1836-7-1

SEC. 1.That Samuel Schoolfield, Benjamin Griffin, Albertson Chappell, Alfred Pierce and James Vanuxem be, and they are appointed trustees of the town of Dublin in the county of Wayne, to serve as such until the first Monday in March 1836, and until their successors are elected and qualified, as hereafter directed.

1836-7-2

SEC. 2. That the trustees aforesaid, at their first meeting under this act, shall elect a president from their own body, whose duty it shall be to preside at all meetings of the board, and preserve order, and put all questions before them, and upon an equal division of the board give the casting vote, and at the close of each meeting, or previous to the next meeting of the board, shall sign the minutes of the same; and the said trustees shall also, at their said first meeting, appoint all officers necessary to carry into effect the provisions of this act, and make such compensation to such officers as to the board may seem reasonable.

1836-7-3

SEC. 3. That the said president and trustees of said town of Dublin, and their successors in office, shall be, and the same are hereby declared to be a body politic and corporate with perpetual succession, by the name and style of "the President and Trustees of the town of Dublin" and by their corporate name shall be capable in law and equity, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any court having competent jurisdiction; and shall have power to make, have, and use a common seal, and the same to alter, amend, and break at pleasure; to ordain, order, establish and put in execution, and carry into effect, such by-laws, rules, ordinances, and regulations, necessary and proper for the benefit, convenience, good government and police of said town.

1836-7-4

SEC. 4. That the said president and trustees, or a majority of them, shall have power to lay off said town into as many wards as they may deem necessary, and on the first Monday in March annually, there shall be an election, at some convenient place in said town to be designated by said president and trustees, to elect by ballot, seven trustees for said corporation; at which election each white male inhabitant of said town, who shall have the qualifications of a voter for state and county officers, and shall have resided in said town three months next preceding such election, shall be entitled to vote at the same; ten days previous notice of which election shall be given by the president and trustees aforesaid, by public notice in some newspaper, printed and published in said town (if there should be one) or by written notices, set up in three of the most public places in said town, designating the time and places of holding such election.

1836-7-5

SEC. 5. The president and trustees of said town, shall at their meeting, preceding each annual election, appoint an inspector of

elections whose duty it shall be to attend all elections for said town, and take to his assistance, two qualified voters of the town, who shall be judges of said election; and said inspector and judges shall appoint two clerks of election, all of whom after being sworn or affirmed, faithfully to discharge their duties as such, (which oaths or affirmations the acting president of said corporation, or any other person authorized to administer oaths, may administer) shall proceed to receive the votes between the hours of 10 o'clock A. M. and 4 o'clock P. M. on the day of election: Provided however, if the inspector shall fail to attend any election, the voters present may choose one to act in his place. And provided also, that if the electors should fail to attend, or the president and trustees should fail to give notice of any election, the said corporation shall not thereby be dissolved, but the president and trustees, then in office, shall continue in office until successors shall be elected, at an annual election for said town.

1836-7-6

SEC. 6. It shall be the duty of the inspector and judges of such election, to certify under their hands, the seven persons who receive the highest number of votes for trustees of said corporation, which certificate shall be filed and recorded by the clerk of said corporation, whose duty it shall be to make out and deliver copies thereof to each of the the persons therein named; which certificate shall be sufficient evidence of the election of such trustee. The trustees thus elected, or a majority of them, shall meet, within ten days after such election, and after taking an oath or affirmation faithfully to discharge their duties as such trustees, shall elect one of their body to preside, as prescribed in the second section of this act; and in case of the absence of the president, at any meeting of the board, the trustees present may appoint one pro tem. No person shall be eligible as a trustee unless he be a qualified voter, and also a freeholder or householder in said town. When vacancies happen by death, resignation, removal or otherwise, such vacancies shall be filled by appointment of the trustees, until the next annual election. A majority of the trustees shall, at all times form a quorum to do business; they shall meet on their own adjournments, and appoint their own officers, as provided in the second section of this act.

