

An. Code, 1924, sec. 139. 1912, sec. 85. 1904, sec. 84. 1888, sec. 80. 1870, ch. 359, sec. 4.

**140.** For recording each certificate of variations and affidavits of the correctness of the same appended, and for copies or abstracts of the same and for drawing certificate and seal therefor, the county clerk shall be allowed the same fees as are now allowed by law for similar services in regard to matters of record in his office, the said fees to be paid by the parties presenting the same for record or demanding abstracts or copies as aforesaid.

An. Code, 1924, sec. 140. 1912, sec. 86. 1904, sec. 85. 1888, sec. 81. 1870, ch. 359, sec. 5.

**141.** Any person or persons who shall wilfully erase, deface, displace, or otherwise injure said pillars, or any part thereof, or destroy, break down or carry away the enclosure aforesaid, or any lock, bolt, bar, or any part thereof, shall, upon conviction thereof, be punished by a fine of not less than fifty nor more than five hundred dollars.

An. Code, 1924, sec. 141. 1912, sec. 87. 1904, sec. 86. 1888, sec. 82. 1870, ch. 359, sec. 6.

**142.** The commissioners of any county adopting the provisions of sections 137 and 138 are hereby authorized to provide for the payment of the costs of carrying out their provisions in the same manner that other county expenses are paid.

### Public Roads.

An. Code, 1924, sec. 142. 1912, sec. 88. 1904, sec. 87. 1888, sec. 83. 1853, ch. 220, sec. 2.

**143.** All applications for opening, altering or closing roads shall be by petition to the county commissioners.

Where agreement was made within the powers of the Susquehanna Power Co., the State Roads Commission and the County Commissioners of Cecil Co., for the relocation of the Conowingo Bridge and of certain roads, and agreement subsequently ratified by Act of Legislature, not necessary to follow procedure under this article for closing roads under ordinary conditions. *Ragan v. Susquehanna Power Co.*, 157 Md. 521.

Where petitioners participate in the proceedings, thus making themselves liable for costs, etc., their failure to sign the petition is a mere irregularity not rendering proceedings void. *Smith v. Goldsborough*, 80 Md. 57.

What is a "public road"? *State v. Price*, 21 Md. 454.

This section compared with the local act of 1900, ch. 685, sec. 205. *Riggs v. Winterode*, 100 Md. 443.

This and the following sections referred to in construing art. 3, sec. 33, of the Md. Constitution—see notes thereto. *Police Commrs. of Baltimore v. McClenehan*, 131 Md. 321.

The course of procedure prescribed by secs. 143 to 159, followed; see note to art. 5, sec. 91. *Harford County v. Jay*, 122 Md. 326.

Cited but not construed in *Greenland v. Harford County*, 68 Md. 63.

See notes to sec. 144, and as to public roads, art. 89B.

An. Code, 1924, sec. 143. 1912, sec. 89. 1904, sec. 88. 1888, sec. 84. 1853, ch. 220, sec. 2.

**144.** Whenever any citizen of any county intends to petition the county commissioners for opening, altering or closing any road, he shall give thirty days' notice thereof in one or more of the newspapers published in the county; and if no newspaper be published in the county he shall give public notice of such intention by setting up a notice at the court house door, and at three public places in the election district in which is it proposed to open, close or alter the road, for at least thirty days.

Corporation is "citizen" of county of which it is resident. Agreement for substitute ways. Signature to petition under this section. *Fitzwater v. Youghiogheny Hydro-Elec. Corp.*, 149 Md. 463.

Secs. 143 to 158 do not contemplate the opening of roads through lands already owned by the county. *Gist v. Owings*, 95 Md. 304.

Cited but not construed in *Smith v. Goldsborough*, 80 Md. 57; *Winchester v. Cecil County*, 78 Md. 267.