

THE DEMOCRATIC SENTINEL, AND HARRISON COUNTY FARMER.

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LAWS OF OHIO. [PUBLISHED BY AUTHORITY.]

[No. 48.]
AN ACT for the Protection of Sheep.
Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That if any dog or dogs, shall kill or injure any sheep, the owner or harbinger of such dog or dogs, or any of them, shall be liable for all damages that may be sustained thereby, to be recovered by the party injured, before any court having competent jurisdiction.

Sec. 2. It shall be lawful for any person, at any time, to kill any dog which may be found running, worrying, or injuring sheep.
Sec. 3. That if the owner of any dog which is in the habit of running from home and wandering about without the presence of its owner, shall neglect or refuse to confine such dog, after due notice given of its wandering habits, it shall be lawful for any person to kill such dog whenever it may be found roaming about off the premises, and away from the presence of such owner.

Sec. 4. That the act entitled "An act to prevent injury by dogs," passed December 24th, 1845, and an act entitled "An act for the protection of sheep," passed March 15th, 1850, be, and the same are hereby repealed: Provided, that nothing herein contained shall be so construed as to interfere with any rights, liabilities or claims, that may have accrued under said repealed acts.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 22, 1852. President of the Senate.

[No. 49.]
AN ACT authorizing the Courts of Justice to change the venue in suits wherein Corporation is a party, in certain cases.
Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That in any suit wherein a corporation, having more than fifty stockholders, is a party, if the opposite party, plaintiff or defendant, as the case may be, shall make affidavit that he cannot have a fair and impartial trial in the county in which such corporation keep its principal office, or transacts its principal business, as he verily believes, and if his affidavit shall be sustained by the several affidavits to the same effect, of five credible persons, residing in such county, it shall be the duty of the court to change the venue to some adjoining county, most convenient to both parties; whereupon the suit shall be tried or heard in the same manner as if it had been originally commenced in such adjoining county.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 24, 1852. President of the Senate.

[No. 50.]
AN ACT to regulate the Superior and Commercial Court of Cincinnati.
Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That whenever the office of Judge of the Superior or Commercial Court of Cincinnati, shall become vacant, by death, resignation, or otherwise, such vacancy shall not be filled, but the court shall at once cease and determine, and all the business thereof, not then disposed of, shall be transferred to the Court of Common Pleas of Hamilton county, and the clerk of the said Court of Common Pleas shall take charge of the dockets, journals, records, original files, and all other property and papers of said Superior or Commercial Court, and all proceedings, causes, orders, judgments, decrees, and matters heretofore pending, entered and had in the said Superior and Commercial Courts, shall stand, to be proceeded upon, and prosecuted, in all respects, to final determination, as though the same had been originally commenced in the Court of Common Pleas.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 24, 1852. President of the Senate.

[No. 51.]
AN ACT to attach the county of Noble to the first sub-division of the Eighth Common Pleas District.
Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That the county of Noble be, and hereby is attached to, and with the counties of Muskingum and Morgan, shall constitute the first sub-division of the eighth common pleas district, for judicial purposes.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 24, 1852. President of the Senate.

[No. 52.]
AN ACT fixing the time of holding the District Court in the county of Noble.
Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That the District Court shall hereafter be held in and for the county of Noble, on the twenty-eighth day of August.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 24, 1852. President of the Senate.

[No. 53.]
AN ACT providing for the appointment of officers of the Ohio Penitentiary.
Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That the Governor of the State, by and with the advice and consent of the Senate, is hereby authorized to appoint to the office of Director of the Ohio Penitentiary, one of whom shall be a resident of the county of Franklin, and no two shall be residents of the same county, who shall

hold their offices for the term of two years, and until their successors are appointed and qualified; said directors shall severally take and subscribe an oath or affirmation, to support the constitution of the United States and of the State of Ohio, and faithfully to discharge all the duties which may be required of them by law; and in case of any vacancy by death, resignation, or otherwise, shall occur in the office of Directors, during the recess of the general assembly, the governor shall fill such vacancy by appointment, subject to the consent of the Senate, when again convened.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 26, 1852. President of the Senate.