1836-7-7

SEC. 7. It shall be the duty of the president of the board to sign all laws, ordinances and decrees of a public nature; and also sign the records of all their by-laws and journals or minutes of their proceedings; and at the first meeting of the president and trustees, after the taking effect of this act, and after each annual election, as soon as may be convenient, they shall elect or appoint a clerk, a treasurer and a marshal of said corporation, each of whom shall serve one year, and until their successors shall be chosen, and qualified, and shall possess the same qualifications as trustees, take a similar oath, and give bond and security, payable to said president and trustees, conditioned for the faithful discharge of their duties respectively, and on failure to perform all or any of the conditions of said bond, they shall be liable to the suit

of the president and trustees aforesaid, on said bond against them and their securities, who may assign breaches upon the condition of said bond, and recover a judgment for any default in the discharge of the duties of such officer, together with full costs of suit and ten per centum damages if such suit be brought for the non-payment of any sum of money due said corporation in any court having competent jurisdiction and on which judgment, there shall be no stay of execution.

1836-7-8

SEC. 8. The president and trustees shall have power to levy, annually, and collect a tax on real property, not to exceed one per cent. on its valuation, exclusive of improvements. And on all shows exhibitions, and amusements, which may be exhibited for gain, not less than three nor more than ten dollars for each exhibition; and may levy a tax on any specific article or articles of personal property, and upon retailers of spiritous liquors, and upon venders of merchandize; and in addition to the above the said president and trustees may levy and collect a tax on real property, not exceeding one half per cent. on its valuation, either including or excluding improvements, at their discretion, for the purpose of purchasing a fire engine.

1836-7-9

SEC. 9. The president and trustees shall have power to pass such laws, ordinances or decrees, as may be necessary to guard against damages by fire, to organize fire companies and govern the same; to regulate the duty and conduct of the citizens of the town in relation thereto; to regulate and govern the markets; to prevent the erection of public nuisances, in the town, and to remove the same; to declare what shall be a public nuisance and generally to enforce by proper penalties the observance of all laws and ordinances relative to the police and government of the said town.

1836-7-10

SEC. 10. The limits of the corporation of said town, shall, for the purposes of taxation and police, extend to and embrace, the plat of said town of Dublin, including the out-lots with any addition or additions, which have been, or may hereafter be made to said plat, as the same is, or may hereafter, be [entered] extended of record, in the recorder's office of said county of Wayne; and for the purposes of police, good government, and for the suppression of gambling, rioting, horse-racing, tippling, and other immoral and improper conduct, the limits of said corporation shall extend one half mile in every direction from the centre of Davis and Cumberland streets, at their crossing in said town.

1836-7-11

SEC. 11. The president and trustees shall in the month of April in each year, appoint an assessor who shall take an oath of office after which he shall proceed forthwith to make a fair list, in alphabetical order, of all persons subject to taxation, together with such property as the president and trustees may direct him to list, also of all lots and fractions of lots, particularly noting the number or other description

thereof, the owner's name, if known, and whether resident or non-resident, and after having completed such list, he shall take to his assistance two freeholders, who having taken a like oath or affirmation as the assessor, and faithfully and impartially to value the real property, directed as aforesaid to be assessed, shall with the assessor, proceed to value the same, and such assessor shall, on or before the 15th day of May next succeeding, make return of such assessment to the clerk of the corporation.

1836-7-12

SEC. 12. The president and trustees shall, in the month of May, in each year, levy a tax on the property so assessed, and returned by the assessor, and appoint a collector to collect the same, who shall take an oath of office and give bond and security, to be approved of by the president and trustees, conditioned that he will faithfully discharge his duty, and pay over to the treasurer of said corporation all monies that may come into his hands, as such collector, and shall hold his office for one year, unless sooner removed.

1836-7-13

SEC. 13. The president and trustees shall cause the clerk to make out a fair copy of such assessment list, and setting forth the amount of tax, charged on each item of property, and shall deliver the same to the collector on or before the first day of June, annually, and certify the amount of tax, contained in such duplicate to the treasurer; such duplicate so put into the hands of the collector, certified by the president and attested by the clerk, shall be sufficient authority for the collector to collect the taxes charged thereon.

1836-7-14

SEC. 14. It shall be the duty of the collector to receive the amount of taxes due from each individual, on or before the first day of July in each and every year, and in all cases where the taxes assessed are not paid by that time by any individual, it shall be the duty of the collector to proceed and collect the same, by distress and sale of any of the personal property of such delinquent, [subject to execution by the laws of this state, by giving] ten days notice of the time and place of such sale, by advertisements set up in three of the most public places in said town.

