

Dec. Ses. 1823

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.

2. *And be it enacted,* That if any person or persons after the passage of this act, shall cut down, destroy, wilfully leave open, or remove any of the said gates, they shall upon conviction thereof, before a magistrate, forfeit and pay to the owner 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.

3. *And be it enacted,* That on all gates authorised 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.

4. *And be it enacted,* That the owner or owners of all such gate or gates, are hereby required and directed to transmit, on or before the first day of May annually, to the clerk of the levy court of Queen Ann's county, the number of gates by them respectively owned and kept on the public roads, in writing, under 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 collector of the county taxes to be by him collected as other taxes.

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 public roads, to the clerk of the levy court aforesaid, on or before the first day of May in every year as aforesaid, and shall continue to use or keep up such gate or gates, such gate or gates shall be deemed a public nuisance or nuisances on the public highways, and the owner or owners thereof, shall forfeit and pay for each and every gate so kept up and not given in as aforesaid, the sum of one dollar, to be recovered by bill of indictment of the grand jury before the county court, and to be applied toward defraying the aforesaid county charges.

6. *And be it enacted,* That all monies 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.

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, shewing that he has paid the same.

8. *And be it enacted,* That if any slave shall cut down, destroy, injure or wilfully leave open any gate upon the public roads 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, by the oath of one or more witnesses, by whipping on his bare back, in the discretion of 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 said slave so convicted from such pu-

Gates protected.

Tax payable.

Make return.

Case of neglect.

Disposition of money.

Tenants authorised.

Slaves offending.