THE WEEKLY PORTAGE SENTINEL.

JAMES W. SOMERVILLE, PROPRIETOR. THE UNION—IT MUST BE PRESERVED. OFFICE IN PHOENIX BLOCK THIRD STORY

NEW SERIES.---VOL. 5, NO. 40. RAVENNA, THURSDAY, MAY 19, 1859. WHOLE NUMBER 578

Poetical.

From Chambers' Journal.

The Old Cathedral Bell.

The old cathedral bell,
In its lofty, dusty tower,
For ages has its solemn knell
Proclaimed the passing hour,
With its steady song,
"Ding, dong,"
Echoing the vaulted aisles along.

On massive oaken beams
Doth the mighty monster swing,
But each a bending osier seems
When the bell begins to ring,
And its echoing song,
"Ding, dong,"
Shakes the old tower that has held it long.

'Twas many a year ago
The ancient bell was young,
And with solemn rite and priestly show
In its lonely dwelling hung,
Since then its song,
"Ding, dong,"
Hath monarchs' deaths and victories sung.

War has its voice proclaimed,
And discord's fiery brand,
And battle, rout and carnage named,
Wide-spreading o'er the land,
When its bellowing song,
"Ding, dong,"
Has blanched the weak, and nerved the strong.

Now tolled in midnight deep,
Now rung in noontide ray,
Ushering a king to death's long sleep,
A new-born prince to-day,
Still clear and strong,
"Ding, dong,"
Unchanged its voice through centuries long.

The old cathedral bell,
It laughs at pomp and power;
Oft has it struck their passing knell—
Vain creatures of an hour—
Obtained by wrong,
"Ding, dong,"
All full of care, nor lasting long!

The beggar in the dust,
It raises by its voice:
"In God thy Maker trust;
Rejoice in Him, rejoice—
Be firm and strong,
'Ding, dong,'
Trial is short, and victory long!"

A lesson loud and clear,
It teaches all its days:
"Do steadily thy duty here,
And send to Heaven thy praise!
So shall thy song,
Like my 'Ding, dong,'
At last be loud, and clear, and long!"

Miscellaneous.

Fighting on Equal Terms.

In Georgia, Judge T., a celebrated duellist, who had lost his leg, and who was known to be a dead shot, challenged Colonel D., a gentleman of great humor. The friends tried to prevent the meeting, but to no effect. The parties met on the ground, when Colonel D. was asked if he was ready. "No," he replied.—"What are you waiting for, then?" inquired Judge T.'s second.—"Why, sir," said Colonel D., "I haqe sent my boy into the woods to hunt a bee gum to put my leg in, for I don't intend to give the judge any advantage over me. You see he has a wooden leg." The whole party roared with laughter, and the thing was so ridiculous that it broke up the fight. Colonel D. was afterwards told that it would sink his reputation. "Well," he replied, "it can't sink me lower than a bullet can."—"But," urged his friends, "the papers will be filled about you." "Well," said he, "I would rather fill fifty papers than one coffin." No one ever troubled the Colonel after that.

The Latest Hard-Shell Story

A traveler called at nightfall at a farmer's house; the owner being from home, and the mother and daughter being alone, they refused to lodge the wayfarer. "How far, then," said he "to a house where a preacher can get lodgings?" "Oh! if you are a preacher," said the old lady, "you can stop here." Accordingly he dismounted. He deposited his saddle-bags in the house, and led his horse to the stable. Meanwhile, the mother and daughter were debating the point as to what kind of a preacher he was. "He cannot be a Presbyterian," said one, for "he is not dressed well enough." He is not a Methodist," said the other, "for his coat is not the right cut for a Methodist." "If I could find his hymn book," said the daughter, "I could tell what sort of a preacher he is." And with that she thrust her hands into the saddle-bags, and, pulling out a flask of liquor, she exclaimed, "La! mother, he's a Hard-Shell Baptist."