1836-7-15

SEC. 15. In all cases where the tax due cannot be made of the goods and chattels of such delinquent, it shall be the duty of the collector to levy upon and make sale of the lots or fraction of lots or so much thereof as will pay the taxes of such person, (if such person shall own any lots or fractions of lots in said town) and all costs due thereon, by giving twenty days notice of the time and place of sale in some weekly newspaper, published in said town or said county, or by setting up written notices, in five of the most public places in said town, in which notices he shall describe the lot or lots to be sold by their proper number, or some other certain description with the owner's name if

known, or the person's name [to whom] it is supposed to belong, and file one of said advertisements with the clerk of said corporation, to be by him filed amongst the records of said corporation. The collector shall, on the day of sale, by proclamation proceed to sell the lot or lots to the highest bidder, or to the person who will pay the tax and costs, due for the smallest portion of the lot or lots so offered for sale, and shall give the purchaser a certificate of such purchase, setting forth the amount paid, including tax and costs, and that such purchaser will be entitled to a deed for the lot or lots purchased, at the end of two years, unless some person shall redeem the same, by paying to the purchaser, his heirs or assigns, or to the clerk of the corporation, for his use, the amount of the purchase money, with one hundred per centum per annum thereon.

1836-7-16

SEC. 16. In case the owner of any lot or fractional lot, so sold as aforesaid, shall not pay the amount of the purchase money, with the per centum thereon as aforesaid, within two years from the day of sale, it shall be the duty of the collector then in office, to make a deed to the purchaser, his. her, or their heirs or assigns, for such lot or fraction of lot, which deed, acknowledged and recorded agreeably to law, shall vest the title thereto in the purchaser, his, her, or their heirs or assigns, and such tax, after the assessment, shall be a lien on the owner's real estate in said town; and in all cases where lots are assessed, and the owner's name is not known, such sale shall be valid and good to the purchaser.

1836-7-17

SEC. 17. The collector may adjourn his sale from day to day for three days, if necessary, and if, at the final adjournment of his sale, any lots should remain unsold for want of buyers he shall make return thereof, and the amount of the tax and costs shall remain a lien upon such lot or lots, and shall be added to the next years assessment, together with one hundred per centum thereon. The collector shall be allowed fifty cents for each sale and certificate and the expense of advertising the same.

1836-7-18

SEC. 18. It shall be the duty of the collector to make return of his proceedings and sales made, by the first day of November annually, to the clerk of the said corporation, and pay over to the treasurer all monies by him collected; and shall, at the same time, exhibit a list of delinquents for which he sall receive a credit, if correct and true.

1836-7-19

SEC. 19. All bonds given by the officers of the corporation, and all contracts entered into with the corporation, shall be in the name of the "president and trustees of the town of Dublin;" and all suits commenced for the benefit of the corporation, or where the corporation shall be defendant. shall be in the name of "the president and trustees of the town of Dublin" without setting forth the name of any member

thereof; and in all such suits either by or against such corporation it shall *[not] be necessary to recite this act in the pleadings.

*The word "not" is taken from the engrossed bill.

WM. SHEETS, Sec. of State.

1836-7-20

SEC. 20. It shall not be lawful for any person within the bounds of the corporation, to sell by a less quantity than a quart at a time, except for the use of the sick, any spirituous or strong liquors, foreign or domestic, nor keep any tippling house, unless such person shall, in addition to the license now required by law, obtain a license from the corporation, which the president and trustees are hereby authorized to grant to any applicant, for one year or less at one time, on his, her, or their paying into the treasury of the corporation a sum not less than three, nor more than forty dollars, at the discretion of the president and trustees of said town; and if any person shall sell by a less quantity than a quart at a time any spirituous or strong liquors, without such license, within the bounds of such incorporation, the person so offending shall be liable upon conviction thereof in an action of debt, or on the case, by the president and trustees, before any court having competent jurisdiction, to pay any sum of money, not less than two, nor more than twenty dollars; and for the police, peace and good government of the town, the said president and trustees are hereby authorised to pass and adopt laws and ordinances for the suppression of immorality, intoxication, rioting, or whatever else may detract from the peace and good order of society in said town; and for the purpose of carrying into effect the provisions of this act, the said president and trustees are hereby authorized to appoint a marshal, who shall, within the bounds of said corporation, be a peace officer, and in the service of all process, within said corporation, in which the corporation may be a party, the marshal shall have the same authority, and be subject to the same responsibilities, as a constable.

