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LAWS OF OHIO.

[PUBLISHED BY AUTHORITY.]

[No. 40.]

AN ACT regulating the sale of Poisons.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That it shall not hereafter be lawful for any apothecary, druggist, or other person in this State to sell or give away any article belonging to the class of medicines, usually denominated poisons, except in compliance with the restrictions contained in this act.

Sec. 2. That every apothecary, druggist, or other person, who shall sell or give away, except upon the prescription of a physician, any article or articles of medicine belonging to the class usually known as poisons, shall be required: 1st. To register in a book kept for that purpose, the name, age, sex and color of the person obtaining such poison. 2. The quantity sold. 3d. The purpose for which it is required. 4th. The day and date on which it was obtained. 5th. The name and place of abode of the person for whom it was obtained. 6th. To carefully mark the word "poison" upon the label or wrapper of each package.

Sec. 3. That no apothecary, druggist or other person, shall be permitted to sell or give away any quantity of arsenic less than one pound, without first mixing either acet or indigo therewith, in the proportion of one ounce of acet or half an ounce of indigo, to the pound of arsenic.

Sec. 4. That any person offending against the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty, nor more than two hundred dollars, at the discretion of any court competent jurisdiction.

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

April 13, 1882.

[No. 41.]

AN ACT to regulate the sale of School land, and the surrender of permanent leases thereon.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That all those lands granted by the Congress of the United States for School purposes, known as Section Sixteen, together with all such lands as have been granted in lieu of said Section Sixteen, may be sold, and such sale shall be regulated by, and governed according to the provisions of this act.

Sec. 2. In case there has been no vote taken for the sale of any such lands, the trustees of any original surveyed township, to which such lands may belong, shall, at least thirty days prior to taking of any such vote, cause notice of said notices to be posted up in as many of the most public places of such township, notifying the legal voters resident therein, to meet at some convenient place and time therein specified, and then and there cast their ballots, for or against the sale of any such lands, belonging to such township.

Sec. 3. The trustees of the township shall preside at the taking of such ballots, and shall appoint two clerks, who shall keep two poll books containing the names of the voters and the result of the ballot, which poll books shall be signed by the trustees and clerks; and, in case such ballot shall result in favor of a sale, the trustees shall, within ten days after such election, deposit one of said poll books with the auditor of the county, within which such lands (or the greater portion thereof) may be situated, with a copy of the notice given, and the affidavit of one or more of the trustees, stating the manner of giving said notices, the time and place of putting up the same; which notices, affidavits, and poll book, shall be by said auditor copied into a book for that purpose to be provided; and when so recorded, such record shall be proof of the facts therein stated.

Sec. 4. When such record has been made, the trustees of such township, to which said lands belong, shall file a petition in the court of common pleas of the county within which said lands (or the greater portion of them) may be situated, setting forth the giving of said notices, the taking of said ballot, the result of the same, the filing and recording of the aforesaid papers in the office of the auditor of the proper county, and asking the court to appoint three disinterested freeholders, not resident of the township in which the land may be situated, to divide and value the same in money.

Sec. 5. If such court shall be satisfied that the statements made in the petition are true, the court shall appoint three persons to divide and appraise the same, according to the prayer of such petition; and said appraisers, after being first duly sworn before some officer authorized to administer oaths, and taking to their aid, if they think necessary, the county surveyor, shall proceed to divide said lands into such parcels or tracts; as in their opinion will be best for the sale thereof, and return in writing such divisions, suitably numbered and described, to the said court, with a just valuation of each separate division, in money.

Sec. 6. The court, on such return being made, and having been by said court examined, and found in all things regular, just and fair, shall certify the same, and order the same to be entered of record, together with the petition, and all the proceedings therein had; a copy of which the trustees shall cause to be filed in the office of the auditor of the proper county, who shall copy the same into the book containing the notice, affidavit and poll book aforesaid, and immediately following the same.

Sec. 7. The auditor of the county, on the recording of said proceedings, shall forthwith cause a notice to be published, in some newspaper of general circulation in said county, for six consecutive weeks,

before the day of sale; and, at the said time, by posting up copies of such notice in six of the most public places in said county, two of which shall be in the township where the lands are situate, and one at the court house, containing a description of the lots or lands to be sold, the valuation thereof, and the time when said lands shall be offered at public auction, by said auditor, at the door of the court house, at not less than the appraised value, thereof, one-twelfth of the purchase money to be paid at the time of sale, and the balance in eleven annual installments of equal amount, with annual interest thereon; and said auditor shall, at such time and place, proceed to offer the same to the highest bidder, at or over the appraisement; and on the terms stated in said notice.

