

## CHAP. 29.

## CHAPTER 29.

Passed Jan. 20, 1843. *An act authorising Gates to be kept on the public roads in Talbot county, except those roads that the United States mail passes over.*

Preamble.

WHEREAS it has long been a practice of the citizens of Talbot county, owning or residing on lands through which public roads pass, to keep gates on said roads for their own use and convenience without any legal authority; and whereas, the county court at its May term of eighteen hundred and forty two, after a full investigation of the subject, 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 some of them totally ruined for want of materials to enclose their fields—therefore,

Gates—how to be kept.

SECTION 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 Talbot county, to keep on the public roads in said county, such gates as are now erected on the public roads for their own private use and convenience, except those roads that the United States mail passes over, upon the express conditions following: all and every owner as owners of a gate or gates kept on the public roads shall have his, her or their gate or gates hung on good and substantial posts, with good and sufficient iron hinges, and shall keep the same in good repair so as to impend as little as possible, persons travelling with carriages of pleasure or burthen.

Penalty.

SEC. 2. *And be it enacted,* That if any person or persons after the passage of this act, shall cut down, destroy, take away, or remove any of the said gates, upon conviction thereof before a single magistrate, shall forfeit and pay to the owners of such gate a sum not less than one nor more than ten dollars for every such offence, to be recovered as small debts are out of Court.

Slaves—punishment.

SEC. 3. *And be it enacted,* That if any slave shall cut down, destroy, injure, or willingly leave open, any gate on the public roads, such slave shall be punished for every such offence, on conviction before a justice of the peace, on oath of one or more witnesses, by whipping, in the discretion of said justice, not exceeding for each offence ten lashes; *and provided also,* that no person shall be fined, or slave be punished, under the provisions of this act in any case where such gates shall be found carelessly standing open, not hung upon good iron hinges, or otherwise in bad order or repair.