1836-7-21

SEC. 21. Whenever the owners of any lots on any street, or section of a street, shall be desirous of making any improvement on the same, by grading, graveling, or paving said street or the sidewalk, if two thirds of the owners of lots on said street or section of a street, by themselves, their tenants, or their occupants thereof representing two thirds of the whole number of feet on each side of any street or section of a street, or two thirds of the whole number of feet on one side of any sidewalk, shall by petition represent to the president and trustees of said town, plainly and distinctly, the improvement wanted or contemplated to be made, it shall be the duty of the president and trustees to cause the same to be done agreeably to the wishes of the petitioners; and the expense of such improvement shall be assessed and levied on all the lots fronting on such improvement, equally per foot, for the distance such improvement may be intended to extend, which assessment and levy, from the time of making the same, shall be and

remain a lien upon said lot or lots, until the amount so assessed and levied shall be fully discharged. It shall be the duty of the clerk of the corporation to enter such petition on record with the petitioners names, the number of feet front owned or represented by each, and shall make out. and deliver to the collector of the corporation, a list of the owners names, the number of feet front owned by each individual, and the whole amount assessed and levied on each lot or fraction of lot, which list signed by the president and attested by the clerk shall be sufficient authority for the collector to collect the same; and if the owner or occupant of any lot or part of a lot shall neglect or refuse to pay the amount so assessed and levied, within three months after such levy, the collector shall proceed to collect the same, by sale of such lot or part of lot, or so much thereof as will pay the amount so levied; and in such sale and conveyance to the purchaser thereof, he shall, in all respects, be governed by the fifteenth and sixteenth sections of this act, and the right of redemption shall be the same as is provided in the fifteenth section of this act; and if any such lot or fraction of lot shall not sell for want of buyers, or any other legal cause, the same may be re offered, by such collector, from time to time, until the same shall be sold, adding the costs that may accrue at each time for advertising &c. And the collector shall be entitled, in addition to the costs of advertising, to the same fee for such sale as he is allowed in the seventeenth section of this act for making sale and certificate; and for making a deed to any real estate, sold under the provisions of this act, the collector making the same, shall be allowed one dollar; and twentyfive cents for having the same acknowledged, to be paid by the person receiving said deed.

1836-7-22

SEC. 22. All laws and ordinances, passed by the president and trustees, of a public nature, shall be published, by setting up written copies thereof in three of the most public places in the corporation, or by publishing the same in some newspaper published in the town or county, ten days before the same shall be in force; and it shall be the duty of the president and trustees, in the month of March, annually, to cause a full statement of the receipts and expenditures, of the past year, to be posted up in two of the most public places in the corporation.

1836-9-1

SEC. 1.That Richard J. Hubbard, John F. Wright, Josiah White, John Crum, Daniel Sinks, Mordecai Hiatt, Enoch Maudlin and Charles F. Moore, be and they are hereby appointed trustees of the corporation of said town of Milton, to serve as such until the first Monday in March 1837, and until their successors are elected and qualified as hereinafter directed.

1836-9-2

SEC. 2. That the said trustees at their first meeting after the passage of this act, shall elect a president from their own body, whose duty it shall be to preside at all meetings of the board, and preserve order, put all questions and upon an equal division of the board, give the casting vote, and at the close of each meeting, shall sign the minutes of the

same; and the said trustees shall also at said meeting, appoint all officers necessary to carry into effect the provisions of this act, and make such compensation as to them shall appear reasonable and right.

1836-9-3

SEC. 3. That the said president and trustees of said town and their successors in office, shall be, and the same are hereby declared to be a body politic and corporate with perpetual succession, by the name and style of "the President and Directors of the town of Milton and by their corporate name shall be able and capable in law and equity, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any court of competent jurisdiction; and shall have power to make, use, and have a common seal, and the same to break, alter, and amend, at pleasure; to ordain, order, establish, and put into execution, such by-laws, rules, and ordinances necessary and proper for the benefit and convenience of the citizens of said incorporated town; and shall also have power to adopt and put in force such laws, ordinances and regulations as they shall deem necessary for the police, good government, and order of said town hereby incorporated, subject however to the restrictions, limitations, and provisions hereinafter provided, and not inconsistent with the constitution and laws of this state, or the constitution and laws of the United States.

