THE WEEKLY LANCASTER GAZETTE.

THE UNION OF THE STATES—ONE COUNTRY—ONE DESTINY.

VOL. 2. LANCASTER, OHIO, THURSDAY, JULY 18, 1861. NO. 16.

The Lancaster Gazette.

CLARKE, KOOKEN & SUTPHEN,
EDITORS & PROPRIETORS.

OFFICE
Tailmadge Block--Third Story--to the Left at the Head of the Stairs.

CITY OF LANCASTER:

TERMS OF SUBSCRIPTION.

The Gazette will be published every Thursday, on the following terms:

One year in advance	$1 50
After the expiration of 6 months	2 00
For less time than one year, at the rate of..	1 50 per annum, but invariable in advance.

☞No discontinuance until arrearages are paid.

TERMS OF ADVERTISING.

A square of 10 lines, or less, one insertion	$0 50
Three insertions	1 00
For each additional insertion	0 25

All advertisements running less than three months, charged at the above rates.

	3 Months.	6 Months.	12 Months
One square	$3 00	$5 50	$8 00
Two "	5 00	7 00	10 00
Three "	7 00	9 00	12 00
Four "	9 00	11 00	15 00
One-fourth column	10 00	15 00	20 00
One-third "	12 00	17 00	22 00
One-half "	14 00	19 00	25 00
One column	18 00	25 00	40 00

☞Business cards of about 6 lines, by the year, $5 00

☞Advertisements, not marked on the manuscript, will be continued at our terms until forbid.

☞Legal advertisements, Administrator's notices, &c., must be paid for in advance, for reasons which, we will explain at the time.

☞The above terms strictly observed in all cases.

BOOK AND JOB PRINTING.

We are prepared to execute all descriptions of JOB WORK; such as CARDS, CIRCULARS, POSTERS, BALL TICKETS, and every other variety of PLAIN AND FANCY JOBBING, with new and superior type, and on short notice.

COUNTY OFFICERS.

Judge of Fairfield Common Pleas Court—HENRY C. WHITMAN, residence Lancaster, Ohio.
Probate Judge—JESSE LEOHNER, Office in Public Building.
Prosecuting Attorney—WM. T. WISE.
Sheriff—JAMES MILLER, Office at Jail.
Clerk of Court—JOHN C. RAINEY, Office Public Building.
Auditor—WILLIAM ROBINSON, Office Public Building.
Treasurer—P. C. BENADUM, Office Public Building.
Recorder—A. SYPERT, Office Public Building.
Surveyor—E. S. HANNUM, Office, Public Building.
Coroner—L. SHEPPER, residence, Madison tp.
Commissioners—JOSEPH SHARP, of Bern Township; JONAS A. BAKER, of Walnut Township, and JOHN W. CUNNINGHAM, of Hocking Township.
School Examiners—WM. WHITNEY, JOHN WILLIAMS and URIAH C. RUTTER.

Business Cards.

TALL SLOUGH,
ATTORNEY AT LAW,
LANCASTER, OHIO.
Prompt attention given to Collections.
☞OFFICE with Stinchcomb & Clarke.
March 22, 1860—47tf

DR. A. C. BARLOW
STILL CONTINUES THE PRACTICE OF MEDICINE ON THE
HOMEOPATHIC SYSTEM.
and will attend to the duties of his profession both in the city and country. Office on Main Street, in the New Gissy Building

DR. J. C. HAMILL,
Dentist.
OFFICE and residence the same recently occupied by Dr. H. Seo on Broadway, one square South of Market House.
Lancaster, April 5, 1860—11f

H. L. CRIDER. G. J. INGMAN.
CRIDER & INGMAN,
RESIDENT DENTISTS,
LANASTER, OHIO.
TENDER their professional services to the public. Pulling, Plugging, and Plate work done in the neatest and most durable manner.
☞OFFICE—In the Gissy Building.
Lancaster, april 12, 1860—21f

STINCHCOMB & CLARKE,
ATTORNEYS AT LAW,
LANCASTER, OHIO.
OFFICE—Tallmadge Block—Second Story—First door to the right at the head of the Stairs.

