

AN ACT authorizing Gates to be kept on the Public Roads in Queen Anne's County.—1823, ch. 107.

**WHEREAS**, it has long been a practice of the citizens of this state owning or residing on lands through which public roads have passed to keep gates on said roads, for their own private use and convenience, without any legal authority for so doing; *And whereas*, the county court of Queen Anne's county, at their last May term, after a full investigation of the subject, hath decided that gates on the public roads were public nuisances, thereby subjecting the owners or keepers of them to all the penalties imposed by law on such as shall impair or obstruct the public highways, whereby the real estates of many citizens would be rendered of little value, and not a few of them totally ruined for want of materials to enclose their fields; therefore,

Preamble.

**SEC. 1.** *Be it enacted, by the General Assembly of Maryland,* That from and after the passage of this act, it shall and may be lawful for any of the citizens of Queen Anne's county, to keep on the public roads in said county, all such gates as are now erected on the public roads, for their own private use and convenience, upon the express conditions following: all and every owner or owners of a gate or gates kept on public roads, shall have his, her, or their gate or gates hung on good and sufficient iron hinges, and shall keep the same, and that part of the said road which they occupy in good order and repair, so as to impede as little as possible persons travelling with carriages of pleasure or burthen.

Conditional privilege.

**SEC. 2.** Repealed by 1824, ch. 167.

**SEC. 3.** *And be it enacted,* That on all gates authorized by this act to be kept on the public roads, 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 public roads in said county.

Tax payable.

**SEC. 4.** Repealed by 1824, ch. 167; 1831, ch. 37.

**SEC. 5.** Repealed by 1831, ch. 37.

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

Disposition of money.

**SEC. 7.** *And be it enacted,* That in all cases where tenants shall reside on lands through which public roads may pass, and shall keep gates thereon, it shall and may be lawful for such tenants to enter such gates in the manner prescribed by the fourth section of this act, and to pay the tax thereon, who shall be allowed the same by his landlord in his rent upon producing the collector's receipt, showing that he has paid the same.

Tenants authorized.