

ACTS OF A GENERAL NATURE

PASSED BY THE

FIFTY-FIRST GENERAL ASSEMBLY

OF THE

STATE OF OHIO:

(Second Session under the Constitution of 1851:)

BEGUN AND HELD IN THE CITY OF COLUMBUS,

JANUARY 1, 1854:

AND IN THE FIFTY-SECOND YEAR OF SAID STATE.

VOL. LII.

COLUMBUS:
OSGOOD, BLAKE & KNAPP, PRINTERS,
1854.

able property entered upon the list shall be fifty millions of dollars, the tax shall not be less than one twenty-fifth of one mill, nor more than one mill; and when the aggregate amount of taxable property entered upon the list shall be three millions of dollars, the tax shall not be less than one-tenth of one mill, nor more than one mill on the dollar; and when it is less than three millions of dollars the road tax shall not be less than two-tenths of a mill, nor more than one and a half mills on the dollar; *Provided*, that nothing in this section shall be so construed as to prohibit the county commissioners in any county in this State, when the aggregate amount of taxable property entered upon the list shall be less than eight millions, from levying an additional tax for road purposes, not exceeding eight mills on the dollar, whenever they may deem it necessary; which shall be collected in the same manner, and at the same time that State and county taxes are collected and paid into the county treasuries of each county, which tax shall be applied to the opening and repairing roads, and the repairing and constructing bridges in the respective county or counties, where such tax may be levied as aforesaid.

Amount of road tax to be levied in any year by county commissioners.

Proviso.

SEC. 2. That the twenty-seventh section of the act to which this is an amendment, be, and is hereby repealed.

Section repealed.

F. C. LeBLOND,

Speaker of the House of Representatives.

JAMES MYERS,

President of the Senate.

Curwen's R.

S., 2138;

Curwen's

Laws, 1356.

April 29, 1854.

AN ACT

To amend an act entitled "an act to provide for the organization of cities and incorporated villages," passed May 3d, 1852, and the act amendatory thereto, passed March 11, 1853.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city whose territory is contiguous to that of another city or incorporated village, may, with the assent of such other city or incorporated village, establish and maintain such portion of its water-works, as it shall deem advisable, within the limits of such other city or incorporated village; and shall have the right to make use of such of the public streets, alleys, and public grounds of such other city or incorporated village, as shall be convenient therefor, for the purpose of constructing, laying down, and maintaining all such aqueducts and water pipes, as shall be required in connection with such water-works, for the conveyance of

Regulating the construction of water-works by one city in the territory of another.

water along and across such streets, alleys, and public grounds. Such aqueducts and pipes to be so constructed and laid as not to interfere unnecessarily with the use of such streets, alleys, and public grounds, as public highways and public grounds; and the city so establishing any part of its water-works, within the limits of such other city or incorporated village, shall have concurrent jurisdiction to prevent or punish any pollution of, or injury to, the water so conveyed; and the stream or source from which the same shall be obtained, or any injury to any portion of such water-works, so so located within the limits of such other city or incorporated village.

A city may contract to furnish water to another city

SEC. 2. That any city which shall have established, or which shall be about to establish water-works, is hereby authorized to enter into a contract with any contiguous city or incorporated village, for the supply of the latter with water, upon such terms as shall be mutually agreed upon by the boards of trustees of water-works of the respective cities, or city and incorporated village; and the amount to be paid for such supply, shall be raised by such city or incorporated village, in the manner provided for the payment of the expense of conducting and managing water-works, constructed wholly by a city or incorporated village; and the amount so received by the city furnishing such supply, shall be applied to the payment of the interest on the sum borrowed for the construction of such water-works, or to defray the expense of their management, as the board of trustees for water-works shall direct.

Water-works in cases of annexation become joint property.

SEC. 3. That upon the annexation of one municipal corporation to another municipal corporation, as provided by statute, the water-works theretofore constructed by either corporation, shall thereby become the joint property of the united corporation, and shall thereafter be managed by the board of trustees of the corporation to which such annexation shall have been made; and any contract which may have been entered into by such municipal corporation, for the supply, by one to the other, of water, as above provided, shall thereby be terminated; and so much of the debt incurred by either, in the construction of water-works, as remains unpaid, shall thereafter be a charge upon the united corporation, to the same extent that the separate debt of either, incurred as aforesaid, was, before such union, a charge upon the corporation which constructed the same.

Act modified.

SEC. 4. That section 5 of the act entitled an act to amend the act entitled "an act to provide for the organization of cities and incorporated villages," passed March 11, 1853, be so amended as to read as follows: "For the purpose of paying the expenses of conducting and managing water-works, the trustees of water-works shall have power to assess and collect, from time to time, a water rent, of

sufficient amount, in such manner as they may deem most equitable, upon each and every tenement supplied with water; and if there should be any surplus, after paying the expenses of conducting and managing the water-works, the same may be applied to the extension of the works, the payment of the interest upon the loan made by the city, or for the creation of a sinking fund for the liquidation of the debt; and the amount allowed to be levied and assessed by any city for water-works purposes, under the provisions of the first section of this act, shall be applied by the city council to the creation of a sinking fund for the payment of the indebtedness incurred by such city for the construction and extension of water-works, and for no other purpose whatsoever.

Trustees may assess water rent, &c.

SEC. 5. That in addition to any loan heretofore authorized to be made by any city, the city council of any city is hereby empowered to borrow any amount, not exceeding one hundred thousand dollars, at a rate of interest not exceeding six per cent., and to issue the bonds of said city therefor, payable at any time within twenty years, (as the said city council may determine,) from the date thereof; and the money so borrowed shall be applied by the trustees of water-works, to the construction, extension, and repair of water-works, and the building of necessary machinery; *Provided*, that in all cases, before the said council shall be authorized to negotiate any loan, for the purposes aforesaid, they shall submit to the qualified electors of any such city, at any regular or special election, a proposition for and against the same, which shall receive the affirmative vote of a majority of all the votes polled at any such election.

City council may borrow money.

Proviso.

SEC. 6. That the fifth section of the act to amend the act entitled "an act to provide for the organization of cities and incorporated villages," passed March 11, 1853, be and the same is hereby repealed.

Section repealed.

F. C. LEBLOND,
Speaker of the House of Representatives.
ROBERT LEE,
President of the Senate, pro tem.

Curwen's R. S., 2154.
Curwen's Laws, 1363.

May 1st, 1854.

AN ACT

To amend an act entitled "an act prescribing the duties of County Treasurers," passed March 12, 1831.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the fourth section of said act be amended so as to read as follows: Section 4. That whenever the office

Section modified.