VIRGIL E. SHAW
ATTORNEY AT LAW,
LANCASTER, OHIO.
OFFICE—On Main Street, over Sloeum's Drug Store. May 6, 1858—1

H. H. HUNTER. J. A. HUNTER
H. H. HUNTER & SON,
Attorneys and Counsellors at Law.
OFFICE—Sheffer House, up stairs. Entrance West Market House.
Lancaster, april 19, 1860—31f

S WELDY,
ATTORNEY AT LAW,
LANCASTER, OHIO
OFFICE—Tallmadge Building, Main Street.
Lancaster, april 12, 1860—21f

H. H. GIESY,
ATTORNEY AT LAW,
LANCASTER, OHIO.
☞Prompt attention given to Collections.☜
Office in the Giesy Buildings, West of Hocking Valley Bank.
October 27, 1859—26tf

H. SPRINGER
MERCHANT TAILOR,
Tallmadge Block, Main Street,
LANCASTER, OHIO.
ALWAYS on hand a heavy stock of GOODS, of the best qualities, which he manufacturers to order by experienced workmen. Also, a large supply of Ready Made Clothing. april 12, 1860—21f

BRENNAMAN'S
IMPROVED CHAIN PUMP!
I HAVE REMOVED MY SHOP from my former stand on Broadway in Lancaster, to my residence one and a half mile East of town, on the pike, where I am manufacturing my improved chain pump, and will fill orders on short notice, and warrant satisfaction. ISAAC BRENNAMAN.
May 3, 1860—41f

J. W. LEWIS. M. D.,
PHYSICIAN AND SURGEON,
Has permanently located in the city of Lancaster,
OFFICE AND RESIDENCE—Corner of Broadway and Wheeling, in the house formerly occupied by Dr. Wagenhals, and where he will be found day or night, unless absent on professional business.
Reference—Dr. Borster.
Lancaster, April 11, 1861.—2-1y

S. C. HARDY.
HOUSE AND SIGN PAINTER,
—ALSO—
GRAINING, GLAZING AND PAPERING,
DONE WITH NEATNESS AND DISPATCH.
☞OFFICE—In the Shaffer Block, on Broadway.
Lancaster, Ohio, April 4, 1861—1y1

THE BATTLE IN MISSOURI.

RELIABLE PARTICULARS.

A Glorious Victory for the National Troops Brilliant Generalship, Twelve hundred Federal Troops Against Six Thousand Rebels, The Rebels Whipped and Routed with Heavy loss, Eight National Troops Killed and Forty wounded.

ST. LOUIS, July 10—A special messenger arrived here this evening, by the Pacific Railroad, with dispatches from Col. Sigel to Adjutant Harding, at the Arsenal. The following abstract was written at Rolla for the Democrat:

On the morning of the 5th, Col. Sigel with a portion of his regiment, a part of Col. Solomon's, and ten pieces artillery, in all from 1,100 to 1,200 men, attacked a body of 6,000 rebels under Gen. Rains and Col. Parsons, about 7 miles east of Carthage, on the prairie.

The enemy had five pieces cannon and many mounted men. Sigel began the attack at half past nine o'clock in the morning, breaking the enemy's center twice. After half an hour's fighting he silenced their artillery.

The rebels had three flags, one of the State of Missouri, which was left unharmed, and two Secession flags, which were twice shot down and were raised no more.

The enemy attempted to out flank our troops with their Cavalry, and cut off our baggage, but Sigel made a retreating movement, keeping up a constant firing, and ordered the baggage train to advance, which was formed into columns with a battalion of infantry, supported by four pieces of Artillery, in the rear of each column, and the remainder of the Artillery in front and on the flanks.

The rebels attempted to cut off his communication with Carthage with their cavalry, but our artillery took them at a cross fire, which played havoc in their ranks, opening the road, and Sigel fell back on Carthage, the enemy harrassing his flanks up to the town, where another stand was made, the rebels being in possession of the place. Sigel then surrounded the town, throwing shot and grenades into the enemy's cavalry and using his infantry with great effect.

While attempting to reach the adjacent woods, to prevent the operations of the enemy's cavalry, the rebels made the most serious attack of the day, and the bloodiest part of the battle was fought here, but the enemy were finally routed and forced to withdraw their forces. Sigel then fell back on Mount Vernon, where he could be supported. Some captured officers, taken about 4 o'clock P. M. reported the loss nearly 250 on their part but as the severest fighting was done subsequent to that hour, it is believed that their loss is considerably greater. Forty five prisoners were taken. Our loss was eighi killed, and fortyfive wounded and missing.

The battle in which Col. Wolff was killed was fought on Saturday, thirty five miles from Springfield

One Day Later---Furtner Particulars---Gen. Wolff Not Killed.

ST. LOUIS, July 11—Lieut Tosk Col: Sigel's Adjutant and bearer of dispatches to Col. Harding, gives the following additional particulars of the battle near Carthage;

The State troops were posted on a ridge in the pairie, with five pieces of artillery, one a 12 pounder in the centre two 6 pounders on the right and left, cavalry on each flank and infantry in the rear of their artillery.

