LAWS OF OHIO:

PUBLISHED BY AUTHORITY.

[No. 31.] AN ACT

Supplementary to the act entitled "An act for the encouragement of agriculture," passed February 25, 1846.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That all county agricultural societies which have been, or may hereafter be organized under the act to which this is supplemental, be and the same are hereby declared bodies corporate and politic, and as such shall be capable of suing and being sued, and capable of holding in fee simple such real estate as they may have heretofore, or shall hereafter purchase, for the purpose of holding their fairs.

Sec. 2. That all deeds, conveyances, and other agreements in writing made to and by such county agricultural societies for the purchase of real estate as sites whereon to hold their fairs, shall be good and valid in law and equity, and shall vest a title in fee simple in such societies to said real estate without words of inheritance.

Sec. 3. In all cases where such county agricultural societies shall have heretofore purchased or shall hereafter purchase real estate as sites whereon to hold their fairs, the county commissioners of such counties may, if they think it for the interest of the counties and societies, pay out of the county treasuries of such counties the same amount of money, for the purpose of the purchase and improvement of such sites, as shall have been or shall hereafter be paid by said agricultural societies or individuals for such purpose.

Sec. 4. In all cases where agricultural societies shall be dissolved or cease to exist in any county where payments have been made for real estate, or improvements upon such real estate, for the use of any agricultural society, then all such real estate and improvements shall vest in fee simple in the county making such payment.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
President of the Senate.

February 15, 1853.

[No. 32.] AN ACT

Prescribing the duties of Supervisors, and relating to Roads and Highways.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That all male persons between twenty-one and fifty-five years of age, who have resided three months in this State, and who are not a township charge, shall be liable, yearly and every year, to do and perform two days work on the public roads, under the direction of the supervisors, within whose district they may respectively reside.

Section 2. That it shall be the duty of every supervisor to order out every such person, resident as aforesaid, between the first day of April and the first day of October, annually, to do and perform the work aforesaid, on the public roads within his district; and if any such resident being personally warned, by the supervisor, or by leaving a written notice at his usual place of abode, or by some person under the direction of the supervisor, by whom such warning can be proven, shall refuse to neglect, having had at least three day's notice, to attend by himself or substitute, to the acceptance of the supervisor, on the day and at the time and place directed by the supervisor, or having attended, shall refuse to obey the directions of the supervisor, or shall spend the time in idleness or inattention to the duties assigned him, every such delinquent shall forfeit and pay for neglect to attend, or for any of the offences above specified, the sum of one dollar, for every such offence, to be recovered by action, before any justice of the peace of the proper township, at the suit of the supervisor within whose district he may reside; and the money so collected shall be applied by said supervisor to the improvement of the road in his district, and accounted for by him at the annual settlement with the trustees of his township: Provided, that no person shall be released from the performance of labor on the public highways, by reason of the neglect of any supervisor to order out such person on or before the first day of October.

Section 3. That in case any person shall remove from one district to another, who has, prior to such removal, performed the whole or any part of the labor aforesaid, or in any other way has paid the whole or any part of the amount aforesaid, in lieu of such labor, he shall produce a certificate of the same from the supervisor of the proper district, such certificate shall be a complete discharge for the amount therein specified.

Section 4. That every person called upon to perform any labor upon the public roads and highways, under any provisions of this act shall by himself or substitute appear at the place appointed by the supervisor, at the hour of seven o'clock in the forenoon, with such necessary tools and implements, as said supervisor may direct, and the supervisor may, if necessary for the improvement of the roads, order any person owning the same, to furnish a team of horses, mules, or oxen and wagon, cart, scraper and plow, to be employed and used on the roads under the direction of said supervisor, who shall allow such person a reasonable compensation for the use of such team, wagon, cart, scraper or plow, in discharge of any labor or tax due from said person.

Section 5. That all persons who may be deemed by the supervisor unable to perform, or cause to be performed the two days work required by this act, shall be exempted from the requirements of the same.

Section 6. That for the purposes provided for in the preceding sections of this act, the residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he boards in any road district in this State.

Section 7. That wherever it shall happen in consequence of sickness, absence from home or any other cause, that the two days labor aforesaid shall not be performed within the time specified in this act, the supervisor shall be authorized to require the performance of such work, at any other time prior to the first day of November then next ensuing: Provided, that such delinquent may discharge the same, by paying to the supervisor the sum of one dollar and fifty cents, who shall appropriate it agreeably to the second section of this act.

Section 8. That the trustees of townships shall, on the first Monday of March annually, divide their respective townships into suitable and convenient road districts, and if the same have not heretofore been so divided, cause a brief description of the same to be entered on the township record, and also cause each supervisor to be furnished with a rough plot of his district, and in case any public road or road shall be established, as a part of the land or boundary of any township, the trustees in the adjoining township shall meet at some convenient place, as soon after the first of March as convenient, and apportion such road or roads between the two townships, as justice and equity may require, for the purpose of opening and improving the same, and the supervisors and inhabitants of each township shall be bound to work on such road or roads accordingly.

