

The Jeffersonian Democrat.

J. O. CONVERSE, Proprietor.

A Weekly Newspaper, Devoted to the Dissemination of Republican Principles, Education, Temperance, Literature, Agriculture, and the News of the Day.

TERMS--\$1.50 per Annum.

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CHARDON, GAUGA COUNTY, OHIO, FRIDAY, AUGUST 19, 1859.

WHOLE NO., 501.

The Jeffersonian Democrat is published every Friday morning, at CHARDON, Gauga County, Ohio. Office directly over the Drug Store at Cook & Hinton, west side of the Public Square.

TERMS: If paid in advance, \$1.50 per annum; if not paid within the year, \$2.00. All kinds of mercantile produce taken in payment, at the market price. No paper discontinued until all arrears are paid, except at the option of the Publisher.

RATES OF ADVERTISING: Local advertisements will be inserted as follows:—50 cents a square, first insertion; subsequent insertions, 25 cents a square. Business advertisements will be inserted at the following rates: One square three insertions, \$1.00; two months, \$2.25; three months, \$3.50; six months, \$6.00; one year, \$10.00. Half column six months, \$15.00; one year, \$25.00. One column six months, \$20.00; one year, \$35.00. Business cards of not over 10 lines for one year, \$10.00.

Advertisements should be marked with the number of lines they are designed to occupy, that an error may be avoided. All advertisements are charged according to the above terms. The privilege of yearly advertisements will be confined to those who are desirous of inserting them. All advertisements must be addressed to the proprietor, (postage paid) to receive attention.

LIST OF PUBLIC OFFICERS: JUDGE WILSON, District Judge; DAVID C. ADWELL, Senator; PETER HITCHCOCK, Representative; M. C. CASFIELD, Probate Judge; F. F. WHITE, Sheriff; W. M. KEENEY, Clerk; C. F. FIELD, Auditor; H. N. SPENCER, Treasurer; C. H. DUDLOW, Recorder; J. K. SMITH, Prob. Attorney; J. S. CLEVELAND, Dist. Attorney; H. A. GOSWELL, Auctioneer; J. O. WETZEL, School Examiner; R. E. DENTON, Notary; W. W. WILKINSON, Notary; MARSH SMITH, Commissioner; B. B. WOODBURY, Notary; S. C. DODD, Notary; GEO. MANLY, Directors of Infirmary; A. RICHMOND, Notary.

BUSINESS DIRECTORY.

E. V. CANFIELD, General Insurance and Collection Agent, CHARDON, OHIO, 499-7.

L. A. HAMILTON, Physician and Surgeon, CHARDON, GAUGA COUNTY, OHIO. Office at his residence, a few doors south of the Public Square. April 29, 1859. 453-7.

FORBIST & SMITH, Attorneys and Solicitors, CHARDON, GAUGA COUNTY, OHIO. W. O. FORBIST practices in the U. S. District Court, Public and Prosecutes in the District of Ohio. Office, 24 door South of Bank. May 6, 1859. 452-7.

C. H. HAMILTON, W. CONROCK, HAMILTON & CONROCK, General Produce, Forwarding and Commission Merchants, No. 27 North Erie and a Commercial Street, CHARDON, OHIO. May 6, 1859. 450-7.

JOHN N. POND, M. D., Homeopathist, Located at Chardon, where he will always be found ready to attend to any call, unless professionally absent, residence occupied by Dr. Stewart. May 6, 1859. 450-3.

R. N. DART & CO., Importers and Jobbers of Dry Goods, 25 HARBET STREET, N.Y. A Large Assortment of Cloths, Cassimeres, Vestings, Tweeds, Dress Trimmings, Ribbons, Wines, Teas, Hosiery, Yankee Notions, &c. March 11, 1859. 454-7.

WILLIAM ROBERTS, Boot and Shoe Shop, Over C. K. Kowalski's Harness Shop, Chardon, Feb. 11, 1859. 474-7.

PHELPS AND THRASHER, Attorneys-at-Law, Offices—39 Main Street, opposite Chase's Hotel, CHARDON, OHIO. Jan. 23, 1859. 472-7.