Sigel approached within 800 yards with four cannon in his center, a body of infantry and a 6 pounder, under Lieut. Col. Hassendenbel, on his left, Col. Solomon's command with a 6 pounder on his right, and a body of infantry behind his center artillery:

Sigel's left opened fire with Sharpshells and soon the engagement became general. The rebels had no grape, and their artillerists being poor their balls flew over the heads of our men. After two hours' firing the enemys's artillery was completely silenced, and their ranks broken. About 1,500 of the rebel cavalry attempted to outflank Sigel and cut off his baggage train, which was three miles back, when a retrogade movement was ordered. The train was reached in good order, and surrounded by infantry and artillery, and the retreat continued till a point was reached where the road passed through a high bluff on each side, at which place the enemy's cavalry was posted in large numbers.

By a feint, as if intending to pass around the bluff, Sigel drew the cavalry in a solid body into the road, at a distance of 350 yards from his position, when, by a rapid movement of his artillery, he poured a heavy cross fire of canister into their ranks; at the same time the infantry charged at double quick time, and in ten minutes the State force was scattered in every direction. Eighty-five riderless horses were captured, and sixty-five shot guns, a number of revolvers and bowie-knives were picked up from the ground.

Sigel did not surround Carthage as reported yesterday, but attempted to reach the woods north of the town, and after two hours desperate fighting, in which all the forces on both sides were engaged, and in which Lieut. Tosk thinks the enemy lost nearly 200 killed; he succeeded in doing so and the rebels retired to Carthage, Sigel fell back on Sarcoxie, whence he proceeded the next day to Mount Vernon. Lieut. Tosk left Mount Vernon on the 7th and rode to Rallan, 153 miles, in 29 hours. He met Gen. Sweeney's command five miles and Col. Brown's Regiment sixteen miles from Mount Vernon, pressing forward to reenforce Sigel.

Lieut. Col. Wolff was not killed as reported yesterday.

☞A wit once asked a peasant what part he performed in the great drama of life. "I mind my own business," was the sharp reply.

Speeches by Messrs. Grow and Etheridge.

When the oath of office had been administered to Mr. Grow, as speaker of the House of Representatives, on taking the chair he said after alluding in eloquent terms to the progress of our country from small beginnings to its present prosperity.

He who would tear down this grand-temple of constitutional liberty, thus grandest temple of constitutional liberty, thus blasting forever the hopes of crushed humanity, because its freemen, in the mode prescribed by the Constitution, select a chief magistrate not acceptable to him, is a parricide to his race, and should be regarded as an enemy of mankind. The Union, once destroyed, is a shattered vase that no human power can reconstruct in its original symmetry. Coarse stones, when they are broken, may be cemented again—precious ones never. If the republic is to be dismembered, and the sun of its liberty must go out in endless night let it set amid the roar of cannon and the din of battle, when there is no longer an arm to strike or a heart to bleed in its cause, so that coming generations may not reproach the present with being too imbecile to preserve the priceless legacy bequeathed by our fathers, so as to transmit it unimpaired to future times. Again gentlemen, thanking you for your confidence and kindness, and invoking guidance from that divine power that led our fathers through the red sea of revolution, I enter upon the discharge of the duties to which you have assigned me, relying upon your forbearance and co operation, and trusting that your labors will contribute not a little to the greatness and glory of the republic.

In the evening Mr. Etheridge was serenaded at a private house where he was stopping, and from the balcony of which he spoke as follows:

Eighty-five years ago, legions were uprising to maintain our independence, and this is the most important epoch since that period. Will we not maintain it now? We shall have the approval of Heaven! Hereafter, no one can point to our children and say, you are the son of a traitor.

Never in the history of the world, has any nation displayed so much energy as we have in the last sixty days. Napoleon, after his flight from Elba, with all the crazy enthusiasm his name instilled into the people, never could has raised such an army in such a space of time. Go on! In less than one year you will return, having planted the flag of our country on every hill top in the Union.

When the Government was formed the first Speaker of the House of Representatives, Mr. Muhlenberg, was taken from the old Keystone state, and now in the hour of danger we have again appealed to her. We asked for aid, and we now hear her columns of armed men thundering down through Virginia with an irresistible force.

It has been said that I am a fugitive. The assertion is false. Like McGregor, wherever the American flag waves, I can say with him, that I stand upon my native hearth. In my own home the spirit of General Jackson still lives, and the declaration of the hero of New Orleans will soon be made good: "By the Eternal, the Union must and shall be preserved."

This is no time for argument. Persuasion has been rejected, and entreaty has done no good. They have invoked the sword, now let them feel it. For myself, I defy all the promises of wealth or of office they may offer. They cannot weaken my love of country. When I am no longer an American citizen, and anarchy reigns where now all is order, then I will not say "there is no God," but but that truth is crushed to earth.

I will then go through the world seeking to keep my conscience clear, and die with my hands pure, and with a name worthy the confidence of my fellow countrymen. [Tremendous cheering.]