Section 9. That the several supervisors within their respective districts shall collect by suit or otherwise all fines, forfeitures and penalties, arising and accruing under the provisions of this act, unless the collection thereof is otherwise herein provided for, and they are hereby authorized and required, before their settlement with the township trustees, to prosecute to final judgment all persons neglecting or refusing to comply with the provisions of this act from whom such fine, forfeiture or penalty, in the opinion of the supervisor, can be collected by execution, and the said judgments, if not paid, together with the costs thereon, shall remain and be in force against the judgment-debtor, as other judgments at law are, in case of debt: Provided, however, that all persons who are, or may be exempt from performing labor on the public highways, by any law of this state, shall not be subjected to the provisions of this section.

Section 10. That the several supervisors shall expend all moneys by them collected for the benefit of the roads and highways, in the proper districts, by the supervisors collecting the same, and every supervisor is hereby required to account to the trustees of the township, at the annual settlement, for all monies expended under his act, and they shall also return a full and true list and statement of the names of all persons within their respective districts who have been ordered out to perform the two days labor, as required by this act, and who have refused or neglected to perform the same; and all fines and forfeitures sued for, and recovered under the provisions of this act, by a supervisor, shall be paid over, on demand, by the justice of the peace or constable collecting the same, to the supervisor of such road district, wherein such fine or forfeiture accrued, and the several supervisors shall also render an account to the trustees at the annual settlement, of all monies that remain in their hands at the time of settlement, also, all judgments that remain unpaid and the name of the judgment debtor, and the justice before whom such judgments were obtained, with the amount thereof, and the trustees shall make such order as to the prosecution of suits by the supervisors of the proper districts, against such delinquents, as in the judgment of the trustees the interest of the township may require.

Section 11. That all moneys that may remain in the hands of any supervisor at the time of the annual settlement with the township trustees shall be paid over to his successor in office, as soon as such successor shall be elected and qualified, and be by him expended for the benefit of roads and highways, as provided for in the foregoing section. And it shall be lawful for any supervisor, to sue out executions on any judgments that remain unpaid, within his proper district, at any time when, in his opinion, the same can be collected, and the money so collected, if any there be, shall be expended, as provided in the foregoing section.

Section 12. That it shall be the duty of each and every supervisor to open, or cause to be opened, all public roads and highways which shall have been, or may hereafter be laid out and established through any part of the district assigned to such supervisor; the same to keep in repair, and remove, or cause to be removed, all obstructions that may, from time to time, be found thereon; for which purpose the supervisors are hereby authorized to enter upon any uncultivated lands, unencumbered by a crop, near or adjoining the public roads, to cut and carry away any timber, to dig, or cause to be dug and carried away, any gravel, sand or stone, which may be necessary to improve or repair said road; and to enter on any lands adjoining or lying near the road, to make such drains or ditches through the same, as they may deem necessary for the benefit of the roads, doing as little injury to said lands and timber, as the nature of the case and the public good will permit; and the drains and ditches so made, shall be kept open by said supervisors, if necessary, and shall not be obstructed by the owner or occupier of such lands or any other person or persons, under the penalty of forfeiting a sum not exceeding ten dollars for each and every offence, to be recovered and appropriated as provided for in the seventh section of this act.

Section 13. That if any person, body politic or corporate, shall obstruct any public road or highway, authorized by any laws of this State, and using such obstruction to remain to the hindrance or inconvenience of persons making use of such public road or highway, or shall, by virtue of any authority whatever or otherwise, change the line, fill up, or dig out the bed of any such road or highway, or in any other manner render the same less convenient or useful than it had been previously thereto, such person, body corporate or politic, shall be subject to an action on the case, at the suit of the commissioners of the county, or supervisors in any district, or any person who shall be injured by such obstruction in which such road or highway is situate in whole or in part, and where any person obstructing any road or highway, as aforesaid, shall suffer such obstruction to remain for more than twenty-four hours after being notified to remove the same, every such person shall be deemed guilty of an additional offence against the provisions of this act, and shall be liable to suit or suits aforesaid.

Section 14. That the commissioners of any county, or supervisors of any district, in which any such road or highway is situate, in whole or in part, shall also have the right to apply to any judge of a court of record, for an injunction to restrain the commission of any injury contemplated by the thirteenth section of this act, and the same shall be granted or refused according to justice and equity; which writ, when allowed, shall be made returnable to the Court of Common Pleas of the county in which such injury is done or contemplated.

