

LAW OF INDIANA.

An Act for opening and repairing Public Roads and Highways.

[CONCLUDED.]

SEC. 40. That there shall be assessed, on all town lots, in unincorporated towns, a road tax equal to one half of the amount of the county tax thereon, to be collected or worked out, in the same manner as is provided for lands owned by residents and non-residents; the labor to be bestowed to the improvement of the streets of said town.

SEC. 41. Each person made liable to work, by this act, who shall fail to attend in person, or by a satisfactory substitute, at the time and place appointed (within said district) with the designated tool or instrument, having had three days notice thereof, or having attended, shall spend his time in idleness, or disobey the supervisor, shall forfeit fifty cents for each such delinquency, to be recovered by action of debt, in the name of the supervisor, before any justice of the peace of the proper county.

SEC. 42. The said supervisor shall be accountable for the sums recovered as aforesaid, and shall expend the same in repairing the roads in his district. And in suits brought by the supervisor in pursuance of this act, he shall be a competent witness; and on any suit as aforesaid, he shall not be liable for costs.

SEC. 43. Where the supervisor has not an opportunity of giving personal notice of the time and place allotted for such work, a written notice thereof, left at the dwelling-house or usual place of residence of the party, shall be deemed sufficient.

SEC. 44. Every person who shall at the request of the supervisor of his road district, furnish a plough or wagon, with a pair of horses or oxen and driver, and perform one or more day's work with them, shall for each day's work so performed, receive a credit of three days work, and so in proportion for services of a similar kind, with greater or less force.

SEC. 45. The said supervisors, before entering upon their duties as such, shall take an oath or affirmation, before some person duly authorized to administer the same, faithfully and impartially to discharge the duties enjoined.

SEC. 46. Any householder, refusing to accept said appointment of supervisor, or to take the oath required, shall forfeit and pay the sum of six dollars, to be recovered by presentment or indictment: *Provided*, no person shall be compelled to accept said appointment, oftener than once in four years.

SEC. 47. To each of the supervisors elected or appointed, the board doing county business shall assign his road district, together with the number of hands allotted, and cause to be forwarded to him, a certificate of his appointment, setting forth the boundaries of his district, and hands.

SEC. 48. The sheriffs of the several counties, shall deliver to the supervisors respectively, their appointments, and make return thereof to the clerk of said board, who shall enter the same on the records of said court.

SEC. 49. As often as the roads and highways within the district of a supervisor, shall require opening or repairing, he shall call out the hands allotted him, oversee and keep them close to their business, and work upon, open, clear and repair the same; and to keep them so in repair, he shall, when the hands shall have worked the number of days required by this act, if the roads require it, call out the hands assigned, in proportion to the road tax on them severally assessed.

SEC. 50. It shall be lawful for any supervisor, or any person or persons by his order, to enter upon any lands adjoining, or lying near the road in his district, and cut or open such ditches or drains, and construct such dams, as shall be necessary for the making or preservation of said road, doing however as little injury to the owner of such land as possible.

SEC. 51. Any person who shall break down or destroy said dams, or stop or fill said ditches or drains, shall forfeit five dollars for every such offence, to be recovered in the name of the said supervisor, before any justice of the peace of the proper county, and applied to the opening and repairing of roads in said district.

SEC. 52. Every supervisor shall have full power to enter upon any unimproved lands adjoining or near to the road, and gather, dig or cause to be dug, any gravel, sand or stone, or cut down any wood or trees, and carry off the same, that shall be necessary for the making or reparation of said road, doing however as little damage as may be to the owner of such land.

SEC. 53. If any person feels himself aggrieved by the removal of such timber, stone or gravel, from his, her or their land, such person may apply to

the board doing county business, who shall appoint three disinterested freeholders, who after taking the proper oath or affirmation, shall proceed to assess the damages, if any there be, which shall be paid out of the county treasury.

SEC. 54. Every supervisor shall erect and keep a post, at the forks of every road or highway within his district, containing a legible inscription, directing the way and mentioning the distance to the most remarkable place on each road respectively, under a penalty of five dollars.

SEC. 55. Any person who shall intentionally demolish such post, or deface or alter any inscription thereon, shall, for every such offence, forfeit and pay to said supervisor the sum of ten dollars, to be recovered before any justice of the peace of the proper county, for the use of the roads in said district.

SEC. 56. If any person shall obstruct any public road, unnecessarily, and to the hindrance of passengers, such person shall forfeit a sum not exceeding ten dollars, to be recovered in the name of the proper supervisor.

SEC. 57. The supervisors respectively, shall as often as informed of such obstruction, commence suit against the person obstructing as aforesaid, before any justice of the peace of the proper township, which suit shall be prosecuted as for debts of a similar amount.

