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## The History of Legislative Publications in Ohio

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### INTRODUCTION

The rapid growth of legislation in America and the increasingly important role it plays in our legal process resulted not from the bludgeonings of fortuitous circumstance but, for the most part, from a superior capacity to satisfy formally the urgings, demands and requirements of an acutely sensitive and increasingly complex society.

But, unfortunately, this development did not universally assume proportions of procedural or substantive consistency and clarity. As a matter of fact, the deficiencies extended to include the range and methods of legislative publication.

In Ohio, for instance, since there are no documents devoted to legislative integration, the interpretation of legislative intent has been a matter of continuous difficulty and confusion. This difficulty is accentuated by the unavailability of committee reports and the failure to transcribe legislative hearings and debates.

Therefore, the language of specific acts and their historical tracings through the statute books have assumed added importance. In view of this, this survey attempts to facilitate the search of legislative law in Ohio.

### THE LAWS OF THE NORTHWEST TERRITORY

#### A. *Under the Governor and the Judges, 1788-1799.*

The Northwest Territory, from which Ohio was eventually formed, was organized under the Ordinance of 1787, passed by the Congress

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on July 13, 1787. The Ordinance, among other things, provided for the appointment by the Congress of a governor, a secretary and three judges. The Legislative functions, derived from the Ordinance, were vested in the governor, or in his absence in the secretary, and the judges, who were authorized to adopt such laws of the original states as were deemed necessary and suitable to the Territory.<sup>1</sup> Provision was also made for the eventual selection of a general assembly which could adopt its own laws in a prescribed manner.

A year after the passage of the Ordinance, the first governor, Arthur St. Clair, and the judges of the General Court, Parsons and Varnum, established the first form of civil government for the Territory at Marietta. This stage of government lasted from July 15, 1788, to September 24, 1799, when the Territorial Assembly assumed control.<sup>2</sup>

The first legislative session was held in Marietta from July 15, 1788 to December 8, 1788. Although the language of the Ordinance was restrictive, the judges construed it liberally, contending that they and the governor were empowered to formulate and enact original legislation. They concluded that a narrower construction of the provision would defeat the general purposes of the Ordinance.<sup>3</sup> St. Clair, on the other hand, took issue with this view and argued for the limitation of their legislative activity to the adoption of appropriate acts of the original states in their literal form.<sup>4</sup> The governor finally acceded to the urgings of the judges although he reserved for himself absolute veto power.<sup>5</sup> Since the Pennsylvania code was the only written law accessible to them, quite naturally, the first Territorial laws were based primarily on those statutes.

At Vincennes, in July 1790, the secretary and the two judges enacted additional laws in the absence of Governor St. Clair. Sessions were also held by the governor and the judges in November 1790, July 1791, and August 1792. Again, the new acts were based upon a free rather than a literal adoption of the laws of the original states. Concern was voiced regarding the correctness of this liberal interpretation of the Ordinance and the legal status of the Territorial

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<sup>1</sup> The Ordinance states: "The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit."

<sup>2</sup> 1 BOND, *THE FOUNDATIONS OF OHIO* 398 (History of the State of Ohio Series, 1941); POLLACK, *UNREPORTED OHIO JUDICIAL DECISIONS* 204 (1952).

<sup>3</sup> Letter of Judges Parsons and Varnum to the Governor, dated July 31, 1788; 2 ST. CLAIR PAPER'S 69 (Smith ed. 1882).

<sup>4</sup> Letter of the governor to the judges, dated August 7, 1788; *id.* at 67.

<sup>5</sup> Bond, *op. cit.* note 2, at 401-402.

legislation became increasingly uncertain.<sup>6</sup> However, approval of the laws was implied since Congress on May 8, 1792, provided for their publication. But the uncertainty as to the validity of the legislation increased when the United States House of Representatives in February 1795, disapproved, pursuant to the Ordinance, all the Territorial laws enacted on August 1, 1792, except one minor act. Although the Senate did not confirm the action, this news, when it reached the Territory, resulted in the loss of further prestige for the laws.<sup>7</sup>

In 1795, the governor and the new judges, John Cleves Symmes and G. Turner, revised the Territorial laws in conformance with the governor's literal interpretation of the Ordinance. This revision, called the Maxwell's Code after its publisher, adopted sections from the codes of Pennsylvania, New Jersey, Virginia, Massachusetts and New York. Needed laws not contained in the codes of the original states were propounded as resolutions. Simultaneously, to supplement the specific acts adopted and to give credence to the common law, the governor and the judges adopted an act which provided that the common law of England and all statutes of the Parliament enacted in aid of the common law prior to the fourth year of the reign of James I to be the law of the Territory.<sup>8</sup>

This act was an adoption of a Virginia statute enacted prior to the Declaration of Independence, when Virginia was a British colony. However, at the time of its enactment by the Territorial Legislature, Virginia had repealed that portion of the law which related to the reception of English statutes.<sup>9</sup> Hence, the legality of this adopted statute has been the subject of considerable dispute.<sup>10</sup>

The last session of the first Territorial administration was held by the secretary and the judges at Cincinnati from April 23, 1798 to May 7, 1798. During this meeting they adopted several new laws from the legislation of original states and four from the Kentucky code. Since Kentucky was not an original state, the validity of the latter laws has also been questioned.<sup>11</sup> This set of laws completed the legislation passed by the governor and the judges during the initial formative period of the Territory. Subsequent acts were enacted, prior to the formation of the state of Ohio, by Territorial Assemblies which had full legislative authority.

The laws of the first Territorial administration were published

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<sup>6</sup> *Id.* at 410.

<sup>7</sup> *Id.* at 411.

<sup>8</sup> LAWS OF THE TERRITORY OF THE UNITED STATES NORTH-WEST OF THE OHIO, "MAXWELL'S CODE" (1796) 175; 1 STATUTES OF OHIO 190 (Chase ed. 1833).

<sup>9</sup> Act of December 27, 1792. TATE, DIGEST OF LAWS 21, 89 (1823).

<sup>10</sup> For a discussion of this controversy see Pollack, *op. cit.* note 2, at 206ff.

<sup>11</sup> Bond, *op. cit.* note 2, at 421.

periodically in a manner similar to session laws. There were no compilations or codifications as we know them today. In fact, the statutes in Maxwell's Code were also enacted piecemeal. Listed and described below are the publications of the laws of the Northwest Territory for the period 1788 to 1799.

LAWS PASSED IN THE TERRITORY OF THE UNITED STATES NORTHWEST OF THE RIVER OHIO, FROM THE COMMENCEMENT OF GOVERNMENT TO THE 31ST OF DECEMBER, 1791, Philadelphia, Francis Childs and John Swaine, 1792. 68 + 2 p.

This 68 page volume, published by authority, contains the laws passed at the first four sessions of the Legislature. Each chapter deals with a separate subject; in the head-note appear the title of the act, the date and the place of publication, and the names of the Governor, or the Secretary, and the judges who enacted it. Marginal notes indicate the subject matter of the various paragraphs within each chapter. The chapters are consecutively numbered, with only prefatory headings to indicate that the subsequent chapters were enacted by a later session of the Legislature. These individual laws lacked enacting clauses, which appear in later volumes. A table of contents is at the end of the volume. This set of laws was reprinted by Robert Clarke & Company, the date of which is not given.

LAWS PASSED IN THE TERRITORY . . . FROM JULY TO DECEMBER, ONE THOUSAND, SEVEN HUNDRED AND NINETY-TWO, INCLUSIVE. Philadelphia, Francis Childs and John Swaine, 1794. 74 + 2 p.

This volume, published by authority, contains a certification to the effect that the publication conforms to the original statutes on file. Its physical arrangement is the same as that of the preceding volume, except that the acts and the sections thereof contain enacting clauses. This volume also was reprinted by Robert Clarke & Company without a date.

LAWS OF THE TERRITORY . . . AT A SESSION BEGUN ON FRIDAY, THE XXIX DAY OF MAY, ONE THOUSAND, SEVEN HUNDRED AND NINETY-FIVE, AND ENDING ON TUESDAY, THE TWENTY-FIFTH DAY OF AUGUST FOLLOWING . . . Cincinnati, W. Maxwell, 1796. xiii + 15-225 p.

In this 225 page volume, popularly known as "Maxwell's Code," the statutes appear individually, without designation by chapter numbers. The head-notes indicate the titles of the acts, the state codes from which they were adopted, the dates and places of publication, and the names of the officials who adopted them. At the end of each act appears a testimonium clause declaring the foregoing

to be a law of the Territory, and indicating its effective date, along with the signatures of the officials. The Ordinance of 1787 is reprinted at the beginning of the volume. In the Appendix are resolutions adopted where no corresponding statutes of the original states existed. A table of contents appears after the Appendix. This volume was reprinted without a date by Robert Clarke & Company, and by T. L. Cole in 1891.

LAWS OF THE TERRITORY . . . ADOPTED AND PUBLISHED AT A SESSION OF THE LEGISLATURE BEGUN . . . UPON THE 23D DAY OF APRIL IN THE YEAR OF OUR LORD 1798 AND CONTINUED BY ADJOURNMENTS TO THE SEVENTH DAY OF MAY IN THE SAME YEAR. Cincinnati, Edmund Freeman, 1798. 32 p.

This volume contains the eleven acts passed in 1798, which are arranged in the same manner as those in Maxwell's Code. On the last page is an attestation by the territorial secretary that the laws reprinted are a true copy of the original acts. This publication was reprinted without a date by Robert Clarke & Company, and by T. L. Cole in 1891.

#### B. *Territorial Assembly 1799-1803.*

The Ordinance of 1787 provided that so soon as there shall be five thousand free male inhabitants of full age in the Territory they may elect representatives to a general assembly. Grudgingly, in December 1798, Governor St. Clair, after ordering a census of the free male inhabitants of full age and receiving adequate proof that the district contained the requisite number of inhabitants, called an election for representatives to a Territorial legislature.<sup>12</sup> St. Clair called attention to the property requirements of the Ordinance that to qualify as a representative, a citizen must own 200 acres and to vote he must have a freehold of 50 acres. Other democratic restrictions included the indirect election of the upper House by the lower body and the retention of full power of appointment and veto by the governor. However, the Assembly had authority to enact statutes so long as they were not repugnant to the Ordinance of 1787 or the Constitution. This, of course, was a substantial improvement over the autocratic, crude and confused legislation promulgated by the governor and the judges.

The first session of the Assembly met on September 24, 1799. Since the status of the laws then in force was uncertain and the need for additional legislation was compelling, the Legislature proceeded to enact, revise and renew various laws. These acts formed a basis

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<sup>12</sup> *Id.* at 435.

of the legal structure for the State of Ohio and the Territories of Indiana and Illinois.