1836-9-4

SEC. 4. That the said president and trustees, or a majority of them, shall have power to lay off said town into as many wards as they may deem necessary, and on the first Monday in March A. D. 1837, and annually thereafter, there shall be an election, at some convenient place in said town, to be designated by the said president and trustees, to elect by ballot, eight trustees for said corporation, at which election each white male inhabitant of said town, who shall have the qualifications of a voter for state and county officers, and shall have resided within the bounds of the said corporation three months next preceding said election, shall be entitled to a vote at the same; ten days previous notice of which election shall be given by the president and trustees aforesaid, by putting up written notices thereof in three of the most public places in said town, designating the time and place when and where such elections are to be holden.

1836-9-5

SEC. 5. The president and trustees at their meeting preceding the annual elections shall appoint an inspector of all elections whose duty it shall be to attend the same, and call to his assistance, two other qualified voters who shall be judges of said election, and they shall appoint two clerks of the same, all of whom after being sworn or affirmed to a faithful discharge of their duties as such, shall proceed to receive the votes between the hours of 10 o'clock A. M., and 4 o'clock P. M. on said day: Provided however, that if the said inspector shall not be present the electors may choose one to act in his place at such election: And provided also, that if the electors should fail to meet, or

the president and trustees fail to give notice of any election, the corporation shall not thereby be dissolved, but the president and trustees, then in office, shall continue until others their successors shall be elected, at an annual meeting of the electors.

1836-9-6

SEC. 6. It shall be the duty of the inspector and judges of such election, to certify under their hands and seals the eight persons who receive the highest number of votes, which certificate shall be filed and put on record by the clerk of the corporation, whose duty it shall be to deliver a copy thereof to each of the eight persons returned, which certificate shall be sufficient authority for such person to take his seat as a trustee. The trustees thus elected, or a majority of them, shall meet within ten days after such election, and after taking an oath or affirmation, faithfully, diligently, and impartially to discharge their duties as trustees, shall elect one of their body to preside as in the second section of this act; in case of his absence at any meeting of the board they shall appoint a president pro tem. No person shall be eligible as a trustee unless he is a qualified elector, and also a freeholder, or a householder within the bounds of the corporation. When vacancies happen by death, resignation, or otherwise, such vacancies shall be filled by appointment of the trustees, until the next annual election. A majority of the trustees shall at all times form a quorum; they shall meet on their own adjournments, and appoint their officers as in the second section of this act.

1836-9-7

SEC. 7. It shall be the duty of the president to sign all laws, ordinances, and decrees of a public nature, and also to sign the records of all their by-laws, and journals or minutes of their proceedings; and at the first meeting of the president and trustees, after the taking effect of this act, and after each annual election, or as soon thereafter as may be convenient, they shall proceed to elect or appoint a clerk, a treasurer, and marshal; each of whom shall serve one year, or until their successors shall be chosen and qualified; and they shall possess the same qualifications as trustees, take a similar oath, and give bond and security payable to the president and trustees, conditioned for the faithful discharge of their duties respectively; and on failure to perform all or any of the conditions of said bond, they and their securities shall be liable to the suit of the president and trustees aforesaid, who may assign breaches upon the conditions of said bond or other cause, and recover a judgment for any default in the discharge of the duties of such officer, together with full costs, and ten per cent. damages thereon, in any court having jurisdiction of the same and on which judgment there shall be no stay of execution.

1836-9-8

SEC. 8. the president and trustees shall have power to levy annually, and collect a tax on real property not to exceed one per cent. on its valuation exclusive of improvements. And on all shows, exhibitions and amusements, which may be exhibited for gain, not less then three,

nor more than ten dollars for each exhibition; and may levy a tax on any specific article, or articles of personal property; and in addition to the above, the said president and trustees may levy and collect a tax on real property, not exceeding on half per cent. on its valuation, either including or excluding improvements, at the discretion of the said president and trustees, for the purpose of purchasing a fire engine.

1836-9-9

SEC. 9. The president and trustees shall have power to pass such laws, ordinances or decrees as may be necessary to guard against damages by fire, to organize fire companies, and govern the same; to regulate the duty and conduct of the citizens of the town in relation thereto; to regulate and govern the markets; to prevent the erection of public nuisances, and remove the same; to declare what shall be considered a public nuisance, and generally to enforce by proper penalties the observance of all laws and ordinances relative to the police and government of the said incorporated town.

