

CHAP. 332. nances, 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 Rail Road Company, and its several supplements, were, for the lawful purposes of said company, and for 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 Chesapeake and Ohio Steam Transportation and 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 of the main route of the Baltimore and Ohio Rail Road, or that may be within the limits of the public works there now existing, except to cross these roads without injury to the same; *and provided also*, that full right and privileges is hereby reserved to the citizens of this State, or any company now or hereafter to be incorporated, under the authority of the 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 full hearing of all the parties interested, no prejudice would be done by such connection, to the said rail road of said company; *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; it shall be lawful for said company to charge, demand and receive for all persons and property transported on the said rail road, which they are authorised to construct, from their mines to the canal, the Potomac river, or any other intermediate points, the same rate of toll, or prices of transportation, as the Baltimore and Ohio Rail Road Company are, by law, authorised to charge and receive; *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 as it may deem equitable towards the said company, and necessary to the accommodation of the public travel, or use of said rail road.

Provisoos.