On May 7, 1800, the Territory was divided—the western portion became the Indiana Territory and the remaining Northwest Territory eventually became the state of Ohio.<sup>13</sup> In November 1800, the second session of the First Assembly met without the representatives from the area which formed the Indiana Territory. Notwithstanding the strong differences of opinion held by the governor and the Assembly, several measures became law.

The Second Territorial Assembly met from November 1801 to January 1802, and enacted several statutes, being the last legislation passed by the Territorial government. On April 27, 1802, despite Governor St. Clair's determined opposition, the United States Congress passed the Enabling Act, whereby Ohio could become a state if its residents so chose, and also extended the franchise to all males of one year's residence.<sup>14</sup> That autumn, a constitutional convention met and drafted the Constitution, and the Northwest Territory subsequently became the State of Ohio.<sup>15</sup>

As with the laws decreed by the governor and the judges, the Acts of the Territorial Assemblies were published as session laws, there being no compilation or codification. Only three volumes were published during this period. They were:

LAWS OF THE TERRITORY . . . PASSED AT THE FIRST SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD AT CINCINNATI, ON MONDAY, THE SIXTEENTH DAY OF SEPTEMBER, A. D. ONE THOUSAND, SEVEN HUNDRED AND NINETY NINE . . . VOL. I. Cincinnati, Carpenter & Findlay, 1800. 280 p.

This volume is divided into two sections. The first, consisting of fifteen pages, is devoted to a reprint of six laws originally enacted by the governor and the judges between 1788 and 1792.

The second section contains statutes passed during the first

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<sup>13</sup> *Id.* at 453-455.

<sup>14</sup> *Id.* at 474-475.

<sup>15</sup> There is some dispute as to when Ohio became a state since Congress never passed any formal act of admission. On February 19, 1803, Congress had passed an act organizing the judicial district of Ohio, recognizing in the preamble the existence of the state. Then on March 3, 1803, Congress passed an act making the changes and additions relating to the appropriation of public lands as had been requested by the Convention. However, the first State Legislature had met on March 1, 1803, the date which Congress, in 1806, decided was the day when the state government began and the territorial government ceased to exist. See Laylin, *Historical Introduction* in 1 Ohio Jur. xli; 16 Ency. Brit. 734; 17 New Inter. Ency. 393; Sloane, *When Did Ohio Become a Sovereign State?* 9 Ohio Arch. & Hist. Soc. Pub. 278.

session of the Territorial Assembly. The acts are designated by chapter numbers, the title of each appearing at its head, and at the end are the signatures of the Speaker of the House and the President of the Council, along with the date and signature of approval by the Governor. The enacting clauses are found at the beginning of each section, while marginal notes indicate the subject-matter of the text.

The first statute undertakes to confirm and enforce certain enumerated laws enacted by the governor and the judges, thus removing any doubt as to their authority. Included among these are the six acts which were reprinted in the first section of this volume. Any new acts relating to the subject-matter of the old laws contained specific clauses repealing the original legislation. The last act in the volume repeals certain other old laws hitherto unmentioned.

After the statutes appear resolutions of the Territorial Assembly, the Ordinance of 1787, the Constitution of the United States, the Federal Fugitive Slave Law, and the table of contents.

LAWS OF THE TERRITORY . . . PASSED AT THE SECOND SESSION OF THE FIRST GENERAL ASSEMBLY, BEGUN AND HOLDEN AT CHILLICOTHE, ON MONDAY, THE THIRD DAY OF NOVEMBER, ONE THOUSAND EIGHT HUNDRED . . . VOL. II. Chillicothe, Winship & Willis, 1801. 112 p.

The arrangement of the material in this volume is the same as that in Volume I. At the end of the volume is 'an appendix containing certain resolutions, followed by a certification of correctness by the supervisor of the printing of the volume. The table of contents, in the last two pages, lists the acts in the same order as they were printed. A reprint by Statute Law Book Company appeared in 1926.

LAWS OF THE TERRITORY . . . PASSED AT THE FIRST SESSION OF THE SECOND GENERAL ASSEMBLY, BEGUN AND HOLDEN AT CHILLICOTHE, ON MONDAY, THE TWENTY-THIRD DAY OF NOVEMBER, ONE THOUSAND, EIGHT HUNDRED AND ONE . . . VOL. III. Chillicothe, Willis, 1802. 253 p.

Again, this volume follows the same arrangement as the two preceding volumes. The appendix, which begins on page 229, contains resolutions of this Assembly and the two statutes passed by the previous Assembly which were not printed in Volume II. Following this is the usual certification as to the correctness of the contents, and, finally, a five page table of contents. This is the final volume of statutory law published under the Territorial government.

C. *Reprints and Compilations.*

Except for the Robert Clarke & Company, Statute Law Book Company and T. L. Cole reprints of the laws passed by the Territorial governor and the judges, there have been few other reprints or compilations of the early Territorial laws. They are described below.

LAWS OF THE TERRITORY NORTHWEST OF THE RIVER OHIO . . . Cincinnati, Corey & Fairbank, 1833. 350 p.

This separately published volume consists of the first 350 pages of the first volume of S. P. Chase's *Statutes of Ohio and of the Northwestern Territory*, with a new title page. It is discussed below. The volume was reprinted in Cincinnati around 1890; the publisher's name is not given.

THE STATUTES OF OHIO AND OF THE NORTHWEST TERRITORY, ADOPTED OR ENACTED FROM 1788 TO 1833 INCLUSIVE . . . EDITED BY SALMON P. CHASE . . . Cincinnati, Corey & Fairbanks, 1833. 3 volumes.

The first volume of the set contains statutory material pertaining to the Northwest Territory. In the first ninety pages appear the preface, a historical sketch of Ohio, reprints of the Articles of Confederation, the United States Constitution, the Deeds of Cession from the states of Virginia and Connecticut, the Ordinance of 1787, certain Congressional Acts for the government of the Territory and for the admission of Ohio to the Union, the Ordinance and Resolution of the Ohio Convention, the Ohio Constitution of 1802, and certain other laws of the United States.

On page 91, the laws of the Territory begin. Here are reprinted, in the order of their publication, the various volumes of Territorial statutes. In most cases, the statutes themselves have been reprinted, omitting, however, the verbose head-notes and attesting clauses. In cases where one statute repeats in detail the words of another, a mere reference to the original is used. Punctuation is supplied by the editors where needed; otherwise the reprints duplicate the original acts. All the Territorial acts are consecutively numbered, from the first to the last, without regard to the original volume breakdown, although there are headings indicating the particular session at which a group of laws was passed. At the beginning of each act is its title. Marginal notes indicate the subject-matter of the text and give the subsequent history of the law. These Territorial statutes end at page 350, and the State statutes, from 1803, begin.



LAW SERIES, VOLUME I. THE LAWS OF THE NORTHWEST TERRITORY, 1788-1800. Springfield, Illinois State Historical Library, c1925. xxxvi + 591 p.

This volume contains a short historical introduction to the material and then a reprint, in 591 pages, of each of the volumes of statutes enacted for the Northwest Territory from 1788 to 1800, including those passed during the first session of the Territorial Assembly. Since the Indiana Territory was set off in 1800, the acts of the last two sessions of the Territorial Assembly are not included in the volume. A reprint of this volume was published by the Illinois Bar Association in 1925, at Springfield.

The reprinted volumes appear in chronological order, and since the pagination does not correspond to the original, the latter is also given. All head-notes, marginal notes and attestations are reprinted. All errors in the original are reprinted in this volume, a distinction being that modern type is used to facilitate reading.

A list of the publications of the laws of the Northwest Territory is included in Macdonald, *Checklist of Session Laws*, New York, Wilson, 1936; Pollack, *Supplement to the Macdonald Checklist* . . . Boston, National Association of State Libraries, 1941; and U. S. Work Projects Administration, Ohio. *A Checklist of Ohio Imprints, 1796-1820*, Columbus, Ohio Historical Records Survey, 1941. American Imprints Inventory, No. 17. 202 p.

#### THE LAWS OF THE STATE OF OHIO

##### A. 1803-1879.

The first session of the Ohio General Assembly convened on March 1, 1803, at Chillicothe, then the capital of Ohio. The Second General Assembly met in December of the same year and subsequent Assemblies, each numbered in sequence, met in that month on successive years through 1850, when the Forty-Ninth Assembly convened. Each December meeting was designated as the "first session" of a particular assembly; the Twentieth, Thirtieth and Thirty-Third Assemblies held "second sessions" and the Fortieth Assembly an "adjourned session" in the summers following their December meetings.

As of October 1, 1810, the Eighth Assembly enacted a law temporarily transferring the seat of government to Zanesville,<sup>16</sup> and there the Legislature met for its 1810-1811 and 1811-1812 sessions. On February 14, 1812, the Tenth Assembly passed an act accepting the offer of Alexander M'Laughlin, John Kerr, Lyne Starling and James Johnston to lay out a town on the Scioto River, opposite Franklinton,

to grant part of it to the State, and to erect a statehouse, offices and a penitentiary.<sup>17</sup> The act established this town as the permanent seat of government as of the first Monday of December 1817, and further provided that the temporary seat of government, after May 1, 1812, would be Chillicothe. By a resolution of February 21, 1812,<sup>18</sup> the Legislature named this new town Columbus, which was incorporated by an act of the Legislature on February 10, 1816.<sup>19</sup> On February 17, the act establishing the permanent seat of government at Columbus was amended to take effect on the second Tuesday of October 1816,<sup>20</sup> and all sessions of the Legislature, from the fifteenth Assembly to the present, have been held in Columbus.

In the elections of 1849, the people of Ohio voted for a constitutional convention to revise and amend the Constitution. The Legislature, on February 22, 1850,<sup>21</sup> provided that the Convention be called, that the elections of delegates be held on the first Monday of April 1850, and that the Convention meet on the first Monday in May of that year. A new Constitution was drawn up by March 10, 1851, and approved by the people in an election held in June.

Article II, Section 25 of the revised Constitution provided that the Legislature meet biennially on the first Monday of January, the first session being in 1852. Thus, the Fiftieth General Assembly did not convene until January 5, 1852. Another meeting, although it was not designated as a special or adjourned session, was held during that year beginning on November 15, and the laws then enacted were separately published.<sup>22</sup> During that session the first Code of Civil Procedure was adopted on March 11, 1853.<sup>23</sup> Three days later the Probate Act and the Justices' Act were adopted. The Fifty-First Assembly convened in January 1854, and the Fifty-Second in January 1856. After that, the Legislature met annually, holding the "first sessions" in the even-numbered years and "second sessions" or "adjourned sessions" in the odd-numbered years for the remainder of this period.

During 1803-1879, several volumes of statutory revisions and compilations as well as the regular session laws were published.

#### SESSION LAWS

The volumes of the session laws are entitled *Laws of Ohio* on the spine of all but a few of the very early volumes. This designation

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<sup>17</sup> 10 OHIO LAWS 92.