Sec. 8. In case said lands, or any part thereof, shall not be sold, as aforesaid, the auditor may continue to offer the same, on application in writing, of the trustees of the township to which said lands may belong, at any future time or times, until they shall be sold, having first given the like notices herein provided, to be given on the first sale thereof; Provided, that no sale shall be had on any valuation made more than two years prior to the day of the sale.

Sec. 9. The court of common pleas aforesaid, is hereby required, on the petition of the trustees aforesaid, setting forth the former appraisement, the subsequent proceedings thereon, and that two years have elapsed since, and the land remaining unsold, to direct a new valuation of the same, to be made in the manner hereinbefore directed, unless said court, on testimony, shall be satisfied that the former appraisement is a just and fair valuation of said lands; in that case, the court shall make an entry of the fact, which entry shall be certified to, and recorded by the auditor, in manner aforesaid, and shall have the same effect as a new appraisement.

Sec. 10. In case said lands are held under permanent leases, or leases for a term of years, the legal or equitable holder of any such lease, wishing to surrender the same, and to purchase the fee of the premises so held by lease, may, with the consent of the trustees of the original township to which such lands belong, file his petition in the court of common pleas of such lands are situate, setting forth a description of the premises so held, the state of his lease, or his title thereto, that he is desirous of surrendering such lease, and becoming the owner of the premises in fee, and asking the court to appoint three disinterested freeholders of the county, and not resident of the township wherein such lands are situate, to value the same, and file the court, on being satisfied of the truth of the facts set forth in such petition, shall appoint such great or just valuation of the premises in money, without reference to the improvements thereon, under and by reason of said lease, and shall return such valuation, in writing to said court; and the said court, if it shall be satisfied that said valuation is just, shall confirm the same, and order it, with the petition and other proceedings thereon, to be recorded; Provided, that before the trustees of any original surveyed township shall consent to the surrender of any lease, as provided in this act, they shall cause the proposition to be submitted to the electors of said township, at an election to be held and conducted in conformity to the provisions of the second section of this act; and if, at such election, a majority of the electors shall vote for such surrender, then, and not otherwise, said trustees shall consent to the surrender, in manner and form as herein provided.

Sec. 11. Any such lessee, on producing to the auditor of the proper county, within one year after making the same, a certified copy of such petition and appraisement, and confirmation, shall be permitted, by endorsement thereon, attested by the auditor, to release to the State of Ohio, all his interest, title and claim, in and to such lease, for the benefit of the township to which the same may belong, which certified copy of said record and said release, shall be recorded in a book for that purpose to be provided.

Sec. 12. The purchaser of any such lands, at any auditor's sale, or the lessee of any such land held under such lease, on executing his release as aforesaid, shall each, forthwith, pay to the treasurer of the county, one-twelfth of the purchase money in the first case, and one-twelfth of the valuation in the second, and take the treasurer's receipt therefor, and the auditor, on receiving the treasurer's receipt for said first installment, shall give to said purchaser or lessee a certificate containing the name of the purchaser or lessee, a description of the premises, the number, amount and time of payment of the subsequent installments, and that said purchaser or lessee, their heirs or assigns, on the punctual payment of the sums still due, with annual interest up to the time of payment, shall be entitled to receive a final certificate from such auditor; Provided, that such lessee shall produce to the auditor, the certificate of the proper officer, that all rents due on such premises have been paid up to the time of surrendering said lease.

Sec. 13. Any person wishing to pay any money under the provisions of this act, in part or full payment of any such lands, shall first obtain the certificate of the auditor, of the amount due, or to be paid; and on the presentation of the same, the treasurer is authorized to receive the amount therein specified, and shall give to the person paying the same, a certificate directed to the auditor, of the payment of said sum of money, and the auditor, on the presentation of said certificate, shall give to such person a receipt therefor, credit him with the amount in his books, and charge the treasurer therewith.

Sec. 14. The county auditor shall keep an account with the county treasurer of all sales made, and lease surrendered, and moneys paid thereon, by each purchaser or lessee, and report the same to the auditor of state, on the first day of February, May, August, and November, in each and every year; and from the time of such report, the state shall be liable to pay interest on all such sums so reported to as paid; and the treasurer of state, on receiving a certified copy of the account from the auditor of state, shall be authorized immediately to draw said money from the county treasurer.

