

Senator Morton's Argument on the Law of Quorums.

On the first page of this week's *American* will be found Senator Morton's masterly exposition of the law in regard to quorums of legislative bodies. It is time that the question be decided whether a minority of a State Legislature have the power to stop legislation by breaking up the Legislature whenever they take a notion to "bolt" by running away or resigning. Senator Morton goes over the entire ground, and the logical conclusion arrived at is, that a constitutional quorum is two-thirds of the actual membership. Congress will no doubt ratify the action of our recent Legislature on the 15th amendment. "Bolting," which is another name for "secession," has met its quietus by this convincing argument of our noble Senator.

Basis of Reunion of Presbyterians.

The Old and New School Presbyterian General Assemblies, recently convened in New York City, have adopted a basis of reunion, which is, that such reunion, under the style of the Presbyterian Church of the United States, shall be on the doctrinal and ecclesiastical basis that the Old and New Testaments be acknowledged as the inspired word of God, and the only infallible rule of faith and practice; the Confession of Faith, to be adopted as the system of doctrine and discipline of the church, shall be approved as containing the principles and rules of policy.

The basis of reunion is to be submitted to the General Presbyteries, and their votes thereupon shall be sent to the next meeting of the two General Assemblies, to be held in Pittsburgh the second Wednesday of next November. If two thirds of the Assemblies shall act accordingly, and consolidate the committees and take other necessary action for the interest of the church.

The second Sunday in September is recommended as a day of prayer for the whole denomination.

Decorations Day.

Although Sunday, the 30th, was designated as Decoration Day by General Logan, the day was changed, in many places, to Saturday, to suit the convenience of a certain portion of the community who were debarred, by religious or other duties, from taking part in it on that day. Little business was done in Cincinnati until the ceremonies were over, and accounts from other cities show an unusual interest manifested by all classes of people. The ceremonies at Spring Grove Cemetery, where six hundred and sixty-five soldiers are buried, were witnessed by twenty thousand people. The procession occupied fifteen minutes in passing a given point. The programme commenced with the Lord's Prayer, and was followed by an invocation of Jehovah's blessing upon the Government and people, after which the ceremony of strewing the graves with flowers was performed by a band of young girls dressed in white. While this was being done, an original ode, written for the occasion, was sung. After the ceremony, followed the oration, by Lieutenant Governor Lee. The benediction was then pronounced. Among the gentlemen present were Lieutenant General Sheridan, General J. C. Lee, General Noyes, Colonel Crosby, Mayor Torrence, and Judge Leavitt. In the afternoon Rabbi Lillienthal preached a commemorative sermon at the Broadway Synagogue. In the evening the Turner Society dedicated a monument to the members of their Order who died in the war. Among the commemorations elsewhere, that at Arlington takes first rank. It was attended by President Grant, the Cabinet heads of bureau, foreign legations, officers of the army and navy, Senators, Representatives, and thousands of spectators. All the noted women of the Capital were present. The only person mentioned as not being present is General Dent. The number of spectators is said to be not less than twenty-five thousand. A large display was also made at the cemetery near Alexandria. Commemorative services were also held at Pittsburg, Chicago, Indianapolis, Fort Wayne, Springfield, Detroit, Nashville, Providence, Louisville, Philadelphia, Wheeling, Richmond, Carlisle, Newark, and throughout New England. At Gloucester, Massachusetts, the orator was Benjamin F. Butler, who took advantage of the occasion to refer to the conduct of England toward this country, from Revolutionary times down to the late war.

Senator Morton's Health.

The editor of the *Kokomo Tribune*, having recently had the pleasure of meeting Senator Morton, says of his general appearance and prospects for a full recovery of his health:

"Now he is again the man he was four, five and six years ago. His old manner is back upon him. He laughs as he did ten years ago. In short, he is nearly well, his debility being all below his knees, and soon, we are sure, will go out at his toes. Our word for it, Governor Morton's voice will ring in the campaign of 1870 as it did in 1860 and 1864. And then there will be no little nine hundred, content inviting a majority in Indiana, but ten, twenty or thirty thousand."