<sup>18</sup> 10 OHIO LAWS 204.

<sup>19</sup> 14 OHIO LAWS 205.

<sup>20</sup> 14 OHIO LAWS 245.

<sup>21</sup> 48 OHIO LAWS 19.

<sup>22</sup> 51 OHIO LAWS.

<sup>23</sup> 50 OHIO LAWS (Local) 35.

is repeated on the reprints. The spines of the volumes also give the volume numbers and the years covered. The common citation for these volumes is *Ohio Laws* or *O. L.* The title pages over the years vary, a typical example being, "Acts of a General Nature, Passed by the Forty Eighth General Assembly of the State of Ohio, Begun and Held in the City of Columbus, December 3, 1849, and in the Forty-Eighth Year of Said State. Vol. 48."

A separate volume was published for each annual session of the Assembly through 1819. Some of these volumes contain only statutes and resolutions passed during the session; others include reprints of the Declaration of Independence, the Ordinance of 1787, the Constitutions of the United States and of Ohio, as well as some federal statutes, such as the Law Relating to Fugitives. In a few instances, to be discussed later, some of the older state laws were republished. These early volumes had no definite arrangement of contents since general, local and private laws were indiscriminately published without reference to type of law, subject-matter or chronology. The resolutions, however, were separately grouped. The State Auditors' and Treasurers' reports were published in many of these volumes. The laws in each publication are identified by consecutive chapter numbers under which are given the titles to the acts. The acts, in turn, are subdivided into sections with marginal notes indicating paragraph contents. The signatures of the House leaders and the date of passage appear at the end of each chapter.

Beginning with volume 18, which covers the 1819-1820 session, the general laws and the local laws are separately published, the general laws being designated "vol. 18," the local acts, "vol. 18 Local." The title pages are alike except that the latter are called "Acts of a Local Nature. . . ." Usually, the resolutions appear in the "local" volume; however, occasionally they are included with the constitutions, etc., in the "general" volume. In all but a few releases the Treasurer's and Auditor's reports are published in the "local" volumes.

The "local" volumes are arranged like their corresponding "general" volumes; however, the organization of the volumes differ in minor respects, such as the omission of marginal notes or chapter numbers.

The separate publication of the general and the local laws was continued through volume 50, *Ohio Laws*, 1852. Volume 51, which covers the adjourned session of the Fiftieth Assembly, and the subsequent numbers contain the general laws, the local laws and the resolutions for a session in single volumes.

The work of the Second Session of the Twentieth Assembly is given in eight pages of acts and resolutions. The title page refers to it as "volume 21"; yet, that number was reused for the laws of the Twenty-First Assembly which were published a year later.

Volumes 52 and 53 contain the laws of the 1854 and the 1856 Assemblies, respectively. Following those sessions, the volumes are numbered consecutively for each annual meeting of the Assemblies regardless of whether they were "first," "second" or "adjourned" sessions. Thus, the last volume for this period, volume 76, contains the laws of the Adjourned Session of the Sixty-Third Assembly.

Volumes 62, 63 and 64 contain appendixes showing the changes made in prior laws from January 1, 1861, to the date of publication, of Chase, Swan and Critchfield, Curwen, and the subsequent session laws. The appendix of volume 70 includes the Ohio Constitutions of 1802 and 1851 with annotations and references to the Constitutional debates. Volumes 74 and 75 also contain a table of statutes repealed.

A significant number of the session laws for this period, especially the earlier ones, have been privately reprinted. In addition to these, several statutes or groups of statutes were individually reprinted for the use of special groups, such as the courts and the militia. For a comprehensive listing of them and the other session laws, see Macdonald, *Checklist of Session Laws, supra*; Pollack, *Supplement to the Macdonald Checklist . . . , supra*; and U. S. Work Projects Administration, Ohio. *A Checklist of Ohio Imprints, 1796-1820, supra*.

#### REVISIONS AND COMPILATIONS

During 1803-1879, no attempt at official codification of Ohio statutes was made by the Legislature; however, in the latter part of this period, compilations were published by private companies. Prior to this, the Legislature periodically revised and reprinted the statutes with the current volumes of session laws. Approximately every five years the Assembly would amend, revise or repeal most of the existing laws; the unamended laws would by resolution be ordered reprinted and bound with the current session laws. Therefore, such volumes included substantially all the general laws then in force in the state. Yet, the Assembly through inadvertence often omitted a reference to a few of the general laws in the reprint order, the effect being an incomplete edition. Also, the temporary, local and private laws were generally omitted. The last of these revisions was published in 1838.

#### ACTS PASSED AND REVISED, Chillicothe, 1805. lxxvi + 491 p.

This is volume 3 of the *Ohio Laws*. The volume contains the laws, including amendments and revisions, passed at the then current session of the Legislature, at the end of which appear the older laws which were ordered reprinted. Both the general and the local laws are reprinted, although some of the latter are identified only

by reference to their titles. These reprinted laws appear in the sequence given by the resolution ordering the reprint, which is the same order in which they appear in the original volume.<sup>24</sup> In this volume, the last of the general Territorial laws was repealed.

LAWS ORDERED REPRINTED. Chillicothe, 1810. 626 + lv p.

This is in volume 8, *Ohio Laws*. At the end of the newly passed laws, including the usual amendments, etc., are nearly 250 pages of reprinted laws, arranged in the order in which they were listed in the resolution.<sup>25</sup> In this volume, however, only the laws of a general nature were reprinted. Some were inadvertently omitted from the list, and to correct this error, the Legislature ordered most of these omissions reprinted in volume 9, *Ohio Laws*.<sup>26</sup>

LAWS . . . ORDERED . . . REPRINTED, St. Clairsville, 1816. 412 + 38 p.

This is bound with volume 14, *Ohio Laws*. After the session laws for the period, the reprints appear. Again, they are in the same order as they were listed in the resolutions,<sup>27</sup> which was the order in which they were originally printed, without regard to subject-matter or chronology. This volume contains all the general laws in force, new or reprinted.

ACTS OF A GENERAL NATURE ORDERED REPRINTED, Columbus, 1820. 319 + 488 p.

This is in volume 18, *Ohio Laws*. After the current session laws come the acts of a general nature ordered reprinted by legislative resolutions.<sup>28</sup> These acts are reprinted without much semblance of order, and with no regard for chronology or subject-matter. One or two statutes in force were inadvertently omitted from the reprint list.

ACTS OF A GENERAL NATURE REVISED AND ORDERED REPRINTED, Columbus, 1824. 500 p.

This is in volume 22, *Ohio Laws*. By resolution<sup>29</sup> of the Legislature, several laws of a general nature were ordered reprinted. In this volume, new and reprinted laws are not separately printed as

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<sup>24</sup> 3 OHIO LAWS 462.

<sup>25</sup> 8 OHIO LAWS 360.

<sup>26</sup> 9 OHIO LAWS 93.

<sup>27</sup> 14 OHIO LAWS 461, 462.

<sup>28</sup> 18 OHIO LAWS (Local) 136, 157, 161.

<sup>29</sup> 22 OHIO LAWS (Local) 162.

they were in the earlier revisions. The statutes themselves are grouped together topically, without regard to chronology and with no logical topical arrangement. In this edition, several acts in force, which are of a general nature, were omitted, but for the most part they were comparatively unimportant.

ACTS OF A GENERAL NATURE REVISED AND ORDERED REPRINTED. Columbus, 1831. 618 p.

This is in volume 29, *Ohio Laws*. Here, the new and reprinted statutes are integrated and arranged topically, as they were in the 1824 revision, by Legislative order.<sup>30</sup>

ACTS OF A GENERAL NATURE ORDERED REPRINTED. Columbus, 1838. pp. 99-140.

These acts are at the end of volume 36, *Ohio Laws*, and consist of only seven statutes. They are reprinted separately, as they were in the earlier volumes. The title page states that they were ordered to be reprinted with volume 37, *Ohio Laws*; however, they are bound with the 36th volume. Since so few laws are reprinted, this obviously was not an attempt to publish in one volume all the laws in force at that time.

The following are compilations, rather than revisions, which were privately compiled and published. The State on occasion ordered certain modifications of the copies it purchased, hence the "by authority" captions.

THE STATUTES OF OHIO AND OF THE NORTHWEST TERRITORY, ADOPTED OR ENACTED FROM 1788 TO 1833 INCLUSIVE . . . Edited by Salmon P. Chase . . . Cincinnati, Corey & Fairbank, 1833. 3 volumes.

This set of Ohio statutes is cited as "Chase," and is discussed *supra*, under the Northwest Territory section. The first volume, from page 351 to the end, contains state statutes from 1803 to 1810; volume II covers the laws to 1825 and volume III, to 1833.

The plan here adopted was to republish, chronologically, all the laws of the State (and of the Territory), whether in force, repealed or expired at the time of publication. The texts of all the laws of a general nature, and the most important local acts are reprinted in full. All other acts are identified by brief abstracts or by their titles, with references to their location in the original session law volumes. Only the necessary parts of the statutes are reprinted; the lengthy head-notes and verbose enacting clauses are omitted, and in their place brief titles, the dates of enactment and the effective dates

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<sup>30</sup> 29 OHIO LAWS (Local) 250, 253.

are given. Since the acts are arranged chronologically, they do not follow the order of their appearance in the session laws. The individual acts constitute separate chapters, which are consecutively numbered throughout the three volumes without interruption by the beginning of a new volume of session laws. Only a notation inserted between chapters indicates where the laws of a new legislative session begin. The resolutions are found at the end of each session's laws, in footnote form, reprinted in full or by title only, as their importance warrants.

The marginal notes, indicating the topic of the paragraphs, are reprinted, with additional references indicating the subsequent history of the statutes. These historical notations refer to Chase's chapter numbers rather than to the *Ohio Laws* citations; thus, reference can be made to the appropriate acts in Chase's Statutes to determine changes from the original. In addition, notes to the titles of the acts give citations (in Chase) to earlier laws on the same or kindred subjects. A few references to pertinent court decisions are also given. At the top of each page is a title indicating the subject-matter of the act.

Volume I, containing the laws through the 8th Assembly, published in 1833, and Volume II, containing laws of the 9th through the 23rd Assemblies, published in 1834, contain temporary indexes of laws in force and of obsolete and repealed laws. Complete indexes for all the general laws included in the set are contained in Volume III. Volume III, published in 1835, also contains an index to local laws. The local acts, which follow the general acts in this volume, are chronologically arranged under appropriate alphabetical topic headings. Most of these are indicated by title only, although the text of a few local laws are reprinted. The dates and the citations to the acts in the session laws are given with the titles, along with references to prior and subsequent acts on the same subjects.

This is the first publication which utilized one of the two basic systems of compilation employed throughout this period—that of chronologically reprinting the laws. This method also is used in some of the subsequent publications. The other plan, the subject arrangement, will be discussed later.