Section 15. That any suit brought under the provisions of this act, in the official capacity of any such commissioners, or supervisors respectively shall not abate by the change of officers, but shall be prosecuted by their successors, the same as if no change had taken place, to final judgment, unless otherwise disposed of.

Section 16. That the measure of damages in any suit brought, under the provisions of the thirteenth section of this act, shall be a full compensation to the public for the loss of or injury to, such road or highway, and the damages recovered in any such suit, after paying the expenses of the suit, shall be a trust fund in the hands of such commissioners, or supervisors respectively, to be applied to the repair of such road or highway, or to be expended upon the public roads of such district or county, as justice or equity may require.

Section 17. That all avenues, streets and alleys, in villages, towns and cities, which are or may be laid out agreeably to law, shall be, and the same are hereby declared public highways, for every purpose, whatsoever; provided, that the municipal authorities of any incorporated city, town or village, may make, ordain and enforce such laws and ordinances concerning the side-walks of the streets of such city, town or villages as shall be deemed necessary to prevent such side-walks from being used for the passage of horses, wagons, or other carriages, or for hitching or standing horses, or other animals thereon.

Section 18. That if any person or persons, corporations or any conductor of any train of railroad cars, or any other agent or servant of any railroad company shall obstruct unnecessarily any public road or highway authorized by any law of this State, by permitting any railroad car or cars, timber, lumber, wood or other obstruction to remain upon or across any such road or highway, to the hindrance or inconvenience of travelers or any person or persons passing along or upon such road or highway, every person or corporation so offending shall forfeit and pay for every such offence any sum not exceeding twenty nor less than two dollars, and shall be liable for all damages arising to any person from such obstruction or injury to such road or highway, to be recovered by an action at the suit of the supervisor of the district in which such offence shall have been committed, or any person suing for the same, before any Justice of the Peace within the county where such offence shall have been committed, or by indictment in the Court of Common Pleas of the proper county, and all fines accruing under the provisions of this section, when collected, shall be paid over to the supervisor of the district in which such offence was committed, and by him applied to the improvement of the roads and highways therein and accounted for in his annual settlement with the trustees, and every twenty-four hours such corporation, person or persons aforesaid, after being notified, shall suffer such obstruction unnecessarily to remain to the annoyance or inconvenience of travelers or any person or persons going along or upon such road or highway, shall be deemed an additional offence against the provisions of this section.

Section 19. That every railroad company or other corporation shall be liable for all fines assessed against such company or corporation for any obstruction caused by the conductor of railroad cars, agents of servants of any such railroad company or other corporation, for violations of any of the provisions of the first preceding section, and it shall be lawful for any officer having process in his hands to collect any fine or fines assessed against such company or corporation caused by the conductor of railroad cars or any agent or servant of any such company or corporation to levy upon any property of such railroad company or corporation found in the county where such offence was committed, and sell the same in the same manner as is provided for the sale of personal property levied upon by execution.

Section 20. That each and every supervisor, who shall cut any timber or take away any timber, stone or gravel, for the purpose of repairing any road, or else building or repairing any bridge or culvert, within his district, shall, on demand of the owners or owners, their agent or agents, or the guardian or guardians of any minor, idiot or lunatic, of the premises from which such timber, stone or gravel shall have been taken as aforesaid, give a certificate, allowing the quantity and quality of such timber, the number or quantity of stone or gravel, with the value thereof respectively, and the time the same shall have been taken.

Section 21. That any person or persons who shall receive a certificate, as provided for in the foregoing section, shall present the same to the county commissioners of the proper county, at any regular session of said commissioners, within six months after the taking and carrying away of such timber, stone or gravel, and the commissioners, being satisfied that the amount or damages, certified to aforesaid, is just and equitable, shall cause the same to be paid out of the county treasury. But if the commissioners shall be of opinion that the amount of damages, so certified to by the supervisor ought not to be paid by the county, they may refuse to pay the same, in which case they shall determine what sum, in their opinion, would be just. But if the applicant for the payment of damages shall refuse to receive the amount certified to by the supervisor, or the amount determined on by the commissioners, then and in either case, the commissioners shall require the said applicant to enter into bond with good and sufficient security, made payable to the State of Ohio, for the use of the county, conditioned for the payment of all costs and expenses that may accrue on a view for the assessment of damages.

Section 22. That on the filing of the bond as provided for in the foregoing section, the commissioners shall appoint a jury of three or more disinterested citizens of the county, who shall, after taking an oath or affirmation to faithfully discharge the duties of their appointment, proceed on a day to be named in the order of the commissioners, or on a failure to meet on said day, within five days thereafter, to view and examine the matter complained of, and assess and determine the damages, if any; and return their decision in writing, to the auditor of the county, on or before the first day of the next regular session of the commissioners. But if upon actual view of the premises, the jury shall be of opinion, that the amount of damages are not greater than the amount proposed to be paid by the commissioners, then the obligor or obligors in the bond filed with the commissioners, shall pay all the costs and expenses accruing under the view.

