The Holmes County Farmer.

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From Harper's Weekly.

Arraigning the Prsident.

The recent protest of the President of the United States against Mr. Covode's Investigating Committee has been thoroughly discussed by journals throughout the country. Not a few among the number censure Mr. Buchanan, directly, or indirectly, for the reiterated allusions to his age and services. But with a few exceptions, all seem to admit that the *want of common respect* show him by the House of Representatives in appointing a Committee to enquire whether or no he had been guilty of corruption *justified an emphatic protest.*

It is not worth while to inquire whether Mr. Buchanan's repeated remarks upon his public carear and his advanced years are strictly in accordance with good taste. 'Tis a trifling matter at best, and if the President's political rivals have no ground of complaint but this his record will stand well in history. *His career is one of which he may well be proud, and his approaching retirement from public life imparts an authority ta his counsels on which he may well be pardoned for dwelling with some emphasis.*

The true point to which good men should direct their attention is simply this: *is it right, is it decent, is it in good taste that the Executive of the Nation should be araigned before a Committee of the House of Representatives on a charge of corruption, and that* CALUMNIES, COINED BY DISAPPOINTED POLITICIANS, *should be published far and wide in the form of public documents,* AND AT THE NATIOAL EXPENSE.

The charge in this case is in plain words, that the public patronage of the Government has been distributed among its SUPPORTERS, and not among its OPPONENTS. That charge is well founded and true.—Ever since the time of Jackson it has been so. The system is wrong in principle, and that it would be a great thing for the country to alter it altogether, we freely admit. But was established twenty years before Mr. Buchanan was inaugurated, and he has but carried it out after the manner of his predecessors. He has displaced and appointed postmasters, collectors of customs, United States Marshals and other Government officials in accordance with the well understood principles which have ruled the Government for nearly a quarter of a century, which principles may be briefly summed up in the that, axiom, where a friend and an enemy are competitors for an office or contract, the preference, all other things being equal, should be given to the friend. We repeat that we do not like the system. It would be far better for the Government to choose its servants on the ground of fithess alone, regardless of their political servicess or their party claims. But the present method having been in use for over twenty years, and having been rigorously carried out by seven Presidents before Mr. Buchanan, it is monstrous to impute it to him as a crime that he followed their example.

Independently of this, however, there is an impropriety in the investigation which is now being conducted by Mr. Covode and his friends which cannot fail to strike every person with ordinay decency. If we are a civilized nation we owe some sort of respect to the man we have raised to the position of Chief Magistrate. *Insults leveled against him are outrages upon the whole people.* Until he commits offenses which justify his impeachment in the manner provided by the Constitution, he is entitled to some respect, to some immunity from the coarse vituperation and brutal calumnies which are the lot of the aspiring politician. What weight can he expect his remonstrances and representations carry with foreign powers, if we set the axample of showin him up as a rogue and an agent of corruption? What will the foreign world think of us, if the man whom we have chosen as our Chief Magistrate is openly accused of knavery, and construtively tried for the offense by a Committee of Congress? Will they not be justified in regarding him as a type of the nation? *What a feast foreign despots and aristocrats will have over the indecent spectacle? What an argument against Democracy and popular Government?*

There ought surely to be something, some man, some office, sacred from the low abuse of party politicians and the assaults of vulgar place hunters. We are in the habit of boasting of our superiority to the poor-half-breed races of the Southern part of the Continent, and adducing, in proof of it, our patient submission to the verdict of the majority, however distasteful it be to the minority. But if that submission be simply evinced by our abstaining from barricades and emutes, and if it does not prevent us from doing our best to bring that majority's verdict into contempt, and to degrade the chosen head of the nation by low devices and vulgar tricks, the basis on which our boasts rest is pretty slender.

WHERE IS THE COVODE SYSTEM TO END? Next March, perhaps, a Republican may be President of the United States, and in 1863 or 1864 there may be a democratic majority in Congress. Does any one suppose it would be difficult for that majority to rake up scandalous tales about the distribution of the public patronage, and make it appear that the President has tried to corrupt the people? *There are always* DISAPPOINTED SEEKERS OF OFFICES AND CONTRACTS *who are ready to invent calumnies against the official who disappointed them.* If we inaugurate the practice of investigating Committees into the distribution of the Presidential patronage, it is quite certain that every President from this time forth will be proclaimed to this country and to the world a knave and a rogue before his four years end. What will the country gain by that?