STATUTES OF THE STATE OF OHIO OF A GENERAL NATURE, IN FORCE DECEMBER 7, 1840; ALSO, THE STATUTES OF A GENERAL NATURE, PASSED BY THE GENERAL ASSEMBLY AT THEIR THIRTY-NINTH SESSION, COMMENCING DECEMBER 7, 1840. . . . by J. R. Swan. Printed by Authority of the General Assembly.<sup>81</sup> Columbus, Samuel Medary, 1841. xv + 1 + 1111 p.

<sup>81</sup> A resolution, 38 OHIO LAWS (Local) 239, authorized Swan to index his collated statutes and ordered the State Printer to print 20,000 copies of the

This volume, cited as "Swan," contains such general laws, in force, as had been theretofore ordered by the Legislature to be published as a revised code.<sup>32</sup> The compiler omitted laws relating to the militia, school lands and school funds. These are listed in Appendix B along with other statutes of general interest which were in force and were not considered as paramount legislation. The date and the source of these statutes in the session laws or in Chase, if they were legislation preceding 1833, are given.

The statutes are grouped into chapters, each with a topic heading, and are alphabetically arranged. Two or more acts dealing with the same topic are integrated into the same chapter. Each chapter is divided into sections; they are consecutively numbered, which arrangement corresponds to the sections of the individual acts within that chapter. However, no interruption in the sequence of these numbers is created by the beginning of a new act. The section numbers of the individual acts are also given in Roman numerals.

At the beginning of each chapter is an index giving the contents of the various sections. At the beginning of each act is a notation giving the title of the act, the dates of enactment and of taking effect, and the citation in the session laws. Marginal notes indicate the subject-matter of the paragraphs within the chapters and give citations to other acts referred to by title within the act in question. Repealed sections are omitted from the chapters; only their numbers are retained, with a reference to the repealing act. If only a part of a section was repealed, it is reprinted in italics, so that the whole section as originally enacted is given. Footnotes provide some case annotations and local statutes.

Of the statutes enacted by the Thirty-Ninth Assembly, some appear in the latter part of the volume along with the older ones on the same topics. Those which would have appeared in the front part of the volume are placed in Appendix A at its end. It is evident that the printer had set up these pages before the new laws were passed.

This leading publication is arranged according to the second basic system used in compiling the statutes during this period—that of reprinting the laws in force alphabetically by subject. Later publications also follow this pattern.

THE PUBLIC AT LARGE, OF THE STATE OF OHIO: FROM THE CLOSE OF CHASE'S STATUTES, FEBRUARY, 1833, TO THE PRESENT TIME . . . AND A SUPPLEMENT, CONTAINING ALL LAWS PASSED PRIOR TO FEBRUARY,

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volume, including the laws of the current session. Another resolution, 39 OHIO LAWS (Local) 192, authorized the Secretary of State to provide Swan a copy of the new statutes.

<sup>32</sup> See preface to volume.



1833, WHICH ARE NOW IN FORCE. Edited by Maskell E. Curwen. Cincinnati, 1853. 3 volumes.<sup>33</sup>

Cited as "Curwen," this set follows the plan in Chase. It republishes chronologically all the Ohio statutes enacted during the twenty-year period following the publication of Chase's Statutes, which appear in volumes 32-51 of the *Ohio Laws*.

The arrangement used in this set is similar to Chase's—the acts are reprinted as chapters and continuously numbered throughout the entire set. At the head of each chapter are the title of the act, a notation of its location in Chase, Swan or the session laws post-dating Swan, the location of any statute amended thereby, and the dates. In addition, there is a notation indicating whether the chapter, or a section thereof, is in force, temporary, local, obsolete or repealed (As to the latter, the citation to the subsequent repealing chapter is given). Further references to amendments, repeal provisions and cases in point are footnoted.

The Constitutions and other documents precede the statutes in volume I. At the end of volumes I and II are indexes to both the laws which are in force and those not in force as of January 1, 1854, contained in the volumes. Complete indexes to the entire set appear at the end of volume III. In the third volume is a Supplement containing all the general laws passed prior to December 2, 1833, which were still in force. Chase's Statutes were used as a reference guide, and the citations are to Chase rather than to the session laws. Curwen's chapter numbers are continued also through these acts. In addition, there is a list of Chase's Statutes which were expressly changed by subsequent acts, with references to the citations in Curwen of the repealing or amending acts.

STATUTES OF THE STATE OF OHIO, OF A GENERAL NATURE, IN FORCE, JANUARY 1, 1854: WITH REFERENCES TO PRIOR REPEALED LAWS. Collated and Compiled by Joseph R. Swan. Cincinnati, Derby, 1854. viii + 9-1114 p.<sup>34</sup>

The general arrangement of this volume is the same as that of Swan's 1841 edition—that is, only the statutes in force are printed, and they are arranged alphabetically in chapters by topic, while the chapters themselves are numerically subdivided into sections. At the end of the volume is the Appendix listing the laws in force which were not reprinted. Modifications of statutes are given at the

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<sup>33</sup> The act of 51 OHIO LAWS 346 orders the purchase of this set for the State; the order of distribution is in 52 OHIO LAWS 25.

<sup>34</sup> This volume is not official, but was the basis for the official volume ordered printed in 52 OHIO LAWS 50.

bottom of the pages; annotations to cases are omitted and only their citations are provided.

STATUTES OF THE STATE OF OHIO, OF A GENERAL NATURE, IN FORCE, AUGUST, 1854: WITH A REFERENCE TO PRIOR REPEALED LAWS. Collated and Compiled by Joseph R. Swan. Cincinnati, Derby, 1854. xxvii + 9-1114 p.<sup>35</sup>

This volume contains all the laws, not repealed, included in the January edition, plus the general laws passed by the Assembly in 1853-54 and the laws on the sale of school lands, which were previously omitted. Extra pages were inserted to accommodate the new additions, i.e., pp. 826a, 826b. Thus, the page references to the older laws remained unchanged. The appendix of laws which had previously been deemed unnecessary to print and the index were brought up to date; otherwise, this edition is the same as the January publication.

THE STATUTES OF THE STATE OF OHIO, OF A GENERAL NATURE, IN FORCE AT THE PRESENT TIME; WITH NOTES AND REFERENCES TO THE JUDICIAL DECISIONS THEREON . . . COMPLETE IN ONE VOLUME. Edited by Maskell E. Curwen. Cincinnati, Morgan, 1854. x + 17-1683 p.

This is intended to be a complete collection and revision of all Ohio laws in force on January 1, 1854, including the laws on the militia, school lands, etc. In this volume, the laws from Chase prior to 1833 appear in the beginning, rather than at the end as they did in the three volume set of Curwen's. Aside from this, the organization is the same as it was in the older set, being essentially a chronological arrangement, except that the laws not in force have been omitted. In this manner, this volume is limited to 655 chapters (acts), including the 100 pre-1833 laws. Amendments and repeals are noted at the bottom of the pages, along with the annotations, which are supposedly complete.

THE REVISED STATUTES OF THE STATE OF OHIO, OF A GENERAL NATURE, IN FORCE AUGUST 1, 1860. Collated by Joseph R. Swan, with Notes of Decisions of the Supreme Court, by Leander R. Critchfield. Cincinnati, Robert Clarke & Company, 1860. 2 volumes.<sup>36</sup>

Cited as "Swan & Critchfield," this set is a successor to the previous

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<sup>35</sup> This volume is published "by authority." The Legislature, in 52 Ohio Laws 50, ordered 5,000 copies of the edition published in January 1854, provided it was amended to contain the laws of the current Legislature.

The distribution order is in 52 OHIO LAWS 89.

<sup>36</sup> The act in 57 OHIO LAWS 42 orders the purchase and distribution of 1,000 copies for the State.

Swan editions, and is arranged in the same manner, that is, alphabetically by chapter titles. Where a law has been amended, both the old and the amendatory law are reprinted, with the latter in smaller type, along with a marginal note indicating the date of amendment. The annotations appear at the bottom of the page; Swan's original references of 1841 were used when possible, while the new ones, as well as the index, were prepared by Critchfield. The appendix of laws deemed unnecessary to reprint is at the end of volume 2.

THE PUBLIC STATUTES AT LARGE, OF THE STATE OF OHIO: FROM THE CLOSE OF CHASE'S STATUTES, FEBRUARY, 1833, TO THE PRESENT TIME . . . Edited by Maskell E. Curwen. Vol. IV. 1854-1860. Cincinnati, 1861. 1093 p.<sup>37</sup>

This is the fourth volume of "Curwen," containing the entire text of the general laws from 1854 to 1860, inclusive. It is considered part of the set, although it was published six years after the preceding three volumes. It follows the arrangement used in the earlier volumes, namely, Chase's chronological system. The chapter and page enumerations continue from the end of volume 3. Each statute is noted as "In Force," "Amended," or "Repealed," as was done in the earlier volumes. In the front of the volume is a table of the changes made by laws in this volume to the earlier acts appearing in Chase and volumes 1 through 3 of Curwen.

SUPPLEMENT TO THE REVISED STATUTES OF THE STATE OF OHIO, EMBRACING ALL THE LAWS OF A GENERAL NATURE, PASSED SINCE THE PUBLICATION OF SWAN & CRITCHFIELD'S REVISED STATUTES, 1860, IN FORCE AUGUST 1, 1868. Collated by Joseph R. Swan, With Notes of the Decisions of the Supreme Court by Milton Sayler. Cincinnati, Robert Clarke & Company, 1868. viii + 1199 p.<sup>38</sup>

Cited as "Swan & Sayler," this volume supplements Swan & Critchfield's Statutes, containing only the laws in force which were enacted since August 1, 1860. The Swan arrangement, alphabetical by chapter titles, is retained here. All the sections in Swan & Critchfield which were repealed are indicated at the beginning of each chapter in this volume. For the convenience of readers having access to Swan's Statutes of 1854 but not to Swan & Critchfield, there is a similar notation to the repealed sections of Swan as well as of the statutes in force which were passed between 1854 and 1860. Annotations to all

<sup>37</sup> The purchase and distribution order of 500 copies for the State is in 57 OHIO LAWS 63.

<sup>38</sup> The purchase order is in 65 OHIO LAWS 300; the distribution orders are in 66 OHIO LAWS 416, 417, 422, 425.

pertinent decisions in the *Ohio State Reports*, published during those years, are given with the applicable statutes, except for a few in the Appendix at the end of the volume. The Index refers to all laws in force as of August 1, 1868, whether they appear in this volume (Swan & Sayler), in Swan & Critchfield or in Swan's Revised Statutes (1854) and the intervening session laws. Their location in each is indicated.

