branch Company shall and may establish a tariff of tolls for all transportation placed upon the said work, and the same to alter at pleasure; *provided*, the rate of charge for transportation shall not exceed three cents per ton per mile, nor two cents per mile for passengers; *and provided*, that nothing herein contained shall affect the provisions of the sixth section of this act, in reference to the use by other companies or citizens of their own cars upon the road of the company hereby incorporated. Tariff of tolls.  
Provisos.

Sec. 8. *And be it enacted*, That the Chesapeake and Ohio Canal Company is hereby authorized and empowered to yield and relinquish the prior right of way up the Potomac river, west of Cumberland, now vested in it by law, to the said North Branch Company, so far as the same may be required for the more advantageous location and construction of the work provided for by this act. Right of way  
may be relinquished.

Sec. 9. *And be it enacted*, That all and every of the companies incorporated by this State for mining and other purposes, and owning lands, mines and minerals in Allegany county, are hereby au- Authorized  
to become subscribers.