Section 23. That any landholder through whose lands any State, county, or township road, is now or may hereafter be laid out and established, is hereby authorized, under the direction of the supervisor of the proper district, to construct a passway or passways, either over or under such road or roads, so as to permit the stock of such landholder to pass and repass: provided, that such passway or passways, shall not be constructed over or under any road within the limits of the out-lots of any city, town, or village, or within one-half mile thereof, and shall not materially hinder or obstruct the travel on such road or roads, where the same may be constructed: provided further that the said passway or passways shall be constructed and at all times be kept in good repair at the proper expense of such landholder.

Section 24. That each supervisor within his district, shall erect and keep up, at the expense of his township, at the forks of every State and county road, a post and guide-board, or finger board, containing an inscription in legible letters, directing the way and distance to the town or towns or public place or places, situated on each road, respectively.

Section 25. That if any person shall wilfully demolish thrown down, alter or deface any milestone or guide-board, on, or at the fork of any public road, every person so offending shall, upon conviction thereof before any justice of the peace of the proper county, be fined in any sum not exceeding ten dollars with costs of suit, and the money, when collected, shall be, by the justice of the peace, or constable collecting the same, paid over to the supervisor in whose district the offence was committed, and be by him applied to the repair of the roads and highways within his district, agreeably to the provisions of this act.

Section 26. That the commissioners of each county in this State may, at their annual meetings for the purpose of determining the per centum necessary to be levied for the expenses of their respective counties, levy upon all articles subject to taxation for State and county purposes, a tax for the improvement of roads and highways, to be appropriated agreeably to the provisions of this act.

Section 27. That the county commissioners of any county shall not levy in any one year, a greater amount of road tax than is herein specified, viz: When the aggregate amount of taxable property entered upon the list shall be fifty millions of dollars, the tax shall not be less than one twenty-fifth of one mill, nor more than one mill; and when the aggregate amount of taxable property entered upon the list shall be three millions of dollars, the tax shall not be less than one tenth of one mill, nor more than one mill on the dollar; and when it is less than three millions of dollars, the road tax shall not be less than two-tenths of a mill, nor more than one and a half mills on the dollar; provided that nothing in this section shall be so construed as to prohibit said county commissioners from levying any additional tax for road purposes, not exceeding one-half mill on the dollar, that the trustees of any township may deem necessary; provided, further, that the trustees of such township shall determine and certify in writing, the additional per centum to be levied, and deliver or cause to be delivered, the certificate aforesaid, to the auditor of the proper county on or before the first Monday in June, in each year; provided, that the county commissioners of each county in this State may, if they shall deem it necessary, levy an additional tax, annually, upon the taxable property of their respective counties, not exceeding one-half of one mill on the dollar, which shall be collected in the same manner, and at the same time that State and county taxes are collected and paid into the county treasuries of each county; which tax shall be applied under the directions of the county commissioners, exclusively, to the erection and repairing of bridges within the county in which the same shall have been levied and collected; provided, that nothing in this or the preceding sections shall make it compulsory on the county commissioners to levy any tax for road purposes.

Section 28. That the auditor of each county in this State shall, immediately after the county commissioners, at their annual session for that purpose, shall have determined on the amount to be assessed for road purposes in their several townships, give notice in some newspaper of general circulation in the county, of the per centum on each hundred dollars of the valuation, so determined to be assessed in each township respectively, and that said tax may be discharged by labor on the roads, under the direction of the supervisors of the several districts, at the rate of one dollar per day; and shall make out a list for each township of the amount of road tax with which each individual stands charged; inserting nothing in such list but the name of the person and the amount of such tax, and transmit the same to the clerk of the proper township.

Section 29. That it shall be the duty of the township clerk, immediately after the reception of such duplicate upon the presentation by the supervisors of their respective districts in said township, of a list of all persons liable to perform labor upon the roads and highways, or subject to taxation for the same, to make out and deliver to each supervisor aforesaid, an abstract duplicate of the amount of road tax each person in said district may stand charged with, and the supervisors shall then proceed agreeably to the provisions hereinafter contained.

Section 30. That whenever the treasurer of any township shall have received any money from the county treasury for road purposes in such township, he shall notify the trustees of such township of the same, who shall cause the money so received to be appropriated to building bridges, or repairing the public roads, within their township; if for the building of a bridge or bridges, they shall give as least twenty days notice, by advertisement posted up in five of the most public places in said township, of the time and place of such sale, and sell to the lowest bidder, (if in their opinion such bidder be competent to perform the same,) such bridge or bridges as aforesaid, as they may deem expedient, equal to the amount of money to be appropriated as aforesaid, and whenever such labor shall be performed agreeably to contract, or conditions of sale, the trustees, or a majority of them, shall draw an order on the treasurer of the township, in favor of the person or persons who have performed such labor, for the amount due for the same, which order shall be paid by the township treasurer on demand.