THE REVISED STATUTES OF THE STATE OF OHIO OF A GENERAL NATURE, IN FORCE AUGUST 1, 1860, WITH NOTES DESIGNATING THE SECTIONS REPEALED PRIOR TO AUGUST 1, 1868, AND REFERENCES TO SWAN & SAYLER'S STATUTES FOR LAWS SUPPLYING THE REPEALED SECTIONS. Collated by Joseph R. Swan, with Notes of the Decisions of the Supreme Court by Leander J. Critchfield. Cincinnati, Robert Clarke & Company 1870 and 1869. 2 volumes.

This edition is an exact reproduction of the 1860 edition of Swan & Critchfield, except that the laws since amended or repealed are indicated by footnotes which cite the location of the amending or repealing statutes in the 1868 Supplement (Swan & Sayler) or in the session laws. No new preface appeared with this edition; volume II was published in 1869, while volume I was published in 1870.

THE STATUTES OF THE STATE OF OHIO IN CONTINUATION OF CURWEN'S STATUTES AT LARGE AND SWAN & CRITCHFIELD REVISED STATUTES, ARRANGED IN CHRONOLOGICAL ORDER SHOWING THE ACTS IN FORCE, REPEALED, OBSOLETE OR SUPERSEDED, WITH REFERENCE TO THE JUDICIAL DECISIONS CONSTRUING THE STATUTES AND A COMPLETE ANALYTICAL INDEX. Edited by J. R. Sayler. Cincinnati, Robert Clarke & Company, 1876. 4 volumes.<sup>39</sup>

This four-volume set, cited as "Sayler," is a republication, in chronological order, of all laws of Ohio enacted from Curwen's Statutes, March, 1860, to July, 1875, completing the series commenced by Chase and continued by Curwen down to the date of publication. Thus, all the acts of a general nature of the General Assemblies, from the beginning of statehood to 1875, have been republished. It is also a complete supplement to Swan & Critchfield, containing all the laws since 1860, indicating those then in force, repealed, amended, etc., and citing the repealing acts and dates of repeal, etc., to those not in force. The arrangement of Chase and Curwen is followed, with the chapters numbered consecutively throughout the set. Annotations are located at the foot of the page. References are made to

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<sup>39</sup> The act ordering the purchase and distribution of 300 sets for the State is 74 OHIO LAWS 149.

both Chase and Curwen whenever any acts therein affect them.

After each year's session laws, that year's local laws are reprinted by titles only. At the end of the last volume is a table of changes in laws contained in Chase and Curwen, which were made by the laws contained in this work.

This is the last compilation of Ohio statutes to be published before codification was undertaken by the Legislature.

Listed in Macdonald's *Checklist of Statutes* is a "volume I" of Saylor's "Public Statutes at Large," covering the period 1861-65, published in 1872 and consisting of v + 933 pages. This was evidently a pre-publication of the first volume of the above set. It is not available for inspection. Apparently, none of the other volumes was published at that time, and the first volume was entirely re-edited for the 1876 publication.

#### INDEXES

A COPIOUS INDEX TO ALL THE LAWS OF THE STATE OF OHIO . . . By "A Gentleman of the Bar." Marietta, Israel & Gardiner, 1809. 16 p.

Probably compiled by one J. W. Gazlay, this index is reputed to be the first privately printed law book in Ohio. It indexes all the laws in force at the time of publication, as well as listing the statutes repealed up to that time.<sup>40</sup>

INDEX TO ALL THE LAWS NOW IN FORCE IN THE STATE OF OHIO. 27 p. Bound with 9 *Ohio Laws*. Zanesville, White, Sawyer & Chambers, 1811.

By resolution of the Assembly, this index to Ohio laws in force was published with the session laws of 1810-1811.<sup>41</sup> It is alphabetically arranged by subject, giving references to the volumes and pages of the session laws where the acts may be found. The index contains several errors, and, generally, is not well arranged.

INDEX AND EPITOME OF THE GENERAL LAWS OF THE STATE OF OHIO NOW IN FORCE. By Jacob Nagle. St. Clairsville, Armstrong, 1816. 38 p. Bound with 14 *Ohio Laws*.

This index appears at the end of the LAWS OF OHIO ORDERED REPRINTED, which were published with volume 14, *Ohio Laws*. This

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<sup>40</sup> See the reference to Item 86 in *U. S. Works Projects Administration, Ohio. A CHECKLIST OF OHIO IMPRINTS, 1796-1820*. Columbus, O. OHIO HISTORICAL RECORDS SURVEY, 1941. AMERICAN IMPRINTS INVENTORY, No. 17. p. 46.

<sup>41</sup> 9 OHIO LAWS 92.

work is alphabetically arranged by subject, and is indexed to the laws in volume 14 and the volume 14 reprints, which comprise all the laws in force at the time. It is, therefore, a complete index to all the Ohio laws in force in 1816.

AN INDEX TO ALL THE LAWS AND RESOLUTIONS OF THE STATE OF OHIO, INCLUDING THE LAWS ADOPTED AND ENACTED BY THE GOVERNOR AND JUDGES AND THE TERRITORIAL LEGISLATURE, FROM THE COMMENCEMENT OF THE TERRITORIAL GOVERNMENT TO THE YEAR 1835-6, INCLUSIVE. . . . Prepared by Zechariah Mills. Columbus, Medary, 1837. 123 p.<sup>42</sup>

The state librarian was ordered by the Assembly to prepare this index in 1837. Arranged alphabetically by subject, it contains references to all the laws and resolutions enacted by the Territorial and State governments from 1788 to 1836, giving the volume and page numbers in the session laws where they may be found.

AN INDEX TO ALL THE LAWS AND RESOLUTIONS OF THE STATE OF OHIO, INCLUDING THE LAWS ADOPTED AND ENACTED BY THE GOVERNOR AND JUDGES, AND THE TERRITORIAL LEGISLATURE, FROM THE COMMENCEMENT OF THE TERRITORIAL GOVERNMENT TO THE YEAR 1844-5, INCLUSIVE. . . . By Zechariah Mills. Columbus, Scott, 1846. 181 p.<sup>43</sup>

Also prepared by order of the General Assembly, this index is similar to the one noted above, except that it was brought up to date.

AN INDEX TO THE STATUTES OF OHIO: CONTAINED IN VOLUMES XL. XLI. XLII. XLIII. XLIX. XLV., OF THE GENERAL LAWS. Columbus, Scott, 1847. 95 p.

By resolution of January 29, 1847,<sup>44</sup> the Secretary of State was ordered to compile this index on the order of that in Swan's Statutes (1841) for all general laws passed from 1840 through 1847, excluding the local laws. It is arranged alphabetically by subject, referring to the volume and page numbers of the session laws.

A REVISING INDEX TO THE STATUTE LAW OF THE STATE OF OHIO, SHOWING THE PRESENT STATE OF THE LAW BY INDICATING THE CHANGES THAT HAVE BEEN MADE SINCE THE PUBLICATION OF SWAN'S STATUTES. By M. E. Curwen. Dayton, Wilson & Decker, 1849. 90 p.<sup>45</sup>

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<sup>42</sup> Ordered by resolution of the Legislature, 36 OHIO LAWS (Local) 399.

<sup>43</sup> The resolution authorizing the printing of this index is in 44 OHIO LAWS (Local) 313.

<sup>44</sup> 45 OHIO LAWS (Local) 204.

<sup>45</sup> The resolution ordering the purchase of 4,000 copies is in 47 OHIO LAWS (Local) 397.

This is not an index in the ordinary meaning of the word, but is more in the nature of a citator, in that it indicates the changes that have been made in the Ohio laws since the publication of Swan's Statutes in 1841. Swan's Statutes, and the subsequent session laws, volumes 40 to 46 inclusive, are the only sources cited in this index. It deals with the statutes in the same order in which they appear in these volumes. Beside the marginal note which indicates the page and section numbers affected, are the annotations to cases, citations of repealing and amending statutes, and summaries of supplementary statutes, which affect the law there noted. Statutes which are unaffected in any way are not noted in the volume. As a citator, this work is helpful, but as an index, it is of little value.

INDEX TO OHIO LAWS, GENERAL AND LOCAL, AND TO THE RESOLUTIONS OF THE GENERAL ASSEMBLY, FROM 1845-6 TO 1857, INCLUSIVE, WITH AN APPENDIX, CONTAINING AN INDEX TO THE DOCUMENTS IN THE JOURNALS OF THE HOUSE AND SENATE FROM 1802 TO 1836. By William T. Coggeshall. Columbus, Richard Nevins, 1858. viii + 9-302 p.

This index, prepared by order of the Legislature,<sup>46</sup> is divided into four sections, one each for general laws, local laws and resolutions for the period 1845 to 1857, volumes 44-54 of the session laws, and one for documents for the period 1802 to 1836. The general laws are indexed alphabetically according to their subject matter, the breakdown of topics being rather complete. The local laws are arranged with reference to general subjects, with no breakdown into special groups. The resolutions, however, are indexed with regard to special topics, since it was believed that reference to them would be more frequent. In all three sections, the volume and page numbers of the session laws for each statute and the year of its enactment are given. In the fourth section, only the contents of the Senate and House Journals for the years 1802-1836 were indexed, since other indexes were already in existence for the subsequent period. This section, the Appendix, indicates, under the title of the officer or the company reporting (these are arranged alphabetically), the yearly volume of the Senate or House Journal and the page number where a particular report or message can be found.

INDEX TO LAWS IN FORCE CONTAINED IN THE ACTS OF A GENERAL NATURE IN THE ANNUAL VOLUMES, FROM VOLUME SIXTY-SIX TO VOLUME SEVENTY-THREE, INCLUSIVE, EMBRACING THE YEARS 1869-1876: TOGETHER WITH A TABLE CONTAINING THE ACTS AND SECTIONS IN SWAN & CRITCHFIELD'S AND SWAN & SAYLER'S STATUTES, AND SAID ANNUAL VOLUMES,

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<sup>46</sup> This index was prepared under a legislative resolution, 54 OHIO LAWS 293, and distributed under 55 OHIO LAWS 200.

WHICH ARE NO LONGER IN FORCE. Columbus, Nevins & Myers, 1876. 249 p.<sup>47</sup>

The first section of this volume is devoted to a table of statutes repealed. Statutes from Swan & Critchfield, Swan & Sayler and volumes 66-73 of the session laws are listed in their numerical page order, with a citation to the repealing statute.

The second section contains the index to the general laws in force which appear in volumes 66-73, *Ohio Laws*. It functions, therefore, only as a supplementary index. The laws are indexed alphabetically under topical headings, with references to the volume and page where they can be found. This index is also bound with volume 73, *Ohio Laws*.

AN INDEX TO THE STATUTE LAW OF THE STATE OF OHIO, EMBRACING ACTS GOVERNING THE NORTHWEST TERRITORY, INCLUDING OHIO, UNTIL ITS ADMISSION AS A STATE, AND ACTS OF THE LEGISLATURE, UNDER THE CONSTITUTIONS OF 1802 AND 1851, UNTIL THE REVISED STATUTES OF 1880, SHOWING THE AMENDMENTS, SUPPLEMENTS, ADDITIONS, CORRECTIONS, MODIFICATIONS AND REPEAL OF EACH LAW. . . . By Homer F. Jordan. Cincinnati, 1881. 745 p.