"We assure our readers, and we know they are interested to know about it, that

Governor Morton is himself again, or so nearly so that we confidently believe that he will live to see half a dozen or more Republican Presidents inaugurated, and will aid in the work of electing all of them. May he be one of them himself."

The Indian Commission.

The Indian Commission has adjourned. All the members were present at the sittings except Messrs. Dodge, of New York, and Tobey, of Boston, who were detained by sickness. After full organization the commission called on the President, with Secretary Cox, and told him they were ready to co-operate with him in all his plans for putting Indian affairs upon a better basis. The President replied that he would act with them cordially, listen to all their recommendations, and give due weight to such recommendations as they might make of changes in the present methods of dealing with the Indians. He said he would give them a letter to all the agencies, and direct that every facility should be extended them for ascertaining the workings of the present system, and that army officers and those acting as agents would give them transportation, and aid them in every way for purposes of visitation.

The Indian country was divided into three divisions. The northern embraces the country upon the Upper Missouri, including the Indians north of Kansas, and those of Minnesota and Wisconsin. The southern those of Kansas and the Indian Territory, and the Western, all west of those. The Northern division is assigned to Messrs. Welsh, Farwell and Tobey. The Western to Messrs. Campbell, Stuart and Lane, and the Southern to Messrs. Brunot, Bishop and Dodge. Each one of these divisions will be inspected by some of the gentlemen named, and a meeting will be held in Washington previous to the assembling of Congress to compare results of observations and prepare a formal report to be laid before the President and Congress.

No recommendations were made to the President at this meeting, as it was agreed to leave all questions till the commission had visited the West. All leading subjects connected with Indian affairs were discussed at length, though no formal decision was made regarding any. In the matter of treaties the commission was unanimously of opinion that great abuses had grown up with the present system, and about unanimous that the best interests of the Indians and of the country demanded that no more treaties should be made. It was the general opinion that the very first step in advance should be to gather all the tribes upon reservations, with the faith of the nation pledged to their protection there, and to their permanency in possession. The matter of citizenship was discussed, but as the question involved the construction of the fourteenth amendment and other grave political questions, especially that of the status of the Chinese, the commission thought best to take no action.

Some of the members are looking forward to the formation at some distant day of two or three Indian Territories as the final solution of the problem, with regular political organizations and representation.

Laurel Items.

Ed. American.—Presuming that the able reporter who heretofore favored you with a synopsis of the Laurel news, has "thrown up the sponge" and retired from the "ring," I, in his stead, and in behalf of our flourishing town, propose to give the readers of the *American* a few of the more important events that have transpired in our midst. In looking over a file of *Americans*, I see that there was a time, when T. A. Goodwin had charge of the paper, that one column each week was devoted to Laurel news. This should be the case again. But to proceed with the "Items."

At our regular Corporation Election, held about the 4th of May last, the following ticket was declared successful: For Councilmen—John Bury, J. S. Rice, J. A. Derbyshire, Israel Burris and F. Sheppard; Marshal—Thos. Anthony; Treasurer—Dr. Thomas Gifford; Clerk—J. Wallace. After the election, they met in session and organized by making John Bury Esq. President. Almost the first business that received their attention was the Whisky Ordinance, which they amended by saying the vendors of "Common Disturbance" within the corporate limits should pay \$75, instead of \$50, for license. Every good citizen who delights in the promotion of peace and good order, cried "well done; hurrah for the new Board." They then made arrangements to complete the Jail building, erected on "Fountain Space." Israel Burris, Councilman in the 4th Ward, who is a No. 1 carpenter, immediately commenced the work of finishing the upper story for a Court room, and ere this, Esq. J. C. Burgoyne has taken possession and is ready to deal out justice. The lower story, or Jail room, will soon be ready for the reception of a squad of "Young American Bloods" who frequently disturb the quiet of our town by making night hideous with their drunken yells. Let our citizens resolve that every offender against the law shall be punished, and the Marshal, backed by the Board, go forward and discharge his duty, without fear or favor, and our town will soon rejoice in the reformation that will surely follow.