Section 31. That if the trustees of any township shall deem it expedient to appropriate the money aforesaid, or any part thereof, to the improving of the public roads and highways, they may cause the amount thus set apart, for the purpose of improving any road or roads, in the several districts in said township, to be expended under the superintendence of the supervisors of said districts or by such other persons as they may see proper to appoint, and it shall be the duty of the supervisor, or such other person, thus appointed, on receiving an order on the township treasurer, to draw from the treasury the amount so appropriated, and proceed to expend the same in improving of the roads and highways in the proper districts, first, by procuring, by purchase or otherwise, such number of plows, scrapers and other tools, as the township trustees shall direct, or deem necessary for that purpose; secondly, by the purchase of such materials as may be necessary, and to the employment of such number of teams and able-bodied men to perform such labor, at the customary price, as may appear, to said supervisor or superintendent to be just and right.

Section 32. That the supervisors or other persons appointed agreeably to the foregoing section, shall meet with the trustees, at their annual meeting for the settlement of township business, as hereinafter provided, and then and there produce a list or account of money by him received for road purposes and how expended, and to whom paid; and the trustees are authorized and required to adjust and settle all accounts so produced to them; and if, upon a fair and accurate settlement, they shall be satisfied that the money has been faithfully applied, and accounted for, they shall allow said supervisor or superintendent one dollar per day for each and every day they may have been necessarily employed in the duties assigned them, and the trustees shall give him an order on the township treasurer for the amount due.

Section 33. That any person charged with a road tax on the grand levy, as provided for in the twenty-sixth and twenty-seventh sections of this act may, either personally or by an agent discharge the same by labor, to be performed on the road, within the proper district within that township where such tax may be charged, by any able-bodied man, at the rate of one dollar per day for each day's work, and a rateable proportion per day for any team furnished by such person; which labor shall be performed under the direction of the supervisor of highways in the proper district, in such township; and it shall be the duty of such supervisor to return such duplicate on or before the tenth day of November, then next ensuing to the township clerk, certifying the amount (if any) of taxes that remains unpaid by labor as provided for by this act, and it shall be the duty of the township clerk, within five days thereafter, to certify the same to the township treasurer, who shall immediately proceed to collect the same, and in making such collections, he shall proceed in all respects as is required by law of county treasurers in collecting taxes; provided that the township treasurers shall not be allowed to charge mileage for a greater distance than from his office to the residence of the tax-payer; provided further, that if there be any non resident tax payers on the duplicate transmitted to the township clerk by the county auditor, it shall be his duty to certify such non resident's tax, together with any delinquent tax which the township treasurer may have been unable to collect, to the county auditor, on or before the fifteenth day of March then next ensuing, to be placed on the duplicate and collected as other delinquent and non resident taxes are collected, and the taxes so collected shall be paid over to the proper township treasurers, which together with the road taxes by them collected, shall be expended on the public roads within the districts from which the same has been collected.

Section 34. That the supervisors of the highways of the several districts, shall give three day's notice to persons residing in the district, charged with a road tax mentioned in the preceding section, and the time and place they will attend, and direct the work to be performed as aforesaid: and in case the whole of said tax due from residents within any district, shall not be paid in pursuance of the first notice aforesaid, in consequence of absence from home, sickness, or other inability, the supervisor shall appoint a time that he will again attend, and shall give notice as aforesaid to such delinquents.

Section 35. That any time, during the year, when any public highway shall be obstructed by the fall of timbers, or any other cause, or any bridge shall be impaired, so the passage of teams or travelers on said road or bridge shall be dangerous, and the supervisor in the district in which such obstruction or impaired bridge may exist, shall be notified of the same, it shall be his duty to cause such obstruction to be removed, or bridge repaired, forthwith; for which purpose he shall immediately order out such number of inhabitants of his district, as he may deem necessary to remove said obstructions, or repair said bridge.

Section 36. That each and every person so ordered out, who shall, after having one day's notice, refuse or neglect to attend with proper implements, wherewith to labor, at the time and place appointed by the supervisor, or having attended, shall refuse to obey the directions of the supervisor, or shall spend the time in idleness or inattention to the duties assigned him, every such delinquent shall forfeit and pay the sum of one dollar for every such offence, to be recovered, paid over, accounted for, and appropriated agreeably to the provisions of this act.

Section 37. That in all cases where any person shall, under the direction of the supervisor, perform more labor on the public road than may be due from him, the supervisor shall give such person a certificate, specifying the amount of extra labor so performed, which certificate shall be received for the amount specified in such certificate, in discharge of any labor within the same district, which may be due from the holder of such certificate, in any succeeding year, under the provisions of this act; Provided, that the two preceding sections shall not be so construed as to authorize any supervisor to order out or direct any person to perform more than one day's work, in any one year, over and above the amount of labor due from such person, agreeably to the provisions of this act.

