

tract, so as thus to obstruct and impede as aforesaid, shall forfeit any sum not less than twenty dollars, nor more than one hundred dollars, which may be recovered by the said president and directors, in the name and for the use of the said corporate body, before any justice of the peace of any city or county of this state, wherein such offender may be found.

Sec. 13. *And be it enacted*, That the governor and council shall appoint three commissioners, whose duty it shall be, from time to time, to fix a scale of tolls, payable to said corporate body, and recoverable by it from any owner or master, or agent or consignee of any vessel, for the entering into and using the said track opened by said corporate body, and which shall use the said track without being towed by any of the vessels of said company; and all amounts chargeable by said corporate body, according to said scale, may be recovered before a justice of the peace of the city of Baltimore, or of any of the counties, subject to the right of appeal, as in case of small debts. And the said commissioners shall, in their said scale, discriminate as to tolls chargeable against vessels which the president and directors, or their agent, shall be applied to, to tow as aforesaid, and which the said president and directors, or agent, shall decline or be unable to tow; and as to the tolls chargeable to vessels for which no application to be towed shall be made; and also as to cases of such application where the said president and directors, or the agent, are ready and willing to tow, as aforesaid, and the applicant shall decline having the vessel towed; and the said commissioners shall report to the governor and council, the scale of the tolls that they shall, from time to time fix, and also to the said corporate body.

Commissioners to fix tolls for using track.

How recoverable

Discriminate.

Report the scale of tolls.

Sec. 14. *And be it enacted*, That nothing contained in this act shall be so construed as to prevent the cutting of any track across the track heretofore provided for, or to open any lateral or parralele track, which said track shall in no wise interfere with the track cut by the said company, or to prevent any vessel or vessels, in any manner crossing the same, provided they do not in any way prevent the free navigation of the said track; *Provided nevertheless*, That no owner or master of any vessel, or other person engaged in crossing said track, opened by said company, shall be taken, construed or considered to have violated this charter, if he or they shall be necessarily delayed in crossing said track.

Lateral or parallel tracks allowed.

Proviso.

Sec. 15. *And be it enacted*, That this act shall continue and be in force until the year eighteen hundred and forty-

Limitation of this act.