The Post Office excitement that has been raging among the Republicans of this section for the last six weeks, is without a precedent. Not having either a Collectorship, Assessorship or Inspectorship, to contend for, they concluded to try it a few rounds for the P. O. Accordingly they divided into two parties; the first headed by J. Seerest Esq., who is seeking the appointment of P. M.; the second by R. J. Day Esq., the present incumbent. By mutual consent they agreed to fight it out on the Petition line, with the Hon. G. W. Julian acting umpire. Each

buckled on the armor, marched up and down the Township enlisting every Republican voter who was willing to swear that he always had been, was yet, and ever expected to be a Radical of the first water. The conflict still rages, and will only cease when Mr. Julian can be brought to see what is best for this people. At last accounts "he couldn't see it."

A Mr. Walker, of Hamilton Co., Ohio, was here a few days ago for the purpose of buying the mill seat near the Depot, belonging to J. A. Derbyshire Esq. If he succeeds in making the purchase, he will at once commence building a Flouring Mill on the premises. It is very evident that another Mill would be a decided advantage to our town.

The latest thing out, is Caffey's New Sprinkler. It works like a charm, and, as a consequence, the dust will have to lay low. This is a move in the right direction, but does not move over enough territory. All the business part of town should be sprinkled.

Gib Pike and Tom McDaniel are in the Horse-taming business. They succeed well with balky horses, as they possess the power to charm, to a large degree, "old trainers," and will no doubt succeed.

Another rare chance of visiting the city will soon transpire. The members of the M. E. Church at this place are going to have an excursion to Cincinnati on next Friday, June 4th. A sufficient number of coaches will be procured to enable the passengers to go without being crowded. Tickets for round trip, \$1.50; children half price.

Hubbard has New Goods. John H. Tatman, who has been a resident of this place for over twenty years, has lately removed to Shelbyville, Ind. We wish him and his family abundant success in their new home.

John M. King bought Tatman's Picture Gallery, and is giving it a whole time to the art. He seems to be having good success. Those who want a photograph taken without having their teeth extracted, should call at King's room.

Grand Army of the Republic.

HEADQUARTERS DEPARTMENT OF INDIANA, GRAND ARMY OF THE REPUBLIC, INDIANAPOLIS, May 24, 1869.

General Order No. 1-4th Series.

I. The following Officers, chosen at the recent State Encampment, are herewith announced for the information of this Department:

Commander—O. M. Wilson, Indianapolis.

For Senior Vice Comd'r—J. R. Hall, South Bend.

For Junior Vice Comd'r—J. Turnock, South Bend.

For Ass't Inspector Gen'l—R. S. Robertson, Fort Wayne.

For Ass't Quartermaster Gen'l—W. M. Wiles, Indianapolis.

For Ass't Surgeon Gen'l—Samuel Davis, New Trenton.

For Grand Chaplain—N. S. Smith, Fort Wayne.

II. Private M. G. McLean is herewith announced as Ass't Adj't Gen'l, and will be respected accordingly.

III. It is gratifying to announce that the efforts made by your past officers, towards advancing the position of our Order to a closer brotherhood, have not been in vain; that at last a new work embracing an entire change of the unwritten work, to three parts, and an elaborate Constitution, were adopted at the last National Encampment, held at Cincinnati, May 11th and 12th, and will soon be promulgated to this Order. When received at these Headquarters notice will be made and full instructions issued, which will be given to you by an *Adj't Comd'r*. All Posts retaining their organization are requested to report at once by letter to the Ass't Adj't General.

