

- CHAP. 214.** with all and singular the rights, powers, privileges, authorities, immunities and advantages, for the surveying, locating, establishing and constructing a rail road and its necessary appurtenances, beginning the same at the mines of the said company, and running to a convenient point or points on the basin or canal of the Chesapeake and Ohio Canal company, at or near the town of Cumberland in this State; and for the using, preserving and controlling the said rail road, its necessary vehicles and appurtenances, and every part thereof, or borrowing money on the credit of the company, for its lawful purposes, which by the act incorporating the Baltimore and Ohio Ohio Rail Road company, and its several supplements, were for the lawful purposes of said company, and the benefit of its corporators given, granted, authorised and secured to said company and its president and directors respectively, as fully and perfectly, as if the same were herein severally repeated; *provided*, that it shall not be lawful for the said Cumberland Coal and Iron company to occupy or use any portion of the lands that may be necessary for the accommodation of the canal and works of the Chesapeake and Ohio Canal company, or for the main route of the Baltimore and Ohio Rail Road, or that may be within the limits of either of the public roads there now existing, except to cross these roads, without injury to the same; *and provided also*, that full right and privilege is hereby reserved to the citizens of this State, or any company now or hereafter to be incorporated under the authority of this State, to connect with the rail road hereby provided for, any other rail road, if in the opinion and judgment of the commissioners of Allegany county for the time being, passed upon hearing of all the parties interested, no prejudice would be done by such connection to the rail road of said company; and that the said company shall transport on the said rail road at the rate of one cent per ton per mile, on all goods, merchandize or property of any description whatsoever, transported on said Rail Road, or any lateral way which they may construct, and also not exceeding two cents per mile for each passenger transported on said road; *provided always*, that when any car shall be placed on said rail road, it be adapted in size and all necessary particulars to said rail road, and shall run on said rail road in accordance with the regulations of said company for running their cars; *and provided further*, that the Legislature of this State may at any time hereafter regulate, modify or change the control, use and estate of said rail road, as shall be constructed under the authority hereby given, in such manner
- Invested with rights, &c. of Balt. and Ohio rail road co.**
- Proviso**
- Right reserved to connect any road**
- Rate of transportation**
- Proviso**