☞ SATURDAY NIGHT.—What a blessed arrangement Saturday night is! When a man all fagged out, with head work and hand and foot work, pursued night and day, feels every night as if he could not rally another morning, and that morning finds him still jaded and tired—he kicks his boots off and thrusts his aching feet into his easy slippers and spreads himself before the fire, and realizes that it is Saturday night, and that to-morrow morning is Sunday morning when if he is a little inclined to be wicked, he can lie a'bed another half hour, and that to-morrow itself is Sunday, when he won't work, the sensation is about as near earthly bliss as we poor mortals are allowed to come. What should we do if there were no Saturday nights?—*Nashua (N. H.) Telegraph.*

AFTER FORTY.—A celebrated physician said to Lord Eldon's brother, Sir William Scott, rather more flippantly than became the gravity of his profession, "You know, after forty, a man is always either a fool or a physician." The baronet archly replied, in an insinuating voice, "Perhaps he may be both, doctor."

From the Romance of the Revolution, published by Pudney and Russell.

The Maiden Warrior.

A TALE OF THE REVOLUTION.

No struggle in the history of the world has produced nobler instances of heroism, than that of our glorious Revolution. The achievements which light up the expanse of that deadly conflict, like stars in the firmament, put to shame the melodramatic heroes of Greece; indeed, it is not too much to say, that every mountain-pass has been a Thermopylæ, and every battle plain a Marathon.

Occasionally these deeds of war have been lightened by the sweetest of all passions, love; and it is a tale of love and patriotism we have now to tell.

Sergeant Jasper belonged to that most famous of all heroic bands, Marion's Brigade, where his valor and talents soon won him distinction. Among other daring deeds, his rescuing our flag at the battle of Fort Moultrie deserves to be mentioned. In the hottest fire of the conflict, the flag of the fort was shot away, and fell without the fort.—Leaping over the rampart he seized the flag, and returned amid the cheers of even the British. For this daring deed, General Rutlege presented him with a sword.

Like many other families of that time, his was divided on the great question. His older brother took the side of the English, and served in their army. Out of affection to his brother, and a wish to examine into the the strength and condition of the enemy, he resolved with another patriot soldier, Sergeant Newton, to pay the British camp a visit. His brother's position in it, enabled him to receive his two friends without any suspicion of their being spies, and they were entertained for two or three days with great hospitality.

While they were thus engaged, a small party of Americans were brought in prisoners, and, as they had deserted from the British, and enlisted in the American ranks, their doom would have been death. This the brother of Jasper assured him was to be their fate. With them were the wife and child of one of the prisoners. Her distress at her husband's approaching fate, touched the humane heart of Jasper. Confiding his purpose to his friend, Sergeant Newton, they bade adieu to Jasper's brother, and took their leave. They had no sooner got out of sight of the camp, than they made a *detour*, and stretched across the country, so as to elude all suspicion, should they meet with any British soldiers.

It was the custom with the English then, to send all the prisoners taken in that quarter to Savannah for trial. At a little spring, about two miles from Savannah, Jasper and Newton secreted themselves, awaiting the arrival of the British escort with their prisoners. It had occurred to Jasper, that, as they must pass this spot, it was very probable they might rest here for a short time to refresh themselves—and the woody nature of the spot would favor a rescue.

After some hours' anxious suspense, they saw the escort with their prisoners approach. The guard was ten in number, and armed. The corporal with four men conducted their captives to the water, and told them to rest themselves for an hour; at the same time giving them some provisions. The sergeant then told the men to ground arms, and seat themselves. The prisoners threw themselves upon the earth in hopeless despair.—Near to the wretched man sat his wife and child. Two of the men alone kept their arms as sentries. As the rest of the men were filling their canteens with water, Jasper and Newton came stealthily from their ambush, seized two of the muskets that were stacked, shot the two sentries, and rushing upon the others stunned them with the butt of their weapons. Deprived of their arms, the others abandoned the conflict and fled.