of Ohio, in cases where the original conveyance has been lost or destroyed.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That the property of lands purchased of the State were destroyed by fire at the time the land office at Defiance was burned, in consequence of which, such purchasers have no legal evidence of title to their lands; Therefore,
Sec. 2. That the Board of Trustees of the State of Ohio, be and they are hereby authorized and required to execute and deliver to such purchasers, their heirs or assigns, deeds of conveyance for lands so sold, the deeds for which has been lost or destroyed, before coming into the possession of such purchaser, on the production to such officer of the certificate of purchase; and if, in any case, such certificate of purchase should also have been lost or destroyed, and such loss or destruction can be shown to the satisfaction of such officers, by affidavits, properly authenticated, and if appearing from the records that a certificate corresponding with that alleged to have been lost, was issued, such officers shall place on file the testimony so produced, and shall issue deeds for such land to the purchaser, the same as if the original certificate had been produced.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 26, 1852. President of the Senate.

[No. 55.]
AN ACT to encourage the killing of wolves.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That any person who shall kill any wolf or wolven, within this state, shall be entitled to receive a compensation or reward, for each wolf above the age of six months, of four dollars and twenty-five cents; and for each wolf under the age of six months, the sum of two dollars and fifty cents.

Sec. 2. That any person claiming such reward, shall produce the scalp or scalps of the wolf or wolven, so killed, with the ears entire, within twenty days after such wolf or wolven were killed, to the clerk of the court of common pleas of the county within which such wolf or wolven were killed, or of the county to which such county may be attached for judicial purposes; and said clerk shall administer to the person producing such scalp or scalps, as aforesaid, the following oath or affirmation: "You do solemnly swear, or affirm, (as the case may be,) that the scalp (or scalps) of a wolf or wolven (as the case may be,) taken in the county of (naming the county,) by you, within twenty days last past, and you verily believe the same to have been over or under the age of six months, (as the case may be,) and that you have not spared the life of any such wolf, within your power to kill, with a design to increase the breed;" which oath or affirmation shall be by the clerk, taken in writing, and subscribed by the person presenting the scalp or scalps.

Sec. 3. That the clerk before whom such oath or affirmation is made, after causing the scalp or scalps to be destroyed in his presence, shall file the deposition so taken, in his office, and under the seal thereof, grant to such person an order on the treasurer of state for the amount of moneys which may be due such person by the provisions of the first section of this act, which shall be payable to him and to his order, and shall be received in payment of taxes, for state purposes; and each and every order drawn as aforesaid, shall be numbered by the clerk, and placed on file in his office, with the deposition of such person, which deposition shall, on the back of the same, contain the receipt of the same, for such order drawn as aforesaid.

Sec. 4. That said clerk shall enter in a book, to be kept by him for that purpose, the date, number and amount of all orders drawn by him in conformity with the provisions of the preceding section of this act; also, the name of the person to whom granted; and he shall annually, on or before the fifteenth day of April, make out and transmit to the auditor of state, an exhibit of all orders by him drawn as aforesaid.

Sec. 5. That it shall be the duty of the State Treasurer, immediately on receiving in payment of taxes, or otherwise, any wolf scalp order, to enter on the face of the same, the day and date, and the word "redeemed," and it shall be the duty of the auditor of state, on receiving any such redeemed order from the treasurer, to file and preserve the same, and once a year to compare them with the exhibit of the clerk of the proper county, heretofore required to be made to said auditor.

Sec. 6. That the county commissioners of any county, may increase the bounty for killing wolven over six months old, to eight dollars per scalp; Provided such increase shall be paid out of the treasury of the proper county.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 26, 1852. President of the Senate.

[No. 54.]
AN ACT to authorize the execution of deeds for lands purchased of the State

charge the duties required of them by law; and the said Board shall be appointed immediately after the passage of this act, as provided for in the constitution; the three first named, shall be appointed for two years; the three second named, for four years; and three last named, for six years; and after their terms of service shall successively expire, three others shall be appointed in like manner, for the term of six years.

Sec. 2. That the Board of Trustees shall be committed all the powers for the government and regulation of the institutions above named, now held by the several boards of trustees of these institutions, which board of trustees it shall supersede, from and after the time specified in this act.