One of the natural evils of a democratic form of government is a tendency to degrade the highest magistrate of the State. In monarchies, the monarch and his principal advisers are generally so much elevated above the people that an innate feeling of respect protects them from the virulence of party spite. In republics, the supreme authority is transient; the agent of the people is one of them, and *per se* no higher than his constituents. Hence citizens of a republic are disposed to take much greater liberties with their chiefs than subjects of a monarchy with theirs. But the cause of good government requires that there should be some limit to this license. If the President is habitually treated by co-ordinate branches of the Government as a rascal who deserves punishment for disgraceful misdemeanors, it can hardly be expected that his administration will receive that aid from the people without which it must be inefficient. *Nor can it be hoped that foreign powers will pay to our Chief Magistrate a respect which is denied him by the most authoritative body in his own country. On the contrary, investigating committees like Mr.* COVODE'S *must inevitably tend to bring the national Executive into* CONTEMPT *abroad and at home, and to* WEAKEN THE HANDS OF GOVERNMENT *for all useful purposes.*

The Republican majority in Congress are not acting judiciously. THEY HAVE REPORTED A TARIFF BILL WHICH NO ONE EVER EXPECTS TO PASS, *and an appropriation scheme which is mere political trick. They have passed an* IMPRACTICABLE STATUTE *about polygamy in Utah. The have brought forward* NO PRACTICAL MEASURES *to soothe the bitterness of the existing troubles, or to relieve the real evils of the present regime. Their* INSULTING ARRAIGNMENT OF THE PRESIDENT *is a fitting climax to their other errors.*

By the time these lines are read Mr. John Hickman's report from the Judiciary Committee, justifying Mr. Covode's investigation, will probably be before the public. It is well understood that it will be a powerful partisan document. Such weapons are dangerous; to-morrow perhaps, it will be the other party's ox that will be gored.

LAWS OF OHIO:

PUBLISHED BY AUTHORITY.

[No. 93.] AN ACT

Defining the powers and describing the duties of the Board of Public Works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the public works of the State shall be divided by the Board of Public Works into three grand divisions or districts, to be designated by such names or numbers as said Board shall deem proper, and to be of such limit and extent as said Board from time to time shall prescribe; and each member of the Board of Public Works shall, as the acting commissioner of said Board, take charge of such division as may be assigned to him by said Board, and be responsible to the extent of his power and authority for the due and faithful administration of the affairs of such district or divisions.

SEC. 2. The term of office of the member of the Board of Public Works elected on the second Tuesday of October last, shall commence on the sixteenth day of February, and shall continue for three years thereafter, and until his successor shall be elected and qualified; and the other members of the Board heretofore elected and qualifide shall, in like manner, continue to hold their officer for the term of three years from the time they were sworn into office and until their successos had been elected and qualified; and the term of office of the members of the Board hereafter annually elected, shall commence on the second Tuesday of February thereafter.

SEC. 3. The members of the Board of Public Works shall each take an oath or affirmation to support the Constitution of the United States and of the State of Ohio, and to honestly and impartially discharge the duties of the office; and shall also give bond with sufficient security, to be approved by the Governor, in the penal sum of not less than thirty thousand dollars, conditioned for the honest and faithful discharge of the respective duties of their offices, and for the faithful accounting for and paying over all moneys which may come into their hands respectively, according to law, which bonds, with the approval of the Governor endorsed thereon, shall be filed with the Treasurer of State. The members of the Board of Public Works shall designate and appoint one of their number to act as President of said Board, and who in addition to his duties as acting commissioner shall perform such duties as are or shall be required by law of the President thereof, and said Board shall continue to keep the "office of Public Works" at the seat of Government, in which office shall be kept all the books and papers records and other documents of said Board, which shall be open to the inspection of all persons interested, at all reasonable times; and all notices or reports required by law to be given to the said Board by any of the officers of the State, when left in writing at said office, or deposited with any person who may have charge of the same, shall be considered as having been duly given and served upon said Board. The President shall have charge of said "office of Public Works" and the custody of the records books, papers and documents aforesaid, and shall conduct the correspondence of said Board.