D. W. CANFIELD, ATTORNEY AT LAW, will practice in all the Courts of Record in this and adjoining Counties. Office directly over the Store of Reynolds & Co., Chardon, Ohio. 461-7.

WILKINS & KELLEY, General Dealers in Groceries, Hardware, Dry Goods, Flour, Fish, Yankee Notions, &c. Store Union Block, Chardon, Ohio.

L. PATCH, DENTIST, Will be in Chardon on the first Tuesday of each month. Room at Chase's Hotel.

BRANARD & BURRIDGE, Engravers, Lithographers, and Designers, Herald Block, Cleveland, Ohio.

R. GREIGHTON, Book Binder and Blank Book Manufacturer, Herald Building, CLEVELAND, OHIO. Blank Books Rules and Bound to Order—Old Books Rebound.

S. EDSON, Would respectfully inform the Citizens of Hamilton and adjoining Towns, that he is prepared to do all the following:—JOBS IN SURVEYING upon Short Notice and Reasonable Terms. Having a Set of Instruments he is fully prepared to TEACH SURVEYING to any wishing to become Surveyors. Hamilton, May 27, 1859. 489-3m.

BURNETT HOUSE, Cor. of Ontario & Prospect Sts., CLEVELAND, O. THE Undersigned have fitted up the above named House, at much expense, with Seventy Five Comfortable and Pleasant Rooms. The Furnishings are all new, which, with their TABLE, Bedsteads, and other articles, are so arranged, that every one who occupies one of our Rooms, will find it as comfortable as any other in the city. The patronage of a discriminating public, is respectfully solicited. Willing to abide their decision as to the result of their efforts. BURNETT & TINKLER, Proprietors. Oct. 14, 1858. 408.

THE COTTAGE DOOR.

How sweet the rest that labor yields The humble and the poor, Where sits the patient of the fields Before his cottage door! The lark is singing in the sky, The swallows on the eaves, And love is beaming in each eye, Beneath the summer leaves!

The air amid his fragrant loaves Supplies unperished health, And hearts are bounding 'mid the flowers, More dear to him than wealth. Peace, like the blessed sunlight, plays Around his humble cot, And happy nights and cheerful days Dirige his lowly lot.

And when the village Sabbath bell Rings out upon the gale, The father bows his head to tell The music of his tales— A father's virtues seem to fill The fair and dewy soil, And every infant tongue is still To hear the word of God.

O, happy hearts! to him who stills The ravens when they cry, And makes the lily 'neath the thistle Sit gloriously and dry, The trusting patriarch prays to bless His labor with increase; Such ways are "ways of pleasantness," And all such "paths are peace."

IT NEVER COMES AGAIN.

There are gains for all our losses, There are balm to all our pains; But when youth, the dream, deserts, It takes something from our hearts, And it never comes again.

We are stronger, we are better, Under manhood's sternest reign; Still we feel that something sweet, Followed us with flying feet, And will never come again.

Something beautiful is vainly hid, And we sigh for it in vain; We behold it every where, On the earth and in the air, But it never comes again.

Reflections.

I passed a little grave in a country churchyard, the other day. A modest marble slab was at its head, and a little marble tomb—typo of the childish innocence of the sleeper resting there—lay sleeping upon it. And these words were beneath it, copied from some mother's heart: "Our little boy in Heaven. Death's early frosts did nip our little way." I thought as I looked on the slab, and the green turf that had overgrown the grave, how many bright visions went under the ground with that coffin—how many cherished hopes, nursed with a parent's love, and fed by paternal indulgence—went out like a falling star when that little life ebbed off the shores of mortality, and back to the great ocean of God's love, from whence it came. Every mother has her head full of little imaginary fancies for her offspring, to which she looks forward with the deepest delight of her nature. She thinks how proud she shall be of her boy, when he shall have attained a man's estate; or her little daughter, when she shall have become a woman. They are not to be like other people's children—they will be something original; have minds of a harder growth, and hearts of a kinder flesh than those with whom they grow. Their plans for public and private beneficence will be more sound than any of their predecessors, and their zeal in making them a fact in high and noble lives, will put all former efforts to shame. "And when I have passed the meridian of life," says the mother, "and my life's sun shall be shining but a little way over the trees in the west, these children, who were my jewels in their child-days, will be my pride and staff; and after life's fitful fever" ended, they will be an epitaph to perpetuate my name with the always-wished-for honor, to those who shall fill the vacancy, when I am gone."

