

office bond of the said Handy, and that the certificate aforesaid of the Orphans' court shall be taken and received as full and sufficient evidence of the debt, and thereupon judgment shall be rendered for the use of the said Register against such securities for the penalty of the said bond to be released on payment of the sum certified to be due as aforesaid, with legal interest and cost thereon.

Dec. Ses. 1823

3. *And be it enacted*, That all and singular the records aforesaid when completed in the manner and form herein before mentioned and prescribed, shall be and remain in the Registry of the Orphans' court, of Somerset county, aforesaid, as the true record thereof, and shall be as firm and valid as such records to all intents and purposes as if the same had been completed by said George Handy in his life time.

Disposition.

CHAPTER 106.

Passed Feb. 7, 1824.
Preamble.

An act relating to Gates on the public roads in Caroline county.
WHEREAS, it is represented to this General Assembly by the petition of sundry inhabitants of Caroline county, that the necessities of many of the citizens thereof compel them to keep Gates on the public roads, and that the owners of such gates have but a very precarious dependence on them as enclosures to their fields for want of some legal authority to keep up such gates, and pray for some legislative aid; and the prayer of said petitioners appearing reasonable on suitable conditions—Therefore,

Conditional privilege.

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 Caroline 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 the 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.

Gates protected,

2. *And be it enacted*, That if any person or persons after the passage of this act, shall cut down, destroy, wilfully leave fixed 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.

Tax.

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 said county the number by him, her, or them respectively owned and kept on the public roads, 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 collector of the county taxes, to be by him collected as other taxes.

Lists of gates

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,

Forfeit for neglect.