SEC. 4. The said Board of Public Works shall have power to appoint not exceeding five resident engineers, and to assign to each of them the supervision of such part of said grand divisions or districts as, in their opinion, shall be for the best interests of the state, under such rule and regulations, not contrary to law, as may be from time to time prescribed by said Board; and the respective terms of office of said engineers shall commence on the first Monday of April A. D. 1860, annually thereafter on the sixteenth day of February. The said Board of Public Works shall also have power to appoint the collectors of tolls on the canals of the State, at all such points as shall have been or may be established for the collection of tolls, as hereinafter provided; and said collectors shall be governed by such rules and regulations as the Board may prescribe, not inconsistent with law, and shall receive such compensation as hereinafter provided. Every Collector, or other officer in anywise entrusted with the collection or disbursement of tolls or other revenue pertaining to the Public Works, shall, previous to his assuming the duties of his office, give bond to the State of Ohio for the faithful discharge of his duties, which bond, with sufficient security approved by said Board, shall be by them immediately deposited in the office of Auditor of State. The penal consideration of said bond shall not be less than fifty per cent. of the amount of money collected or disbursed by the same officer in the preceding year, and shall be conditioned for the faithful performance of his duties, and for the prompt collection, disbursements, paying over and accounting for all monies which shall come to his hands belonging to the State. The said Board of Public Works shall also have power, and is hereby made their duty, to appoint such number of Superintendents of repairs, gate-keepers, weight-masters, and inspectors, as in their opinion, the labor to be performed on the several public works may require to render the same efficient, and for the interest of the State. Every officer appointed under the provision of this act, before entering upon the duties of his office, shall take or prescribe an oath or affirmation that he will diligently and faithfully discharged the duties apertaining to his appointment, and promote, to the extent of his ability, the interest of the State, so far as may be legally in his power. Every person so appointed to office shall receive duplicate certificates of such appointment, signed by the President of the Board and attested by the Secretary of the Board, upon one of which certificates shall be endorsed and subscribed the oath above required to be taken, before some one having power to administer an oath, and the same shall be certified and attested by such person, and by such appointee handed to the acting Commissioner of his division, or forwarded by mail to the Board of Public Works, to be filed at the offic thereof; and said appointee shall hold his said office for the term of one year from the time of his appointment, and until his successor may be appointed and qualified; provided, that every person so appointed may be removed at any time previous to the expiration of his term, by the Board of Public Works, for neglect of duty or malfeasance in office. All vacancies that shall occur in either of the offices aforesaid, occasioned either by death, resignation, removal, or otherwise, shall be filled for the residue of the term, in the same manner and by the same authority as hereinbefore provided for making appointments for a full term; and all such officers so appointed and serving part only of the term of office, shall be paid rateably a due portion of the salary hereinafter provided, and no more.

SEC. 5. That to provide for the prompt payment of laborers, and for the purchase of materials, and incidental expenses in the current repairs of any of the Public Works of the State, the resident engineer on any division may at the commencement of any month, or at any intermediate convenient time therein, estimate the amount as near as practicable, that will be needed to pay for the repairs of said quarter, exclusive of the salary of the Superintendent and may issue his certificate in favor of the Superintendent of repairs on said division, upon which certificate the acting Commissioner may, if satisfied of the correctness of the estimate and of the expediency of such proceeding, draw his check for the amount or any portion thereof, on the Auditor of State, whose duty it shall be to issue his warrant on the State Treasurer for the amount specified in the check, and to charge the same to the particular work or improvement to which it properly belongs. The Superintendent in whose favor said advance payments shall have been made, shall therefore immediately proceed to pay all indebtedness which he may have incurred on behalf of the State for repairs, materials or incidental expenses upon the division undr his charge, and shall thenceforth, during said current quarter, pay all laborers weekly, unless prevented by unusual events happening on his division and rendering a strict compliance with this requirement inconvenient for the time being, on which contingency he shall make such payment at the earliest practical time thereafter; and the said Superintendent shall settle with the said resident engineer quarterly, as usual heretofore, and intermediately if required by said engineer, as the basis upon which to predicate his estimate for the remaining part of the current quarter, and no voucher shall be allowed in the settlement of a Superintendent's account, unless the money for which it purports to be a receipt shall have been actually paid, and the rates of the labor or materials shall be such as shall be approved by the resident engineer aforesaid.—Should it so happen that a surplus shall remain in the hands of any Superintendent at the end of any quarter, the same shall be carried forward to be used in like manner the next succeeding quarter but for the closing quarter of said Superintendents term of office, the said Engineer shall not include in his estimate any amount for the last thirty days of said term and shall be careful to limit the amount of his estimate for that quarter, or any part thereof below the actual amount of the probable expenditures, so as to prevent any surplus remaining in the hands of any Superintendent at the close of his term of office; but if, notwithstanding such precaution, any balance should remain in the hands of any such Superintendent at the expiration of his official term, the resident Engineer of his division shall have power to charge the same over to said Superintendent and apply it to the payment of his quarterly amount of salary then due, and if any further balance remains in his hands, the same shall be paid into the State Treasury.

SEC. 6. The said Board of Public Works is hereby authorized to lease water on any of the several reservoirs of the Public Works under such rules and regulations as are or may be prescribed by law for leasing water power on the Public Works of the State. And the said Board is hereby further authorized & required to make, from time to time an examination of the leases of water power upon or connected with any of the Public Works of the State, made by the lawful agents thereof in cases where the leases of water power or any assignee thereof may require it, to adjust and fix the amount of rent in arrears, or to be paid by such lesee or as-igns at such prices as they may deem just and equitable, and to cancel existing leases with the consent of the lesees or assigns, or when such leases have become forfeited and said Board shall deem the interest of the State will be promoted thereby to shut off the water and prevent the use thereof under any such leases when rents shall have been due thereon and in the arrears for thirty days or more, or when the lessees refuse or neglect to put in or permit to be put in such gauges as are required in their leases, and to continue to keep the water shut off until such rent be paid or such gauges be put in. And it is hereby made the duty of the President of the Board of Public Works to furnish the Auditor of State from time to time, attested copies of all leases for water power which remain in force, and of all new leases made, and renewals or modification of those now in force, within thirty days after the making of such leases, renewal or modification by said Board; and the said President shall also within the time prescribed, furnish attested copies of such original lease, renewal or modification to each of the Collectors of tolls upon whom the duty is imposed of collecting the rents therein provided for.