Sec. 15. If any such purchaser or lessee shall fail to make any payment on any tract of land, for the space of twelve months after the time the same shall become due and payable, the auditor of the proper county shall forthwith proceed to sell such tract or tracts of land, with all the improvements thereon, at the door of the court house, to the highest and best bidder therefor, in cash, having first given notice of the time and place of such sale, containing a description of the lands, and the money due and to become due thereon, by publishing the same in some newspaper of general circulation in said county, for six consecutive weeks before the day of sale; and the time when said lands shall be offered at public auction, by said auditor, at the door of the court house, at not less than the appraised value, thereof, one-twelfth of the purchase money to be paid at the time of sale, and the balance in eleven annual installments of equal amount, with annual interest thereon; and said auditor shall, at such time and place, proceed to offer the same to the highest bidder, at or over the appraisement; and on the terms stated in said notice.

Sec. 16. When said lands shall be sold as aforesaid, the purchaser shall pay to the treasurer of the county the amount so bid for said premises; and on producing to the auditor the treasurer's receipt for such payment, the auditor shall give him a final certificate, stating the fact of such sale, the name of the purchaser, the description of the lands sold, the amount for which sold, the payment of the same, and that the purchaser is entitled to receive, from the state of Ohio, a deed in fee simple for the same, on producing to the auditor a certificate, containing, in addition to the former one, the fact of the payment in full, and that said person is entitled to receive from the state of Ohio, a deed in fee simple for said premises, on the presentation of this certificate to the proper officer or officers.

Sec. 17. The auditor of state, upon the filing of any such final certificate in his office, shall make out the draft for a deed therefor, and deliver the same, with such final certificate, to the governor of the state, who shall sign said deed, and cause the same to be sealed with the great seal of the state, and countersigned and recorded by the secretary of state, and by him delivered to the grantee, on demand.

Sec. 18. All excess of moneys made on any sale of delinquent lands as aforesaid, after payment of all sums due, interest and costs, shall be paid on demand, to such delinquent owner, his heirs or assigns, from the county treasury, on the order of the auditor, if such demand be made within one year from the time of such sale; and if not so demanded, it shall be paid into the state treasury; and unless the same shall be demanded within one year after the same shall have been paid into the state treasury, it shall be applied for the same uses as the lands are subject to.

Sec. 19. The fees for services under this act, shall be as follows: The court shall tax such fees on any petition filed in the same, as are allowed for similar service on proceedings in chancery. The county auditor to be allowed one dollar and fifty cents on each sale made by him; for each certificate, fifty cents; for each receipt six cents, to be paid by the purchaser, and the same fees for recording as is allowed to county recorders, to be paid out of the first moneys paid in as interest or rents, on such sale or surrender. All printers' fees, for advertising, shall be paid out of the county treasury, on the order of the auditor, and refunded out of the first moneys received from the sale, as interest or rents; in case of a lessee being petitioner, all costs shall be paid by him.

Sec. 20. The act entitled "An act to provide for the sale of Section Sixteen, granted by Congress for the use of schools," passed January 29, 1827--The act entitled "An act to extend the time of payment to purchasers of school lands in this State," passed January 3, 1843--The act entitled "An act to regulate the sale of Ministerial and School lands, and the surrender of permanent leases thereon," passed February 2, 1845--The act entitled "An act to amend an act entitled an act to extend the time of payment to purchasers of School lands in this State," passed March 6, 1844--The act entitled "An act to amend the act to regulate the sale of Ministerial and School lands, and the surrender of permanent leases thereon," passed February 2, 1843, passed March 12, 1844--The act entitled "An act to fix the minimum price of the sales of School lands," passed March 4, 1845--And the act entitled "An act to amend an act entitled an act to extend the time of payment to purchasers of School lands in this State and an act amendatory thereto," passed February 1, 1847, be and the same are hereby repealed; Provided, such repeal shall not impair, or in any manner affect any rights or interests acquired under any of said acts.