Sec. 3. That the Board of Trustees shall appoint from their own number, a President, to preside at its meetings, and a Secretary, to record, attest and preserve its proceedings.

Sec. 4. That the Board shall appoint from its own number, a committee of three for the institutions aforesaid, which committee shall have control of the respective institutions during the interim of the stated meetings of the Board; all their acts however, shall be subject to the decision of the whole Board, at its stated meetings.

Sec. 5. That the board shall meet annually, on the first Monday in December, at which time the committee above named and also the Superintendents of the several institutions shall present their written reports, which reports shall contain the names of each and every person employed about the several institutions, and also the amount paid to each person, which reports shall be approved by the board, and presented to the Governor, as provided for in the constitution.

Sec. 6. That there shall be visitations and thorough examinations of the several institutions, monthly by one, and semi-annually by a majority of the trustees, and annually by the whole Board of Trustees, which board shall draw up and preserve, a detailed report or record of the proceedings of the several institutions under their charge, which record shall be subject to the command of the General Assembly, and open at all times to the committee on Benevolent Institutions.

Sec. 7. That the Treasurer of State shall be, and he is hereby appointed the treasurer of these several institutions, and all the expenses of the several institutions shall be paid out of the funds appropriated for the use of such institutions, on orders signed by the Superintendent and two of the committee.

Sec. 8. The Trustees provided for in this act, shall perform all the duties required of them, gratuitously; Provided, however, that they shall be entitled to have their necessary expenses paid, during the time they may be actually engaged in the discharge of their official duties.

Sec. 9. That this act shall take effect, from and after the first Monday in June next; and the Board of Trustees appointed under the provisions of this act, shall meet at the city of Columbus on said day and organize.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 26, 1852. President of the Senate.

[No. 57.]
AN ACT

To provide for the erection of two additional Lunatic Asylums.
Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That the Governor, by and with the advice and consent of the Senate, is hereby authorized and required to appoint six Trustees, no two of whom shall ever more than one hundred miles apart, to select and purchase, or to give by gift or donation, two lots of land, at such points as in their opinion will best subserve the public interest, suitable for the erection thereon of two Asylums for the insane; the unincumbered title to said lots to be secured to the state of Ohio; Provided, neither of said Asylums shall be located within five miles of any city containing fifty thousand inhabitants, nor within one mile of any other incorporated city, town or village.

Sec. 2. That in making such selections, the Trustees shall take into consideration any donation that may be proposed towards the establishment and erection of said institutions. Each one of said lots of land so selected, shall contain not less than five acres, and not more than one hundred acres. Said Trustees, after securing the land, shall forthwith proceed to make arrangements for building, on each lot, suitable buildings for the care and treatment of at least one hundred patients; and to enable them to proceed without difficulty or embarrassment, they are hereby authorized to contract (according to the provisions of the following section of this act) for the necessary materials, appoint suitable persons to attend the erection of the same, and to perform such other duties as may be necessary to carry out the objects herein contemplated.

Sec. 3. That said Trustees of said Asylum shall submit to some competent architect, a statement of the dimensions, arrangement and plan of each of said Asylums, and of all buildings and other improvements necessary to the perfect utility of said Asylums, and also a statement of the several kinds and descriptions of materials which shall be used in the several parts of said improvements, as the said improvements, shall have been agreed upon by said Trustees; and shall procure to be executed by said architect, such drafts, descriptions, plans, estimates and profiles, of all such proposed buildings and improvements of grounds, as will enable estimates to be made therefrom, of the cost of all parts of said work and materials; and said Trustees shall, at least four weeks before the time for receiving bids as hereinafter provided, place copies of such drafts, descriptions, plans, estimates and profiles,

in the office of the Secretary of State, and also publish said descriptions in four newspapers of general circulation throughout the state, stating therein the parts in which the said work and materials will be let, and the terms. And said Trustees, after said notice, shall let the said work and materials to the lowest bidder, who shall execute a bond, with two sufficient securities, conditioned for the faithful performance of his contract; but the entire cost to the state of each of said Asylums, including all necessary buildings, grounds and improvements, shall not exceed in the aggregate, when perfectly completed, seventy thousand dollars; and no contract shall be made for beginning any part of said work, nor shall any work be begun, until arrangements shall be made insuring their completion, at an aggregate not exceeding the sum aforesaid.