SEC. 58. Every person fined as aforesaid, shall forfeit one dollar, for each day he may suffer such obstruction to remain, to the hindrance of passengers, to be recovered in the name of the state, before any justice of the peace, for the use of his road district, which shall be paid by the justice collecting the same, to the successor of said supervisor, and give him therein a list of all judgements obtained by his predecessor not collected, who is hereby authorized to collect the same, as if they were obtained in his own name.

SEC. 59. When a public road or highway shall run through, or border on any plantation, and become obstructed by the falling of trees or otherwise, it shall be the duty of the owner of such plantation to remove such obstruction, so soon as the same shall come to his knowledge; for which the supervisor of such road shall give him a reasonable compensation, by a credit on his liability to work on roads.

SEC. 60. Each supervisor shall be allowed seventy-five cents per diem, for every day he may be employed in the discharge of his duties, to be paid out of the county treasury, except two days for his personal privileges, and the amount of his road tax assessed, at fifty cents per day.

SEC. 61. In all cases where the supervisor shall wilfully fail or neglect to keep his said road in good repair, or to faithfully appropriate moneys collected or received for the use of his road, or in any manner to comply with the duties required of him, by this act, he shall forfeit and pay a sum not exceeding ten dollars, to be recovered before any justice of the peace of the proper township, to the use of his said road district.

SEC. 62. Whenever in the opinion of the board doing county business, the public convenience shall require that a bridge should be built over any water course, they shall direct the supervisors to build the same, if they deem it expedient, or they may appoint three resident persons of the proper township, as superintendents of the building thereof.

SEC. 63. The said superintendents shall take an oath or affirmation, before some person duly authorized to administer the same, faithfully and impartially to discharge their duties; certified copy of which shall be filed in the clerk's office of said board.

SEC. 64. The said superintendents shall advertise in the most public places in the county, the time and place they will contract with some fit person to build such bridge, which contract shall be in writing, signed by the parties contracting, and filed in the proper clerk's office.

SEC. 65. The board shall allow the said superintendents a reasonable compensation for their services.

SEC. 66. Bond and security shall be required from the undertaker of such bridge, which shall be approved by the board doing county business.

SEC. 67. The board may receive from individuals, subscriptions and donations, as a contribution towards the building of such bridge, which shall be applied accordingly.

SEC. 68. If in the opinion of the board, it would be of public utility to have a bridge built over any creek or water course, where money cannot be obtained by donation or taxation without oppressing the people, to build the same, they are hereby authorized to empower any individual or individuals to build the same, under the rules and regulations that ferries are established: *Provided*, the person or persons building such bridge, shall always be bound to transfer the same to the county, at ten per cent, on cost, when the board shall be willing to purchase it.

SEC. 69. The board may appropriate any money that may be in the

county treasury, belonging to the road funds, to the building of bridges in said county.

SEC. 70. Each supervisor shall cause all the hands in his district, to work the number of days required by law, or collect from each person fifty cents for each day he fails to work, and keep an exact account of the work done by each man, and money collected for the use of roads, and return an accurate copy thereof to the clerk of the county, on the first Monday of May after his appointment, and pay to his successor, or all money collected as aforesaid, not expended upon his roads, which account he shall attest under oath: *Provided*, That in all cases when the hands allotted to any road or road district, shall have performed the number of days work required of them by law, if such road shall remain unfinished, or shall at any time be found out of repair, it shall be the duty of the supervisor of such road, to call the hands assigned him, to complete such road, or to keep the same in repair.

SEC. 71. If any supervisor shall fail to compel the hands of his district to work out the full time required of them by law, or pay the money required by this act, or shall fail to keep or return an accurate account of the work done, or money collected as aforesaid, or shall fail to pay over to his successor the money which may remain in his hands unexpended as aforesaid, he shall for each offence, pay not less than ten nor more than fifty dollars, to be recovered in the name of the state, before any justice of the peace, for the use of his road district, which shall be paid by the justice collecting the same, to the successor of said supervisor, and give him therein a list of all judgements obtained by his predecessor not collected, who is hereby authorized to collect the same, as if they were obtained in his own name.

SEC. 72. Each supervisor shall be authorized to purchase, with moneys in his hands arising from fines collected from delinquents in his district, ploughs, scrapers, crowbars, hammers and other necessary implements.

SEC. 73. When any public road shall be established, or has heretofore been established on a county line, the boards doing county business in their respective counties, shall cause the same to be opened or repaired, in the same manner as if the whole of said road was in the limits of the county.

LAW OF INDIANA.

