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GENERAL AND LOCAL LAWS

AND

JOINT RESOLUTIONS,

PASSED BY THE

FIFTY-SEVENTH GENERAL ASSEMBLY

OF THE

STATE OF OHIO,

AT ITS FIRST SESSION,

BEGUN AND HELD IN THE CITY OF COLUMBUS, JANUARY, 1, 1866,

AND

IN THE SIXTY-FOURTH YEAR OF SAID STATE.

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VOLUME LXIII.  
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COLUMBUS:
RICHARD NEVINS, STATE PRINTER.
1866.

AN ACT

To authorize the city of Zanesville to renew the loan made to the town of Zanesville by the Zanesville Canal and Manufacturing Company. (Local Laws, vol. 30, pages 115 and 116.)

SECTION 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 renew, in whole or in part, the loan made by them to the town of Zanesville, under the act entitled "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," passed March 26, 1841 (volume 39, Ohio Local Laws, pages 115 and 116), for any period of time not exceeding twenty-five years from the date of this act, 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 the city of Zanesville and said company.

SEC. 2. All descriptions of property taxable in the city of Zanesville under the laws of this state now in force, or that may hereafter be enacted, for state, county, city or township purposes, shall be, and the same are hereby declared to be, subject to and liable for, as well as 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.

SEC. 3. It shall be the duty of the city council of the city of Zanesville and their successors, by whatever name or style they may hereafter at any time 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, punctually to pay unto the said Zanesville Canal and Manufacturing Company; and the said city council of the city 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 any sum of principal or interest of said loan shall be about to become due or payable, to levy upon all property subject, as hereinbefore stated, to taxation in or by said city of Zanesville, such tax or taxes in money as will be sufficient to enable said city council to pay to said company all such principal and interest, and fully to satisfy and discharge the same.

SEC. 4. If at any time or times any installment of principal or interest shall be in arrear and remain unpaid, either in whole or in part, for thirty days after such installment shall have become due and payable, according to the stipulation of said loan or loans, the said Zanesville Canal and Manufacturing Company may apply to the district court, or court of common pleas within and for the 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 or interest, or of either, as the case may be, and of all the costs and charges in that behalf expended, by the assessment and taxation of the taxable property by this act made liable for the payment of the same; or said district court may, upon application of said Zanesville Canal and Manufacturing Company, enforce the collection of such arrears by mandamus.

SEC. 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 nothing in this act shall be construed so as to perpetuate the existence of the said company for any other purpose than to control and manage the McIntire school fund.

SEC. 6. Said loan may be renewed by a writing upon or attached to the original contract or contracts, reading as follows:

"Payment of the principal sum named in the within (or other proper word of reference) contract is, by agreement, deferred until the day of , A. D. 18 , interest payable at the same rate, manner and time as under said original contract."

The blanks to be filled with the proper date of payment, and the writing to be signed by the mayor and clerk of the city of Zanesville, and by the president and secretary of said Zanesville Canal and Manufacturing Company.

ED. A. PARROTT,
Speaker of the House of Representatives.
ANDREW G. MCBURNEY,
President of the Senate.

April 4, 1866.

AN ACT

To authorize the board of public works to construct an aqueduct on the Miami and Erie Canal in Butler county, near Big Pond.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works be and they are hereby authorized to construct an aqueduct on the Miami and Erie canal in Butler county, at such point and in such manner as the said board may deem best, to pass the water naturally flowing across the line of the canal, at or near Big Pond in said county, and at a cost not exceeding thirty-five hundred dollars, one half of which only shall be paid by the state; the remaining half to be paid by other parties that may be benefited by the improvement.

SEC. 2. The said board shall not proceed in the construction of said aqueduct until one half of the cost thereof shall have been subscribed and paid by the citizens of the vicinity, or others.

SEC. 3. That this act shall take effect from the date of its passage.

ED. A. PARROTT,
Speaker of the House of Representatives.
ANDREW G. MCBURNEY,
President of the Senate.

April 5, 1866.

AN ACT

For the relief of Elijah Rigdon, late treasurer of Jennings township, Van Wert county, Ohio.

WHEREAS, The dwelling-house of Elijah Rigdon, late treasurer of Jennings township, Van Wert county, Ohio, was burned on the 8th day of