

AN ACT

To authorize the loan of certain moneys to the town of Zanesville, in the county of Muskingum, for the erection of water works, and other purposes.

SECT. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the Zanesville Canal and Manufacturing Company, be and they are hereby authorized and empowered to loan, for the erection of water works, and other purposes, unto the president, recorder and trustees of the town of Zanesville, in the county of Muskingum, for any period of time, not exceeding twenty five years from the date of this act, all or any part or parcels of the moneys heretofore received, or which may hereafter be received, by the said Zanesville Canal and Manufacturing Company, as trustees for the establishment of a poor school in said town of Zanesville, and for other purposes under and by virtue of the last will and testament of John McIntyre, late of Zanesville, aforesaid, deceased, at such rate or rates of interest, at not less than six per centum per annum, and payable in such manner, and at such time or times as may be agreed upon by said parties.

SECT. 2. That all descriptions of lots, real estate and property situate in or belonging to the said town of Zanesville, by whomsoever the same may be owned, which are made, or would be subject to taxation for State, county or township purposes, by the act entitled "an act pointing out the mode of levying taxes," passed March 14, 1831, shall be and the same are hereby declared to be subject to and liable for, as well the repayment of the principal sum or sums so loaned, as aforesaid, when the same shall become reimbursable, as also for the interest which may from time to time accrue thereon, and become due and payable according to the terms and stipulations of such loan or loans.

SECT. 3. That it shall be the duty of the president, recorder and trustees of the town of Zanesville, and their successors, by whatever name or style they may at any time hereafter be called, to make timely provision of funds for the repayment of all moneys loaned to them under this act, when the same shall become due and payable, and also for the payment of the interest that may accrue thereon as the same shall become due and payable, and such principal and interest so becoming due and payable, well, truly and punctually to pay unto the said Zanesville Canal and Manufacturing Company. And, to that end, the said president, recorder and trustees of the town of Zanesville, shall be and they are hereby expressly authorized and empowered, unless the funds necessary for the purpose shall have been otherwise provided by them at any time or times when the said principal sum or sums, or any of them, or any part thereof, or the interest aforesaid, or any part thereof, shall be about to become due and payable, to levy and collect upon and from the said lots, real estate and property so subject to taxation, as aforesaid, such tax or taxes in money, as will be sufficient to enable the said president, recorder and trustees of the town Zanesville, to pay unto the said Zanesville Canal and Manufacturing Company, all such principal and interest, and fully to satisfy and discharge the same.

SECT. 4. That if, at any time or times, the said principal sum or sums so loaned, as aforesaid, or the interest thereon accruing, or either

of them or any part thereof, shall be in arrear and remain unpaid for the space of thirty days next after the same shall become due and payable, according to the terms and stipulations of the said loan or loans, the said Zanesville Canal and Manufacturing Company may apply to the supreme court, or court of common pleas, within and for the said county of Muskingum, to enforce the collection of such arrears, whether of principal or interest; and the said courts are hereby authorized and required to take jurisdiction of the cause, and to proceed forthwith, through their respective master commissioners, or otherwise, to collect such arrears of principal and interest, or either of them, as the case may be; and all the costs and charges in that behalf expended, by the assessment and taxation of the said lots, real estate and property so by this act made liable for the payment of the same, and subject to taxation as aforesaid; or, said supreme court may, upon application of said Zanesville Canal and Manufacturing Company, enforce the collection of such arrears by mandamus.

SECT. 5. The said Zanesville Canal and Manufacturing Company shall not be deprived of any of the remedies hereby given, nor of any of the benefits secured to them by this act, during the continuance of the said loan or any part thereof: provided that the said Zanesville Canal and Manufacturing Company shall, on making the loans hereby authorized, or any part thereof, be considered and held as relinquishing all their banking privileges: and provided also, that nothing in this act shall be construed so as to perpetuate the existence of the said Zanesville Canal and Manufacturing Company, for any other purpose than to control and manage the McIntyre school fund.

SEABURY FORD,
Speaker of the House of Representatives.
 WILLIAM M'LAUGHLIN,
Speaker of the Senate,

March 26, 1841.

AN ACT

To authorize a revaluation of school section sixteen, in Riley township, Sandusky county, and to authorize the lessees to surrender their leases and receive deeds of purchase.

SECT. 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the trustees and clerk of original surveyed township number five, in range number sixteen, east, in the county of Sandusky, to provide a poll book for the use of the inhabitants of said township, in which shall be registered and returned, on the first Monday of April next, or on the first Monday of the ensuing April, the vote of the electors of said township in relation to a sale of section sixteen in said township; and if a majority of all the electors, voting at such township election, shall have indorsed on their ballots these words, "sale of section sixteen," that on application being made to the then next court of common pleas thereafter, at their sitting, of Sandusky county, said court,