Hon. Theodore Frelinghuysen on the War.

No man in this country has a deservedly higher reputation for religious intelligence and Christian judgment than the venerable President of Rutgers College, and President of the American Bible Society. In his late address to the graduating class, he says:

This then is a righteous war. The President of the United States is fulfilling the sacred obligations which his duty and his oath imposed, "to preserve, protect, and defend the Constitution of the United States." We war not for revenge but for duty, for fundamental principles for the very foundation of all government. The memories of the past, the solemn pledges of fidelity often given and renewed, and the best hopes of humanity all constrain us as a people, to this painful necessity. To draw back in this day of her trial, would be as ungrateful to our country as it would be unjust to ourselves. We dare not despise, and cannot afford to lose the rich blessings of our free institutions, and suffer them to be rashly broken up, without the last efforts of a patriotic struggle to maintain them.

☞During the revolutionary war Gen. Lafayette being in Baltimore, was invited to a ball. He went as requested, but instead of joining in the amusements, as might have been expected of a young Frenchman of twenty two he addressed the ladies thus: "Ladies, you are very handsome; you dance very prettily; your ball is very fine—but my soldiers have no shirts!" This war irresistible. The ball ceased; the ladies went home and went to work, and the next day a large number of shirts were ready for the gallant defenders of their country.

☞When does a farmer act with great rudeness toward his corn? When he pulls its ears.

Pirate Plots Thwarted---The Texas Officers to go to the Plains---Trouble Anticipated Among the Mormons---General Fremont--Gen. Lee said to have left the Rebels, &c.

NEW YORK, July 11.—The Herald has a special this morning, stating that the arrest of Col. Thomas, by the new Union police of Baltimore, has nipped in the bud a scheme for the seizure of one of the steamships leaving New York, in the same way they captured the St. Nicholas, but others of a gang of steamship pirates are at liberty.

The Secretary of War has finally decided to detail the officers captured in Texas, and discharged on parole, for duty at Forts Kearney and Laramie. This duty will conflict with their oath. Government intends to send a sufficient force to these points and others along the overland route to fully protect the mails and property of citizens. A considerable force of volunteers will be sent to Salt Lake.

From advices just received, trouble is apprehended in the Nevada Territory by the resistance of some of the people to the exercise of Gov. Nye's Federal authority. The Mormons are said to be at the bottom of this movement.

General Fremont had an interview with Gen. Scott, and expects to leave for St. Louis in a few days. Kit Carson will probably join him.

In a brush between pickets at Great Falls, a few days ago, some of the First Massachusetts Regiment, with long rifles, killed two of the enemy.

The rebels have a camp near Great Falls. It is supposed they are endeavoring to plant batteries.

The friends of General Lee report that he has resigned, and will be found on the side of the Unionists in Virginia.

It appears while our regiments average about 1,000 men, Southern regiments do not average over 650.

There were at Leesburg 150 troops sick in the hospital.

The South Carolinians were mainly diseased with measles. Important information obtained is that there has been a severe quarrel between Lee, Letcher, Gov. Wise, Magruder and Roger A. Pryor.—Jeff Davis was called to settle the matter, and laid Gen. Lee on the shelf. This enraged Gov. Letcher, who is still inactive and indifferent to the success of the rebels.

This information confirms a dispatch that Lee had left the rebels, and was now in Western Virginia raising a force to sustain the Union. Jeff. Davis not only snubbed Gen. Lee, but against the protest of Gov. Letcher, Magruder was detailed to command the rebel forces in Eastern Virginia.

Gov. Wise is to command in Western Virginia, and Beauregard was assigned the command of the center column at Manassas.

An organization is on foot here under the title of Lane Guards, to be composed of refugees from the despotism of the rebels in the Southern States, to perform special duties principally detecting rebel spies in our midst.

General Buckner, of Kentucky, is here endeavoring to recommend the armed neutrality policy, which, although proposed originally in good faith by loyal Kentuckians, has been used by the rebels as a cloak for their operations.

It is well known that the Kentucky State Guard is entirely under rebel influences, and would unquestionably make the pretended neutrality advantageous to the rebels. A Home Guard is organizing, independent of Gen. Buckner's forces which will be amply sufficient to protect the Unionists from any machinations of the rebels.

Influence of Smiles.