Sec. 4. Said Trustees, before entering upon the duties of their office, shall take and subscribe an oath or affirmation, before some competent authority, faithfully to discharge all the duties required of them by this act; they shall each be entitled to receive three dollars for each day necessarily employed by them in selecting sites, contracting for the erection of buildings, and providing temporary arrangements for the accommodation of patients, as provided for in section six of this act, and the expenses necessarily incurred in the discharge of the duties assigned them, to be paid out of any moneys in the State Treasury not otherwise appropriated; their accounts to be audited and allowed by the Auditor of State.

Sec. 5. Said Trustees shall be required to make a fair and full report of all their proceedings, (including the plans of the buildings adopted by them,) to the present General Assembly, if in session; and if not, then to the next General Assembly.

Sec. 6. That said trustees may, if in their opinion the suffering condition of the insane require it, cause temporary arrangements to be made for their accommodation and treatment, until the permanent buildings provided for in this act shall be completed; the same, as well as the institution herein contemplated, to be under the control of said Trustees, and subject to the rules and regulations provided for in the several acts for the government of the Ohio Lunatic Asylum, and the care of idiots and insane.

Sec. 7. That at the meeting of the next General Assembly, the Governor shall nominate, and by and with the advice and consent of the Senate, appoint six persons as successors to the Trustees herein named, who shall manage and direct the concerns of the Asylum, in manner as provided for in the several acts for the government of the Ohio Lunatic Asylum, and the care of idiots and insane; and of those first appointed under this section, two shall serve for one year, two for two years, and two for three years.

Sec. 8. Said Trustees, to be appointed as provided for in the first section of this act, shall hold their office for the term of two years, or until their successors are appointed; and in case a vacancy shall occur by death, resignation, or otherwise, the Governor shall fill such vacancy by appointment, until the next General Assembly, or until his successor shall be appointed, as herein provided for.

Sec. 9. That said Trustees, and their successors in office, shall have power to take and hold in trust for the use and benefit of said Asylums, any grant or devise of land, and any donation or bequest of money, or other personal property, to be applied to the maintenance and support of insane persons, in, or to the general use of the Asylums.

Sec. 10. That the sum of one hundred and forty thousand dollars, is hereby appropriated for the purchase of the aforesaid lots of land, and the erection of buildings thereon, as contemplated by this act, fifty thousand dollars to be paid in the year 1852, and the remaining ninety thousand and the work progresses, after the year 1852, out of any moneys in the State Treasury, not otherwise appropriated, to be drawn on the order of a majority of the board of Trustees; Provided, that no moneys shall be drawn from the treasury, faster than the progress of the work may require.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 26, 1852. President of the Senate.

[No. 56.]
AN ACT

To regulate elections for Senators and Representatives in New Counties, created since March 10th, 1851, and that may hereafter be created.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That new counties, created since the 10th day of March, one thousand eight hundred and fifty-one, and all new counties that may hereafter be created, shall be represented in the Senate and House of Representatives of the State, during the decennial period in which such new county is or shall be created, in the same manner as if the law creating any such new county had not been passed.

Sec. 2. The judges of all state and county elections in all such new counties, shall be governed in all their duties, by the general laws governing elections, so far as the same are consistent herewith.

Sec. 3. The judges of elections in the several townships or election districts, composed in whole or in part of territory that originally belonged to any one of the counties out of which such new county is created, shall cause to be kept two separate poll books for Senator and Representative, in the same manner that the general poll book is required by law to be kept; one of which shall be deposited with the township or election clerk, as the case may be, in each township or election district, for the use of such persons as may choose to inspect the same; and the other shall be certified, sealed up, and directed in the same manner as required by law, for the return of

the general poll book, and conveyed within three days next after the election, by one of the judges thereof, to the clerk of the court of common pleas, of the county to which the territory before, and at the time of the creation of such new county, belonged.