Section 38. That the trustees of townships shall meet at the place of holding annual elections, on the first Monday of March, at which time and place the several supervisors of the township shall attend, and each produce his list and account of all labor performed within their respective districts, agreeably to the provisions of this act, together with a statement of the amount of all fines, penalties and forfeitures by him collected, or judgments for the same obtained; also, the amount by him expended, in accordance with the same; and the trustees are hereby authorized and required to adjust and settle all accounts so produced to them, and to allow such amount for delinquencies, as they shall deem just and reasonable; and if, upon a fair and accurate settlement, there shall appear to be a balance due to any supervisor for his services under this act, the trustees shall give him an order on the township treasurer, for the amount due, at the rate of one dollar per day, for the time he may have been necessarily employed; Provided, that the supervisor shall, in all cases, be held accountable for the full amount and the faithful application of labor due in his district, unless for good cause shown, the trustees shall deem it just to remit the same.

Section 39. That it, upon settlement with the township trustees, at their annual meeting for that purpose, there shall be any unexpended money in the hands of any supervisor, which has been collected under the provisions of this act, he shall pay the same over to his successor in office, taking his receipt for the amount thereof, which receipt he shall lodge with the township treasurer.

Section 40. That each and every supervisor who shall neglect or refuse to perform the several duties enjoined on him by this act, or who shall, under any pretence whatever, give or sign any receipt or certificate, purporting to be a receipt or certificate for labor or work performed, or money paid, unless the labor shall have been performed, or tax paid, prior to the giving or signing such receipt or certificate; every supervisor so offending, shall forfeit for every such offence, not less than five dollars, nor more than fifty dollars, to be recovered by indictment in the Court of Common Pleas, or by an action before any justice of the peace within the township where such supervisor may reside; and it is hereby made the duty of the trustees of the townships to prosecute all offences against the provisions of this section;—Provided, that if any supervisor shall conceive himself aggrieved by the judgment of such justice of the peace, he may, on giving sufficient security to said justice for the payment of costs, appeal to the court of common pleas, who shall make such order thereon, as to them may appear just and reasonable; Provided, further, that this section shall not be so construed as to prevent any person from prosecuting any supervisor for any offence against the provisions thereof.

Section 41. That it shall be the duty of the several courts of common pleas, to give this act in charge to the grand jury, at each successive term of such court.

Section 42. That the act entitled, "An act prescribing the duties of supervisors, and relating to roads and highways," passed March twentieth, one thousand eight hundred and thirty-seven, and the amendatory acts thereto, passed March twentieth one thousand eight hundred and forty; March fifth one thousand eight hundred and forty-two, January fifteenth one thousand eight hundred and forty-five, March twentieth one thousand eight hundred and fifty-one, March twenty-fourth one thousand eight hundred and fifty-one, an act to regulate the levying of a tax for road purposes in the counties of Belmont and Jefferson, passed February fifteenth one thousand eight hundred and forty-nine, be and they are hereby repealed; provided that the liability or obligation incurred under any of the provisions of said acts, shall not be in any wise affected or impaired by the repeal thereof.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
President of the Senate.

February 15, 1853.

SECRETARY'S OFFICE,
COLUMBUS, Feb. 17, 1853.

I certify that the foregoing law is correctly copied from the original rolls on file in this office.

WILLIAM TREVITT,
Secretary of State.

I hereby certify that I have compared the foregoing laws with the copy published by the Secretary of State in the Ohio Statesman, and find them to be correct.

R. K. PRICE,
Auditor of Harrison County.

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it now yields to this remedy—and Physicians use it publicly and privately with perfect success. Let any one who has ever had a symptom of Dropsy, of any character keep this article by them, and, if they would avoid the unnatural

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to perforate the system and let the accumulated water flow away, only to fill up again, and finally to end in a dreadful death, let them just use this remedy in season, and a recovery is sure. Let them try it at any stage of this disease, and a cure is certain, if they will give it a fair trial.

GRAVEL,

and all diseases of the urinary organs; for these distressing complaints, it stands alone; no other article can relieve you; and the cures testified to will convince the most skeptical:—See pamphlet

DEBILITY OF THE SYSTEM,

weak back, weakness of the Kidneys, &c., or inflammation of same, is immediately relieved by a few days' use of this medicine, and a cure is always a result of its use. It stands as

A CERTAIN REMEDY

for such complaints, and also for derangements of the female frame.