Releasing the prisoners, they escaped across the river to the Americans.

But the most romantic incident in this brave man's life was his love for Miss Sally St. Clair, or, as she is termed in our annals, the Maiden Warrior. This was a beautiful creole girl, who returned his passion with a purity and intensity seldom known on earth. When he was called upon to join the defenders of his country, her grief was unbounded. Their hour of parting came, and after the tenderest of adieus the gallant soldier sprang upon his horse, and joined his regiment.—Scarcely had the sound of his horse's feet died upon the air, than her romantic brain suggested the plan of rejoining her lover by enlisting in the same brigade. She resolved to put her project in immediate operation.

Securing a suit of male attire about her own size, she severed her long and jetty ringlets, dressed her hair like a man's, and purchasing a horse, she set off three days after, alone, to offer her services to the noble Marion. Her offer was accepted, and a lithe, active stripling was added to the corps to which her lover belonged. The contrast between the stripling and these men, in their uncouth garbs, their massive faces, embrowned and discolored by sun and rain, was indeed striking. But none were so eager for the battle, or so indifferent to fatigue, as the fair-faced boy. It was found that his energy of character, resolution and courage, amply supplied his lack of *physique*. None ever suspected him to be a woman. Not even Jasper himself, although she was often by his side, penetrated her disguise.

The romance of her situation increased the fervor of her passion. It was her delight to reflect that, unknown to him, she was by his side, watching over him in the hour of danger. She fed her passion by gazing upon him in the hour of slumber, hovering near him when stealing through the swamp and thicket, and being always ready to avert danger from his head.

But gradually there stole a melancholy presentiment over the poor girl's mind.—She had been tortured with hopes deferred; the war was prolonged, and the prospect of being restored to him grew more and more uncertain. But now she felt that her dream of happiness could never be realized. She became convinced that death was about to snatch her away from his side; but she prayed that she might die, and he never know to what length the violence of her passion had led her.

It was an eve before the battle. The camp had sank to repose. The watchfires were burning low, and only the slow tread of sentinels fell upon the profound silence of the night air, as they moved through the dark shadows of the forest. Stretched upon the ground, with no other couch than a blanket, reposed the warlike form of Jasper. Climbing vines trailed themselves into a canopy above his head, through which the stars shone down softly. The faint flicker from the expiring embers of a fire fell athwart his countenance, and tinged the cheek of one who bent above his couch.—It was the smooth-faced stripling. She bent low down, as if to listen to his dreams, or to breathe into his soul pleasant visions of love and happiness. But tears trace themselves down the fair one's cheek, and fall silently, but rapidly, upon the brow of her lover. A mysterious voice has told her that the hour of parting has come; that to-morrow her destiny is consummated. There is one last, long, lingering look, and then the unhappy maid is seen to tear herself away from the spot, to weep out her sorrows in privacy.

Fierce and terrible is the conflict that on the morrow rages on that spot. Foremost in the battle is the intrepid Jasper, and ever by his side fights the stripling warrior. Often during the heat and the smoke, gleams suddenly upon the eyes of Jasper the melancholy face of the maiden. In the thickest of the fight, surrounded by enemies, the lovers fight side by side. Suddenly a lance is levelled at the breast of Jasper; but swifter than the lance is Sally St. Clair. There is a wild cry, and at the feet of Jasper sinks the maiden, with the life-blood gushing from the white bosom, which had been thrown, as a shield, before his breast. He heeds not now the din nor the danger of the conflict; but down by the side of the dying boy he kneels. Then, for the first time, does he learn that the stripling is his love; that the dim visions, in his slumber, of an angel face hovering above him, had indeed been true. In the midst of the battle, with her lover by her side, and the barb still in her bosom, the heroine maiden dies!