SEC. 7. Collectors of tolls shall, in addition to such other duties as may, from time to time, be required of them, collect water rents due the State or to become due as the same shall accure, and make such return of such collections and pay over all moneys thus collected in the same manner and at the same time they are by law required to make return of and pay over the tolls by them collected. All moneys derived from tolls on the canals, turnpikes, or other improvement of the State, as well as all moneys derived from leases of water power, or the sales of land held by the State for canal purposes, or from any other purposes, or from any other source appertaining to the interest or management of the public works of the State, shall be paid into the treasury in the manner directed by law.

SEC. 8. All claims against the State arising in the nature of awards, or for superintendence and repairs of the canals, turnpikes, or other improvements under the care and supervision of the board of public works or for any other object connected with the public works and authorized by law, shall be paid by the check of the acting commissioner on the Auditor of State, whose duty it shall be to issue his warrant on the State Treasurer for the amount specified in said check, and to charge the same to the particular work or improvement for which the expenditure shall have been made.—No check shall so be issued until after the consideration upon which it is based shall have been actually rendered, except in the case of superintendents of repairs as provided in section five; and every check shall be made in favor of the identical person to whom the amount is due, and shall set forth the nature of the indebtedness, whether for materials, repairs, labor, superintendence or otherwise, and to what object and at what point or division said materials, labor or superintendence were applied. Every check shall set forth the specific appropriation which authorized its payment, and shall be accompanied with a certificate of the superintending engineer, which shall name the person or persons to whom there is indebtedness, and state the particular work on which it occurred, and the location thereof, and whether by contract or otherwise. The check and certificate thus issued, shall be registered in books, one to be kept by the engineer, and one by the acting commissioner.

SEC. 9. That in all cases in which it may be necessary for the board of public works, by themselves or their legally authorized agent, to let contracts for the performance of labor or the furnishing of materials, and for the construction of feeders, dykes, reservoirs, locks, dams and other works and devices for perfecting and keeping in repair the public works under their charge, it shall be the duty of the Acting Commissioner of the Board by the resident engineer having charge of the division of the public works upon which said labor is to be performed, or materials furnished, to cause such general notice of the letting of said contract by publication in newspapers and posting up advertisements, as will secure general competition, which said notice shall contain a statement of the time, place and manner of receiving proposals of said contracts, and the character and magnitude of the work to be performed, the materials to be furnished, or both, if required, for the construction of the said works.

SEC. 10. No member of the Board of Public Works, engineer, superintendent, collector of tolls, gate-keeper, weighmaster, inspector, secretary or clerk, or any other person holding office under said Board during the location or construction of any canal or feeder, shall become interested; either in contract or purchase, directly or through another, in any lands, town, lots or water privileges for hydraulic purposes, on or adjacent to any such canals or feeders under the charge of said Board, until after the expiration of his term of office; or be engaged or concerned, either directly or through another person, in any contract for labor, construction or supplies of any description whatever. Every person found guilty of violating the provisions of this section, on conviction thereof in any court of competent jurisdiction, on indictment or information, shall be adjudged to pay a fine of not less than one hundred dollars, nor more than one thousand dollars, and shall, moreover, forfeit his office.

SEC. 11. It is hereby made the duty of the Auditor of State to cause all the rolls, abstacts and accounts of the collectors of tolls upon the canals, slackwater or other improvements of this State, for the last and each subsequent season of navigation, to be thoroughly examined and compared with each other, so that any discrepancy between the amounts credited by the collectors receiving any moneys and the check kept by any other collector, shall be ascertained; and in case of any such discrepancy, the clearance upon which any such moneys purport to have been received, shall be examined for the purpose of ascertaining the true amount received; and if said Auditor, after having ascertaianed the state of the accounts for the last season, deems it for the interest of the State to examine and compare as above, any part or all of the rolls, abstracts and accounts for any previous year, he is authorized to cause such examination to be made, and also for such ensuing year, and for the purpose of such examination, if necessary, he is hereby authorized to employ an additional clerk, for such time as may be found necessary.