Posts are requested to carry out General Orders No. 21, of National Headquarters, designating the 29th or 30th day of May to decorate the graves of our deceased comrades, and promptly report their proceedings to these Headquarters.

IV. Though the spirit and letter of our Constitution makes the "Grand Army of the Republic" a *Soldier's Brotherhood*, yet to successfully prove our sincerity, we must have that cordial unanimity and purity of purpose at every threshold to preserve intact its great principles, and perpetuate its richest blessings. Our opportunities are always, our duty eternal. In our Order, it is not the province of an officer to command, only execute what others may direct, and direct only in what may be given for guidance in the general interest and welfare of all. In this spirit, with this duty, is the trust and honor received. By the COMMANDER.

M. G. McLEAN, A. A. G.

Governor Morton on the Indiana Ratification.

Elsewhere we print an article, by Governor Morton, written in his direct and clear style, and establishing conclusively that a constitutional quorum was present in the Indiana Legislature when the resolution was adopted ratifying the Fifteenth Amendment to the Constitution of the United States. He shows not only that it is according to the State Constitution, and that upon any other rule legislation could be so easily suspended that it would become impracticable and a mere disturbing element, but that this conclusion is in accordance with the general construction in that State, and with parliamentary practice in the United States, under similar rules. It seems to us that Governor Morton not only establishes his point, but that he has been exceedingly liberal in his concessions to the other side, and that his argument is complete without the reference to the principle that the Congressional rule of what constitutes a house governs the term "legislature" when acting upon a matter which Congress submits to the Legislature. The ratification by Indiana is complete, and when the amendment shall have been perfected by the requisite number of States, there will be found no way of going behind the recorded decision of her legislative presiding officers and the proclamation of the Secretary of State.—[Gazette.]

A correspondent from Indianapolis writing to the New York *Times*, and whom that paper styles "a prominent Indiana lawyer," not only defends the Indiana Divorce law, but extols it as "not only just but conducive to good morals." Such is not the general opinion of the qualification of this State, and it requires a good deal of interposition—not to use a stronger term—for any one to commend that provision of the statute which authorizes a judge to

separate a husband and wife for "any cause for which the Court shall deem it proper that a divorce should be granted." The common opinion is that the clause quoted affords excessive latitude to divorce litigants, divorce lawyers and accommodating judges, has a tendency to impair the marriage obligation—in fact, making the "freedom of divorce" decidedly too free. Some folks may call this a "progress of liberal ideas," or an "advance movement of liberal principles," or by other pretty terms, but there are some things that may "progress" too much, that should be surrounded with wholesome restriction; and of this class is divorce-getting.—[Journal.]

The New Gravel Road Law.

AN ACT authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject, approved March 11, 1867.

SEC. 1. Be it enacted by the General Assembly of the State of Indiana, That any plank, macadamized or gravel road company organized, or that may hereafter be organized under and pursuant to any act of this State now in force, authorizing the construction of macadamized and gravel roads, having a valid and solvent subscription of at least three fifths of the estimated cost of construction of said road, such estimate being first made by a competent and disinterested civil engineer, may petition the Board of Commissioners of the county or counties in which such proposed road or any part thereof is or may be located, to have assessed the amount of benefit to each tract of land within one and one-half miles of such road, on either side thereof, and within like distance of either end of the road.

SEC. 2. It shall be the duty of the Board of County Commissioners of the several counties of this State, at any regular or called session of said Board, to appoint three freeholders of the county, one of whom shall reside in each of the several Commissioners' Districts of said county, and whose term shall be continued to the end of the term of the Commissioners of their respective District, who shall be termed assessors of benefits to lands under this law, and whose duty it shall be, upon receiving notice from the Auditor of the county, to make all assessments under this act; provided, however, if either of the assessors should be the owner of any lands to be assessed, or of kin to the owner of any such land, or should be interested in any such assessment, the County Commissioners may appoint a disinterested freeholder of the district to act in his stead, or if no such appointment shall have been made, it shall then be the duty of the two disinterested assessors to make said assessment.