Her name, her sex, and her noble devotion, soon became known through the corps. There was a tearful group gathered around her grave; there was not one of those hardy warriors who did not bedew her grave with tears. They buried her near the river Santee, "in a green shady nook that looked as if it had been stolen out of Paradise."

The sweetest of all American song-writers has immortalized this noble woman in a charming lyric, with which we close our story:—

In the ranks of Marion's band,
Through morass and wooded-land,
Over beach of yellow sand,
Mountain, plain and valley;
A southern maid, in all her pride,
Marched gally at her lover's side,
In such disguise
That e'en his eyes
did not discover Sallie!

When returned from midnight tramp,
Through the forests dark and damp,
On his straw-couch in the camp,
In his dreams he'd daily
With that devoted, gentle fair,
Whose dark black eyes and flowing hair,
So near him seem,
That in his dream,
He breathes his love for Sallie!

Oh, what joy that maiden knew
When she found her lover true!—
Suddenly the trumpet blew,
Marion's men to rally!
To ward the death-spear from his side,
In battle by Santee she died!
Where sings the surge
A ceaseless dirge
Near the lone grave of Sallie!

☞ The following notes are said to have passed between Governor Giles and Patrick Henry, of Virginia:

"SIR:—I understand you have called me a 'bobtail' politician. I wish to know if it be true, and if true, your meaning.

"WM. R. GILES."

"SIR:—I do not recollect having called you a bobtail politician at any time, but think very probably I have. Not recollecting the time or occasion, I can't what I did mean; but if you will tell me what you think I meant, I will say whether you are correct or not. Very respectfully,

"PATRICK HENRY."

☞ Every anniversary of a birthday is the dispelling of a dream.—*Zschokke.*

DOING GOOD.—We must expect men to be ungrateful, but not on that account cease to do them good.—*Fenelon.*

A PRETTY SIMILE.—Scandal, like the Nile, is fed by innumerable streams: but it is extremely difficult to trace it to its source.

"EN AVANT!"—Our sorrows are like thunder clouds, which seem black in the distance, but grow lighter as they approach.—*Richter.*

☞ "Did I hurt you?" said a lady the other day, when she trod on a man's toes, "No, madam, I thank you, seeing that it's you;—but if it were any body else, I would have hollered out murder!"

The Decline of Life.

"I often think each tottering form
That limps along in life's decline,
Once held a heart as fresh and warm,
And full of bounding hopes as mine."