A smile is indeed a thing of beauty.—Whether living on the lips of gladsome youth, or flickering on the dying features of worn-out age, it holds its beauty still. Whether making loveliness yet more winsome, or rendering ugliness less repulsive than its wont, a smile yet holds its nature, yet is beautiful. Magic lurks therein, and sways the human heart as words never can. quickens its quiet pulse, or soothes and calms the hurried throbs as they may need. And beneath the encouraging influence of one sweet, upholding smile, the heart itself may change its mood—may yield its mad intent, if not cast out forever its evil promptings and dark propensities. And so may the smiles of derision madden beyond what the utmost words can do, even as the smile of praise will spur humanity to great and noble deeds beyond the approach of all other promptings. Its silent power sinks into the heart, and heals some new made thrust, as sweetly and gently as fall the mysterious dew from Heaven. And the smile of love! It beams in the mother's eyes as she sees beauty in her infant's face, and a silent laugh of unknown joy from her darling babe. It plays with stronger and more thrilling magic on the maiden's lovely countenance, as her heart's idol meets her far-seeing eye, and draws near to let her look of love lose none of its precious value in needless distance between them. And with deeper, purer joy it comes to the wife's glad face when her husband's fond gaze tells her how much is gained since he first called her wife. Holy and beautiful indeed is the smile of fathomless and perfect love. Too seldom indeed does it live—too seldom lighten heavy cares and earthly sorrows. Too seldom does it have birth—too often does it soon leave life's pathway, even if fairly born and dearly welcomed there.

COL. KELLEY.—The Wheeling Intelligencer of the 9th says:

The numerous friends of this gallant soldier will be glad to learn that he expects to be able to resume, at least partially, if not wholly, his military duties in a short time. His strength increases daily. He is able to walk out, and is fast becoming himself again.

A Spy Outwitted.

The circumstances connected with the arrest of R. H. Alvery, a Maryland Secessionist, and another spy with whom he was in communication, are curious and interesting:

One night last week the picket guard stopped a man on the road to Hagerstown, who answered the guard's inquiries by saying that he wished to see General Patterson, but when about to be introduced to headquarters, wished to evade the interview. He was instantly seized and searched, and dispatches were found upon him from the rebel General Johnson to Mr. Alvery.

McMullep, one of Gen. Patterson's aids, forthwith stripped the the rebel spy, dressed one of his own men in the rebel's clothes gave him Johnston's letter and started him off to see Mr. Alvery. The dispatches, however, had been nicely opened, copies taken, and then resealed. McMullen's man was received by Alvery, who thus fell into the trap most beautifully. Alvery unfolded all his plans, and gave him written answers to Johnston's dispatches. The supposed friend conveyed Alvery's documents to General Patterson. The arrest took place quietly the next day. When Alvery was confronted with the documents and the indisputable evidence of his own treachery it is said he was completely unmanned, and sunk under the burden of his guilt.

LAWS OF OHIO.

PUBLISHED BY AUTHORITY.

No. 75. AN ACT

To provide for the creation and regulation of Township Agricultural Societies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That when any number of natural persons of any township in the State of Ohio shall form an association for the promotion of agriculture in such township, and shall under their hands and seals make a certificate and acknowledge the same before a justice of the peace, in which shall be specified the name of the society, the object of its formation and the township in which it shall be located, and shall record the same in the Recorder's office of the proper county, such society shall be deemed a body corporate, with succession, and with power to sue and be sued, plead and be impleaded, defend and be defended, contract and be contracted with, to make and use a common seal, and the same to alter at pleasure, and shall have power to purchase and hold, in fee simple, or to rent or lease such real estate as may be required as a site for holding fairs, not exceeding twenty acres, and to establish all necessary rules and regulations for the management of such fairs and the legitimate business of the society.

SEC. 2. This act to take effect on and after its passage.

P. HITCHCOCK,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed May 1, 1861.

[No. 76.] AN ACT.

To protect the interest of Turnpikes and Plank Roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That where a city, incorporated town or village, has condemned or may hereafter condemn, any portion of any turnpike or plank road, within the limits of any such corporation, it shall be the duty of such city, incorporated town or village to keep such portion of road, so condemned, in as good condition or repair, as the charter of said road requires.

SEC. 2. When any city, incorporated town or village, shall fail to comply with the provisions of the first section of this act, the directors of said road, by writ of mandamus, may compel said corporation, to keep said portion of road in the condition or repair required by the charter of said road.

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

P. HITCHCOCK,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed May 1, 1861.

[No. 77.] AN ACT

To exempt from execution the property of the Militia of Ohio, mustered into the service of the United States.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the individual, real and personal property of any person who may belong to the militia of this State, and who shall be mustered into the actual service of the United States under any requisition of the President, shall be, and the same is hereby declared exempt, during the time such person shall remain in the actual service of the United States, and two months thereafter, from sale on any execution or order of sale issued on any judgement rendered by any of the courts of this State; and the individual personal property of such person shall also, for the period aforesaid, be exempt from the levy of execution, any law of this State to the contrary notwithstanding.