SEC. 3. It shall be the duty of each assessor on receiving notice from the Auditor of the county, of the filing and granting of the petition provided for in the first section of this act, after having taken and subscribed an oath of office before some officer authorized to administer oaths that they will faithfully and impartially discharge their duties as such assessors, to proceed to view all the land within one and one-half miles of each of such proposed roads, or either end of the same within their county; to make a list of said lands and assess the amount of benefit that will result to each tract from the proper construction and maintenance of such proposed road, and report the same to the County Auditor in writing, and append thereto their affidavit that the same is correct, just, fair and equitable, according to the best of their judgment and belief, which report shall be kept on file by such Auditor for the examination and inspection of any person concerned. And it shall be the duty of the County Auditor to give two weeks public notice by advertisement in a newspaper, if one be published in the county, or if no paper be printed in the county, by advertising in writing, set up at the door of the Court House, and at three of the most public places along said proposed road, of the time and place, when and where such Assessors shall meet as a Board of Equalization, for the purpose of hearing and determining grievances by any person or company on account of such assessment, and said Board or a majority thereof shall have power to hear and determine the complaint of any company or person feeling aggrieved by any such assessment, and correct the same as right and justice may require.

SEC. 4. It shall be the duty of the County Treasurer to collect such assessments at the time and in the manner he collects other taxes in annual installments, as the same may be placed upon his duplicate, and for that purpose the County Auditor shall put upon the tax duplicate of each year, commencing with the year in which such assessment is made. If such land has been assessed for one road only, one-third of the whole amount of such assessment, if such land has been assessed for two roads, one-sixth of the whole amount of such assessment. If for three or more roads, one-ninth of the whole amount of such assessment, which amount, when so put upon the tax duplicate, shall constitute a lien on such lands so assessed until paid, and such Auditor shall continue the same from year to year, until the whole has been put upon such duplicate and collected. Provided, however, that when such company shall have collected an amount sufficient to construct such road and pay all legitimate expenses, it shall be the duty of the Auditor of such fact, after which no more of said assessment shall be placed upon the duplicate or collected by the Treasurer, except such a per cent. of the assessment against such lands as the owners thereof shall not at that time have paid their rateable proportion of the entire assessment upon. And it is hereby made the duty of said Board of Directors, from time to time, to order the collection of such amount of such unpaid rateable proportion as they may deem proper, until all persons against whose lands assessments of benefits have been made, and not relieved under the provisions of this act, shall have paid their full proportion of said assessment. All funds thus collected after the completion of the road for which said assessments were made shall be applied to the keeping up of repairs.

SEC. 5. Any person having subscribed and paid any such company any sum of money, shall be entitled to a credit on his assessment, as the same falls due for collection, equal to the amount so paid, and the proper receipt of the company showing such payment shall be received by the Treasurer of the county in the payment of such assessment, and no fee or per cent. shall be charged by said Treas-

urer for taking in such receipts, and not more than one per cent. shall be charged for collecting said assessments.

SEC. 6. Any and all persons having been assessed shall have all the rights and privileges of any other person who has subscribed a like amount, and all persons having paid such assessment, or any part thereof, shall thereby become entitled to a certificate of stock for the same, and have all the rights and privileges of any person who has paid a like amount on subscription.

SEC. 7. Before any such company shall be entitled to receive from the County Treasurer any money collected on such assessment, the Directors thereof, or a majority of the same, shall file with the County Auditor a bond, to be approved by him, in a sum equal to the assessment so made, payable to the State of Indiana, conditioned that they will faithfully and honestly apply all moneys by them collected on such assessments, to the legitimate objects of said company. And no money collected on such assessment shall be appropriated to the payment of any debts or obligations contracted, or entered into prior to the time of making such assessment.