1836-9-10

SEC. 10. The limits of the corporation shall extend to and embrace the following boundaries, to wit; commencing at the east bank of Whitewater on the township line dividing township fifteen and sixteen, and running thence west with said line to the west boundary of the town plat; thence south to the county road leading west, from the west end of Connersville street; thence south seventeen rods; thence east to main cross street; thence north to Connersvill street; thence east to the east margin of the said river; thence along the bank of said river, to the place of beginning: Provided however, that nothing in this act, shall be so construed, as ever to make taxable for corporation purposes, the saw and grist mill belonging to Jacob Sinks, with the apparatus and machinery thereunto belonging.

1836-9-11

SEC. 11. The president and trustees shall in the month of April of each year, appoint a lister who shall take an oath of office, and give bond and security, to be approved of by the said president and trustees, conditioned for the faithful discharge of his duties as lister; after which he shall proceed forthwith to make a fair list in alphabetical order of all persons subject to tax, together with such property as the president and trustees may direct him to list; also all lots, or fraction of lots, particularly noting the number and description thereof, the owner's name if known, and whether resident or non-resident. After having completed such assessment, he shall call to his assistance two freeholders who having been sworn faithfully and impartially to value the real property exclusive of improvements so listed, shall with the lister proceed to value the same, and such lister shall on or before the fifteenth day of May next succeeding, make return to the clerk of the corporation of such list and assessments.

1836-9-12

SEC. 12. The president and trustees shall in the month of May in

each year, levy a tax on the property so listed and returned by the lister, and appoint a collector, who shall take an oath and give bond and security to be approved of by the president and trustees, conditioned that he will faithfully pay over all moneys that may come into his hands as collector, to the treasurer of the corporation, or to such person as may be authorized to receive the same. Said collector shall hold his office one year unless sooner removed.

1836-9-13

SEC. 13. The president and trustees shall cause the clerk to make out a fair list of all persons taxable, with personal property, and with real property, with its valuation, setting forth the owner's name if known, the amount of tax chargable to each person, and the amount charged on each article, and shall deliver the same to the collector on or before the first day of June annually, and certify the amount of tax contained on such list to the treasurer. Such list so put in the hands of the collector, certified by the president, and attested by the clerk, shall be sufficient authority for the collector to proceed to collect the same.

1836-9-14

SEC. 14. It shall be the duty of the collector to receive the amount of taxes due from each individual, on or before the first day of July in each and every year, and to account and pay the same over to the treasurer immediately; and in all cases when taxes assessed are not paid by that time by any individual, it shall be the duty of the collector to proceed and collect the same, by distress and sale of any of the personal property of such delinquent, subject to execution by the laws of this state, by giving ten days notice of the time and place of such sale, by advertisements set up in three of the most public places in said incorporated town.

1836-9-15

SEC. 15. In all cases where the tax due and owing, cannot be made of the goods and chattels of such delinquent, it shall be the duty of the collector to make sale of the lots or fractions of lots belonging to such person, so much thereof as will pay the tax and costs due thereon, by giving twenty days' notice of the time and place, by posting up five written notices in the most public places in said town, in which notices he shall describe the lot or lots to be sold by their proper number, or some other certain description with the owner's name if known, or the person's name to whom it is supposed to belong, and file one of said advertisements with the clerk of said corporation. The collector shall, on the day of sale, by proclamation proceed to sell the lot or lots to the highest bidder, or to the person who will pay the tax and costs, due for the smallest portion of the lot or lots so offered for sale, and shall give to such purchaser a certificate of such purchase, setting forth the quantity sold, the amount paid, including tax and costs, and that said purchaser will be entitled to receive a deed for the same at the end of two years, unless the owner, or some person for him, her, or them shall redeem the same on or before that time, by paying to said purchaser, his, her, or their heirs, or assigns the amount of the purchase money,

with one hundred per cent. thereon, or deposite the amount with the clerk of the corporation, whose duty it shall be to make an exhibit of the same to the president and trustees at their next meeting, which if correct shall be entered on record.