This index, although published after the appearance of the Revised Statutes of 1880, relates only to the laws passed up to that time. By specific references, it gives, as to all the laws of a general nature from 1788 through 1879, chronologically arranged, the changes, modifications and repeals, in whole or in part, which had transpired. The initial section of the volume is an introduction giving a brief history of various groups or types of laws in force at various times. This is followed by a list of statute laws of the Federal government affecting Ohio and the Northwest Territory. These federal statutes are indexed by dates and short titles to Ohio publications, such as Chase or the Revised Statutes of 1880, in which they are reprinted.

The bulk of the volume is devoted to a treatment of the statutes passed by the Territorial and State governments. Parallel columns indicate the date of passage, the effective date, the subject matter (condensed), and the location in *Ohio Laws* and in Chase, Curwen or Sayler, of the law enacted. Its subsequent history is given by further parallel columns which indicate what section of the act was changed, the nature of the change (repeal, addition, etc.), the date of passage and the effective date of the act effecting the change, and its location in *Ohio Laws* and in Chase, Curwen or Sayler. Chase is used as a reference until 1834, Curwen until 1861, and Sayler until 1876. All the

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<sup>47</sup> Compiled on orders of the Legislature, 73 OHIO LAWS 335.



acts of a general nature are listed chronologically by their dates of enactment. Thus, one searching for a reference to an act may locate it by its date, its citation or, roughly, its brief title. If an act is obsolete and unrepealed, temporary, or was repealed by implication only, it is so indicated. This is followed by a chronological list of laws not specifically repealed—including laws superseded and repealed by implication, but excluding temporary and obsolete laws—which indicates the page in the main index where those laws are treated. Following this is an Appendix of eighty pages containing laws in force which were omitted from the Revised Statutes of 1880. These are fully reprinted and arranged alphabetically by subject matter.

Finally, there is an alphabetical topical index to all the original laws on any subject; the subsequent legislation, by which they were amended, etc., is not referred to, since that was given in the preceding chronological index. This alphabetical index gives the date of passage and the page of the chronological index where reference to the act may be found.

This was the last index to be independently published for Ohio statutes. After the laws were codified in 1880, the indexes to and the historical annotations of the various codes were sufficiently complete to satisfy ordinary requirements, and further separate indexes were not considered necessary.

Jordan's Index is very useful for tracing the operations of the statutes passed prior to the Revised Statutes of 1880. The acts of the Northwest Territory and the General Assemblies of the state prior to 1833, are republished in Chase's Statutes, 3 volumes (1788-1833). Curwen's Public Statutes, 4 volumes (1833-1860) contains all the laws enacted during the twenty-year period following Chase's Statutes. Sayler's Statutes, 4 volumes (1860-1875) is a republication of all laws of Ohio enacted from Curwen's Statutes, March 1860, to July 1875. This completes the series initiated by Chase and continued by Curwen. See *supra* for a discussion of each publication. The key to these publications is Jordan's Index.

#### B. 1880-1910.

The years 1880 to 1910 represent the period in which the Revised Statutes, the first complete codification of Ohio laws, was in effect. Prior to that time, various sections had been codified piecemeal, but there was no general revision.

Through the years 1880 to 1894, the Assembly continued meeting annually at "regular" sessions in the even years and at "adjourned" sessions in the odd years. From then on, it met only in the even years at "regular" sessions, except for extraordinary sessions which were held late in 1902 and in 1909. This period terminated with the Seventy-Eighth Assembly in 1910.

## SESSION LAWS.

The arrangement of the volumes of session laws for this period differs in no substantial way from those published during the latter part of the 1803-1879 period. Beginning with volume 77 (Sixty-Fourth Assembly) in 1880, the session laws were published yearly until 1894, with the general and local laws of 1893 being published separately in volumes 90 *General* and 90 *Local*, respectively. From 1894 (volume 91, Seventy-First Assembly), the session laws were published biennially, except for a few variances. The laws of the August 1902, extraordinary session were published separately as volume 96, and the laws of the 1909 extraordinary session of the Seventy-Eighth Assembly were published in volume 100. The laws of that Assembly's regular session appear in volume 101, *Ohio Laws*.

For a comprehensive listing of the session laws published during this period, see Macdonald, *Checklist of Session Laws*, *supra*.

## REVISIONS AND COMPILATIONS: THE REVISED STATUTES.

All the compilations and revisions published during this period are based on the Revised Statutes, which is really a code, since it was revised and re-enacted as an entire unit.

The groundwork for codification was laid in 1875, when the Assembly passed an act requiring the Governor to appoint three commissioners to revise and consolidate the general laws of the state in force at the time of making their report.<sup>48</sup> It specifically directed them to bring together laws on the same subject, omit obsolete sections, reconcile contradictions, supply omissions, etc.; it provided instructions as to the arrangement of the statutes by titles, chapters, sections, etc., and directed the commissioners to prepare the necessary headnotes, footnotes, and marginal notes. In 1877 and 1878, certain laws were enacted as parts of the future Revised Statutes, or more specifically, as enumerated parts of the statute ordering the revision. These acts were assigned title and chapter numbers, so they could be integrated into the completed work; however, they were repealed when the Revised Statutes were enacted as a unit on June 20, 1879, with an effective date of January 1, 1880.

On June 23, 1879, another law was passed, providing in detail for the publication of the new code, indicating the form and arrangement to be used, and directing what other material was to be included in the volumes.<sup>49</sup> The first official publication by the State, and the revisions thereto, closely followed these directions.

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<sup>48</sup> 72 OHIO LAWS 87.

<sup>49</sup> 76 OHIO LAWS 192.

In the Revised Statutes, each Ohio law was assigned a section number for the first time, such as R. S. § 1. The acts were then cited by the section numbers rather than by a lengthy title, thus facilitating and simplifying research.

The various publications of the Revised Statutes follow:

THE REVISED STATUTES AND OTHER ACTS OF A GENERAL NATURE OF THE STATE OF OHIO, IN FORCE JANUARY 1, 1880. Edited and annotated by M. A. Daugherty, John S. Brasee and George B. Okey, commissioners to revise and consolidate the statutes. Columbus, Derby, 1879. 2 volumes.

This official edition, published for the State in December 1879, is the first codification of all the general laws of Ohio. The preface gives a good summary of the history of the codification and the publication of the set. At the beginning of the first volume are the Articles of Confederation, the Constitution of the United States, the Ordinance of 1787, both Constitutions of Ohio and certain Federal statutes.

The laws follow these documents and are arranged under a subject classification. They are divided into four main parts: political, civil, remedial and penal. Each part is subdivided under separate titles, which in turn are broken down further—some directly into chapters, others into divisions which are subdivided into chapters. The chapters are finally subdivided into sections, which contain the text of the statutes. The section numbering is consecutive throughout the entire code, without regard to titles, divisions or chapters. Reference to a law may be made by section number only, disregarding chapter numbers or the titles of the original acts. Headnotes indicate the subject-matter of each chapter; marginal notes give the contents of each section, with references to their location in the session laws; the annotations are contained in the footnotes. R. S. § 7437 repeals 1,704 acts or parts of acts then in effect, while R. S. § 7438, the last section, sets the effective date at January 1, 1880.

Following the codified sections is an appendix containing general laws in force not included in the revision. These are grouped in chapters, arranged alphabetically by title, with tentatively assigned section numbers (from 7439 to 8551) which are in parenthesis, thus indicating an unofficial enumeration. Why these were not incorporated into the code is not clear; the preface merely says that it could not properly be done. The subjects here include canals, military affairs, municipal corporations and other topics.

Following the appendix is an alphabetical index which refers to section, rather than page, numbers.

A second edition,<sup>50</sup> published in 1882, is similar to the first, except for additional marginal notes indicating amendments, repeals, new cases, and cross-references to other related sections.

SAME, 3d Ed. Edited by James M. Williams. Cincinnati, Derby, 1884. 2 volumes.

Although this is a third edition of the work published by Daugherty, Brasee and Okey, and was prepared under authority of a joint legislative resolution of April 17, 1883,<sup>51</sup> it is popularly known as *Williams' Revised Statutes, 3d edition*. The Legislature ordered it to be published in three volumes, the third volume to contain the Constitutions, Federal statutes and an index; however, it was published as a two-volume set, since the second volume contains that material. This edition is similar to previous editions, except that the marginal notes and annotations have been brought up to date and the appendix of uncodified sections has been omitted.

A Supplement<sup>52</sup> to this edition, also known as "Volume III," was published in 1884. It contains all acts of a general nature passed since January 1, 1880, which were in force five years later, as well as the uncodified acts. The new acts are arranged in the same manner as those in the Revised Statutes, with original section numbers being used for the amendatory sections and supplementary sections being officially designated by a number and letter—i.e., R. S. § 1718a. "Part V" contains the uncodified acts from the appendix of the first two editions and the additions thereto. These sections are not numbered.

Also published in three volumes were Williams' 4th edition, 1886, and his 4th edition, Revised, 1887.<sup>53</sup> The first two volumes are like those of the third edition, with marginal notes and annotations brought up to date; the third volume, although patterned after the Supplement noted above, is new, since it also contains the text of laws passed between January 1, 1884 and January 1, 1886, which were still in force.

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<sup>50</sup> THE REVISED STATUTES AND OTHER ACTS OF A GENERAL NATURE OF THE STATE OF OHIO, IN FORCE JANUARY 1, 1880. Second Edition, Revised. Edited and annotated by M. A. Daugherty. J. S. Brasee and G. B. Okey. Columbus, Derby, 1882. 2 volumes.

<sup>51</sup> 80 OHIO LAWS 388.

<sup>52</sup> SUPPLEMENT TO THE REVISED STATUTES OF THE STATE OF OHIO, CONTAINING ALL THE STATUTES AMENDATORY OF OR SUPPLEMENTARY TO THE REVISED STATUTES, TOGETHER WITH THE MISCELLANEOUS ACTS, GENERAL OR PERMANENT IN THEIR NATURE, IN FORCE JANUARY 1, 1884. Edited by James M. Williams. Cincinnati, Derby, 1884. viii + 821 p.

<sup>53</sup> THE REVISED STATUTES OF THE STATE OF OHIO. Fourth Edition, Revised . . . With Marginal References . . . to Laws in Force January 1, 1886. Edited by James M. Williams. Cincinnati, Derby, 1886. 3 volumes.