[No. 42.] AN ACT To provide for the State Printing.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That the Secretary, Auditor and Treasurer of State, shall immediately on the passage of this act, give notice in two newspapers printed in the city of Columbus, two in the city of Cincinnati, and two in the city of Cleveland, for two consecutive weeks, that sealed proposals will be received at the office of the Secretary of State until the fifteenth day after the first publication of said notice, for the executing of the several branches of the State printing, in separate contracts as hereinafter specified, until the first Monday in November, one thousand eight hundred and fifty-two; and biennially thereafter, give notice as above prescribed, for the period of sixty days for the executing of the several branches of the State Printing, for the term of two years from the first Monday of November next thereafter, which proposals shall distinctly and specifically state the price per thousand ems for the composition of all bills, resolutions or other matter, that may be ordered to be printed in bill form, the price per thousand ems for the composition of all pamphlets or reports ordered to be printed in pamphlet form, the price per thousand ems for the composition of Journals of the Senate and House of Representatives, the price per thousand ems for the composition of the General Laws, the price per thousand ems for the composition of the Local Laws, the price per token for press work of all bills resolutions or other matter ordered to be printed in bill form, the price per token for press work of all pamphlets, reports or communications to be printed in pamphlet form, the price per token for press work for the Journals of the Senate and House of Representatives, the price per token for the press work of the General and Local Laws, the price per token for press work of the volumes of Legislative Documents, and the price per thousand ems for the composition and the price per quire for press work of all blanks and circulars for the Executive Officers, at which the bidder is willing to take the contract bill for; and in such notice as prescribed in this act, the Secretary, Auditor and Treasurer of State, shall publish distinctly each item to be bid for, the character of the work, and the mode of allowing compensation for the same; and the said Secretary, Auditor and Treasurer, or any one of them, shall within two days after the expiration of such notice, proceed to open all such proposals by them received, and they shall, on careful examination and strict computation, give the contract for each of the herein named branches of State Printing, to the lowest bidder thereof, who will comply with the provisions of this act; Provided, that if two or more bidders shall propose for the same contract, and the proposals of one be lower on composition, and the proposals of another be lower on press work, then the said Secretary, Auditor and Treasurer, taking to their assistance a disinterested practical printer, shall proceed to compute the same by taking as a basis the aggregate number of tokens of press work of the same kind of printing, for the last session of the General Assembly preceding, and they shall give the contract to the lowest bidder under the computation aforesaid; And provided, further, that nothing herein contained shall be construed so as to prevent the same person from becoming contractor for two or more branches of the public printing, if he shall be the lowest bidder therefor; but the said Secretary, Auditor, and Treasurer of State, shall, in no case whatever, receive, or take into consideration, the bid of an irresponsible person; Provided, however, that no person shall be deemed irresponsible, who shall tender to the executive officers aforesaid, along with his bid, satisfactory assurance, subscribed by his proposed security, that he will execute the bonds required by the tenth section of this act.

Sec. 2. That the printing of all Bills for the two houses of the General Assembly, together with such resolutions and other matters as may be ordered by the General Assembly, or either branch thereof, shall be let in one contract; the printing of the Journals of the Senate and House of Representatives, and of such reports, communications and other documents, as enter into and make a part of the journals, shall be let in another contract; the printing of all Reports, Communications and other documents that may be ordered to be printed in pamphlet form, by the General Assembly, or either branch thereof, except such as enter into and make a part of the journals, together with the volume of Public Documents, shall be let in another separate contract; the printing of the General and Local Laws and such Joint Resolutions as may be directed by the General Assembly to be printed therewith, shall be let in another separate contract; and the printing of all Blanks and Circulars necessary for the use of the Executive Officers of the state, shall be let in another separate contract.

Sec. 3. The bills shall be printed in folio or octavo form, on small pica type, each page to contain not less than twenty-five lines of solid matter of the usual length; with a pica blank only in each space between the lines; and in counting the composition upon bills, the same shall be measured as solid matter, and every necessary fraction of a page shall be counted as a full page; but no entire blank page shall be counted or charged for.

Sec. 4. The Journals shall be printed in medium octavo form, on neat long primer type, and in as close and compact order as is consistent with good workmanship, without unnecessary blank or broken pages, each to contain as near as may be fifteen hundred ems, including head and foot lines.