IRREGULARITIES, SUPPRESSIONS,

painful menstruations. No article has ever been offered except this, which would touch this kind of derangements. It may be relied upon as a sure and effective remedy, and did we feel permitted to do so, could give

A THOUSAND NAMES

as proof of cures in this distressing class of complaints. See pamphlet. All broken down, debilitated constitutions, from the effect of mercury, will find the lurking power of this article to act immediately, and the poisonous mineral eradicated from the system.

The 22 distinct properties which compose this article, manifest themselves particularly in the destruction of the component, for the existence of which the symptoms which head this paragraph. For centuries there has been used in the north of Europe, a

CERTAIN BOTANICAL AGENT,

which in all diseases or derangements of the female frame, obstruction, difficulties, painful menstruations, &c., has effected a cure. This root is indigenous to our soil, and found in large quantities, and as a medicinal property, stands without a rival. It forms one of the components in the preparation, which, as a whole, is the best remedy ever given to a debilitated female; it is sure, and the system will be restored to health by its use.

For the relief of all Sympathetic Diseases attendant on pregnancy: it allays those distressing and painful troubles which often occur both to married and unmarried females, and removes those periodical obstructions which arise from taking cold, &c.

CONSUMPTION AND LIVER COMPLAINT, Bilious Diseases, Inflammation of the Lungs, Coughs, Colds, Hoarseness, Night Sweats, Weakness, &c., for all these diseases no Medicine has ever been its equal.

CANCERS, FEVER SORES, SCROFULA,

SWELLED JOINTS, HARD TUMORS, and SPINAL AFFECTIONS have yielded to its use and curing the worst cases: let no one afflicted with these complaints, or any other, hesitate to try this Medicine, as a cure will CERTAINLY result from its use, there being no Medicine now before the world its equal. Call on Agents and get a Pamphlet.

FEVER AND AGUE.

To the Great West especially, and wherever these complaints prevail, this medicine is offered.

NO MINERAL AGENT,

no deleterious compound is a part of this mixture, it cures these diseases with certainty and celerity, and does not leave the system impaired.

It is made of roots alone, and is purely a Vegetable Preparation, and has nothing in its composition which can in the least injure any person under any circumstances whatever. Numerous certificates of the highest respectability are published in the pamphlets, which are distributed gratuitously.

PILES,

a complaint of a most painful character, is

IMMEDIATELY RELIEVED,

and a cure follows by a few days use of this article: it is far before any other preparation for this disease, or for any other disease originating from impure blood. See pamphlet.

ERUPTIVE DISEASES

will find the alterative properties of this article

PURIFY THE BLOOD,

and drive such diseases from the system. See pamphlet for testimony of cures in all diseases, which the limits of an advertisement will not permit to be named here. Agents give them away; they contain 32 pages of certificates of high character, and a stranger

ARRAY OF PROOF

of the virtues of a medicine, never appeared. It is one of the peculiar features of this article that it never fails to benefit in any case, and if bone and muscle are left to build upon let the emaciated and lingering invalid

HOPE ON,

and keep taking the medicine as long as there is an improvement. The proprietor would

CAUTION THE PUBLIC

against a number of articles which come out under the head of SARSAPARILLAS, SYRUPS, &c.,

as cures for Dropsy, Gravel, &c.: They are good for nothing, and calculated to gull the unwary:

TOUCH THEM NOT.

Their inventors never thought of curing such diseases till this article had done it. A particular study of the pamphlet is earnestly solicited.

Agents and all who sell the article are

GLAD TO CIRCULATE

gratuitously. Put up in 20 oz. bottles, at $1; 12 oz. do. at 50 cts. each—the larger holding 6 oz. more than two small bottles. Look out and not get imposed upon. Every bottle has "Vaughn's Vegetable Lithontriptic Mixture," blown upon the glass, the written signature of "G. C. Vaughn" on the directions, and "G. C. Vaughn, Buffalo," stamped on the cork. None other are genuine. Prepared by Dr. G. C. Vaughn, and sold at the Principal Office, 207 Main street, Buffalo, at wholesale and retail. No attention given to letters unless post paid—(post paid letters, or verbal communications soliciting advice, promptly attended to, gratis.

Wholesale Agents, Olmsted, McKesson & Robins, No. 127, Maiden Lane, New York City; Mrs. E. Kohler & Co., Boston; C. S. Rundall & Co., Cincinnati; J. Cowen & Co., Detroit; Sears & Ely, Chicago; Fink & Hall, Cleveland; R. E. Sellers, Pittsburgh; Winer & Sims, Hamilton, C. W., and for sale by all the respectable Druggists throughout the United States and Canada, and at retail by

AGENTS—John Beall, Cadiz; W. Stinger, Jefferson; A. F. Crosbey, New Market; Wm. Lee, New Athens; Thomas Green, Freeport; R. Pitts & Son, Dresville; J. F. Watson, Harrisville; A. Jul. Schreiber, Moorefield. June 16, 1852—1y.