AN ACT to amend an act entitled "an act for opening and repairing public roads and highways," approved February 10, 1831.

[APPROVED FEBRUARY 4, 1836.]

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That in all cases where the supervisor of any road, shall wilfully fail or neglect to keep the roads in his district in good repair, or faithfully appropriate moneys collected or received for the use of his road, or in any manner to comply with the duties required of him by this act, he shall forfeit and pay a sum not exceeding ten dollars, to be recovered before any justice of the peace of the proper township, to the use of his said road district.

SEC. 2. That it shall be the duty of the circuit courts to give specially in charge to grand juries, the foregoing section of this act.

SEC. 3. Each person made liable to work on roads by the act to which this is an amendment, who shall fail to attend in person, or by a satisfactory substitute, the time and place appointed, within said district, with the designated tool or instrument, having had three days notice thereof; or having attended, shall spend his time in idleness, or disobey the supervisor, shall forfeit and pay the sum of seventy-five cents, for every such delinquency, to be recovered by action of debt in the name of the supervisor, before any justice of the peace of the proper county.

SEC. 4. The boards doing county business, shall make the supervisor a reasonable allowance for erecting the guide posts required by the fifty fourth section of the act to which this is an amendment, when there shall not be a sufficiency received by him from delinquents.

SEC. 5. That the provisions of the fifty sixth section of the act to which this is an amendment, shall be, and are hereby extended to all cartways, laid out by the board doing county business in the several counties.

SEC. 6. That the forty-first and sixty-first sections of the act to which this is an amendment, be and the same are hereby repealed.

This act to take effect and be in force from and after its passage.

THE JUDICIARY.—It is well known that Judge Stevens resigned his station solely from the inadequacy of the salary and that Mr. Dewey accepted of the appointment, only after the repeated and urgent solicitations of the bar. It is really a shame that a State like this should only pay their Judges seven hundred dollars per year! It is true that even with this small salary, the State has always had an able and talented judiciary, but it cannot be expected that our most learned and profound jurists will consent to serve the State for this trifling sum, when their practice at the bar brings them in a much larger income. It is for the interest of the people to have on the bench, the first men in the State. They are the interpreters of our laws and constitution, and our rights, our liberty, and our property are secure, only, when we have men of worth, of talent, of integrity and of profound legal attainments, to decide all questions which may come before them.

We hope the press will take this matter in hand and that candidates before the people, will advocate an increase of the salary of the Judges of the Supreme Court to at least two thousand dollars. This sum we think little enough, and we do not think the people would murmur if the next Legislature should increase the salary to that amount.—*Ind. Dem.*

Congress.—This is the first day of June, and Congress is still sitting, with a likelihood of celebrating the Fourth of July at Washington, if they do not continue until the next session.—There has been a woeful consumption of time, if not of lungs, by members, without much profit to the community. Enough of breath has been idly spent to have kept half the bellows in the country in blast during the winter; and yet members exhibit no symptoms of fatigue.—Motion upon motion, and speech upon speech, follow with the rapidity of the pewterer's hammer; and the whole dispute appears to be about the rules. It is real children's play, doing and undoing. If members have tongues which never tire, there is danger that the patience of the people will fail. For our parts, we begin to feel an involuntary nausea; whenever we cast our eyes over the congressional proceedings, for they are sure to encounter nothing but wrangling about the suspension of rules. What a pity that men who are so fond of hearing the sound of their own voices, have not due regard for common sense, which, after all, is the best kind of sense that men possess.—*Bal. Chron.*

OUR TOWN.

Our town is running up into a city, ere we have time to blow it into importance, after the manner of other towns. True, our Bank is doing nothing, and there is almost literally no money in circulation just now, yet what care we for that? Money is not our object, property, property, is all the rage! And we will venture the conjecture that we can buy more property, build more houses, and all that without cash, than a regiment of Philadelphia, lawyers and New York stock jobbers.

But jesting apart, the rising tendency of property in this place, is very strongly indicated in the fact that notwithstanding a very sensible pressure is felt in the money market, property continues to rise, and a considerable quantity is changing hands.

Last week a single sale was made to the amount of \$12,600, and several others of \$2000 to \$6000. This week one sale has been made amounting to 13,500. The same property was sold in February for \$9,000, and the purchaser, dissatisfied, got the contract rescinded. Now, in three months from that period, it brings an advance upon that price of \$4,500. So we go, and so we will go. Some are waiting for property to fall, but they will find themselves waiting for the river to run down, to save their ferrage. "Mark that Master Brooke."

Indianapolis Paper.

