

ACTS OF A LOCAL NATURE,

PASSED BY THE

FORTY-FIFTH GENERAL ASSEMBLY

OF THE

STATE OF OHIO,

BEGUN AND HELD IN THE CITY OF COLUMBUS,

DECEMBER 7, 1846.

AND

IN THE FORTY-FIFTH YEAR OF SAID STATE.

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## AN ACT

To authorize the Commissioners of Wood county to cut down timber adjoining certain roads in the county of Wood.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Wood county be and they are hereby authorized to cause the timber adjoining the McCutchenville and Findlay roads, in Wood county, to be chopped down, to the distance of six rods on each side of said roads, in such places adjoining said roads as they may deem necessary for the benefit of the same; and that they be and are hereby authorized to defray the expenses of the same out of the respective funds created for the construction of said roads: Provided, the consent, in writing, of the owners of the lands along said road, shall be first obtained.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 3, 1847.

## AN ACT

To provide for a better management of the Water Works of the city of Cincinnati.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Cincinnati is hereby authorized to make use of the streets, lanes, alleys, commons and other public highways in said city, for the purpose of laying down, relaying or repairing pipes and other appendages necessary for supplying the citizens with water: Provided, that the streets and other passages shall not be obstructed for a longer time than is necessary for the performance of the work, and replace the pavement in a good and substantial manner.

SEC. 2. The management of the water works shall be vested in a board of trustees, consisting of three members, having the qualifications of electors of the city, to be elected for the term of three years, by the qualified voters of the city, at the annual election for city officers: and the said board shall be so arranged by themselves, by lot or otherwise, that after the first election, one shall go out of office each year; and if any one so elected shall refuse to serve, or in case of a vacancy occurring in any other way, the city council shall fill such vacancy until the next annual election.

SEC. 3. The board of trustees of the water works are hereby vested with power to conduct and manage said works, to appoint all necessary officers and agents, to prescribe their duties and determine their compensation, subject to the approval of the city council; and they are hereby authorized, and it shall be their duty to pass all such bylaws, rules and regulations as may be necessary to insure the prompt collection of the water rent, for the protection of the works, and for the efficient management of the same, which bylaws, rules and regulations, when approved by the city

council, by ordinance, shall be enforced as the ordinance of said city may or shall be enforced.

SEC. 4. It is hereby made the duty of the board of trustees, to cause to be collected half-yearly, in advance, from all the persons using or owning hydrants or other outlets of water from the pipes of the water works, such rent as shall be equitable, having reference to the quantity used from each hydrant or outlet, which said rent may be collected, in case of refusal to pay, by action of debt, before any competent authority in said city.

SEC. 5. It shall be the duty of said trustees to keep a journal of their proceedings, and correct accounts of all transactions relating to said works, to see that the accounts are properly audited, to make monthly reports to the city council, and on the first day of January, in each year, to cause a full and specific statement of all receipts and disbursements to be published in pamphlet form for the use of the citizens.

SEC. 6. All moneys received on account of the water works, shall be paid into the city treasury, weekly, and shall be drawn out in conformity with the rules of the board of trustees regulating the same; and in no case shall the funds belonging to the water works be drawn, appropriated or used for any other purpose whatever, except the payment of interest on the money borrowed for the use of said works, or other necessary disbursements connected with the same.

SEC. 7. The said board of trustees are hereby prohibited from making any contract, the payment of which cannot be reasonably predicated on the annual income of said works. Said board of trustees shall require of all collectors of water rents or taxes, and of such other officers of said works as they see fit, such bond as shall be accepted by the city council, payable to said city, with such securities as they may deem proper, which bonds shall be filed with the city clerk.

SEC. 8. It is hereby made the duty of said board of trustees, so soon as the condition of the water works will admit of it, to apply a portion of income, annually, as a sinking fund, for the redemption of the bonds issued on account of said water works. The present officers are hereby continued until others are elected and qualified.

SEC. 9. It is hereby required, that each of the trustees of said board shall execute to the city of Cincinnati a bond in such sum as the city council shall determine, with security approved by the city council, for the faithful performance of the duties with which they are charged, which bond shall be filed with the city clerk.

SEC. 10. That any member of said board of trustees may at any time be removed by a vote of two-thirds of the city council, for gross neglect of duty or other gross misconduct in office.

SEC. 11. All acts heretofore passed upon this subject, and that are inconsistent with the provisions of this act, are hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*

EDSON B. OLDS,  
*Speaker of the Senate.*

February 3, 1847.