SHAVING.

I WOULD respectfully announce to the citizens of Cadiz that I have again taken my old shop on Market street, directly opposite McCormick's store, which was recently occupied by Jones and Roper.—I would respectfully ask the public to give me a call at "Number two."

TERMS BY THE QUARTER.

Once a week per quarter, (3 months)	do do	91 00
Twice a week	do do	1 50
Three times a week	do do	2 25
Four times a week	do do	2 50
Single Shave		63
Hair Cutting		12½
Shampooning		25
Sharpening Razors		12½
Honing Razors		31

All who have beards to cut or hair to crop,
Just call on me at my old shop;
Yes, friends, I'll tell you what to do:
Give me a call at "Number Two;"
At noon or eve, by night or day,
Or any time that you can say;
But give me time, dear sir, to rest,
Upon that day that God has blessed.
My room is neat, my towels clean,
My scissors sharp, and razors keen,
And everything I think you'll find,
To suit the taste and please the mind,
And then I move my hand as true,
As any barber e'er can do,
With rapid touch I'll smooth the face,
And dress the hair with equal grace,
And all that art and skill can do,
Your money will procure for you.

October 8, 1851. LOT WILLIS.

Fresh Beef.

THE Subscriber would respectfully inform the citizens of Cadiz and vicinity, that he intends to have at the Market House every Tuesday, Thursday and Saturday mornings, good Fresh Beef, Veal, Mutton, &c., which he will sell as cheap as the season will afford.

Meat can be procured at all times at his Slaughter house. ROBERT HOLMES.

June 23, 1852.

LADIES Shoes and Gaiters, at SHOTWELL & CRABB'S.
LACE and Fringes, silk and cotton, at SHOTWELL & CRABB'S.
SILK, and Linen Handkerchiefs, at SHOTWELL & CRABB'S.
CLOTHS and Cassimeres, at SHOTWELL & CRABB'S.
GLOVES and Mits, silk, kid and cotton, at SHOTWELL & CRABB'S.
BONNETS and Ribbons, silk brade, &c., at SHOTWELL & CRABB'S.
WOOLEN and Cotton Hosiery, at SHOTWELL & CRABB'S.
READY Made Clothing, a large stock, at SHOTWELL & CRABB'S.
FRENCH Merinos, thibit cloths, and alpacas at SHOTWELL & CRABB'S.
UNDER Shirts and Drawers, at SHOTWELL & CRABB'S.
COD FISH at SHOTWELL & CRABB'S.
GUM Shoes; Men's ladies' and misses', at SHOTWELL & CRABB'S.
PLUSH Gum and Cloth Caps, at SHOTWELL & CRABB'S.
COLLARS, jaconet and sweed edging, at SHOTWELL & CRABB'S.

Two New Waggons.

TWO new and good two horse wagons for sale or trade at WOOD & SMITH'S.

Also a good strong Ox Cart. W. & S.

July 21, 1852.

Real Estate Agency.

SCOTT & BINGHAM, as REAL ESTATE AGENTS, will give especial attention to buying and selling of Real Estate, examination of Titles, Conveyancing, &c., on reasonable terms.

Cadiz, July 30-ly.

BONNETS, fancy, silk and satin, white and colored Albino, very pretty; also, Bonnet Ribbons and Flowers of every variety, call and see them as they are selling fast. W.M. HOGG & CO.

T. PHILLIPS & SON,

Dealers in Boots, Shoes, Leather, etc.,
MAIN STREET, OPPOSITE THE PUBLIC BUILDINGS,
Cadiz, Ohio.

SILKS, Rich Brocade, plain and figured Silks of the latest styles, at a small advance on the eastern prices, at S. & H. McFADDEN'S.

MARRIAGE,
HAPPINESS AND COMPETENCE.

WHY IS IT?

That we behold many females, scarce in the meridian of life, looking in health and spirits with a countenance of sickness and sadness, depriving them of the power for the enjoyment of life at an age when physical health, buoyancy of spirits, and happy serenity of mind, among from a condition of health, should be predominant.

Many of the causes of her sufferings at first—perhaps years before, perhaps during childhood, or for first years of marriage—were in their origin so light as to pass unnoticed, and of course neglected.

IN AFTER YEARS,

When too late to be benefitted by our knowledge, we look back and mourn, and regret the full consequence of our ignorance.

What would we not often give to possess, in early life, the knowledge we obtain in after years! And what days and nights of anguish we might not have been spared, if the knowledge was timely possessed. It is

MELANCHOLY AND STARTLING

To behold the sickness and suffering endured by many a wife for many years, from causes simple and controllable, easily ascertained—or better still,—not incurred, if every

WIFE AND MOTHER

Possessed the information contained in a little volume, (with as the result of all) which would spare to herself

YEARS OF MISERY,

And to her