The above perhaps is not an exact quotation, but it embodies the idea, and it will answer the purpose. The memory is a wonderful faculty and yet it is by no means infallible. And when does the decline of life begin? Who that still feels the rich glow of health kindling in his veins, his frame full of vigor, his step light and elastic, his mind clear and buoyant, will venture to decide? It often happens, that age and debility steal on, before we have attained even what is more ordinarily regarded as the meridian of life. The form begins to totter, the hair to whiten, the imagination to dim, and the physical as well as the mental man to degenerate. This arises sometimes because of constitutional defects and infirmities, and in other cases, in consequence of living too fast, and not paying due attention to the priceless blessing of health. There are others again, who pass on to three-score years and ten, and are still in possession of all their intellectual faculties. They can see, and hear, and think, as well or nearly so, as in the prime of manhood. These however, are the exceptions to the rule.—There is a time for all things, and with the great multitude, the season is inevitable, when life's current takes a turn, so to speak and we begin gradually to move towards that bourne from whence no traveler returns. It is a wise law of Providence, that we cannot penetrate into the future, lift the veil, and see the exact period, at which, in the course of nature, we shall be compelled to shuffle off this mortal coil. And yet, if we study ourselves closely, if we watch our tastes, our habits, our weaknesses, and our infirmities, we shall find no difficulty in ascertaining when we have arrived at, or attained the full vigor of life, and therefore be enabled to make enlightened calculations as to the future. The average career of man has been reduced to a demonstration. The tables of mortality and of assurance are full of admonitory hints upon this point. Nay, if we look around among our friends and neighbors, our early companions and associates, those who were born in the same city, and who partook with us at the same fountains of education, we shall find that ever and anon Death singles out one and then another, and thus the process of gathering in the crop of human beings is constantly going on. Disease is about and around us in a thousand forms. It sometimes appears as an epidemic and sweeps away its myriads. At others it assumes a more stealthy step, and health, and strength, and life gradually pass away. But who stops to pause or inquire? Who, as the service at the grave is uttered, and as the narrow vault receives the coffin; who, after the solemnities are over, the mourners are dismissed, and the busy world again tempts with its delusions and excitements, turns his thoughts inward, and ponders deeply and wisely as to the probabilities concerning his fate? Life even then may be on its decline, disease may have planted its germinating seeds, and a few fleeting years may be all that remain. But trade, ambition, friendship, love, averice, or some other exciting cause engrosses and absorbs for the time, and thus it is impossible, so the argument suggests, to think of the more serious matter of exhausting years, approaching debility, and another world. On the contrary, an effort is made at self-deceit, and it too often happens that we persuade, or endeavor to persuade ourselves, that the ordinary rules do not apply to us, and that "all mankind are mortal but ourselves."—This is especially the case if in a condition of high worldly prosperity. The scenes around us are then rose-colored and full of fascination, pleasure assumes many a dazzling form, and the idea of sickness or of death is shunned and avoided, as at once unpleasant and repulsive. Is it not so, gentle reader? Have you not turned away from the contemplation of the future, simply because its images and its prospects were associated with the earth-worm and the grave? Do you not repel, as something unwelcome and painful, the still small voice that ever and anon whispers that this world is but a temporary place of abode, and that all must, sooner or later, pass through the valley of the shadow of death? But we do not desire to be too serious or too moody. Such a policy is not to the precise course of a journalist. Nevertheless, an occasional hint as to the mutability and perishing nature of all that is human, may not be regarded as ill-timed and out of place, and while we gaze upon the tottering forms that limp along in life's decline, let us extend to them kindness, courtesy, assistance, and sympathy, and at the same time remember that sooner or later, we shall present a similar spectacle, and pass with steps equally feeble and infirm, to the silent city of the dead. Meanwhile, however, we have duties to perform and obligations to discharge; and if true to our position and our mission, the approach of death will have no terrors, for the change will be from a scene of care and anxiety, of time and trial, to one of eternal bliss and unending day.

☞ A servant girl, in the town of A——, in England, whose beauty formed a matter of general admiration and discussion, in passing a group of officers in the street, heard one of them exclaim to his fellows, "By heaven, she's painted!" Turning around, she very quietly replied, "Yes, sir; and by heaven only!" The officer acknowledged the force of the rebuke and apologized.

Bishop Doane on Washington.

The late Rt. Rev. George Washington Doane, Bishop of New Jersey, delivered an oration on Washington's birth-day, by request of the lady managers of the Mount Vernon association of Burlington, Vt., and which is replete with sound patriotism and national sentiment. His text was—"One world; one Washington." His address thus concludes:

You have listened to me patiently, too long. A few words more. The ashes of Washington should not belong to any individual. They are the jewelry of the Republic. *En mea ornamenta!* The tomb of Washington should not be in possession of the Government. He was not the father of the Senate, nor of the House of Representatives. He was *Pater Patriæ*. He is our father. The home of Washington should not be held by any special corporation. It is the homestead of the nation. It is the hearthstone of America. It should belong to us and our heirs, forever. But, how shall this be brought about? Who will redeem that sacred dust? Who will garnish that beloved sepulchre? Who will keep that hospitable home? Those women and their associates: the mothers or our children; the sisters of our love; the daughters of our hearts. Beautiful thought, that the sex to which we owe our mothers, should be the guardians of the ashes of our father. That the women of America should more than reproduce the Roman daughter, in her filial piety and love. And they *will* do it. Nay *have* done it; by the very will to do it.—When did a woman fail, in what her love resolved on? Who were behind her, at the Cross? Who were before at the grave?—Noble and generous women! Into your hands, we commit those venerable shades. Into your hands, we commit that honorable sepulcher. Into your hands, we commit that blessed dust. To you, and your daughters, and to your daughters' daughters, in a line, for ever. Thither the mothers of America in all the ages of the world shall bring their infant sons. They shall tell them, "our mothers left us this dear home; a heritage for ever!" They shall repeat his story:—They shall relate his services. They shall recount his virtues. They shall syllable his glorious and immortal name. The eye shall kindle at the sound. The lip shall quiver at the thought. The heart shall leap at the remembrance. And from that sepulchre there shall go out, a line of patriot heroes, that shall perpetuate the virtues, while they immortalize the name, of Washington.—Shades of our fathers, mothers of our children, shall it not be so? By those at Trenton, Princeton, Monmouth it shall be! May He, who gave us Washington, make us all worthy of the gift; preserve his sepulchre, a lighthouse, for the oppressed, in every land, and make his name the pole-star of the patriot, till time shall cease to be!

The Smith Family.

"Gentlemen," said a candidate for Congress, "my name is Smith, and I am proud to say I am not ashamed of it. It may be that no person in this crowd owns that very uncommon name. If, however, there be one such, let him hold up his head, pull up his dicky, turn out his toes, take courage, and thank his stars that there are a few more left of the same sort.

Smith, gentlemen, is an illustrious name,
And stands ever high in the annals of fame.
Let White, Brown, and Jones increase as they will,
Believe me that Smith will outnumber them still.

Gentlemen, I am proud of being an original *Smith*; not a SMITHE, nor a SMYTH, but a regular natural S-M-I-T-H Smith. Putting a Y in the middle or an E at the end won't do, gentlemen. Who ever heard of a great man by the name of *Smyth* or *Smithe*?—Echo answers *who*, and everybody says *nobody*. But as for Smith, plain S-M-I-T-H, why, the pillars of fame are covered with that honored and revered name. Who were the most racy, witty, and popular authors of this century? Horace and Albert Smith. Who the most original, pithy, and humorous preacher? Rev. Sidney Smith. To go further back—who was the bravest and boldest soldier in Sumpter's army in the Revolution? A Smith. Who palavered with Powhattan, galivanted with Pocahontas, and became the ancestor of the first families in Virginia? A Smith again. And who, I ask—and I ask the question more seriously and soberly—who, I say, is that man, and what is his name, who has fought the most battles, made the most speeches, preached the most sermons, held the most offices, sung the most songs, written the most poems, courted the most women, kissed the most girls, and married the most widows? History says, I say, you say, and everybody says, John Smith!"

☞ The following fable has its moral: A small gain of mustard seed being thrown by accident near a large tulip root: "How durst you," says the arrogant neighbor, "take rank with a tulip?"

"My dear sir," replied the grain, "forgive in peace. My life at present is dull enough, but if you will permit me to stay, I promise you, by and by, a sheltering shade for yourself and family."

People of easy fortunes discourage a budding genius. The latter, not in the least attentive to their arrogance, suffers without complaint, for seeing that when he has arrived at his full growth, their walk, compared to his, will be but more *crawling*.

☞ "I presume you wont charge anything for just *remembering* me, said a one legged sailor to a cork leg manufacturer.

LAWS OF OHIO.

PUBLISHED BY AUTHORITY.