And so all mothers experience delight in their little children, and I never see a little grave but I think how sore a disappointment has bruised the heart of some mother; has darkened the heavens above her—and sent a frost to blast the rare fruit in her garden of love. And it is very sad. One of the dearest blessings in the world is children. With them there is no dissimbling—How much better the world would be if man could attain his estate and retain his childish disregard of all those affairs in the world which make him vain, and *folly* friendly—so we might grow up to be children, and so Nature's children, with kind Nature's love.

I thought when some mother looks on this little slab, how her old grief at her child's departure will "fret to hear itself remembered," and how often she will shed tears of affection over the grave of the wee one whom the fates have divided from her all her mortal life; and how her calm, sweet Christian's confidence will come to her, and she will smile through her tears, and rejoice in the bleeding heart, with the hope she has the other side of the grave, believing she is "blessed indeed, who claims a child in Paradise." C. A. L.

Huntsburgh, July 30th, 1839.

SOWING TARES.—A good story is told of a divine on Cape Cod, not long since, who awoke from a comfortable nap in his chair, and discovered his amiable helpmate in the performance of an act for which Governor Marcy once made a charge of fifty cents to the State—in other words, mending his pantaloons. Inspired with a love of fun, which seldom affected him, he inquired, "Why are you, my dear, like the evil person spoken of in Scripture?" Of course she was unable to discover any resemblance. "Because," said he, "while the husbandman slept, you sowed the tares!"

Celebrities—How they Look.

The lively New York correspondent of the *Springfield* is a Republican, after saying that men of moderate talents are accustomed to make a show of all their intellectual powers, remarks: As far as my personal knowledge extends, those who stand in the first ranks of intellect in America do not belong to that class. They carry no mark sign on face or garment, declaring, "I am a genius. Behold the eighth wonder of the universe!" Emerson looks like a refined farmer, meditative and quiet. Longfellow like a good natured beef-eater. Holmes like a ready-to-laugh little boy, wishing only to be "as funny as the cat." Everett seems only the graceful gentleman, who has been handsome—Becher a raddy, frolicking boy. Bancroft a plain, negative looking man. Whittier the most retiring of Quakers. Bryant a plain, serene looking man, dressed in gray. And thus I might name dozens of the great men, except Becher, who might be a deal handsomer. In this respect they can bear no pain away from very intellectual women, who have always been called very homely. There is nothing in a dominant intellect, in continuous, far reaching, wandering, and to favor the curves of beauty; it consumes a greater quantity of tissue and fluid than it supplies. It dilates the eye, but deepens the lines, sharpens the nose, and often wears the nerves to a torturing quickness. So this is one reason why intellectual women should carry their quantum of ugliness. Let us look at them as they pass. Mrs. Seymour, the grandmother of American "female" literature, in her prime (if we may look her portrait) was quite handsome. Catherine Beecher is lovely. Mrs. Beecher Stowe an ordinary looking woman, but Mrs. Stowe's "Biddy," Mrs. C. M. Kirkland is a fat dawgier. Mrs. E. F. Elliot looks like a washerwoman. Margaret Fuller was plain. Charlotte Cushman has a face as marked as Daniel Webster's and quite as strong. So has Elizabeth Blackwell. Harriet Beecher looks like a man. Mrs. Ann S. Stephens, leary and coarse. Mrs. Oakes Smith is considered handsome. Mrs. Julia Ward Howe has been a New York belle. Frances S. Osgood has a lovely, somewhat face. Elizabeth W. Wells is almost beautiful. Sarah J. Hale, in her young days, quite, unless her picture fits. The Davidson sisters, as well as their gifted mother, possessed beauty. If we cross the ocean, we find Madame de Stael was a beauty; but Hannah Moore was handsome; Elizabeth Fry abolition; Letitia Langdon; Mary; Mrs. Heman's wondrously lovely; Mrs. Howitt fair and matronly; Mrs. Norton regally beautiful—but, alas! she who has the largest brain of all, with as great a heart, Elizabeth Barrett Browning, in physique is another; and though she has magnificent eyes, her face is suggestive of a tombstone. Charlotte Bronte had a look in her eyes better than all beauty of features. But if we look at British men of first class erudition—Shakespeare and Milton were handsome; Dr. Johnson swarthy. Charles Addison was tolerably handsome; and Coleridge, Shelley, Byron, Moore, Campbell, Burns, all were uncommonly so. Sir Walter Scott looked very ordinary in spite of his fine head. Macaulay is homely. Bulwer nearly hideous, although his face was done up. Dickens is called handsome, but I must be allowed to differ, and covered with jewelry, he can but look like a simpleton. I might go on almost *ad infinitum*—but, after all, in proportion, is this class any homelier than any other?