SEC. 12. Each resident engineer, appointed under the provisions of this act, shall receive an annual salary of twelve hundred dollars. Each superintendent appointed under the provisions of this act; shall receive an annual salary of six hundred and sixty dollars. The collectors of tolls, appointed under the provisions of this act, shall receive respectively the following annual salaries, viz: At Cleveland, one thousand dollars; at Akron, eight hundred dollars; at Massillon, six hundred dollars; at Dover, six hundred dollars; at Roscoe, six huedred dollars; at Dresden, five hundred dollars; at Zanesville, seven hundred dollars; at Newark, six hundred dollars; at Carroll, six hundred dollars; at Columbus, six hundred dollars; at Circleville, six hundred dollars; at Chillicothe, seven hundred dollars; at Portsmouth seven hundred dollars, at Cincinnati, one thousand dollars; at Waverly, five hundred dollars; at Middletown, six hundred dollars; at Dayton, eight hundred dollars; at Hamilton, six hundred dollars; at Piqua, eight hundred dollars; at St. Mary's, six hundred dollars; at Junction, one thousand dollars; at Maumee City, five hundred dollars; at Toledo, one thousand dollars; at McConnelsville, five hundred dollars; at Harmar, six hundred dollars; and at Logan, six hundred dollars.

The collectors office at Delphos is hereby abolished, and the office at Defiance is removed to Junction.

Weighmasters at Toledo and Cleveland shall each receive five hundred and fifty dollars per annum; no deputy weighmaster shall hereafter be appointed

Inspectors at Toledo and Cleveland shall each receive four hundred and fifty dollars per annum; at Cincinnati, seven hundred dollars; the inspectors office at Junction is hereby discontinued.

No lock tender shall hereafter be appointed except at bulkhead or feeder locks.

The board of public works shall have power to abolish any collector's office, or to change the location thereof to such place as to them shall be deemed expedient for the service and interest of the state, but no increase of salary to the collectors shall be allowed in consequence of such removal, nor shall any new office be established in any case whatever. The salaries of the several officers above enumerated shall be paid in quarterly installments, at the close of each fiscal quarter, as now established, out of the State treasury, upon the warrant of the Auditor of State; but the said Auditor shall not draw his warrant without the check of the acting Commissioner of the proper division, for the amount due such officer, for such quarter, or any part thereof, according to the facts of the case; and it is hereby made the duty of such acting commissioner to ascertain the amount due for services of each of said officers, quarterly, and to issue his check accordingly, in same manner as for any other claim against the State.

SEC. 13. There shall be appointed by the board of public works, as soon after the passage of this act as they may deem expedient, a secretary to said board, whose term of office shall commence on the first Monday of April next, and be for one year, and such appointment shell thereafter be made annually by said board, to be for the same term, commencing at the expiration of the term of the incumbent; and said secretary shall receive an annual salary of one thousand dollars, payable quarterly in the same manner that the other appointees are paid; and said board shall also have power to appoint such clerks, either temporaily or for one year, as the public service in their opinion may require, and may pay them such reasonable compensation as they may deem just, not exceeding two dollars per day for the time actually employed, by check as in other similar cases; the secretary shall be subject to removal at any time by a majority of said board for neglect of duty or malfeasance in office. It shall be the duty of the board, when assembled together in their official capacity, to keep a correct and complete journal of their proceedings, which shall at all times be subject to the inspection of a committee of either branch of the general assembly, or of any person authorized by law to examine the same, or any person who may be interested in the proceedings of said board.

SEC. 14. It shall be the duty of the board of public works to report annually to the governor, at least ten days before the assembling of the general assembly, and said report to be by him transmitted along with his message to the general assembly. Said report shall contain a full accurate account of all moneys expended on each of the public works during the year ending on the fifteenth day of November next preceding said report, the aggregate amount of work contracted for during the year, the amount of money expended or allowed over and above the contract price, and the total value of all work under contract remaining to be executed, estimated in each case at contract prices, together with the estimated cost of all the work in progress of execution, and such other information in relation to the public improvements as they may deem needful to the General Assembly. They shall also report the revenue derived from each of the Public Works by tolls and other sources, how the same are levied, the manner of their collection, together with an estimate, if necessnry, of such appropriations as may be required to re-construct and keep in repair the Public Works of the State. The said Board of Public Works shall also, in their said Annual Report, give a list of all Resident Engineers, Assistant Engineers, Collectors of Tolls, Superintendents of Repairs, Weighmasters, Deputy Weighmasters, Inspectors, Lock Tenders, Gate Keepers and Clerks, who may have been employed by said Board during the year preceeding said Report, together with the amount of salary, allowance or perquisites paid to each, whether such salary allowance and perquisits are fixed by law or allowed by the Board, or an Acting Commissioner thereof; and also the amount paid and allowed for their own salaries and the contingent expenses of their office.

SEC. 15. The term of office of all persons now holding office under the appointment of the Board of Public Works or an Acting Commissioner thereof, shall expire on the first Monday of April next; and all officers appointed under the the provisions of this act, except as otherwise herein expressly provided, shall take their offices commencing on the first Monday of April next, and in each succeeding year thereafter, similar appointments shall be made for like terms of office.

