

[B.]

Copy of an agreement, referred to in the foregoing answer, to interrogatory sixth.

BALTIMORE, Movember 23, 1840.

Memorandum made between the Philadelphia, Wilmington and Baltimore Rail Road Company, of the one part, and Stockton, Falls, & Company, and Hutchinson and Weart, of the other part, stage proprietors, to wit:

They (S. F. & Co. and H. & W.) to be allowed one dollar for every *through passenger from* Wheeling, Washington, Brownsville, Unjontown, Cumberland, Hancock or Hagerstown *to* Philadelphia, and the same sum on every *through passenger from* Philadelphia *to* either of the above points. Or in other words, they to pay to the Philadelphia, Wilmington and Baltimore Rail Road Company, on every such passenger, three dollars, instead of the present rate of four dollars.

Settlement to be made at the end of each month at Philadelphia and Baltimore.

This arrangement may be discontinued at any time by the Philadelphia, Wilmington and Baltimore Rail Road company, upon a notice of fifteen days, or whenever a mutual arrangement of price shall take place between the present rival stage proprietors, of which S. F. & Co. and H. and Weart, compose one party.

[Signed,]

J. I. COHEN, Jr.

V. P. Phil. Wil. & Balt. R. R. Co.

[Signed,]

STOCKTON, FALLS, & Co.

[Signed,]

HUTCHINSON & WEART, & Co.

From the foregoing answers, and the copies of the several contracts therein mentioned, it appears clearly that combinations or agreements have been entered into between the Philadelphia, Wilmington and Baltimore Rail Road Company, the Delaware and Chesapeake canal company, and the New Castle and Frenchtown Turnpike and Rail Road company, for the purpose of regulating the charge for passengers and freight carried on said works respectively. The only question referred to the decision of the committee was, whether the contracts thus entered into by the Philadelphia, Wilmington and Baltimore Rail Road company, have been made in violation of its charter.

Upon due examination of the several acts of Assembly, under which the present company has been invested with its corporate powers, the committee have not been able to discover any provision expressly prohibiting said company from entering into such contracts. The act of 1832, chap. 304, being "a supplement to an act entitled an 'act to incorporate the Baltimore and Port De Posit Rail Road company,' and to 'an act to incorporate the Delaware and Maryland Rail Road company,'" contains a proviso, "that nothing in this act contained shall be so construed as to authorise