Self-Made Men.

Biography has no greater end than to record the lives of those, who, beginning their career in an obscure and humble position, have terminated them in distinction and eminence and to present, for the emulation of admiring posterity, the bright examples of the great "self made," whose only passport to fame was their individual energy, industry, integrity, and application. Biographical literature abounds with these instances. The catalogue of popes, emperors, statesmen, soldiers, scholars, men of science, the great, and the names of those who have shed a lustre on their respective orders. To select a few at hazard: Pope Sixtus VI. was a swindler. Cardinal Wolsey, for some time prime minister of England, during the reign of Henry VIII, sprang from obscurity. The Emperor Napoleon I. was only a lieutenant of artillery when Louis XVI of France terminated his existence on the gory scaffold of the Place de Greve. Lord Gley, Governor general of India, and conqueror of the great Mogul, commenced his career as a writer in the East India Company's service. La Place was the son of a Normandy farmer. Most of Napoleon's most celebrated Marshals, Murat, King of Naples, Ney, Junot, Barmadotte, and others, rose from the ranks. James Cook, the renowned circumnavigator, was a laborer's son. Gilfil, the essayist and reviewer, and the poet Bloomfield, were shoemakers. Lord Campbell, the chief justice of England, was a parliamentary reporter, and was employed on the *Morning Chronicle*, a London daily paper; a lawyer's clerk. George S. Epperson, the engineer, worked in a coal-pit when a boy. Faraday, one of the brightest luminaries of science, was a book-binder's assistant. Hugh Miller, the geologist and editor, whose posthumous works have been recently published in this country, was a stone-mason. Burns followed the plow. Elihu Buritt was a blacksmith. But we need not stretch our eyes across the Atlantic for instances of self-culture and advancement. America has, both in public and private life, a long array of names from which we can culminate the greatest and most worthy examples of the kind, and in which distinction has been won, or fortunes amassed, in defiance of every obstacle. Roger Sherman, Franklin, Washington, Astor, Rittenhouse, Curry, Haines, King the traveler, Bodewich, Smith, Whitney, Benjamin West, and many others, may be cited for universal encouragement and imitation.

A WONDERFUL CURE.—Dr. Hill, a notorious wit, physician, and man of letters, having quarreled with the members of the Royal Society of London, who had refused to admit him as an associate, he refused to average himself upon them in a novel manner. He addressed to their secretary a letter purporting to be written by a country squire, and reciting the particulars of a cure which he had effected. "A sailor," he wrote, "broke his leg, and applied to me for help. I bound together the broken portions, and washed them with the celebrated tar-water. Almost immediately the sailor felt the beneficial effects of this remedy, and it was not long before his leg was healed!" This cure was published abroad at the very time that Bishop Berkeley had issued his work on the marvellous virtues of tar-water, and excited consequently great attention. The letter was read and discussed at the meeting of the Royal Society, and caused considerable difference of opinion. Papers were written for and against tar-water and the restored leg, when a second letter arrived from the (pretended) country practitioner: "In my last I omitted to mention that the limb of the sailor was a wooden leg!"

CHOICE VARIETY.