SEC. 16. That the act entitled "an act for the regulation of the Public Works of the State of Ohio," passed April 12, 1858, be and the same is hereby repealed.

SEC. 17. This act shall take effect and be in force from and after its passage.

RICHAND C. PARSONS,
Speaker of the House of Representative.
ROBERT C. KIRK,
President of the Senate.

Passed March 24, 1860.

[No. 72.] AN ACT

Further to regulate the practice of the Supreme and District Courts in this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all cases of informations in the nature of a quo warranto, which are or may be pending in the Supreme or District Courts of this State shall, on the motion of the Attorney General or Prosecuting Attorney having charge of the same, have precedence over the civil business on the docket of said courts respectively, and it shall be the duty of said courts to require on motin of the officers aforesaid, as speedy trial of the merits of such information as may be consistent with the rights of the parties thereto.

SEC. 2. That in all cases where proceedings are or may be pending in any of the courts of this State having jurisdiction over the same in the nature of a quo warranto against any banking corporation, whether instituted by the Attorney General or by the Prosecuting Attorney under the provisions of the laws of this State, any stockholder or stockholders owning together not less than one-fourth of the capital stock of such company actually paid in, or entitled to the beneficial interest therein, may file in the court in which such proceeding may be pending a petition to enjoin the directors of such corporation from making any disposition on the assets of such corporation which shall be prejudicial to the interests of such stockholders, or which shall be inconsistent with their duties as directors of such corporation, and said court, or any judge thereof, in vacation, upon being satisfied that the directors in office of such corporation have been violating, or are about to violate any of the franchises thereof, may require them to give security ro the stockholders thereof, to the satisfaction of said court or judge, for the proper discharge of their duties, and for the proper management and security of the assets of such corporation under their control, and the said court or judge shall have the power to enjoin such directors and the officers of such bank from paying out or issuing the notes of circulation of such bank, and from incurring any additional liabilities except for the payment of the necessary services of the officers and employees of such banking company, the amount of which while such proceedings are pending, shall be under the control of said court.

SEC. 3. That such court or judge shall also have the power, on petition of any stockholder or stockholders owning not less than one-fourth of the capital stock as such banking company actually paid up, or of the beneficial interests therein, to enjoin thr directors and officers thereof from borrowing or issuing either directly or indirectly, any of the money or assets of such bank for their own individual benefit while such proceedings may be pending.

RICHARD C. PARSON,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed March 21, 1860.

[No. 75] AN ACT

Further defining the duties of Supervisors of Roads and Highways.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That supervisors of roads and highways within this state, be and are hereby authorized to construct foot bridges over streams of water on said highways.

SEC. 2. This act shall take effectand be in force from and after its passage.

RICHARD C. PARSONS.
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed March 21, 1860.

[No. 88.] AN ACT

To more effectually protect wool growers against loss by Dogs.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That every person owning, harboring or keeping any dog, shall be liable to the party injured for all damages done by such dog; and it shall be lawful for any person to kill or cause to be killed any dog or dogs which he may find roaming at large on his premises without the presence of the owner or keeper of such dog And it shall further be lawful for any person at any time to kill or cause to be killed any dog which may be or may have been found killing, worrying or injuring any sheep or lambs.

SEC. 2. The act entitled "an act for the protection of sheep," passed April 22, 1852, is hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

RICHARD C. PARSONS,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed March 24, 1860.

[No. 108.] AN ACT

To amend an Act entitled "an Act for the protection of Railroads," passed March 28, 1840.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Section one of said act be so amended as to read as follows: Section 1. That every person who shall wilfully and maliciously remove, break, displace, throw down, destroy, or in any manner injure any iron, wooden or other rail, or any branch or branches ways or any part of the tracks, or any bridge viaduct culvert, trestle-work, embankment parapet or other fixture, or any part thereof attached to or connected with such tracks of any railroad in this state now in operation, or which shall hereafter be put in operation, or who shall wilfully and maliciously place any obstruction upon the rails or tracks of any such railroad, shall, on conviction thereof be punished by imprisonment in the penitentiary not less than one nor more than twenty years; provided, however, that if any person shall by the commission of either of the aforesaid offenses, occasion the death of any person or persons, the person so offending shall be deemed guilty of murder in the first or second degree, or manslaughter, according to the nature of the offense, and on conviction thereof shall be punished as in other cases.

SEC. 2. Said original section one is hereby repealed; provided, however, that all offenses against and violations of said section so repealed, which have been heretofore committed, shall be prosecuted and punished according to the provisions thereof, as fully as if said section had not been repealed.

SEC. 3. This act shall take effect upon its passage.

RICHARD C. PARSONS,
Speaker of the House of Representatives.
ROBERT C. KIRK,
March, 26, 1860. President of the Senate.