EXPENSE OF WAR.—The war with Black Hawk, is found to have cost the country \$1,500,000, tho' the force employed did not amount to 2000 men. It is calculated therefore, that the military force to be employed in Florida, will exceed 5000 men; cost of the Seminole campaign will be near \$5,000,000.—*Louisville Advertiser.*

WINGED BALLOON.—The New York Sun states that one of the students in the New York University has invented an elliptical air balloon, curiously constructed with revolving wings, which act by means of a lever and steel Springs. If the hopes of the inventor are realized, rail roads and locomotives will be "done up."

4th of July Celebration.

At a meeting of the citizens of Laugher township, held at Wilmington, on Saturday, the 11th day of June, for the purpose of adopting measures to celebrate the approaching anniversary of American Independence, A. H. READ, Esq. was called to the chair, and EBENEZER DUMONT appointed Secretary, when the following resolutions were passed—

Resolved, That the citizens of Laugher township, in conjunction with their fellow citizens of Dearborn county, who may unite with them, will celebrate the independence of the United States, at Wilmington, on the 4th of July next.

Resolved, That the following persons be appointed officers of the day:

Hon. J. L. HOLMAN, *Pres.*

Gen. MILTON STAPP, *Gen.*

Col. A. C. PEPPER, *Vice Pres.*

Col. P. JAMES, *E. C. BISHOP, Esq.* to deliver an Oration.

EBENEZER DUMONT, Esq. to deliver an Eulogy on the life and character of Col. David Crockett.

Hon. J. L. HOLMAN, reader of the Declaration of Independence.

Resolved, That the Hon. Wm. Hendricks, Gen. Milton Stapp, Hon. Amos Lane, and George H. Dunn, Esq. be invited to be present, and participate with us in celebrating the day.

A committee of arrangements was then appointed, of which the following are the non-resident members: Henry Walker, Esq. Francis Baldwin, Esq. G. W. Lane, G. W. Cochran, Wm. V. Check, Esq. Dr. B. James, Capt. John Tait, A. H. Dill, Col. N. Squibb, Col. Johnson Watts, Col. J. W. Egerton, Capt. J. Vail, E. Chaffin, Judge Livingston, John B. Piatt, Capt. Wm. Lanius, Major A. E. Glenn, B. Walker, R. Wilber, Rev. Daniel Plummer, Oliver Heustis, Esq. Charles Bruce, and James Bruce.

Citizens generally are invited to attend. A dinner will be provided for the occasion.

A. H. READ, *President.*
E. DUMONT, *Secretary.*

From the Terre-Haute Courier, June 2.

DIED.

At the residence of Mr. BUELL, near Lawrenceburg, Indiana, on the 17th ult., in the nineteenth year of her age, Mrs. JANE LANE HUNTINGTON, consort of Elisha M. Huntington, Esq. of this place, and daughter of the Hon. AMOS LANE, of Lawrenceburg. This brief record brings with it many reflections, and will fill many bosoms with deep and unaffected regret. It is another evidence that the march of Death is triumphant, and that his claims extend over Earth's empire—over the aged and the young—the grave—the gay—the beautiful—over all that God calls his.

None are exempt from his dominion—none shall escape his iron embrace, or elude the grasp of his chilling arm! Old age totters to the tomb—the robust frame is often struck down by more than the Herculean club—and beauty and loveliness falls by the way, like the blooming rose which droops and dies amid the rank weeds of the desert. Authority more than human has declared, "*It is appointed unto all once to die,*" and we live to witness daily the fulfilment of that fearful decree. The friends of our youth, and those of our riper years, are falling fast around us, and every passing week gives token of the mortal decay imprinted on the nature and constitution of our kind. But a short month since, Mrs. Huntington had the promise of a long life, in the enjoyment of affectionate relatives by whom she was loved and idolized; and fondly hoped, ere long, to join her numerous friends in this place, who awaited her return with anxious pleasure. These hopes have been disappointed, and the anticipations of the dead and the expectations of the living are alike prostrated. To the society of this place, we need not say, her loss is indeed irreparable, and to her affectionate husband and afflicted relatives, no earthly consolation can avail to lighten this sad but inscrutable bereavement. The kind and gentle disposition of the deceased had endeared her to a wide circle of devoted friends, who feel that a household friend has been indeed removed from amongst them. To a fine mind, she united rare accomplishments—was of a humane and benevolent temper—amiable in her manners—ever winsomely cheerful and engaging—warm in her regards, and feelingly alive to the welfare of those she loved—an affectionate wife—a gentle companion, and a kind friend. Her early death leaves an infant daughter motherless, and a kind, affectionate, and afflicted husband to mourn a bereavement which the sympathy and condolence of friends can but lightly assuage.