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

P. HITCHCOCK,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed May 1, 1861.

[No. 78.] AN ACT

To prohibit the circulation of the Notes of non-specie paying Banks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be unlawful for any bank, banker, broker, exchange broker, or any other money dealer or incorporated company, in any manner to put in circulation, either directly or indirectly, the notes of issue of any bank or banking company, whether in or out of this State, which notes shall not, at the time they are so put in circulation, be receivable at par by the bank, banker, broker, exchange broker, or other money dealer or incorporated company so putting the same in circulation, and redeemable at par, in gold or silver coin by the bank or banking company issuing the same.

SEC. 2. Any bank, banker, broker, exchange broker, or other money dealer or incorporated company that shall violate the provisions of the first section of this act, shall forfeit and pay for each offense a sum of money equal to one fifth of the nominal value of the notes so put in circulation contrary to the provisions of this act, together with costs of prosecution, to be recovered in an action in the name of the State of Ohio; before any justice of the peace, or court of common pleas having jurisdiction: and all forfeitures recovered and collected under this act shall be paid into the treasury of the county in which the action is brought, for the use of the county.

SEC. 3. This act shall take effect and be in force on and after the first day of June next.

P. HITCHCOCK,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed May 3, 1861.

No. 80. AN ACT

Relating to Sutlers and Military Store Keepers for the Ohio Volunteer Militia.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all appointments of sutlers and military store keepers, to any of the regiments or brigades of the Ohio Volunteer Militia, mustered into service under any of the laws of this State, shall be approved by the Governor, and no appointment of such sutler or military store keeper shall take effect until the Governor's approval shall be indorsed on the certificate thereof. Every sutler and military store keeper so appointed shall give bond to the State of Ohio, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties, which bond shall be approved by the governor before such sutler or military store keeper shall be allowed to act.

SEC. 2. Every sutler and military store keeper appointed under the provisions of this act shall be subject to removal at the discretion of the proper brigadier general or the governor, and shall be liable on his official bond for all abuses of his trust. This act shall apply to all appointments heretofore made, as well as hereafter to be made.

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

P. HITCHCOCK,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed May 9, 1861.

No. 81.] AN ACT.

To further provide for the election of Supervisors of roads and highways.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be unlawful for any person to vote for any candidate for supervisor of roads and highways who is not an actual resident of the road district in which such person voting resides, and if it shall appear to the satisfaction of the trustees that any person or persons have voted for any person of persons for the office of supervisor, other than for the district in which he or they reside, the same shall be deemed void as far as that office is concerned; and if upon further examination it shall appear that there were more votes given for any supervisor or supervisors than there were resident electors voting in their respective districts at said election, then and in that case the trustees shall declare the office vacant, and proceed to fill the same as in other cases.

SEC. 2. That any person violating the provisions of this act, shall be fined in any sum not exceeding ten dollars, at the discretion of the court; suit to be brought before any court having competent jurisdiction.

SEC. 3. That any moneys collected under the provisions of this act, shall be paid over to the treasurer of the proper township, to be applied for the use of common schools.

SEC. 4. This act shall take effect and be in force from and after its passage.

P. HITCHCOCK,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed May 9, 1861.

No. 82. AN ACT.

Relating to the organization of the militia volunteers called into service under the act entitled "An act to provide for the rapid organization of the militia of Ohio, enlisted under the requisition of the President of the United States," passed April 23, 1861, and the act entitled "An act to provide more effectually for the defense of the State against invasion," passed April 25, 1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Governor is hereby authorized to appoint one chief of engineers and one chief of artillery, each with the rank of colonel, and one medical director, with the rank of lieutenant-colonel, who shall be assigned to such duties as the commander in chief may direct.

SEC. 2 The major general serving under the first above recited act is authorized to appoint on his staff one assistant adjutant general with the rank of lieutenant colonel, and each brigadier general serving under either of the above recited acts is authorized to appoint on his staff one assistant adjutant general with the rank of lieutenant colonel, and in addition to such staff officers, the major general and brigadiers general may respectively appoint upon their staffs such staff officers as are authorized to be appointed by similar officers by section forty-one of the act entitled "An act to organize and discipline the militia and volunteer militia," passed May 28, 1857, except that there shall not be appointed a brigade surgeon, or brigade engineer, and no other staff officers shall be allowed to such generals unless upon the requisition of the President of the United States, for troops mustered into the service of the United States. Upon the expiration of the term of service of the troops with whom they serve, or upon such troops being sooner disbanded, the commissions of the officers appointed by authority of this section shall terminate.

SEC. 3. There shall be assigned to each regiment, organized under either of the above recited acts two additional first lieutenants to serve as regimental adjutants and quarter-masters, who shall be commissioned on the appointment of the commandants of such regiments; but this section shall not authorize the appointment of any regimental adjutant or quarter-master in addition to those now authorized by law.