[No. 107.] AN ACT

To prevent colisions on railroads within the State of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever the tracks of two railroads in the State of Ohio cross each other at a common grade, the crossings shall be made, kept up, and watchmen maintained at the joint expense of the companies owning said tracks, and all trains of engines passing over said tracks shall come to a full stop not nearer than two hundred feet nor further than eight hundred feet from said crossing, and shall not cross until signalled so to do by the watchman, nor until the way is clear; and when two passenger or freight trains come up at the same time, the train on the road first built shall have precedence; provided, they are both main tracks over which passengers and freights on said roads are transported; but if only one is such main track and the other is a side or depot track, then the train on the main track shall take precedence; but if one of said trains is a passenger and the other a freight train, then the former shall take precedence. Regular trains on time shall take precedence over trains of the same grade not on time, and engines, with cars attached, not on time shall take precedence of engines without cars attached if not on time. The same rule as above provided shall apply in all respects where the tracks of two railroads in any way connect.

SEC. 2. It shall be the duty of the managing agent or superintendent on every railroad in the State of Ohio, immediately after the taking effect of this act, to establish and publish to all the employees on said railroad such rules and regulations as shall, in all cases, secure strict compliance with the provisions of the foregoing section, and to republish such rules or regulations on every time table or card issued to the employees on said road; and in case such managing agent or superintendent shall fail or neglect to establish and publish such rules and regulations, or to re-publish the same on each time table or card issued to the employees on said road for every such neglect or refusal said managing agent or superintendent shall be personally liable to a penalty of one hundred dollars, to be recovered, together with costs, in an action against him in favor of the State of Ohio to be brought in the Court of Common Pleas of any county where any such crossing may exist; any such agent or superintendent, and the railroad company of which he is agent or superintendent, shall also be liable in damages to any person or company who may be injured in person or property by any accident arising from a neglect to establish, publish or re-publish such rules and regulations as above provided, and said agent or superintendent shall also be liable to a criminal prosecution therefor.

SEC. 3. That every engineer, or person in charge of an engine who shall fail to comply with the provisions of the first section of this act, and shall fail to bring the engine of which he is in charge, with the train, if any, thereto attached, to a full stop at least two hundred feet before arriving at any railroad crossing or connection, or shall cross the same before signalled so to do by the watchman, or before the way is clear, shall be personally liable therefor to a penalty of one hundred dollars, to be recovered by civil action, at the suit of the State of Ohio, in the Court of Common Pleas of any county where any such crossing or connection exists, and the company in whose employ such engineer or person in charge of an engine may be, as well as the person himself, shall be liable in damages to any person or company who may be injured in person or property by the neglect or act of said engineer or person in charge of an engine as aforesaid; and such engineer or person in charge of an engine shall also, in case any person be killed by reason of his neglect or failure to bring such engine and train of cars, if any there be attached thereto, to a full stop at least two hundred feet before reaching a crossing or connection with the track of another railroad, or by reason of his crossing the same before being signalled so to do by the watchman there stationed, or before the way is clear, be liable to indictment, conviction and punishment for manslaughter; or in case any person sustain bodily injury, not affecting life, by reason thereof, then such engineer or person in charge of an engine as aforesaid shall be considered guilty of a misdemeanor, and shall on conviction thereof in the proper court of the county where such bodily injury occurred, be imprisoned in the jail of the county not less than one nor more than twenty months, or be fined in any sum not more than five hundred dollars, or both at the discretion of the court.

SEC. 4. That section six of the act entitled "an act to amend the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed April 5, 1857, bo and the same is hereby repealed.

SEC. 5. This act shall take effect, from and after its passage.

RICHARD C. PARSONS,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed March 24, 1860.

[No. 79.] AN ACT

Supplementary to "an act to provide for the organization of Cities and Incorporated Villages," passed May 3, 1852; and the amendment passed March 11, 1853, and a Supplementary Act passed April 8, 1856, and Supplementary to the Act passed April 12, 1858.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the first class, in which water works have heretofore or may hereafter be constructed, it shall be lawful for the city council to provide by ordinance for the division of said city into not more than six sewerage districts, designating the same by name or number; and that for the purpose of defraying the expense of constructing main sewers in said districts, or either one of them, the city council shall have power to borrow, from time to time as they shall deem expedient, a sum of money not to exceed thirty thousand dollars for any one of said districts, upon the credit of the city, and shall have authority to issue bonds, with interest coupons attached, pledging the faith and credit of said city for the payment of the principal and interest of said bonds; provided, that all bonds issued as aforesaid shall have the name or number of the district for which the same were issued, legibly written or printed upon them, and shall be signed by the mayor and city clerk, and be sealed with the seal of the city.