[No. 23.] AN ACT

To authorize the making of real estate indexes, and further to prescribe the duties of County Commissioners and Recorders in certain counties.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the county commissioners of all counties in this state, having a population of more than two hundred thousand inhabitants, to employ, at a reasonable compensation, to be fixed by them, and to be paid out of the county treasury upon the order of said commissioners, one or more competent persons, who shall, under the direction of the recorder, make out and complete general indexes from the record of all the real estate situate in such county, in addition to the alphabetical indexes now provided for by law, by placing under the heads of the original surveyed sections or parts of a section, squares, subdivisions, or lots, on the left page of such index book: 1st. The name of the grantor or grantors. 2d. Next to the right the name of the grantee or grantees. 3d. Then the number and page of the record, where the instrument is found recorded. 4th. The character of the instrument, to be followed by a pertinent description of the property conveyed by such deed, lease, or assignment of lease; and on the opposite page, in like manner, all the mortgages and liens, or other incumbrances affecting said real estate.

Sec. 2. It shall be the duty of the recorder to procure, at the expense of the county, suitable books for such indexes.

Sec. 3. As soon as the indexes, provided for in the first section of this act, shall be brought up and completed, it shall become the duty of the recorder of every such county to keep up said general indexes in the manner prescribed by the first section of this act, and to enter thereon, under the appropriate heads, all deeds, leases, assignment of leases, mortgages, liens, and other instruments, affecting the title to such real estate, and in the order as they are filed in his office for record.

Sec. 4. For every entry on such general index of any lot, piece or parcel of land, the recorder shall be allowed the sum of five cents, to be paid by the person leaving such instrument of conveyance or tranfer for record.

Sec. 5. This act shall take effect and be in force from and after its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
E. BASSETT LANGDON,
President *pro tem.* of the Senate.
February 14, 1859.

[No. 24.] AN ACT

Supplementary to an act entitled "an act defining certain duties of clerks, sheriffs, and prosecuting attorneys," passed February 26, 1842.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of every clerk of every court of record to receive from the hands of the sheriff or other officer of the court, all costs taxed upon any writ issued from the court, such as appraisers' fees, printers' fees, or any other fees, necessarily incurred in the execution of any such writ, and pay the same over to the persons entitled thereto on demand; and it shall be the duty of the sheriff, or other officer of court, to tax such costs, collect and pay the same over to the clerk of the court from which the writ is sued, giving the name of each individual and the amount which each is entitled to receive.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
E. BASSETT LANGDON,
President *pro tem.* of the Senate.
February 14, 1859.

[No. 26.] AN ACT

To prohibit Watchmen and other Police Officers from claiming Witness Fees in certain cases.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That no watchman or other police officer shall be entitled to any witness fees in any case prosecuted under any criminal law of the State of Ohio, or any ordinance of a city of the first or second class, before any police judge or mayor of any such city, justice of the peace or other officer, having jurisdiction in such cases.

Sec. 2. This act shall take effect from and after its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
E. BASSETT LANGDON,
President *pro tem.* of the Senate.
February 14, 1859.

[No. 28.] AN ACT

To amend the act entitled "an act to fix the salaries of Judges in certain cases."

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all the counties of this state, having a population of two hundred thousand inhabitants or upwards, the Judges of the Court of Common Pleas hereafter elected therein shall receive, in addition to the salary now paid to them out of the State Treasury, the sum of one thousand dollars per annum, to be paid to them out of the county treasury, in the same manner and at such times as is provided by law for the payment of the salaries of the Judges out of the State Treasury. Provided that if the salaries of Judges of the Court of Common Pleas should be increased by the State, then the payment out of the county Treasury shall be diminished in proportion, so that such Judges shall not in any way receive more than twenty-five hundred dollars per annum salary.

Sec. 2. That the first section of the above recited act, passed April 12th, 1858, be and the same is hereby repealed.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.
February 18, 1859.

[No. 29.] AN ACT

Making a partial appropriation to meet the current expenses of the Northern Ohio Lunatic Asylum for the year 1859.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is hereby appropriated, out of the funds in the treasury of this State, applicable to a general revenue purposes, for current expenses of the Northern Ohio Lunatic Asylum for 1859, the sum of five thousand dollars.

Sec. 2. This act shall take effect on its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.
February 18, 1859.