SUBSCRIPTION very rarely occupies the bosom of innocence. GIVE a wise man health, and he will give himself everything else. TRUE gallantry grasps an instrument of husbandry oftener than a sword or rifle. NOTHING renders the mind so narrow and so little, as the want of social intercourse. THE poorest education that teaches self-control is better than the best that neglects it. SOCIETY, like shaded silk, must be viewed in all situations, or its colors will deceive us. IT is well for the humble when they have sufficient education to render them callous to contempt. AMBITION often puts men upon doing the meanest offices; so climbing is performed in the same posture as creeping. AS some men gaze with admiration at the colors of a tulip or the wings of a butterfly, so I was by nature an admirer of happy human faces. THERE is nothing worth having that is not difficult. The life of every man who has worked with hand or head, has been one long contest with difficulties, and none of us would be the men we now are, if we had tamely allowed difficulties to conquer us. A BEAUTIFUL proverb runs thus:—With time and patience, the mulberry leaf becomes satin." How encouraging is this lesson to the patient and desponding! And what difficulty is there that a man should quail at, when a worn cap accomplishes so much from a mulberry leaf. A MAN should neither be a hermit nor a buffoon; human nature is not so miserable as that we should always be melancholy, nor so happy as that we should always be merry. In a word, a man should not live as if there was no God in the world; nor at the same time as if there were no men in it.

Singular Illusions.

The strange illusions with which hypochondriacs and insane persons are often-times affected, are not a little amusing to the unimpaired spectator, however uncomfortable they may be to the patient himself. There are many anecdotes respecting these illusions related by medical authors. Marcus Donatus informs us that a baker of Ferrara believed that he was made of butter, and on that account would not approach the oven lest he should melt. The same author relates that a person by the name of Vincentius imagined he was of such an enormous size, that he could not go through the door of his apartment. His physician gave orders that he should be forcibly led through it, which was done accordingly, but without a fatal effect, for Vincentius cried out, as he was forced along, that the flesh was torn from his bones, and that his limbs were broken off, of which terrible impression he died in a few days, according to those who conducted him to his miserable end. Talpuz tells us that the wife of one Solomon Galmus fancied that she had been dead, but that God had sent her back to the world without a heart, for he had kept it in heaven. On this account she was extremely unhappy, and more miserable than any creature on earth. Gruener relates the case of a German student of theology, by the name of Rau, imagining himself the subject of a Divine call, without waiting for holy orders, he commenced preaching. The following is the conclusion of one of his discourses: "He who believes not in witches does not believe in the devil; he who does not believe in the devil does not believe in God; he who believes not in God must be damned."

Hypochondriacs have sometimes imagined themselves a frail article of china, and of course, have been in constant fear of being dashed to pieces, by the carelessness of servants or the forgetfulness of friends. Pope, in "The Cave of Spleen," thus represents these same breathing articles of brittle ware: "Here living tea-pots stand, one arm held out, One hand the handle this, and that the spout; A popkin there, like Homer's tripod walks, Her eyes a sight a jar." &c.

A BEAUTIFUL EXTRACT.—There lies in the depth of every heart, that dream of our youth, and the chastened wish of manhood, which neither cares nor honors can ever extinguish—the hope of one day resting from the pursuits which absorb us; of interposing between old age and the tomb, some interval of reflection, when, with feelings not subdued, but softened—with passions not exhausted, but meliorated,—we may look calmly on the past without regret, and on the future without apprehension.

But in the tumult of the world, this vision forever recedes as we approach it, the passions which have agitated our life, disturb our latest hours, and we go down to the tomb, like the sun in ocean, with no gentle and gradual withdrawing of life to the source which gave it, but sudden in its fiery glow longer after it has lost its power and splendor.

HOW TO RESTORE PEOPLE WHO FAINT.—When anybody faints, instead of giving a noise, or dashing water upon him, lay him at full length on his back on the floor, loosen his clothing, push the crowd away, so as to allow the air to reach him, and let him alone. The philosophy of a fainting fit, is the heart fails to send the proper supply of blood to the brain. If the person is erect, that blood has to be thrown up hill; but if lying down, it has to be projected horizontally. What requires less power is apparent.

ON the field at Solferino Francis Joseph is said to have addressed an angry reproach to one of his oldest Generals, who instantly broke his sword across his knee and threw it at his feet; the Emperor burst into tears and held out both his hands, begging pardon for the offence he had given.

FUN ITEMS.