THE REVISED LAWS OF OHIO, CONTAINING ALL THE SECTIONS OF THE STATUTES IN VOLUMES SEVENTY-SEVEN, SEVENTY-EIGHT, SEVENTY-NINE AND EIGHTY, OF OHIO LAWS. . . . Edited and annotated by O. W. Aldrich. Columbus, Bowman, 1883. 366 + xxiv + 15 p.

Published in 1883 before the Williams' Supplement and marked "Volume III" on the spine, this volume of "Aldrich" is a supplement to the first edition of the Revised Statutes. This book contains a list of amended and supplementary sections to the Revised Statutes and a list of sections that were repealed. The new acts are reprinted in full, arranged in the order of the Revised Statutes, bearing their official section numbers. Also contained in this volume are amended sections of the appendix and a few general laws without section numbers.

A second edition<sup>54</sup> was published in 1884, consisting of a reprint of the 1883 edition plus additional pages containing the laws in volume 81 of the session laws.

APPENDIX TO THE REVISED STATUTES OF OHIO, TO ALL EDITIONS OF ALL SUPPLEMENTS THERETO, TO THE CONSTITUTION OF OHIO, AND TO ANNUAL VOLUMES 77 TO 83 OF OHIO LAWS. . . . By Florian Giauque. Cincinnati, Robert Clarke & Company, 1886. 167 p.

This volume notes the changes made in the Revised Statutes and the cases interpreting them, without reprinting the text of the amendments. It is divided into several parts—one each for the Ohio Constitution, the Revised Statutes, the two editions of Williams' Supplement, Aldrich's Supplement and each volume of session laws from volume 77 to volume 83. The treatment of the material in each part is the same; if any section of the statutes has been changed or has been interpreted by a court, it is listed by section number (or page number in the supplements and session laws) in numerical order. Under each of these are listed the change made, its citation and date, any related sections, and citations and brief notes to cases interpreting that statute. Various tables and indexes follow.

The second edition,<sup>55</sup> 1887-88, is an exact reprint of the first, with a "First Supplement" at the end, consisting of twenty pages of new material appearing in volume 84, *Ohio Laws*, and new annotations.<sup>56</sup>

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<sup>54</sup> THE REVISED LAWS OF OHIO . . . Second Edition. Edited and Annotated by O. W. Aldrich. Columbus 1884. 7 + 502 + xxix p.

<sup>55</sup> APPENDIX TO THE REVISED STATUTES OF OHIO, TO ALL EDITIONS OF ALL SUPPLEMENTS THERETO, TO THE CONSTITUTION OF OHIO, AND TO ANNUAL VOLUMES 77 TO 83 OF OHIO LAWS . . . Second Edition. By Florian Giauque. Cincinnati, Robert Clarke & Company, 1887. 187 p.

<sup>56</sup> MACDONALD'S CHECKLIST OF STATUTES indicates that the first edition contains 187 pages, and the second edition 207. This difference in pagination stems from the fact that the 20-page "First Supplement," pp. 168-187, was sometimes bound

THE REVISED STATUTES OF THE STATE OF OHIO, INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1890. . . . Edited by Florian Giauque. Cincinnati, Robert Clarke & Company, 1889, 2 and 3 volumes.

Giauque's Revised Statutes is arranged like the official edition and is brought up to date by the insertion of the current laws and the omission of the amended or repealed sections. Supplementary sections officially numbered by the Legislature have letters added to the numbers, such as "§ 3735-a"; those enacted without numbers were unofficially designated by the editor by means of additional numbers, such as "3736-1," the entire number being enclosed in brackets. Bracketed section numbers were also assigned to the uncodified general laws. Some of the more important local laws were reprinted; the remainder were omitted.

The codified sections appear first, arranged as they were in the official edition. Marginal notes denote the subject matter of the paragraphs and give cross-references to Swan & Critchfield and Swan & Saylor. The uncodified sections, arranged alphabetically by topic, the Constitutions, etc., and the Appendix then follow. Arranged like Giauque's Appendix, which is discussed above, the Appendix gives the history of sections changed since 1880, both in the Revised Statutes and in the session laws. Various cross-reference tables and dower and annuity tables follow, after which the indexes appear. This publication appeared in two and three volume sets.

Several editions of Giauque's Revised Statutes were published in later years. These were not all numbered; those indicated in MacDonald's Checklist of Statutes are: an unnumbered edition, 1892;<sup>57</sup> 6th edition, 1894;<sup>58</sup> 7th edition, 1896;<sup>59</sup> 8th edition, 1897,<sup>60</sup> all of which were published in three volumes rather than two. In these

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with the first edition, while a "Second Supplement" of 1888, pp. 188-207, was bound with the "First Supplement" in the second edition.

57 THE REVISED STATUTES OF THE STATE OF OHIO, INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1890 . . . AND MARGINAL NOTES SHOWING ALL CHANGES TO JANUARY 1, 1892. Edited by Florian Giauque. Cincinnati, Robert Clarke & Company, 1892. 3 volumes.

58 THE REVISED STATUTES OF THE STATE OF OHIO, INCLUDING ALL LAWS OF GENERAL NATURE IN FORCE JANUARY 1, 1890 . . . AN APPENDIX AND SUPPLEMENT IN EACH VOLUME SHOWING ALL CHANGES IN THE REVISED STATUTES TO JANUARY 1, 1894, MARGINAL NOTES SHOWING SAME TO JANUARY 1, 1892 . . . Sixth Edition. Edited by Florian Giauque. Cincinnati, Robert Clarke & Company, 1894. 3 volumes.

59 THE REVISED STATUTES OF THE STATE OF OHIO, INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1890 . . . AND MARGINAL NOTES SHOWING ALL CHANGES TO JANUARY 1, 1896. Seventh Edition. Edited by Florian Giauque. Cincinnati, Robert Clarke & Company, 1896. 3 volumes.

60 THE REVISED STATUTES OF THE STATE OF OHIO . . . Eighth Edition. Edited by Florian Giauque. Cincinnati, Robert Clarke & Company, 1897. 3 volumes.

editions, the text and the appendix are the same; in the 1892 and the 1896 editions, the marginal notes indicating amendments are brought up to date. The real difference lies in the addition of a new supplement, arranged like the Appendix and showing additional amendments and annotations, to each edition, bringing it up to date. Since the Sixth Edition was the first edition to be numbered, it is probable that there were three other unnumbered editions, overlooked in the compilation of Macdonald's Checklist of Statutes,<sup>61</sup> which consisted of the basic volumes and the appropriate supplement for that year.

COMBINED SUPPLEMENT TO GIAUQUE'S EDITION OF THE REVISED STATUTES OF OHIO, SHOWING ALL THE CHANGES THEREIN TO JANUARY, 1896 . . . by Florian Giauque. Cincinnati Robert Clarke & Company, 1894. 73 + 24 p.

This is the same supplement that appears at the end of Giauque's 6th edition of the Revised Statutes. It is divided into sections corresponding to the volume divisions of that work. The first group deals with the changes from 1890 to January 1, 1894; the second carries the changes on to January 1, 1895. These list the affected statutes by section number, indicating the amendments and annotations thereto. Following this is a section containing the Constitution and an index of the general laws in volumes 87-91, *Ohio Laws*, which were not passed as amendments or supplements to sections in Giauque's Revised Statutes.

A second combined supplement was published in 1896.<sup>62</sup> This follows the arrangement of the first, with the material brought up to date through volume 92, *Ohio Laws*.

THE VERIFIED REVISED STATUTES OF THE STATE OF OHIO, INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1ST, 1890. Edited and annotated by Rufus B. Smith and Alfred B. Benedict. Cincinnati, The Ohio Valley Company, 1890. 2 and 3 volumes.

Three printings of Smith & Benedict's Verified Revised Statutes were published in 1890,<sup>63</sup> two of which did not give the edition number on the title page. The third printing, however, was identified as the third edition on its spine. There is a verification by the

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<sup>61</sup> MACDONALD, G. E., CHECKLIST OF STATUTES. Providence, Oxford Press, 1937. of the basic volumes and the appropriate supplement for that year.

<sup>62</sup> THE SECOND COMBINED SUPPLEMENT TO GIAUQUE'S EDITION OF THE REVISED STATUTES OF OHIO, SHOWING ALL CHANGES IN SAID REVISED STATUTES AND IN VOLUMES 87, 88, 89, 90, 90 LOCAL, 91 AND 92 OHIO LAWS, FROM JANUARY 1, 1890 TO JANUARY 1, 1898 . . . by Florian Giauque. Cincinnati, Robert Clarke & Company, 1896. 103 + 4 p. follows the arrangement of the first, with the material brought up to date through volume 92, *Ohio Laws*.

<sup>63</sup> See MACDONALD, *op. cit.* note 61, at 109.

Secretary of State that the laws contained in the set are true and correct; hence, the word "verified" appears in the title. The set was published to order in two and three volumes.

Again, the pattern of the official Revised Statutes is followed, with the amended and repealed laws omitted and the new acts inserted as of January 1, 1890. Part V contains the uncodified general laws, incorporating the original section numbering of the 1880 Appendix. Section numbers containing dashes (i.e., 2022-1) were assigned by the editors; section numbers assigned by the Legislature are without dashes. The unofficially numbered sections are found mostly in the uncodified Part V, although some were inserted among the codified sections where the subject matter warranted it. Local laws and laws general in form but local in nature are identified only by title.

There are no marginal notes in this set; instead, the caption to each section is printed in bold-face type at its beginning, while the legislative history and cross-references appear at its end. Annotations, if any, are given under the sections to which they refer.

After the statutes are the Articles of Confederation, the Constitutions, certain Federal statutes, various tables, special indexes and the general index. This material constitutes the third volume of the three-volume set.

Several later editions of Smith & Benedict's Verified Revised Statutes have been published: 4th edition, 1891;<sup>64</sup> 5th edition, 1892; 6th edition, 1892; 7th edition, 1893; 8th edition, 1895.<sup>65</sup> The text of these editions is identical with that of the earlier sets, the only difference being a supplement to each edition which indicates the changes in and additions to the laws appearing in the successive volumes of the session laws published after January 1, 1890.

THE ANNOTATED AND REVISED STATUTES OF OHIO, INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1898. Edited and annotated by Clement Bates. Cincinnati, Anderson, 1897. 3 volumes.

Bate's Revised Statutes is based upon the Smith & Benedict edition, with some variations. The arrangement of the original Revised Statutes is followed, using the laws in force on January 1, 1898; however, the alphabetically arranged Part V, or appendix, was omitted by the editor, and the statutes formerly contained therein were distributed among the four codified parts according to their subject matter.

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<sup>64</sup> THE VERIFIED REVISED STATUTES OF THE STATE OF OHIO, INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1890. Fourth Edition. Edited and annotated by Rufus B. Smith and Alfred B. Benedict. Cincinnati, The Ohio Valley Company, 1891. 2 and 3 volumes.

<sup>65</sup> The titles of the subsequent editions are the same, differing only as to date and edition number.