SEC. 4. All militia volunteers, accepted under either of the above recited acts, shall from the date of such acceptance by the governor, be governed by the military laws of this State, and by the rules and articles of war of the United States.

SEC. 5. Promotion in such militia volunteers shall be allowed for merit, or by seniority; and all vacancies may be temporarily filled by appointment by the governor.

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

P. HITCHCOCK,
Speaker of the House of Representatives.
ROBERT C. KIRK,
President of the Senate.

Passed May 9, 1861.

[No 90.] AN ACT

Supplementary to the acts in force, in relation to the assessment and taxation of property according to its true value in money.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever any transient person, shall locate in any city, incorporated village, or in any township, in this State; and shall offer to sell or otherwise dispose of any books or other goods, wares or merchandise, under the name of a gift book store or any other name or designation, it shall be the duty of the assessor for the time being, of the township wherein such person shall locate, forthwith to call upon such person, and demand of him the true value in money of all his stock in trade; and in case such person shall neglect or refuse to return the same under oath within twenty-four hours after such demand, then it shall be the duty of said assessor to determine the same as in other cases, and in either case, he shall forthwith return said valuation to the auditor of the county.

Section 2. Immediately upon obtaining such valuation, the auditor of the county shall assess against such person, his proper proportion, upon said valuation, of all county, township and municipal taxes, properly chargeable upon personal property in said township, for the period of one month thereafter; and shall forthwith certify the same to the treasurer of the county, who shall forthwith enter the same on the duplicate for taxation, and immediately thereafter, notify such person of the amount of said assessment, and in case of the neglect or refusal of such person, to pay the amount of such assessment within twenty-four hours after receiving said notice, the treasurer shall issue his distress warrant, and collect the same, as in other cases of delinquency in the payment of the taxes assessed upon personal property.

Section 3. That the like proceedings in all respects as is provided in the foregoing section, shall be had and taken by the auditor and treasurer aforesaid, on the first day of each succeeding month, so long as such transient person, shall remain within such county, offering to sell or otherwise dispose of, any books goods, wares or merchandise, under any name or designation whatsoever, and the like proceedings as provided for in the foregoing sections, shall be had on the first days of each and every month, by the assessor of the township, and the auditor and treasurer of each and every county into which such transient person shall remove, and shall offer to sell or otherwise dispose of any books, goods, wares or merchandize, as above described.

Section 4. This act shall take effect from and after its passage.

P. HITCHCOCK,
Speaker of the House of Representatives.
JAMES MONROE,
President pro tem of the Senate.

Passed May 12, 1861.

[No. 91.] AN ACT

Making appropriation for the maintenance and repair of the Public Works from February 15, to June 1, 1861, and for the payment of outstanding indebtedness.

Section 1. *Be it enacted by the General Assembly of the State of Ohio*. That there is hereby appropriated in addition to the unexpended balance of former appropriations, (and that the same may be paid, the restrictions in regard to the canal appropriation act, passed March 26, 1860, is hereby repealed,) to be paid out of any moneys in the treasury from general revenue, not otherwise appropriated, for the maintenance of the public works for the above named period, subject to the check of the commissioner in charge of the respective dividens for which the appropriations are made, the sums following:

For general superintendence, construction and repairs of the northern division of the Ohio and the Walhonding canal, and the Wabash Reserve and Maumee Road, the sum of four thousand dollars.

For general superintendence, construction and repairs of the southern division of the Ohio and the Hocking canals and the Muskingum Improvement, the sum of eighteen thousand dollars.

For general superintendence, construction and repairs of the Miami and Erie canal, the sum of eighteen thousand five hundred dollars.

For the purchase of lands and payment of damages to lands on the borders of the Mercer County Reservoir, the sum of six thousand five hundred dollars.

For the payment of salaries of collectors, weighmasters and inspectors, the sum of five thousand nine hundred and fifty dollars.

For the payment of salaries of resident engineers for the fiscal year 1861, the sum of six thousand dollars.

For attorneys' fees and incidentals, the sum of one thousand dollars. For the payment of damages to land, the sum of one thousand dollars. For the purchase of land, five hundred dollars. For incidental expenses of the office of the board of public works, the sum of one thousand five hundred dollars; and for the payment of salary of secretary of said board, the sum of 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, the sum of four thousand five hundred dollars, to be drawn on the warrant of the auditor of state.

For the purchase or condemnation of lands in the Lewistown reservoir, subject to the check of the commissioner in charge of the same, the sum of thirty thousand dollars: *Provided*, that upon the affidavit of any member of the board of public works that justice cannot be done to the state in the trial of cases for the appropriation of said lands in the county in which said lands are situated, it shall be the duty of the court to change the venue and transfer said cause for trial to the probate court of some adjoining county.