A FIRE, like a quack medicine, is nothing until it is puff'd. AS exchange begins a forcible appeal to its delinquents with this touching sentence: "We must *do* or be *done*." IT may seem strange that you cannot see your face in a pane of beautiful stained glass, when everybody admits that it is a *good looking glass*. "Mrs. May I see you home, said a young man to a flirt. "No, sir," was the short reply. "Oh, I don't mean now, but some rainy night when I can't go anywhere else." AN old sea captain said he never knew of but one man who had a good excuse for going to sea, and that was Noah, for if he had remained on shore he would have been drowned! A PHYSICIAN told his patient that he could cure his toothache by simply holding a certain root in his right hand. "What root?" asked the sufferer. "The root of the aching tooth." "What is the best guard against an adversary?" said a pupil in the net of self-defense to his teacher, a noted pugilist. "Keep a civil tongue in your head," was the unexpected and significant reply. ABERNETHY went with a friend to the play. The latter proposed taking seats near the orchestra. "Oh, no," said the doctor, "I have a slight cold, and doubt the propriety of sitting near those wind instruments." THE latest dog story is of two dogs who fell to fighting in a saw-mill. In the course of the tussle, one of the dogs went plump against a saw in rapid motion, which cut him in two instants. The hind legs ran away, but the fore legs continued the fight and whipped out the other dog.

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

April 4, 1859.

[No. 202.] AN ACT Making appropriations for the Payment of Interest on the State Debt, the Payment of a portion of the principal thereof, and the Payment of the Expenses of the Board of Commissioners of the Sinking Fund.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That the following sums be, and they hereby are, appropriated from any moneys in the treasury belonging to the sinking fund: For the payment of the semi-annual interest on the State debt, the sum of one hundred and thirty-four thousand four hundred and eighty-four and 20/100 dollars, (\$134,284.40); For the payment of interest on school and trust funds held by the State, the sum of one hundred fifty-six thousand dollars, (\$156,000); For the payment of a portion of the fund debt of the State, being the amount of the sinking fund, as established and fixed by the constitution applicable thereto for the year 1859, the sum of one hundred fifty thousand, and two hundred sixty three dollars, (\$152,663); For the payment of the salary of the clerk in the office of the commissioners of the sinking fund at the seat of government, and the necessary incidental expenses of said office, the sum of two thousand five hundred dollars, (\$2,500); For the payment of the salary of the clerk in the office of the commissioners of the sinking fund at the seat of government, the sum of twelve hundred dollars, (\$1,200); For the contingent fund of said board of commissioners in going to and returning from the city of New York, in the discharge of their official duties, the sum of two hundred dollars, (\$200); For the payment of the expenses of printing, stationery, and other expenses, necessary to the discharge of the duties of the commissioners of the sinking fund, the sum of seven hundred dollars, (\$700); For the payment of the expenses of said commissioners in going to and returning from the city of New York, in the discharge of their official duties, the sum of twelve hundred dollars, (\$1,200); For the contingent fund of said board of commissioners of the sinking fund, the sum of one thousand dollars, (\$1,000); For the construction of a fire and burglar proof vault in the office of said commissioners in the State house, the sum of twenty five hundred dollars, (\$25,000).

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

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

April 5, 1859.

[No. 187.] AN ACT To provide for the sale or lease of Estates. SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That it shall be competent for the courts of common pleas of this state, on application of the first donee in tail, or for life, to authorize the sale of entailed estates, and estates for life with remainder over to any other person or persons, when satisfied that the sale would be for the benefit of the applicant, and do no substantial injury to the heirs in tail, or others in succession, reversion, or remainder.

SECTION 2. The petition shall contain a description of the estate to be sold, a clear statement of the nature of the estate, and therein, and a copy of the will, deed or instrument of writing by which the estate is created. All persons in being who may be interested in the estate, or who may, by the terms of the will, deed or other instrument, creating the entailment, thereon, or otherwise, shall be made parties to the petition; and if the names of any persons who ought to be made parties are unknown to the petitioner, or if the residence of any such party is unknown to the petitioner, the fact shall be verified by the affidavit of the petitioner, and the sale may be ordered, notwithstanding such names and residences may be unknown. The same notice shall be given to defendants, of the application for the sale, as now is or may hereafter be required in cases of petitions of administrators for authority to sell real estate for the payment of debts.