SEC. 8. Any such company or persons feeling aggrieved by any such assessment, may, without filing any appeal from such assessment, appeal from such assessment to the Circuit or Common Pleas Court of the county in which such lands so assessed are situated, and after such appeal shall have been taken and the papers therein shall have been filed in said court, either party may have the question of such assessment, submitted to a jury for re-assessment when and where witnesses may be examined on behalf of said company or person, and the jury may, by direction of the court, be required to review the premises in controversy, and upon such review and the evidence adduced in court, shall re-assess the benefits to such lands, if any there be, and such re-assessment report thereof by such jury shall be final between the parties.

SEC. 9. To constitute an appeal under the provisions of this act, it shall only be necessary for the party desiring to appeal to file with the Auditor, in whose office said assessment is filed, a written notice of his or her intention to appeal from said assessment, stating therein the particular portion or portions of such assessment he appeals from, and the court to which the appeal is to be taken; and it shall therefrom be the duty of said County Auditor to make and certify a transcript of such notice, and so much of said assessment as may be applicable to said appeal, which transcript shall be the party appealing be filed in the office of the Clerk of the Court to which such appeal is taken, and such appeal shall be deemed to have been taken on the day of the filing of such transcript.

SEC. 10. When appeals by different parties are pending in the same Court from the same assessment, or when the company shall have appealed from the assessment upon more than one tract of land along the line of her road, the Court may, in its discretion order all of said causes thus pending to be submitted to the same jury at the same time.

SEC. 11. It shall be the duty of the Court in which such causes are pending to render separate judgments for or against the parties to each re-assessment, in accordance with the report of assessment, and finding made by the jury, unless for cause shown a new trial should be granted. Provided, however, that the granting of a new trial upon an assessment of benefits to one tract of land shall not in any manner affect the right of parties to assessments of benefits to other tracts of land assessed by the same jury.

SEC. 12. When an appeal is taken by the company from an assessment made against lands belonging to persons not residing in this State, or minor residents of this State, it shall be the duty of said company to give by publication in some weekly newspaper published in the county where the lands are situated, or if no such newspaper is published in said county, in such paper published nearest thereto, notice that such assessment has been made, that said company has appealed therefrom, and the court to which such appeal has been taken, for three weeks successively, and upon proof of such notice and default being made by such non-resident owner, the Court may either order a re-assessment of said lands by a jury, or affirm the assessment first made, and in either event it shall be the duty of the Court, by its order, to make the amount of such assessment a lien upon such lands, and direct the sale thereof by the Sheriff, as lands are sold upon judgment at law, for the payment and satisfaction of such assessment and lien. Provided, however, that when such appeal affects the lands of minor residents of this State, the Court shall, upon proof that being made to appeal, continue said cause until the next term of said Court, and thereafter shall have power to make the same orders in such cases as are herein provided to be made in cases of appeal by a company from assessments of benefits to lands owned by non-residents.

SEC. 13. In all cases of appeals by such company provided for by this act, when the assessment upon any tract or tracts of land thus appealed from shall be reduced, the cost thereof shall be taxed to said company, and in all cases of assessments appealed from where such assessment shall not have been reduced, the cost of such appeal and re-assessment shall be taxed to the owner of said land, and in all other cases the judgment for costs shall follow the finding of the jury, as in other cases in said Court.

SEC. 14. The company, by her Board of Directors, at any time after the portion of any assessment of benefits in her favor shall have become a lien upon the lands of the party seeking relief, upon satisfactory proof being made to them that such party cannot then, or as such assessment matures pay the same with interest, and not endangering his or her homestead or the maintenance of his or her family, may in their discretion give such party further time for the payment of such assessment or remit to him or her all, or such portion of such assessment as such Board of Directors may deem proper. Provided, however, that whenever such Board shall have exercised in favor of any party the powers herein conferred, such Board of Directors shall cause a certified copy of their order in the premises to be filed with the Auditor of the county in which the lands lie, or if the cause shall have been appealed, then said certified copy of said order to be filed in the office of the Clerk of the Court to which said

appeal was taken, and the collection of such assessment against said party shall thereafter be governed by the terms and conditions of said order.

