

THE
STATUTES OF OHIO

AND OF THE
NORTHWESTERN TERRITORY,

ADOPTED OR ENACTED

FROM 1788 TO 1833 INCLUSIVE:

TOGETHER WITH

THE ORDINANCE OF 1787;

THE CONSTITUTIONS OF OHIO AND OF THE UNITED STATES,

AND VARIOUS PUBLIC INSTRUMENTS AND ACTS OF CONGRESS:

ILLUSTRATED BY

A PRELIMINARY SKETCH OF THE HISTORY OF OHIO;

NUMEROUS REFERENCES AND NOTES,

AND COPIOUS INDEXES.

VOLUME III.

EDITED
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[IN FORCE.]

CHAP. DCCCXXXIV.—An act for the prevention of certain immoral practices.*

Sabbath-break-
ing, how pun-
ished; except-
ed cases.

§ 1. *Be it enacted, &c.* That if any person of the age of fourteen years or upwards, shall be found on the first day of the week, commonly called Sunday, sporting, rioting, quarreling, hunting, fishing, shooting, or at common labor, (works of necessity and charity only excepted,) he or she shall be fined in a sum not exceeding five dollars, nor less than one dollar: *Provided*, nothing herein contained shall be construed to extend to those who conscientiously do observe the seventh day of the week as the sabbath; nor to prevent families emigrating, from travelling; watermen from landing their passengers; superintendents or keepers of toll bridges, from attending and superintending the same; or ferrymen from conveying travellers over the waters, or persons removing their families on such days.

Selling spiritu-
ous liquors on
Sunday.

§ 2. That if any tavern-keeper or other person shall sell or barter any spirituous liquors on the first day of the week, commonly called Sunday, (except to travellers on a Sunday,) [journey;] such tavern-keeper or other person so offending, shall be fined in a sum not exceeding five dollars.

Disturbing reli-
gious societies;
judge of com-
mon pleas or
justice of the
peace to pro-
ceed against of-
fenders under
this act; provi-
so.

§ 3. That if any person or persons shall at any time interrupt or molest any religious society, or any member thereof; or any persons when meeting or met together, for the purpose of worship, or performing any duties enjoined on, or appertaining to, them, as members of such society: the person or persons so offending shall be fined in any sum not exceeding twenty dollars: and any judge of the court of common pleas, or justice of the peace, within the proper county, shall be, and they are hereby empowered, authorized and required to proceed against, and punish every person offending against the provisions of this act; and upon view and hearing, may, or on information given on oath or affirmation, shall, if need be, issue his warrant to bring the body of the accused before him, and shall inquire into the truth of the accusation; and if guilty, shall enforce the penalty of this act annexed to the offence: and said offender, (if the judge or justice should think necessary,) may be detained in custody, and committed until sentence be performed: *Provided*, That this section shall not be so construed, as to deprive any religious society of the right of laying hands upon the person or persons who may be disturbing the congregation, and turning him or them out of the church or place of worship.

Profane swear-
ing.

§ 4. That if any person of the age of fourteen years and upwards, shall profanely curse or damn, or profanely swear by the name of God, Jesus Christ, or the Holy Ghost; each and every person so offending shall be fined in a sum not exceeding one dollar, nor less than twenty-five cents, for each offence.†

Exciting dis-
turbance at
public meeting
of citizens.

§ 5. That if any person or persons shall be found making or exciting any contention or disturbance at any tavern, court, election, or other meeting of the citizens for the purpose of transacting or doing any business appertaining to, or enjoined on them; the person or persons so offending shall be fined in a sum not exceeding five dollars, nor less than fifty cents, each, and, if necessary, imprisoned until such meeting shall be ready to disperse: *Provided*, the time for which such person or persons may be so confined, shall not exceed six hours.

Playing bullets
or running hor-
ses in any
street, or shoot-
ing in town or
village.

§ 6. That if any person or persons shall play bullets along or across any street in any town or village within this state; or if any person or persons shall run any horse or horses within the limits of any such town or village; or if any person or persons shall shoot or fire a gun at a target within the limits of any recorded town plat in this state: every person or persons so offending shall be fined in a sum not exceeding five dollars, nor less than fifty cents.

Keeper of pub-
lic house keep-
ing or permit-
ting ball or
ninepin alley.

§ 7. That if any keeper of a public house, or retailer of spirituous liquors, in this state, shall establish, keep, or permit to be kept, upon his or their lot or premises, any bull [ball] or ninepin alley, or shall, in whole or in part, be interested in any bull [ball] or ninepin alley, upon the lot or premises of another; he or they, upon conviction thereof, shall forfeit and pay to and for the use of common schools in the proper township, not less than ten, nor more than one hundred dollars: and this section shall be construed to extend to any alley

* See O. L. c. 600, 643, 806.

† A person fined before one justice for profane swearing, and arrested and brought before another for the same offence, can only prove a former conviction by a transcript from the record of the justice who assessed the fine. (*Robbins vs. Budd*, 2 O. R. 17.)