[No. 36.] AN ACT

To amend section fourteen of an act entitled "an act relating to Juries, passed February 9th, 1831, and took effect June 1st, 1831.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That section fourteen of "an act relating to juries," passed February 9th, 1831, be so amended as to read as follows: Sec. 14. That if there shall be empanelled, for the trial of any cause, any petit juror who shall have been convicted of any crime which by law renders him disqualified to serve on a jury; or who has been arbitrator on either side relating to the same controversy; or who has an interest in the cause; or who has an action depending between him and either party; or who has formerly been a juror in the same cause; or who is either party's employer, employee, counsellor, agent, stewart or attorney, or who is subpœnased in the cause as a witness; or who is akin to either party; or any person who shall have served once already on a jury as a talesman in the trial of any cause in the same court during the term, he may be challenged for such causes, in either of which cases the same shall be considered as a principal challenge, and the validity thereof be tried by the court; and any petit juror who shall be returned upon the trial of any of the causes hereinbefore specified, against whom no principal cause of challenge can be alleged, may, nevertheless, be challenged on suspicion of prejudice against or partiality for either party, or for want of a competent knowledge of the English language, or any other cause that may render him at the time an unsuitable juror; and the validity of such challenge shall be determined by the court; and each party may peremptorily challenge two jurors.

Sec. 2. The said section fourteen is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.
February 25, 1859.

[No. 38] AN ACT

For the punishment of certain offences therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That if any person shall receive or buy any bank bill or bills, or promissory note or notes, bill of exchange, order, receipt, draft, warrant, check or bond, given for the payment of money in amount less than thirty-five dollars which have been stolen, knowing the same to be stolen, with intent to defraud the owner thereof, every person so offending shall, on conviction thereof, be fined in any sum not exceeding two hundred dollars, and be imprisoned in the cell or dungeon of the jail of the county and be fed on bread and water only, not exceeding thirty days at the discretion of court.

Sec. 2. That if any person shall receive or buy any goods or chattels of less value than thirty-five dollars, that shall have been stolen or taken by robbers, knowing thy same to be stolen or taken by robbers with intent to defraud the owner, evere person so offending shall, on conviction thereof, be fined in any sum not exceeding two hundred dollars, and be imprisoned in the cell or dungeon of the jail of the county, and be fed on bread and water only, for a term not exceeding thirty days, at the discretion of the court.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.
February 25, 1859.

[No. 39.] AN ACT

To repeal the ten per cent. law, passed March 14, 1850.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act passed March 14, 1850, entitled "an act to amend the act entitled an act fixing the rate of interest, passed January 12, 1824, and all other laws on that subject," be and the same is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after the 1st day of April, 1859.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.
February 25, 1859.

[No. 40.] AN ACT

Supplementary to the several acts fixing the fees of Sheriffs, Coroners and Constables.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That in addition to the fees, now by law allowed to sheriffs, coroners and constables, upon executions and attachments, it shall be lawful for the court to which an execution, order for the delivery of property in replevin, or order of attachment is returnable, to allow the officer returning such execution, order for the delivery of property in replevin, or order of attachment, a reasonable compensation for any extraordinary trouble or expense incurred by such officer, in the removal or preservation of any personal property levied on under said writ or order, which amount, when so allowed, shall be taxed in the cost: Provided, that such officer shall not in any case be allowed more than one dollar *per diem* each for the services of the person or persons employed in the removal or taking care of said property; and provided further, that no allowance shall be made, unless it shall appear to the court that the extraordinary services for which such allowance is asked, were necessary for the proper execution of such writ.

Sec. 2. This act shall take effect and be in force from and after the date of its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.
February 25, 1859.

[No. 45.] AN ACT

To amend an act to provide for the Execution of Deeds for Land sold by the State of Ohio, and for other purposes, passed April 16, 1857.

Section 1. *Be it enacted by the General Assembly of the State of Ohio,* That section

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