SEC. 15. All judgments of any court rendered by virtue of the powers of this act shall be subject to the same stay of execution and upon the same terms that judgments at law of the same courts are, and all sales of property, whether real or personal, made by virtue of the judgment or order of any court pursuant to the provisions of this act, shall be without relief from valuation or appraisal laws of this State. Provided, however, that in the enforcement of the collection of all judgments and orders of sale made and rendered by any court for "benefits" pursuant to the provisions of this act, the rule prescribed in the fourth section of this act for the government of County Treasurers in making collections as to the amount to be collected in each year, shall govern.

SEC. 16. Where assessments of benefits have heretofore been made under the laws of the State against lands and in favor of any plank, macadamized or gravel road company for an amount or amounts greater than the road benefit resulting from the construction and permanent maintenance of said road, and through mistake, inadvertence or otherwise, have not been appealed from, or where such assessments by mistake, accident or otherwise, may hereafter be made larger than the benefits, and not appealed from within the time prescribed by law, it shall be lawful for such company whose favor such assessment has been made by order of the Board of Directors, to remit or release to such party such per cent. of said assessment as will make it equal to the benefits resulting to his or her lands.

SEC. 17. When assessors of benefits have, under the law in force January 1, 1869, been appointed and qualified, but have not completed their said assessments, the company for whose benefit they have been appointed may either require them to complete their assessments under the provisions of this act, or petition the Board of Commissioners of the county in which assessors and an order of appointment in accordance with the provisions of this act. Provided, however, that all assessments of benefits made in favor of any company, under the law in force January 1, 1869, in their collection, appeals therefrom, the powers and duties of Courts, officers and jurors, and parties in relation to said appeals, the expense and manner of collecting such assessments, the applications by the company of the funds arising from such assessments, and all other matters pertaining to such assessments, shall be governed by the provisions of this act.

SEC. 18. That when appeals are taken or attempted to be taken under the law repealed by this act, from assessments made under said law, and have by any court been dismissed for the reason that said appeals were not taken within thirty days from the time of making or filing said assessment, or that an appeal bond had not been filed, may upon motion and notice thereof, by order of said court, be reinstated upon the docket of said court, and when so reinstated, shall in all things be governed by the provisions of this act.

SEC. 19. It shall be the duty of several County Treasurers and all other officers having charge of the collection of assessments under the provisions of this act, to pay over on demand to the authorized officers or agent or any company all moneys in his hands belonging to said company, taking the company's receipt therefor, which receipt shall be a sufficient voucher to said Treasurer or other officer in the settlement he may be required by law to make with reference to the moneys collected and paid over by him.

SEC. 20. Any such company heretofore organized, or hereafter to be organized, shall have the right to enter upon the land adjacent to the road and to construct ditches and drains for the purpose of draining said road, doing no unnecessary damage, and shall have the right to appropriate any earth, timber, gravel or stone belonging to any person, for the construction and keeping in repair of such road, by giving the owner thereof five days notice of their intention so to do, when it shall be the duty of said company to select a disinterested appraiser, and the owner a second appraiser, who shall under oath appraise the same, and should they fail to agree, they shall select an umpire, and when such appraisement is made, said company, upon tendering the appraised value thereof to the owner, may at once enter upon the lands and proceed to remove the said material; and should such owner fail or refuse to select an appraiser as above provided, then said company may select both, and if said owner is not satisfied with such appraisement, he may appeal therefrom to the Circuit or Common Pleas Court. Provided, however, that such appeal shall not prevent the company from removing and making use of said material.

SEC. 21. The Assessors provided for in the second section of this act, shall receive as a compensation for their services two dollars and fifty cents a day for the time actually employed, to be paid out of the County Treasury on the order of the Board of County Commissioners.