SECTION 3. If, upon the hearing of the petition, it shall be made to appear to the court by satisfactory proof, that a sale of the estate would be for the benefit of the first donee in tail, or for life, and do no substantial injury to the heirs in tail, or others in succession, reversion, or remainder, the court shall direct a sale of the estate to be made, and the manner thereof, and shall appoint some suitable person or persons to make the same, and such sale shall vest the estate in the purchaser, freed from the entailment or limitation over.

SECTION 4. All parties in interest may appear voluntarily and consent in writing to such sale, and testimonialy guardians and

LAWS OF OHIO.

(Published by Authority.)

[No. 186.] AN ACT To amend section one of an act passed March 31, 1859, supplementary to an act entitled, "An act defining the jurisdiction and regulating the practice of probate courts in the counties of Erie, Lucas, Richland, Holmes, Montgomery, Delaware, Franklin, Scioto and Jefferson," passed April 12, 1858, and to extend the operation of said act to the counties of Meigs, Mercer, Auglaize, Adams, Harrison, Henry, Licking, Belmont, Stark and Williams.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That section one of the above recited act be so amended as to read as follows: Sec. 1. That the provisions of an act entitled "An act defining the jurisdiction and regulating the practice of probate courts in the counties of Erie, Lucas, Richland, Holmes, Montgomery, Delaware, Franklin, Scioto and Jefferson," passed April 12, 1858, be and the same are hereby extended to the counties of Meigs, Mercer, Auglaize, Lawrence, Harrison, Henry, Belmont, Stark, Ottawa and Williams.

SECTION 2. That said section one of the act passed as aforesaid, on the 31st day of March, 1859, be and the same is hereby repealed.

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

April 4, 1859.

[No. 202.] AN ACT Making appropriations for the Payment of Interest on the State Debt, the Payment of a portion of the principal thereof, and the Payment of the Expenses of the Board of Commissioners of the Sinking Fund.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That the following sums be, and they hereby are, appropriated from any moneys in the treasury belonging to the sinking fund: For the payment of the semi-annual interest on the State debt, the sum of one hundred and thirty-four thousand four hundred and eighty-four and 20/100 dollars, (\$134,284.40); For the payment of interest on school and trust funds held by the State, the sum of one hundred fifty-six thousand dollars, (\$156,000); For the payment of a portion of the fund debt of the State, being the amount of the sinking fund, as established and fixed by the constitution applicable thereto for the year 1859, the sum of one hundred fifty thousand, and two hundred sixty three dollars, (\$152,663); For the payment of the salary of the clerk in the office of the commissioners of the sinking fund at the seat of government, and the necessary incidental expenses of said office, the sum of two thousand five hundred dollars, (\$2,500); For the payment of the salary of the clerk in the office of the commissioners of the sinking fund at the seat of government, the sum of twelve hundred dollars, (\$1,200); For the contingent fund of said board of commissioners in going to and returning from the city of New York, in the discharge of their official duties, the sum of two hundred dollars, (\$200); For the payment of the expenses of printing, stationery, and other expenses, necessary to the discharge of the duties of the commissioners of the sinking fund, the sum of seven hundred dollars, (\$700); For the payment of the expenses of said commissioners in going to and returning from the city of New York, in the discharge of their official duties, the sum of twelve hundred dollars, (\$1,200); For the contingent fund of said board of commissioners of the sinking fund, the sum of one thousand dollars, (\$1,000); For the construction of a fire and burglar proof vault in the office of said commissioners in the State house, the sum of twenty five hundred dollars, (\$25,000).

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

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

April 4, 1859.

[No. 196.] AN ACT To Amend the 10th Section of an Act defining the Jurisdiction, and regulating the Practice of Probate Courts, passed March 14, 1853; took effect July 1, 1853.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That the tenth section of said act be amended and to read as follows: Section 10. The judges of said courts shall have the care and custody of all files, papers, books and records, belonging to the probate office, and are hereby authorized and empowered to perform the duties of said act, and may appoint a deputy clerk or clerks, each of whom shall, previously to entering upon the duties of his appointment, take an oath or affirmation, faithfully to perform all his duties as such clerk, and when so qualified, said deputy may do and perform any and all the duties appertaining to the office of clerk of said court, and every deputy clerk is hereby authorized to administer oaths in all cases in which it is necessary, in the discharge of his duties as such deputy clerk. Every probate judge may take such security for his deputy, as he may deem necessary to secure the faithful performance of the duties of his appointment; Provided, that no such clerk shall, while holding such office, practice as an attorney in any of the courts of the State.