Sec. 4. The judges of elections of such townships or election districts as are composed of territory that originally belonged to two or more of the counties out of which such new county is created, shall cause to be kept two separate poll books for Senator and Representative, for each portion of territory that originally belonged to different counties, in the same manner as the general poll book is required by law to be kept, one of each of which shall be deposited with the clerk of such township or election district, and the other of each shall be certified, sealed up and directed, in the same manner as required by law, for the return of the general poll book, and conveyed within three days next after the election, by one of the judges thereof, to the clerk of the court of common pleas of that county to which the territory before, and at the time of the creation of such new county, belonged.

Sec. 5. It shall be lawful for the electors residing in any such township or election district, as is mentioned in the fourth section of this act, to vote for Senator and Representative, at the usual place of holding elections in such township or election district; and it shall be the duty of the judges of elections of any such township or election district, before they receive a ballot for Senator and Representative, to put the necessary question to the elector proposing to vote, so as to fix his residence; and in case the elector is challenged for non-residence in any particular portion of the township or election district, then it shall be the duty of said judges to swear or affirm the elector, to the facts, in the same manner as for any cause of challenge.

Sec. 6. For the purpose of carrying out the provisions of this act, the said judges shall take to their assistance any necessary number of additional clerks, who shall be paid the same fees, and qualified in the same manner as in other cases.

Sec. 7. The several clerks of the court of common pleas referred to in this act, shall receive the returns of the elections for Senator and Representative, and be governed in all things thereby, in the same manner as if the law creating such new county had not been passed; and in making out the returns of such elections, shall receive and count the said votes so returned as aforesaid, and certify accordingly, and be in all respects governed by the general laws in regard thereto, so far as the same may be consistent herewith, and as if said votes were polled in their respective counties; and the said clerks of court shall give a certificate to the returning officer for his fees, the same as for like services; to the Auditor of their respective counties; and the said Auditor shall audit the same, and issue an order on the Treasurer of the county therefor.

Sec. 8. All votes for Senators and Representatives in any such new county, shall be on a separate ballot.

Sec. 9. That if any officer charged with any duties under this act, shall neglect or refuse to perform the same, such officer, upon conviction thereof, before any court of competent jurisdiction, shall be fined in any sum not exceeding one hundred and fifty dollars, at the discretion of the court.

Sec. 10. That all fines imposed by this act, shall be recovered, with costs of suit, in an action of debt, or by indictment for the use of the county.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
April 30, 1852. President of the Senate.

[No. 59.]
AN ACT

Further prescribing the powers and duties of the courts of this State, and the judges thereof, and to repeal the eighth section of the act "relating to the organization of courts of justice, and their powers and duties," passed February nineteenth, one thousand eight hundred and fifty-two.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That all process and remedies authorized by the laws of this state, when the present constitution took effect, may be had and resorted to in the courts of the proper jurisdiction, under the present constitution; and all the laws regulating the practice of and imposing duties on, or granting powers to the supreme court, or any judge thereof, and the courts of common pleas, or any judge thereof, respectively, under the former constitution, except as to matters of probate jurisdiction, in force when the present constitution took effect, shall govern the practice of, and impose like duties upon the district courts and courts of common pleas, and the judges thereof, respectively, so far as such process, remedies and laws, shall be applicable to said courts, respectively, and to the judges thereof, and not inconsistent with the laws passed since the present constitution took effect.

Sec. 2. Each judge of the court of common pleas, shall, in his subdivision, be the presiding judge of said court, and when any person or persons shall be convicted of any crime or offence, and the court of common pleas or criminal court of any county, shall have signed and sealed a bill of exceptions to any decision or charge of said court, such court may, on the application of the person or persons so convicted, suspend the execution of the sentence or judgment, against such person or persons, until the next term of such court; Provided, that if it shall be made to appear at the next term of said court, that a writ of error has been allowed in any such case, and no hearing on such writ shall have been had, it shall be the duty of said court, on application made for that purpose, further to suspend

such execution, until the hearing of the case on such writ of error.

Sec. 3. All books, stationery, and other articles for the use of the Supreme Court, shall be furnished by the Secretary of State, on the order of the court; and no bill for any such articles shall be allowed or paid, unless furnished in accordance with the provisions of this act.

Sec. 4. That the eighteenth section of the act relating to the organization of courts of justice and their powers and duties," passed February nineteenth, one thousand eight hundred and fifty-two, be and the same is hereby repealed.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
President of the Senate.
April 30, 1852.