Section 2. There is also hereby appropriated for the payment of outstanding indebtedness on divisions number one and two, contracted previous to November 15, 1860, the following sums:

For the payment of checks issued by A. L. Bachus superintendent and superintendents prior to February 15, 1861, the sum of fifty-two thousand dollars.

For the payment of engineer's certificates to contractors for work done on the Muskingum Improvement, the sum of eleven thousand five hundred and seventy-four dollars and twenty-seven cents.

For the payment of checks issued to contractors by John H. Gregory, for deferred payments under their contracts, the sum of seven thousand nine hundred and thirty-eight dollars: *Provided*, that said checks and certificates be paid only according to priority of date of said checks and certificates.

Section 3. The board of public works are hereby authorized, if practicable, to cause to be made by some competent engineer, not now in the service of the state, a resurvey and estimate of the work done by contract on the Ohio canal and the Muskingum Improvement, under the order of the board of the public works, providing for the repairs of the canals and improvement, after the flood of April, 1860, and said contractors shall be paid according to said revised estimates and measurements, deducting from the amount of the checks or certificates held by them or paid to, as the case may require, according to the revised estimates and remeasurements: *Provided*, that such remeasurement shall be made in thirty days from the passage of this act.

Section 4. The board of public works, and each member thereof, is hereby prohibited during the current fiscal year, from making any contracts or causing any work to be done on the public works of the state, either for construction, reconstruction or repairs, the sum requisite for the payment of which will exceed the amount specifically appropriated for those purposes by this act; and all contracts made in violation of this section shall be void; and any member of the board violating the provisions of this section, shall forfeit his office, and shall forever thereafter be ineligible to any office of trust or profit in this state.

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

P. HITCHCOCK,
Speaker of the House of Representatives.
JAMES MONROE,
President pro tem of the Senate.

Passed May 13, 1861.

[No. 92.] AN ACT

Prescribing the Rates of Taxation for State purposes and to limit the levy of Local Taxes for the year 1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be levied for the year 1861, in lieu of the taxes now authorized by law for the purpose herein named, on each dollar of the taxable property, for the ordinary expenses of the state government, including the expenses of the public benevolent institutions and other charges on the general revenue, one and four-tenths mill on the dollar.

Section 2. That for the year 1861, the levy of local taxes on the dollar valuation of property subject to taxation for the several purposes hereinafter named shall not exceed the following rates, anything in any law to the contrary notwithstanding.

COUNTY TAXES.

For all county expenses, road, bridge and poor purposes, included, on such portion of the valuation as does not exceed one million of dollars, eight mills; and on such portion as exceeds this sum, two and one-half mills.

SCHOOL TAXES.

For the payment of teachers, purchase of fuel, repairs of school buildings, and all general and incidental expenses for the maintenance of schools, except for the purchase of sites and the erection of school buildings, three mills.

PROVISO.

It is hereby expressly provided that the above limitations shall not include any levies required to be made to pay the principal or interest on the funded debt or other existing debts of any county or school district, nor was to prevent the county commissioners from levying any tax authorized by law to provide for expenses arising out of the military operations of the country, but such levies may be in addition to the limitations of this act.

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

P. HITCHCOCK,
Speaker of the House of Representatives.
JAMES MONROE,
President pro tem of the Senate.

Passed May 13, 1861

[No. 93.] AN ACT

For prevent the sale of intoxicating liquors in the vicinity of camps.

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That no person shall sell or expose for sale, or otherwise dispose of in any way, or at any place at or within the distance of two miles of any military camp in this state, any intoxicating liquor; nor shall any person be allowed to keep any shop, booth, tent, wagon, or other carriage, vessel or boat, or any stand or table, for the sale of any spirituous or other intoxicating liquors at such camp, or within the distance of two miles of the same.

Section 2. The provisions of the first section of this act shall not be construed to prevent persons in a city or village from carrying on any trade or business now authorized by law, at their regular places of business. Any person found guilty of committing a breach of the provisions of this act shall forfeit and pay for every such offense a fine of not less than ten dollars nor more than one hundred dollars into the treasury of the proper township, for the use of common schools; and any sheriff, coroner, constable, justice of the peace of the proper county, or a commissioned officer of the volunteer militia of this state shall, upon view, without warrant, apprehend any person so offending, and seize all such liquors and the utensils or furniture containing the same, and convey them before some justice of the peace or mayor within the county; and such justice or mayor, upon complaint, under oath, of the officer so apprehending, or any other person filing information, shall issue his warrant of arrest which shall be served by any of the officers herein authorized to make arrests, and proceed to inquire into the truth of such accusation, and if found true shall proceed to bind the offender in such amount, not exceeding five hundred dollars,