1836-9-16

SEC. 16. In case the owner of any lot or fractional lot, so sold as aforesaid, his, her, or their agent or attorney shall not pay the amount of the purchase money with the per centum thereon as aforesaid, within two years from the day of sale thereof, it shall be the duty of the collector then in office, to make a deed to the purchaser, his, her, or their heirs or assigns, for such lot or fraction of lot, which deed, acknowledged and recorded agreeably to law, shall vest the right and title to said real estate in the purchaser, his heirs or assigns, and divest the owner or owners of any title thereto; and the assessment made on such lot or lots shall be a lien on the same in the hands of any person who may purchase the same at private sale, and no conveyance made by the owner of such lot after the time of such assessment, shall divest the owner thereof of the title to said lot so as to interfere with the claim of a purchaser under the provisions of this act: Provided, That in all cases where lots are listed and and the owners name not known, such sale shall be valid and good to the purchaser.

1836-9-17

SEC. 17. The collector may adjourn his sale from day to day for three days, and if, at the final adjournment of his sale any lot or lots should remain unsold for want of buyers he shall make return thereof, and the amount of the tax and costs shall remain as a lien upon such lot or lots, and shall be added to the next year's assessment, together with one hundred per centum thereon. The collector shall be allowed fifty cents for each sale and certificate and the expense of advertising the same.

1836-9-18

SEC. 18. It shall be the duty of the collector to make return of his proceedings and the sales made, to the clerk of the corporation, on or before the first day of September annually, and pay over to the treasurer all moneys by him collected; at which time he shall furnish a list of delinquents, for which he shall receive a credit, if deemed correct and true.

1836-9-19

SEC. 19. All bonds given by the officers of the corporation, and all contracts entered into with the corporation, shall be in the name of the "president and trustees of the town of Milton;" and all suits commenced for the benefit of the corporation, or where the corporation shall be defendant. shall be in the name of "the president and trustees of the town of Milton," without setting forth the name of any member thereof.

1836-9-20

SEC. 20. It shall not be lawful for any person or persons within the

bounds of the corporation, to sell by a less quantity than one quart except for the use of the sick, any spirituous liquors, foreign or domestic, or keep what is commonly called a tippling house, unless such person or persons shall, in addition to a license obtained from the board of county commissioners, or the board doing county business [obtain] a license from the corporation, who is hereby authorized to grant the same to such applicant, for one year or less at one time, on his, her, or their paying into the treasury of the corporation a sum not less than three, nor more than fifty dollars, at the discretion of the president and trustees of said town; and if any person or persons shall sell any spirituous liquors, or keep what is commonly called a tippling house contrary to the provisions of this act, he, she or they so offending shall upon conviction thereof in an action of debt, or on the case, brought by the president and trustees, against the offender or offenders before a justice of the peace, or any court having jurisdiction thereof, recover [be liable for] any sum of money, not more than twenty nor less than three dollars, for any violation of this section; which shall be for the use of the said corporation and shall upon conviction thereof by presentment or indictment, (in which indictment it shall not be necessary to recite the act) in any court of competent jurisdiction, be fined in any sum not exceeding fifty nor less than five dollars for the use of the county seminary. And for the better regulation of the peace and good government of the town, the said president and trustees are hereby authorized to pass and adopt laws or ordinances for the suppression of immorality, intoxication, rioting, or whatever may detract from the peace and good order of society, and for the purpose of carrying into effect the provisions of this act, the said president and trustees are hereby authorized to appoint a marshal, for that purpose, who shall take an oath of office and be a peace officer.

1836-9-21

SEC. 21. Whenever the owners of any lots on any street, or section of a street, shall be desirous of making any improvement on the same, by grading, graveling, or paving said street or sidewalks two thirds of the owners of lots on said street or section of street, by themselves, their tenants, or occupants thereof, representing two thirds of the whole number of feet on ech sidewalk, and shall by petition represent to the president and trustees of said incorporation, plainly and distinctly, the improvement wanted or contemplated to be made, it shall be the duty of the president and trustees to cause the same to be done in the best and most economical manner, agreeably to the wish of said petitioners; and the expense of such improvement shall be assessed and levied on all the lots fronting on said street, or section of street, equal per foot, for the distance such improvement may be intended to extend, which assessment and levy, from the time of making the same, shall be and remain a lien upon said lot or lots, until the amount so assessed and levied shall be fully paid and discharged. It shall be the duty of the clerk of the corporation to enter such petition on record with the petitioners names, the number of feet front owned or represented by each, and shall make out, and deliver to the collector of the corporation, a list of the owners names, the number of feet front owned by each

