

may pass, from having the privilege of keeping a free gate, or gates on said road. CHAP. 99

Sec. 3. *And be it enacted*, That said commissioners, or a majority of them, are hereby directed to return a plat of said landing and road, when surveyed, marked, laid out and made public as aforesaid, to the clerk of the county court, to be by him recorded, which landing and road, shall forever hereafter, be deemed and taken as a public landing and road, and shall be kept up and repaired, as other public landings and roads in said county are; *provided*, that nothing herein contained, shall in any manner authorize the said commissioners, to lay out the said landing and road, through the buildings, orchard, garden or yard, of any person or persons, without his, her or their consent.

Shall return a plat

Which shall be recorded

Public landing and road

Restrictions

Sec. 4. *And be it enacted*, That the aforesaid commissioners, or a majority of them, shall ascertain the amount of damages which any person or persons, may sustain, by the laying out and marking said lot of ground and road, which amount they shall return to the commissioners of St. Mary's county, who are hereby authorized and directed to levy upon the assessable property of said county, a sum sufficient to cover all such damages, and pay the same, to the person or persons entitled thereto, including two dollars each, for every day said commissioners shall attend, in the discharge of the duties enjoined upon them by this act.

Ascertain damages

Levy directed

CHAPTER 99.

A further additional supplement to an act, entitled, an act to incorporate a company for the purpose of cutting and making a Canal, between the River Delaware, and the Chesapeake Bay. Passed Feb. 27,
1839.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That it shall and may be lawful from and after the passage of this act, for the Chesapeake and Delaware Canal company, to charge such toll on sawed lumber and square or round timber, transported thereon in rafts, as in their discretion they may think proper; *provided* the said toll shall not exceed one dollar per hundred cubic feet, on such lumber or timber.

Discretionary powers as to tolls on rafts

Limitation