Sec. 5. The volumes of Public Documents, and all Reports, Communications and other documents ordered to be printed in pamphlet form, shall be printed on the same kind of type, and the pagesize of the same kind, as specified for the journals of the same size, as specified for the journals in the preceding section; said Documents to be printed in close compact order, without title pages, unnecessary blanks or open spaces; the volumes of Public Documents shall contain nothing that shall have been inserted in the laws or journals of the same year, except the annual report of the auditor and treasurer of state; and the various reports; communications and other documents proper to be inserted therein, shall follow each other in as close compact order as is consistent with good workmanship, without the intervention of unnecessary blanks or separate title or half title pages; and the paging thereof shall be consecutive; and at the conclusion thereof shall be an index, to be made out by the printer, referring to the particular page at which each separate document commences. In all cases where any document is printed in pamphlet form by order of the General Assembly, or either branch thereof, by the contractor for printing of the volumes of public documents, which shall also be inserted in the volume of public documents, and in all cases where any such document is printed in pamphlet form by the contractor for the printing of the journals, which shall also be printed in the journals, but one charge shall be made or allowed for the composition thereof.

Sec. 6. The laws shall be printed in royal octavo form, on good small pica type, the pages to be of the same size and form as those in the laws of the session of one thousand eight hundred and fifty-one, with similar marginal notes to the general laws.

Sec. 7. That in composition, all pamphlets, laws, journals, and volumes of public documents, every necessary fraction of a page shall be counted as a full page, but no entire blank page shall be counted or charged for; and if any branch of the printing, tabular statements occur, which it shall be impracticable to print on the ordinary sized pages, the same shall be printed on tabular sheets of the necessary size, and the amount of composition on the same shall be ascertained by measuring the printed surface, and thereby ascertaining the number of ems; and for all rule and figure work, double price for composition shall be allowed, the same to be ascertained by strict measurement and count; but one charge shall be made for the composition of all documents ordered to be printed by both branches of the General Assembly, and no charge or allowance shall be made for composition when extra and additional copies are ordered to be printed.

Sec. 8. In charging and counting the press work, whether on bills, journals, laws, pamphlets, or volumes of public documents, the taken shall consist of one hundred and twenty-five sheets, printed on both sides, or two hundred and fifty sheets printed on one side only.

Sec. 9. Each contractor for any branch of the State Printing, shall deliver over to the Secretary of State, or on his order, in the sheet, all copies ordered to be printed, in good order.

Sec. 10. It shall be the duty of the Secretary of State, to give immediate notice to the successful bidder, that his proposals have been accepted; and each successful bidder shall, within ten days after receiving such notice, enter into bonds, payable to the State of Ohio, in the sum of five thousand dollars, for each and every branch of the public printing so awarded to him, with at least two sufficient and approved sureties, conditioned for the faithful performance, pursuant to this act, of that branch or branches of the printing to which he has been adjudged a successful bidder; and if he shall fail to give bond within ten days, then the contract shall be given to the next lowest bidder, who will give bond as aforesaid.

Sec. 11. The folding of all bills, resolutions, pamphlets or documents, ordered to be printed, together with the stitching of the same, and the brochure covering of all documents ordered to be covered by the General Assembly, or either branch thereof, shall be let in one contract; and the folding, stitching and binding of the laws, journals, and volumes of public documents, shall be let in another contract.

Sec. 12. The secretary, auditor, and treasurer of state, at the same time and in the same manner as is prescribed in the first section of this act, shall give notice for the folding and stitching of all bills, resolutions, pamphlets or documents, ordered to be covered; and the rate per hundred sheets for folding, the rate per hundred sheets for stitching, and the rate per hundred sheets for binding the laws, journals, and volumes of public documents, at which the contractor is willing to do the same; and each successful bidder to whom the contracts, or either of them, may be awarded, shall enter into bond, in the sum of two thousand dollars, in the same manner as is prescribed in the tenth section of this act, for the faithful performance of the same.

Sec. 13. The binding of the laws, journals, and the volumes of public documents, shall be in the same style, and of the same materials, as of the volumes of laws, journals and documents of the session one thousand eight hundred and fifty-one, and one thousand eight hundred and fifty-one.

Sec. 14. That in counting the folding and stitching of all bills, resolutions, pamphlets or documents, no half sheet shall be counted, charged for, or allowance made.

Sec. 15. Folding, stitching, and binding, shall include the collating, drying and pressing, and no charge or allowance shall be made for collating, drying and pressing.

Sec. 16. That each contractor for any branch of the Public Printing, shall file and preserve one copy of every document or matter by him printed for the state, which file he shall deposit, together with his accounts for printing, with the Secretary of State, on or before the first Monday in November, annually; in which account shall be specifically stated the various jobs performed, the number of ems composition in each, the extra charge, if any, for rule and figure work in each, the number of tokens of press work in each, designating whether ordered by the Senate, the House, or jointly by both, or by other officers or agents of the state, together with the kind and quality of paper used for each job.