[No. 60.]
AN ACT

To provide for compensation to owners of private property appropriated to the use of corporations.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That all appropriations of private property to the use of any and every corporation now existing, or that may hereafter be created in this state, which may be authorized by law to make such appropriation, for the right of way, or for any other purpose which may be within the scope of the legal authority of such corporation, shall be made and conducted in accordance with the provisions of this act.

Sec. 2. Whenever any such corporation shall wish to make any such appropriation, and shall be unable to agree with the owner or owners of the property sought to be appropriated, or with his, her, or their authorized agent or attorney, upon the compensation to be paid therefor, it shall be the duty of such corporation, by its proper officer, agent or attorney, to make out a statement, which shall contain a specific description of each parcel of property and rights sought to be appropriated, within the county where such application shall be made, and which such application, at the time of filing such statement, seeks to appropriate of the work, if any, intended to be constructed thereupon, the name or names of the owners of each parcel, if known, or if not, a statement of that fact, and such statement shall be forthwith filed with the probate judge of the proper county.

Sec. 3. That it shall be the duty of the probate judge, on receiving such notice, to immediately notify the clerk of the court of common pleas, and sheriff of the county, of the filing of such statement; and the said clerk and sheriff shall, within one day after receiving such notice, proceed to select from the names returned to serve as jurors, a jury of twelve men, in the same manner that jurors are selected for the trial of any cause in the court of common pleas, for the purpose of estimating and valuing the amount of compensation each owner or owners shall receive, or be entitled to, by reason of such appropriation; and the said clerk shall immediately return the names of the jurors so drawn, to the probate judge, who shall thereupon issue his venire facias to the sheriff or other proper officer of the county, to summon such jurors, so drawn as aforesaid, to attend on some day specified, at the office of said judge, not exceeding five days from the issuing of said venire, then and there to be empaneled and sworn to render a just verdict, in the manner hereinafter described; and shall, at the time of issuing such venire, issue a notice to the several owners of property so sought to be appropriated, of the time which said jury will meet at the office of said judge, for the purpose aforesaid; which notice such sheriff or other officer shall serve upon the party therein named, at the time of serving such venire.

Sec. 4. It shall be the duty of the sheriff or other proper officer, receiving such venire facias, to summon the persons therein named, in the same manner that jurors are summoned to attend the court of common pleas; and if, by reason of non-attendance, challenge for cause, or for any other reason, such jury shall not be full, the sheriff shall fill the same, with talesmen, as in like cases in the court of common pleas; but no challenge, except for cause, shall be allowed to either party.

Sec. 5. When the panel is so filled, it shall be the duty of the probate judge to administer the following oath to the jury so empaneled, to wit: You and each of you do solemnly swear, (or affirm,) that you will justly assess, (or estimate,) according to your best judgment, the damages, in money, which (the name of the corporation,) will (each) sustain by reason of the appropriation of such property to the use of (here repeat the name of the corporation,) in the proceedings now pending; and you do further swear, (or affirm,) that you will truly, faithfully and impartially, estimate and assess the amount of such compensation, irrespective of any benefit to him from any improvement proposed by said corporation; this you swear, as you shall answer to God, (or affirm,) under the pains and penalties of perjury; and the said probate judge, before administering such oath or affirmation, shall personally enquire of each juror whether he is interested in such corporation, either as owner, stockholder, agent or attorney, or in any other manner; and if any juror shall answer such question in the affirmative, such juror shall be excused from serving, and the panel shall be filled with talesmen, by the sheriff, as in other cases.

Sec. 6. It shall be lawful for the probate judge, upon motion of either party, to issue the following writ to the sheriff, or other proper officer, to wit: To the sheriff of _____ county: You are hereby commanded to conduct the twelve jurors named in the panel to this writ annexed, to view the property or premises sought to be appropriated by (here state the name of the corporation,) and owned by (here state the name of the owner of such property,) and to do such execution, until the hearing of the case on such writ of error.

JAMES C. JOHNSON,
Speaker of the House of Representatives.
WILLIAM MEDILL,
President of the Senate.
April 30, 1852.