

1847. LAWS OF MARYLAND.

CHAP. 314.

Capital stock

Proviso.

To be paid on each share at the time of subscribing.

Proviso.

has issued - term lease

Duty of Directors.

to construct has been and the same

and the president and directors thereof shall be and are respectively invested with all and singular the rights, profits, powers, privileges, authorities, immunities and advantages for the surveying, locating, establishing and constructing a rail road or rail roads with the necessary appurtenances, beginning the same at or near the mines of the said corporation, and running to a convenient point or points at or near the town of Cumberland, or to such other point or points as may best suit the convenience and interest of said corporation, and for the using, preserving and controlling the said rail road or rail roads, and the necessary vehicles and appurtenances thereto belonging, and every part thereof, which by the act, and more particularly the fifteenth section thereof, incorporating the Baltimore and Ohio rail road company and its several supplements, were for the lawful purposes of said company and the benefit of its corporators given, granted, authorized and secured to the said company, and to the president and directors respectively, as fully and perfectly as if the same were herein repeated; *provided*, that it shall not be lawful for the said Philadelphia Mining 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 or rail roads hereby provided for or 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 parties interested, no injury would be done by such connection to the rail road of the said corporation, and that the said corporation shall transport on its said rail road or rail roads all persons and property at the same rates of toll and prices of transportation as the Baltimore and Ohio rail road company are or shall be by law allowed to charge and receive; *provided however*, that in all cases where a connexion is formed between the rail road or rail roads of any other corporation or citizens of this State, the cars to be used in the transportation of persons and property shall be adapted in size and all necessary particulars to the rail road or rail roads of the said Philadelphia Mining company; *and*

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