SECTION 2. That said original tenth section be and the same is hereby repealed. This act to take effect from and after its passage.

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

April 6, 1859.

[No. 191.] AN ACT Providing for the Repair of the surviving Losses of the National Road, and for future management of said Road.

WHEREAS, Samuel Doyle and Samuel Foster, who are now solely interested as lessees of the National Road, under the lease then formed by the board of public works, on the 29th day of May, 1854, for a period of ten years from after the first day of June, 1854, to the said Doyle and Foster and Joseph Cooper, having by their memorial petitioned to be discharged from their covenants in said lease contained, and to be allowed to surrender said road to the state on equitable terms; or that the general assembly should by enactment carry out the modification of said lease as made by the board of public works on the 18th day of February, A. D. 1856, and protect the interests of the lessees in the collection of tolls; And, Whereas, the relief asked for by said Doyle and Foster having been petitioned for by numerous citizens of the state, living near and interested in said road, it appears to the general assembly just and proper that said lease should be granted said lessees, therefore:

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That on and after the first day of June, 1859, the board of public works shall take charge of, control and keep in repair the national road, passing through the State of Ohio, and the lessees of said road are hereby released from all obligations that bind them in or under the said lease, and after the said day of June, 1859, provided that the care and control of the said road, as above directed, shall be taken by the board of public works only upon condition that the said road be in like good condition as when received by the said lessees and that the care and control of said road as aforesaid, said board of public works shall forthwith select one person, who shall lease one, and they two a third, who shall proceed at once to examine, appraise and report upon each to the board of pub-

guardians appointed by the court of probate, may assist in the place of their wards to the said.

SECTION 5. All such sales shall be reported to the court authorizing the same, and if, on examination thereof, it shall appear that such sale has been fairly conducted and made, and that the price obtained is the reasonable value of the estate sold, the court shall confirm the sale and authorize and direct a deed of conveyance of the premises sold, to be made to the purchaser or purchasers on payment of the purchase money, or on securing the payment thereof, in such manner as shall be approved by the court.

SECTION 6. All moneys arising from sales under this act, shall, for purposes of decent, succession, reversion, or remainder, have the same character, be governed by the same principles as an estate sold, and shall pass, according to the terms of the deed, will, or other instrument creating the estate.

SECTION 7. Moneys arising from such sales shall, under the direction and approval of the court, be invested in the certificates of the funded debt of this state, or of the United States, or in bonds secured by mortgage on unincumbered real estate, situated in the proper county, or of double the value of the moneys secured thereby, exclusive of buildings and other improvements, and of timber, mines and minerals. The court shall appoint competent trustees to invest the moneys aforesaid, and manage the same, who shall, from time to time, report to the court their proceedings and the condition of the fund, and the court shall require of such trustees security for the faithful discharge of their duty, from time to time, and require additional security, and may remove such trustees for cause shown, or reasonable apprehension thereof; may accept the resignation of a trustee, and fill vacancies by new appointment.

SECTION 8. The net income accruing from sales authorized by this act, shall be paid to the person or persons who would be entitled to the use or income of the estate were the same unsoled; and all taxes, and the expenses of the investment and management of the fund, shall be paid by the person or persons entitled to the income thereof.

SECTION 9. Upon like proceedings, as heretofore authorized, the court may, in its discretion authorize and direct that such estates be leased for a term of years, renewable or otherwise, as may appear most beneficial, and upon such lease as may appear just and equitable, the rents and profits to be paid to the person or persons who might otherwise be entitled to the use and occupancy of the estate, or the income thereof.

SECTION 10. The costs of the petition and costs of the lease, shall be paid by the person or persons entitled to the income aforesaid.

SECTION 11. This act shall take effect on its passage.

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

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