Sec. 17. Each contractor for the folding, stitching, covering and binding, shall file and preserve one copy of every document or matter by him folded, stitched or bound, which file he shall deposit, together with his accounts for the same, with the Secretary of State, on or before the first day of November, annually; which account shall specifically state each item, as provided for in the twelfth section of this act, and the number of copies of each bill, resolution, pamphlet or document, folded, stitched or covered, and the number of copies of laws, journals and documents, bound.

Sec. 18. That on the filing of any account and vouchers, under the two last preceding sections, the Secretary, Auditor, and Treasurer of State, shall carefully examine such accounts, together with the vouchers thereon, and the orders for the same; and if any errors be found in such account by said examining officers, they shall immediately correct the same, and if they shall find any unnecessary blanks or increased number of pages, caused by stretching out of matter, or other device of the printer, they shall deduct from the account of the contractor double the amount of composition and press work charged for such unnecessary blank or increased number of pages, together with the additional amount of paper consumed thereby; and if any error shall be committed in executing any branch of the printing aforesaid, by which the sense or meaning may be altered, said examining officers shall deduct from the account of the contractor by whom the error was committed, the amount of compensation to which he would have been entitled for the composition and press work of the whole sheet, in which such error shall be found, and also the value of all paper consumed in the printing of the sheet containing such error; but the said Secretary, Auditor, and Treasurer of State, shall in no case allow constructive charges, or any other than is specifically named in this act.

Sec. 19. That after any account as aforesaid shall have been examined by the proper officers, and all errors and overcharges corrected, and proper deductions made therefor, pursuant to the foregoing section, said account shall be certified to be correct, by said examining officers, or any two of them; and when any account shall be so audited and certified, the Auditor of State shall draw a bill upon the treasury for the amount thereof, payable out of any moneys appropriated for that purpose.

Sec. 20. The contractor for the printing of bills, resolutions, or other matter to be printed in bill form, shall promptly and without delay, execute all orders of the General Assembly, or either branch thereof, for the printing of all bills and resolutions; and all contractors under the provisions of this act, shall promptly and without unnecessary delay, execute all orders to them issued by the General Assembly, or either branch thereof, or the Executive Officers of the State; and the laws, journals, and volumes of public documents, shall be printed and delivered to the contractor for the folding, stitching and binding, on the order of the Secretary of State, within twenty days after the adjournment of the General Assembly; and said contractor shall, within twenty days after the receipt thereof, execute the folding, stitching and binding, and deliver to said Secretary of State the volumes so bound, under the penalty of a forfeiture of their bonds; Provided, however, that the said Secretary, Auditor and Treasurer of State, may on good cause shown, by either of the contractors, extend the time, not exceeding ten days, for the executing of their several contracts.

Sec. 21. The paper for the State printing aforesaid, shall be provided by the state; and the secretary of state shall, from time to time, as the same may be needed, deliver over to each contractor, suitable paper for the printing which he is required by his contract to do; and shall take and preserve, from each contractor, a receipt for all paper so delivered; and at the annual settlement, each contractor shall deliver over to the Secretary of State, all paper which has not been used in the State Printing; and if any such paper shall have been wasted or converted to any other use, the contractor to whom the same shall have been delivered, shall be charged with the value thereof, together with the penalty of fifty per cent, and the amount shall be deducted from his account.

Sec. 22. That the Secretary of State shall furnish a true and accurate copy of the laws, as they may be demanded by the printer thereof; and the clerks of the respective branches of the General Assembly shall each furnish to the printer, who is bound by his contract to print the same, copies of the journals, bills, reports, and other papers and documents, without unnecessary delay; and no contractor shall be accountable for any delay occasioned by the want of such copy.

Sec. 23. This act shall take effect and be in force from and after its passage.

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

April 16, 1882.

Sec. 24. That the Register and Receiver of the State Land Office at Defiance, to regulate the sale of lands at said office, and to create the office of Land Commissioner.

Sec. 1. Be it enacted by the General Assembly of the State of Ohio, That the office of Register and Receiver of the State Land Office at Defiance, in this State, be and the same is hereby abolished; and immediately after the passage of this act, there shall be appointed by the Governor, by and with the advice and consent of the Senate, a Land Commissioner, who shall keep an office at Defiance, aforesaid, for the sale of all the lands of the State, which have heretofore been for sale at said Land Office, and now remains unsold.