SEC. 22. An act authorizing the assessment of all the lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized, or gravel road organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "An Act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same and the collection of such assessments: Provided, the lands are situated within the county in which such road is located, approved March 11, 1867, and all other acts in conflict with the provisions of this act, are hereby repealed. Provided, however, that all rights acquired and all acts performed in pursuance to the provisions of the above mentioned act are saved from the effect of this repealing clause, and all companies which have commenced proceedings under said act may proceed according to the provisions of this act.

SEC. 23. It is hereby declared that an emergency exists for the immediate taking effect of this act, and it shall be in force from and after its passage.

Approved May 15, 1869.

The Auditor of State has issued a circular naming the places of meeting of the District Boards of Equalization as follows: The Auditors of the First Congressional District to meet at Princeton, Gibson county; Second District at New Albany; Third District at Vernon; Fourth District

at Rushville; Fifth District at Indianapolis; Sixth District at Terre Haute; Seventh District at Lafayette; Eighth District at Peru; Ninth District at Winchester, Randolph Co.; Tenth District at Kendallville, Noble Co.; Eleventh District at Valparaiso, Porter Co.

NEW ADVERTISEMENTS

FRUIT TREES.

ALEX. Smith, of Laurel, has for some time been engaged in raising and selling Fruit Trees, of all kinds, and keeps a full supply on hand during the season. Orders left at his residence in Laurel will be promptly attended to. Give him a call, and he will render satisfaction at reasonable rates.

June 4-5w.

MILLER HOUSE.

BROOKVILLE, INDIANA.

GEO. F. MAXWELL, PROPRIETOR.

Good Stabling and Livery attached.

June 4-1y.

LIPMAN'S AUCTION HOUSE,

LAUREL, IND.,

WHERE YOU CAN GET

PANTS AT \$1.50

Calico at 10 cts.

Heaviest Sheet at 16-23

All other Goods at 25 per cent less than Elsewhere.

GIVE US A CALL.

N. B.—AUCTION SALE EVERY SATURDAY EVENING AT 7.30.

June 4-3m.

Assignee's Sale.

THE undersigned assignee of the Estate of

Godwin & Cameron, Bankrupts, will,

On Friday, June 25, 1869,

expose to sell at Public Auction at the Godwin & Cameron Saw Mill, on the W. V. Canal, North of, and adjoining Brookville, Wayne County, Indiana, the following property belonging to the estate of said Bankrupts:

All the interest, right, title and claim held by said Bankrupts in and to a saw mill property, described thus:

Beginning at a stake on the embankment to the tunnel at the first lock on the W. V. Canal, above Brookville, distant from said tunnel 24 feet North 22 degrees West, thence South 75 degrees East 19 rods to a stake at the foot of the hill; thence South 25 degrees West 6 rods to a stake at the foot of the hill; thence South 14 degrees East 8 rods to a stake at the foot of the hill; thence West 24 rods to a place of beginning; being part of the S. W. quarter of Section 20, Town 9, Range 2, together with their interest in lease of Water Power from the W. V. Canal Company. This property held by assignment of lease from the W. V. Canal Company, made to Solomon F. Rodman, and assigned through different parties to said Godwin & Cameron.

Also 25 shares Capital Stock of the Brookville & Metamora Hydraulic Company.

Also 4 Yoke of Work Oxen, 1 Portable Steam Engine, 1 Portable Saw Mill, 1 Threshing Machine, 1 Separator, 1 Horse, 1 Plow, 1 Roller, 1 Water Box, 9 Mug Chains, 3 Cross Cut Saws, 6 Crow-bars, 3 Cart Hooks, Lead Pipe, 2 Grind Stones, Sledge Hammer, 1 Hammer, 1 Lumber, 1 Cord Wood, and a variety of tools and other articles.

TERMS OF SALE—One half purchase money on the day of sale, and all money due \$20, each, one half purchase money of Mill and all sums of \$50 and over, six months' credit; purchaser