

ACTS OF A GENERAL NATURE  
AND  
LOCAL LAWS AND JOINT RESOLUTIONS,

PASSED BY THE

FIFTY-THIRD GENERAL ASSEMBLY,

OF THE

STATE OF OHIO:

AT ITS SECOND SESSION,

BEGUN AND HELD IN THE CITY OF COLUMBUS,

JANUARY 3, 1859,

AND THE FIFTY-SEVENTH YEAR OF SAID STATE.

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VOLUME LVI.

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COLUMBUS  
RICHARD NEVINS, STATE PRINTER.  
1859.

## AN ACT

To provide for the working of unfinished turnpike roads by supervisors of the highways.

What turnpike roads supervisor may work, &c.

Consent of directors.

Order of township trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be lawful for the supervisors of the several road districts within this state, to apply such portion of labor, or money, as they may deem reasonable and just, upon any unfinished turnpike road within their respective road districts, when the same is used by the public free of toll; Provided that the directors of any unfinished turnpike road shall first give their consent to the trustees of the township in which such unfinished turnpike road or roads is located.

SEC. 2. That upon any turnpike road company giving their consent to the trustees of the township, in writing, it shall be the duty of the trustees to issue their order to the several supervisors through whose districts such unfinished turnpike road is located, for them to apply the work and money as provided in the first section of this act.

SEC. 3. This act to be in force from its passage.

WILLIAM B. WOODS,  
*Speaker of the House of Representatives.*  
MARTIN WELKER,  
*President of the Senate.*

March 18, 1859.

## AN ACT

To prohibit the carrying or wearing of concealed weapons.

The offense of carrying or wearing concealed weapons.

Penalty.

When the jury shall acquit the accused.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whoever shall carry a weapon or weapons, concealed on or about his person, such as a pistol, bowie-knife, dirk, or any other dangerous weapon, shall be deemed guilty of a misdemeanor, and on conviction of the first offense shall be fined not exceeding two hundred dollars, or imprisoned in the county jail not more than thirty days; and for the second offense, not exceeding five hundred dollars, or imprisoned in the county jail not more than three months, or both, at the discretion of the court.

SEC. 2. If it shall be proved to the jury, from the testimony on the trial of any case presented under the first section of this act, that the accused was, at the time of carrying any of the weapon or weapons aforesaid, engaged in the pursuit of any lawful business, calling, or employment, and that the circumstances in which he was placed at the

time aforesaid were such as to justify a prudent man in carrying the weapon or weapons aforesaid for the defense of his person, property or family, the jury shall acquit the accused.

SEC. 3. This act to take effect and be in force from and after the first day of April next.

WILLIAM B. WOODS,  
*Speaker of the House of Representatives.*  
MARTIN WELKER,  
*President of the Senate.*

March 18, 1859.

AN ACT

Amendatory to an act entitled "an act to provide for the organization of cities and incorporated villages," passed May 3, 1852.

Swan's R. S.  
908-9.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That original section sixty-three, of an act entitled an act to provide for the organization of cities and incorporated villages, passed May 3, A. D. 1852, be so amended as to read as follows: Sec. 63. The city council shall have the care, supervision and control of all public highways, bridges, streets, alleys, public squares and commons, within the city, and shall cause the same to be kept open, and in repair, and free from nuisances. No street or alley, which shall hereafter be dedicated to public use by the proprietor of ground in any city, shall be deemed a public street or alley, or to be under the care or control of the city council, unless the dedication shall be accepted, and confirmed by an ordinance specially passed for such purpose; they shall have the power to prescribe by ordinance the width of the tires of all wagons, carts, drays, and other vehicles, used in the transportation of persons or articles from one part of the city to another, or in the transportation of coal, wood, stone, lumber, or iron, into the city; to establish stands for hackney coaches, cabs, and omnibuses, and to enforce the observance and use thereof, and to fix the rates and prices for the transportation of persons and property in such coaches, cabs and omnibuses, from one part of the city to another.

Care, supervision and control of city highways, bridges, streets, alleys, public squares and commons.

SEC. 2. That original section sixty-three of the act to which this is amendatory be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

Sec. repealed.

WILLIAM B. WOODS,  
*Speaker of the House of Representatives.*  
MARTIN WELKER,  
*President of the Senate.*

March 18, 1859.