SEC. 2. That for the purpose repaying the principal and interest of the bonds by this act authorized to be issued, it shall be lawful for the city council to assess and collect upon and from all the real estate in the district for which said bonds are issued, in each and every year thereafter until the interest and principal of said bonds is fully paid and satisfied, an amount sufficient to pay the interest due upon said bonds semi-annually; and such an amount as upon computation shall be found necessary to provide a sinking fund for the redemption of the bonds so issued as aforesaid at their maturity; provided, that not more than five per cent. per annum shall be collected in any one year of the principal of the bonds authorized by this act to be issued.

SEC. 3. That it shall be lawful for the city auditor to make the assessment required by the preceding section, upon all the real estate in the district upon the valuation as established by law for state and county purposes; and said auditor is hereby required to certify said assessment to the city council on or before the second Monday in May, annually; that after the same shall have been confirmed by the city council they shall direct the city clerk to certify it to the county auditor who is hereby authorized and required to place the same upon the tax duplicate in the same manner as other township and city taxes are by law placed upon said duplicate, and the county treasurer is hereby authorized and required to collect said assessment in the same manner as other taxes collected by him, and when collected shall pay the same to the treasurer of said city, and for the purpose of enforcing the collection of said assessments, he shall have the same power and authority now allowed by law for the collection of state and county taxes.

SEC. 4. That in the construction of the main sewer in or through the streets, lanes or alleys of said district, it shall be lawful for the city council to assess and collect, upon and from all the lands or lots bounding or abutting upon said streets, lanes or alleys, so much of the expense of constructing said main sewer as would, in the opinion of the city council, be required to construct an ordinary street sewer or drain of sufficient capacity to drain or sewer, said lots or lands bounding and abutting upon the streets, lands or alleys in or through which said main sewer may be constructed.

SEC. 5. This act shall not apply to cities of the first class having a population exceeding eighty thousand inhabitants.

SEC. 6. This act take effect upon its passage.

RICHARD C. PARSONS,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed March 22, 1860.

[No. 118.] AN ACT

Making appropriation for the Maintenance and Repair of the public Works for the fiscal year ending November 15, 1860, and for the quarter ending February 15, 1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is hereby appropriated out of any moneys in the state treasury, for general revenue purposes, to be paid out on the check of the member of the board of public works who may have charge of the respective portions of the public works for which appropriations are made, as follows:

For general superintendence, construction and repairs on the northern portion of the Ohio Canal, from Cleveland to the Licking dam, for the fiscal year ending November 15, 1860, the sum of fifty-five thousand dollars.

For the quarter ending February 15, 1861, the sum of eight thousand dollars;

On the Walhonding Canal, for the fiscal year ending November 15, 1860, the sum of three thousand dollars;

For the quarter ending February 15, 1861, the sum of five hundred dollars;

For building Sandy and Beaver aqueduct, eleven thousand dollors;

For general superintendence, construction and repairs on the southern portion of the Ohio Canal, from the Licking dam to Portsmouth, for the fiscal year ending November 15, 1860, the sum of fifty-eight thousand dollars;

For the quarter ending February 15, 1861, the sum of ten thousand dollars;

On the Hocking Canal, for the fiscal year ending November 15, 1860, the sum of twelve thousand seven hundred dollars;

For the quarter ending February 15, 1861, the sum of two thousand dollars;

On the Muskingum Improvement, for the fiscal year ending November 15, 1860, the sum of thirty-four thousand dollars; and for the improvement of the mouth of the Muskingum river, two thousand dollars.

For the quarter ending February 15, 1861, the sum of four thousand dollars;

For the payment of ferriage, or bridge, toll at Portsmouth, the sum of six hundred dollars;

For the payment of indebtedness incurred prior to February 15, 1860, the sum of one thousand dollars;

For general superintendence, construction and repairs on the Miami and Erie Canal, from Cincinnati to Toledo, for the fiscal year ending November 15, 1860, the sum of ninety thousand dollars;

For the quarter ending February 15, 1861, the sum of fifteen thousand dollars;

On the Western Reserve and Maumee road, for the fiscal year ending November 15, 1860, the sum of five thousand dollars;

For the quarter ending Februnay 15, 1861, the sum of one thousand dollars;

For completion of contract with James Purdy at Gilead side cut, the sum of two thousand dollars.

For balance due E. Farrington & Co., on contract, for building lock number eight, north of Laramie Summit, in 1858, the sum of two thousand nine hundred and seventy nine dollars and nineteen cents;

For payment of claims for damages to lands on the borders of the Mercer county reservoir, the sum of two thousand dollars;

For the payment of the salaries of resident engineers, the sum of seven thousand five hundred dollars;

For incidental expenses of the office of board of public works, the sum of one thousand five hudred dollars;

And for payment of the salary of the secretary of said board, the sum one thousand dollars—subject to the check of the President of said board;

For the payment of the salaries of the members of the board of public works, to be drawn on the warrant of the auditor of state, the sum of four thousand five hundred dollars. Provided, however, that the whole amount expended on the public works