Sec. 2. That said Land Commissioner shall hold his office for and during the term of three years, and until his successor shall be appointed and qualified; and shall have all the powers heretofore possessed by, and perform all the duties heretofore enjoyed, on both the said Register and Receiver, according to law; and before entering upon the discharge of the duties of his said office, the said Land Commissioner shall enter into a bond, with three or more sureties, freeholders of the State of Ohio, to be approved by the Governor of this State, payable to the State of Ohio, in the sum of twenty thousand dollars, conditioned for the paying over according to law of all moneys which may be received by said Land Commissioner in his official capacity, and for the faithful discharge of all and singular the duties of his said office; and if the said Land Commissioner shall at any time fail to give such bond with said sureties, or fail in making his returns and paying over moneys received by him in his official capacity, as required by law, his office shall be considered vacant, and it shall be the duty of the Governor, with the advice and consent of the Senate, as prescribed in the first section of this act, if the General Assembly shall be in session at the time such vacancy occurs; and if the General Assembly shall not be in session at such time, then, and in that case, the Governor shall fill such vacancy by the appointment of some person to hold said office until the first session of the General Assembly succeeding such appointment, and until his successor is appointed and qualified; and the said Commissioner, appointed under any of the provisions of this act, before entering upon the duties of his said office, shall take and subscribe to an oath or affirmation, before competent authority, to discharge faithfully and to the best of his skill and ability, all the duties of said office; which oath or affirmation, shall be endorsed upon his bond aforesaid.

Sec. 3. That said Land Commissioner shall receive as a compensation for his services, the sum of three per centum on the amount of all moneys received at his said office in payments for lands sold by him as such Commissioner.

Sec. 4. That the Register and Receiver of the State Land Office at Defiance, at this time acting, shall deliver over all the books, papers, and other property belonging to their respective offices, to such person as may be appointed Land Commissioner under this act.

Sec. 5. That any person holding the office of Commissioner, shall purchase, or enter, or be in any manner concerned, either as principle or agent, directly or indirectly, in the purchase or entry of any lands subject to sale or entry, in said State Land Office; and any Commissioner violating the provisions of this section, shall for every such offence, forfeit and pay the sum of two hundred dollars, to be recovered by action of debt, in the name of the State of Ohio, which action shall be brought in the county wherein said land office is situate; and the amount recovered in said action shall be paid into the State treasury, by the Prosecuting Attorney of such county; and it is hereby made the duty of such Prosecuting Attorney, to prosecute in behalf of the State, all actions under the provisions of this section, for which service he shall be allowed a reasonable compensation, to be audited and allowed by the auditor of State, and paid out of the money recovered in such action or actions.

Sec. 6. That said lands shall be sold to any person not an actual settler, making the oaths hereafter provided, at the appraised value thereof, heretofore made, or hereafter to be made, in pursuance of law.

Sec. 7. That said lands shall be sold to actual settlers, at fifty per cent, below their appraised value; Provided, that any applicant who applies to purchase or enter any of said lands at said reduction, shall, before any certificate or other evidence of purchase or entry is issued to him or her by said Commissioner, make and subscribe an affidavit, that it is his or her intention, within twelve months from and after said purchase, to enter upon and improve the tract so purchased, and that he or she has not made said purchase for the purpose of speculation merely, but for the purpose of securing a home for himself or herself and family; which affidavit shall be preserved by the Commissioner aforesaid, with the records of his office.

Sec. 8. That the affidavit required by the foregoing section, may be made and subscribed before said Commissioner, (who is hereby authorized to administer oaths in such case,) or before any other officer having by law a general authority to administer oaths, for administering which oath, no fee shall be charged by said Commissioner.

[Continued on fourth page.]

Sec. 9. That the Register and Receiver of the State Land Office at Defiance, to regulate the sale of lands at said office, and to create the office of Land Commissioner.

Sec. 10. That the Register and Receiver of the State Land Office at Defiance, to regulate the sale of lands at said office, and to create the office of Land Commissioner.

Sec. 11. That the Register and Receiver of the State Land Office at Defiance, to regulate the sale of lands at said office, and to create the office of Land Commissioner.

Sec. 12. That the Register and Receiver of the State Land Office at Defiance, to regulate the sale of lands at said office, and to create the office of Land Commissioner.