

upon conviction thereof before a magistrate, forfeit and pay to the owner or owners of such gate, a sum not less than one, nor exceeding ten dollars, for every such offence, to be recovered as small debts are out of court.

Owner of gate to pay a tax of \$1.

**SEC. 3.** *And be it enacted,* That on all gates authorized by this act to be kept on the aforesaid public road, the owner or owners thereof shall pay annually a tax of one dollar for each and every gate by him, her or them, kept on the said public road in said county.

To return to levy court the number of gates owned by him.

**SEC. 4.** *And be it enacted,* That the owner or owners of all such gate or gates, as are by this act allowed, be and they are hereby required and directed, to transmit, on or before the first day of April annually, to the clerk of the levy court of said county, the number by him, her or them, respectively owned and kept on the said public road, in writing, under his, her or their hands and seals; and such clerk shall keep a list of the same, and shall deliver a copy thereof, with the amount of tax on each annexed, to the sheriff or collector of the county taxes, to be by him collected as other taxes.

Penalty for neglecting to do so.

**SEC. 5.** *And be it enacted,* That if any person or persons, who is or are the owner or owners of such gate or gates, shall neglect or refuse to give in a statement of the number of gates by him, her or them, owned and kept on the said public road, to the clerk of the levy court aforesaid, on or before the first day of April in every year as aforesaid, and shall continue to use or keep up such gate or gates, such person or persons shall forfeit all the protection afforded by the provisions of this act, and shall be in the same situation respecting their gates as if this act had not passed.

Money collected to be applied to pay county charges.

**SEC. 6.** *And be it enacted,* That all moneys collected by the sheriff or collector of the said county, under the provisions of this act, shall be paid over to be applied by the levy court of said county towards defraying the county charges.

Punishment of slaves for injuring gates.

**SEC. 7.** *And be it enacted,* That if any slave shall cut down, destroy, injure, or wilfully leave fixed open, any gate on the said public road, which shall have been entered in the manner prescribed by the fourth section of this act, such slave shall be punished for every such offence, on conviction before a justice of the peace, by the oath of one or more witnesses, by whipping on his or her bare back, in the discretion of the said justice, not exceeding for each offence the number of ten lashes; *Provided always,* that the master or mistress of such slave, or any other person in their behalf, may redeem such slave, so convicted, from said punishment, by the payment of the fine to the owner or owners of such gate, imposed by this act upon free persons for like offences; *And provided also,* that no free citizen shall be fined, or slave punished, under the provisions of this act, in

Proviso.