individual, the rate of expenses on each lot for such improvement and the whole amount assessed and levied on each lot or fraction of lot, which list signed by the president and certified by the clerk shall be sufficient authority for said collector to proceed and collect the same; and if the owner or occupant of any lot or part of a lot shall neglect or refuse to pay the amount so assessed and levied, within three months after such levy, the collector shall proceed to collect the same, by sale of such lot or part of lot, or so much thereof as will pay the amount so levied; and in such sale and conveyance to the purchaser thereof, he shall, in all respects, be governed by the fifteenth and sixteenth sections of this act, and the right of redemption shall be the same as is provided in the fifteenth section of this act; and if any such lot or fraction of lot shall not sell for want of buyers, or any other legal cause, the same may be re-offered, by such collector, from time to time, until the same shall be sold, adding the costs that may accrue at each time for advertising &c. And the collector shall be entitled, in addition to the costs of advertising , to the same fee for such sale as he is allowed in the seventeenth section of this act for making sale and certificate; and for making a deed to any real estate, sold under the provisions of this act, the collector making the same, shall be allowed fifty cents; and twenty five cents for having the same acknowledged, to be paid by the person receiving such deed.

1836-23-1

SEC. 1. That John L. Richmond, Henry Bradley, Henry Brady, Samuel Merrill and sixteen others, whose names are recorded in the journal of said Baptist Education Society as directors thereof, be and they are hereby constituted a body corporate and politic, to be known by the name of the Board of Directors of the Indiana Baptist Education Society, and by that name shall have perpetual succession, and as a body corporate shall be authorized to carry the object and design of said Institution into complete effect, agreeably to the provisions of the present recorded constitution of said society: Provided however, That no power is hereby conferred to authorize this coporation to do any act, or to enact any by-laws, rules or ordinances, contrary to the laws and constitution of this State or of the United States.

1836-23-2

SEC. 2. That Jesse L. Holman, Nathan B. Palmer, Ezra Fisher, Samuel Harding, Lewis Morgan, John McCoy and thirty others, whose names are recorded in the record of proceedings of the Indiana Baptist Manual Labor Institute, as trustees of said Institute, be, and they are hereby constituted and appointed a body corporate and politic, to be known by the name of the Board of Trustees of the Indiana Baptist Manual Labor Institute, and by that name shall have perpetual succession with power to adopt a common seal, to alter or change the same at pleasure; and as a body corporate shall be authorized to carry the object and design of said institution into complete effect, agreeably to the present recorded constitution of said Institute, which is, under the provisions of this act declared to be the fundamental law of said Institute; but said corporation shall have no power to enact any

by-laws, rules or ordinances contrary to the laws and constitution of this State or of the United States: Provided, That as vacancies may occur in said board of trustees, the said board shall have power to fill such vacancies until the same shall be filled by a regular appointment by board of directors of the Indiana Baptist Education Society.

1836-23-3

SEC. 3. The trustees of said Institute, elected and appointed agreeably to the foregoing provisions, and their successors, shall have power in their corporate capacity to purchase or receive by donation, bequest or devise, any lands, tenements, or hereditaments, moneys, rents, goods and chattels, which may be conveyed, devised or bequeathed to them, for the use and benefit of said Institute, and shall be required faithfully to apply the same.

1836-23-4

SEC. 4. The said Indiana Baptist Institute shall be located at or near Franklin, Johnson county, and shall have full and complete collegiate powers; and the faculty of said Institute, consisting of the president, professors ad tutors thereof, shall have the power of granting and conferring, by and with the approbation of the board of trustees, such degrees in the liberal arts and sciences as are usually granted and conferred in other colleges in the United States, to the students in the Institute, or others, who, by their proficiency in learning or other meritorious distinction may be entitled to the same, and to grant unto such graduates diplomas or certificates, under their common seal, and signed by the faculty, to authenticate and perpetuate the memory of such graduation. Provided however, That no degree shall be conferred, or diplomas granted, unless such student has acquired the same proficiency in the liberal arts and sciences as is customary in other colleges in the United States.