These inserted acts are distinguished by the use of dashes and parentheses with the section numbers, i.e., "(223-1)." Where the subject matter of these acts necessitated a new chapter, the editor inserted it and distinguished it by a letter after the preceding chapter number, such as "3a."

The new section numbering of Bate's 3d edition was officially approved in 1902 by an act of the Legislature,<sup>66</sup> which provided that the 3d edition and the acts in 95 *Ohio Laws* amendatory thereto were to be prima facie evidence of the law in Ohio. Previously, a law of 1900<sup>67</sup> had provided that Bate's Revised Statutes should be read in evidence in all the courts.

There are no marginal notes, but the notes at the end of each section give its source, legislative history and annotations. Captions at the head of each section denote its contents. The third volume contains the Articles of Confederation, the Constitutions, certain Federal laws, an index to local and special acts found in volumes 77-92, *Ohio Laws*, various tables and the general index.

Other editions of Bates' Revised Statutes are: 2d edition, 1898;<sup>68</sup> 2d edition, 1899;<sup>69</sup> 3d edition, 1900;<sup>70</sup> 3d edition, 1902;<sup>71</sup> 4th edition, 1903;<sup>72</sup> 5th edition, 1905;<sup>73</sup> 6th edition, 1906.<sup>74</sup> The later printings of the second and third editions are probably reprints of the earlier publications, since the material contained in them is the same. The variously numbered editions, however, differ greatly. Each is a completely new edition, containing the text of the new laws from each successive volume of the session laws and additional annotations. The index to special and local acts was brought up to date in the second edition but was not changed thereafter. The general index was kept up to date by the various editions.

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<sup>66</sup> 95 OHIO LAWS 241, R. S. §5422a-1.

<sup>67</sup> 94 OHIO LAWS 46.

<sup>68</sup> THE ANNOTATED AND REVISED STATUTES OF OHIO, INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1900. By Clement Bates. Second Edition. Cincinnati, Anderson, 1898. 3 volumes.

<sup>69</sup> *Id.*, published in 1899.

<sup>70</sup> THE ANNOTATED AND REVISED STATUTES OF OHIO . . . IN FORCE JANUARY 1, 1902. By Clement Bates. Third Edition. Cincinnati, Anderson, 1900. 3 volumes.

<sup>71</sup> *Id.*, published in 1902.

<sup>72</sup> THE ANNOTATED AND REVISED STATUTES OF OHIO . . . IN FORCE JANUARY 1, 1904 By Clement Bates. Fourth Edition. Cincinnati, Anderson, 1903. 3 volumes.

<sup>73</sup> THE ANNOTATED AND REVISED STATUTES OF OHIO . . . IN FORCE JANUARY 1, 1906. By Clement Bates. Fifth Edition by Charles E. Everett. Cincinnati, Anderson, 1905. 3 volumes.

<sup>74</sup> THE ANNOTATED AND REVISED STATUTES OF OHIO . . . IN FORCE JANUARY 1, 1908. By Clement Bates. Sixth Edition by Charles E. Everett. Cincinnati, Anderson, 1906. 3 volumes.

THE LANING REVISED STATUTES AND RECODIFIED LAWS OF THE STATE OF OHIO. ORGANIC LAWS, CONSTITUTIONS, AND THE EXISTING AND SUPPLEMENTAL SECTIONS OF THE REVISED STATUTES OF 1880 AND OTHER ACTS OF A GENERAL NATURE THAT WILL BE IN FORCE JANUARY 1, 1906. By Jay F. Laning. Norwalk, Laning, 1905. 3 volumes.

Designated as a recodification, this set contains the laws in force on January 1, 1906. All the acts inserted in the code by the legislatures were left undisturbed, while the others were added by the editor. Appropriation laws, local laws and private acts were omitted. The editor renumbered all the statutes consecutively from 1 to the end, not using numbers containing dashes or letters; for this reason, it is called a "recodification" by the editor. The original "R. S." number is placed in brackets in the right margin of the page; the "Bates" section number appears in brackets at the end of the section. While these statutes are in the same order as they appear in Bates' edition, a parallel reference table facilitates the finding of an act in view of the new numbering system and the addition of the "unassigned" laws.

The acts appear in the first two volumes along with various tables and the general index. The third volume, entitled "Annotations," contains the historical notes, cross-references and annotations to the statutes, arranged under their corresponding section numbers. This permitted the statutes to be corrected biennially, by means of a supplementary volume, without revising the notes.

A supplement<sup>75</sup> to the first edition, containing the laws enacted during the 1906 session of the Assembly, was published in that year.

The second edition,<sup>76</sup> containing the laws in force on January 1, 1908, was published in 1907. Patterned after the first edition, it integrates all the new statutes appearing in the Supplement, except for a few local and special acts.

### C. 1910-1952.

These inclusive dates represent the period in which the General Code of Ohio, the second codification of the laws of this state, has been in force. This code was enacted in February, 1910, during the regular session of the Seventy-Fourth Assembly. The Legislature again convened for a regular session in 1911 and has held a regular session in every odd-numbered year thereafter, the latest being that of the Hundreth Assembly in 1953. In addition, several special

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<sup>75</sup> 1906 SUPPLEMENT TO THE LANING REVISED STATUTES OF OHIO, CONTAINING THE LAWS OF THE GENERAL ASSEMBLY ENACTED AT THE SESSION BEGINNING JANUARY 1, 1906. By Jay F. Laning. Norwalk, Laning, 1906. 3 + 145 p.

<sup>76</sup> THE LANING REVISED STATUTES AND RECODIFIED LAWS OF THE STATE OF OHIO . . . IN FORCE JANUARY 1, 1908. Second Edition. By Jay F. Laning. Norwalk, Laning, 1907. 2 volumes.

and extraordinary sessions were held during this period.

It was also during this period that the Ohio Constitution of 1853 was amended in several respects. Article XVI, Section 3 was changed to provide that every twenty years the voters shall decide whether a Constitutional Convention should be called. Pursuant to this provision, the changes proposed by the Convention of 1873 had been rejected by the people, and the proposal to call a convention in 1892 had been defeated. In November, 1910, the voters approved a convention, which met in 1912. Of the forty-one amendments proposed at that convention, thirty-three were approved by the electorate. Again in 1932, and 1952, the proposal to call a convention was defeated.

### *Session Laws.*

The volumes of session laws for this period follow the same arrangement as those of the preceding interval. Volume 101, *Ohio Laws*, contains the laws of the Seventy-Eighth Assembly, which met in 1910 when this period began. The laws of the regular session of the Seventy-Ninth Assembly, which convened in 1911, are in volume 102; each volume thereafter contains the laws of the succeeding biennial regular session and extra sessions with the exception of volume 104 and 105, which contain the laws of the two special sessions of the Eightieth Assembly in 1914. The latest laws are those of the Ninety-Ninth Assembly (1951), which appear in volume 124.

Volume 108 (Eighty-Third Assembly, 1919) is printed in two separate volumes, Part I and Part II, the second part containing the laws of that year's special session. Volume 114 (Eighty-Ninth Assembly, 1932), volume 115 (Ninetieth Assembly, 1934-35) and volume 116 (Ninety-First Assembly, 1935-36) are treated in the same manner. The laws of the extraordinary session of July, 1922, are printed in that year's House Journal, while the single law passed in September, 1922, was not published in either a session law or a house journal. The law passed by the Eighty-Sixth Assembly at its extraordinary session in 1926 is printed with the laws of the Eighty-Seventh Assembly in volume 112. The laws enacted at the other extraordinary sessions are printed in the same volume with the laws passed by the Assembly at its regular session.<sup>77</sup>

Beginning with volume 111 in 1925, the appropriation laws have been published separately in supplemental volumes.

### REVISIONS AND COMPILATIONS: THE GENERAL CODE.

The General Code, the official codification of Ohio laws published

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<sup>77</sup> For a complete list of the session laws for this period to 1934 see MACDONALD'S CHECKLIST OF SESSION LAWS.

in 1910, is the basis of all the compilations appearing during this period.

On April 2, 1906, the Legislature passed an act<sup>78</sup> requiring the Governor to appoint three commissioners to revise and consolidate the Ohio statutes in force at the date of their report. This act is similar to the one which ordered the compilation of the old Revised Statutes; it specifies in detail what matter should be retained and what should be omitted, and how the contents should be arranged. The commissioners were to commence work not later than January 1, 1907, and were to present the proposed revision to the Legislature for re-enactment at the time the Seventy-Eighth Assembly convened. Evidently, there had been some delay for on March 5, 1909, the Assembly passed a resolution<sup>79</sup> requiring the Commission to report on the opening day of the 1910 Legislature, cutting off further appropriations.

The report was submitted on time and was passed, with some minor changes (one being to change the name from "Revised Statutes" to "General Code") on February 14, 1910, and was approved by the Governor on the following day. On March 23, 1910, the Legislature ordered the new code to be published by the State.<sup>80</sup>

Statutes contained in the General Code are simply cited by their section numbers (i.e., G. C. § 385), in the manner similar to the Revised Statutes.

The various publications of the General Code follow:

THE GENERAL CODE OF THE STATE OF OHIO. BEING AN ACT ENTITLED "AN ACT TO REVISE AND CONSOLIDATE THE GENERAL STATUTES OF OHIO," PASSED BY THE GENERAL ASSEMBLY OF OHIO, FEBRUARY 14, 1910, AND APPROVED BY THE GOVERNOR, FEBRUARY 15, 1910 . . . By Carmi A. Thompson, Secretary of State, E. M. Fullington, Auditor of State, U. G. Denman, Attorney General, Commissioners of Public Printing. Cincinnati, Anderson, 1910. 4 volumes.

Published in 1910 on orders of the General Assembly,<sup>81</sup> this official edition of the General Code consists of four volumes. The Code itself, which is divided into four parts, appears in the first three volumes: the first volume contains Part I, *Political*; in volume 2, is part II, *Civil*; in the third volume, are Part III, *Remedial*, and Part IV, *Penal*. Following the general plan of the old Revised Statutes, each part of the General Code is divided into titles, divisions, chapters and sections, according to subject matter. The sections,

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<sup>78</sup> 98 OHIO LAWS 221.

<sup>79</sup> 100 OHIO LAWS 115.

<sup>80</sup> 101 OHIO LAWS 39.

<sup>81</sup> 101 OHIO LAWS 39.

which are consecutively numbered from 1 to 13,767, contain the text of the laws.

At the head of each chapter appears a list of the sections contained therein, with their "titles"; marginal notes beside each section repeat these "titles." At the end of each section is a cross-reference to the original source in the Revised Statutes or the more recent volumes of the session laws.

At the end of each volume is a parallel reference table between the General Code sections contained therein and the sections in Bates' 6th edition of the Revised Statutes or volumes 99 and 100, *Ohio Laws*. A reverse table, for all sections, also appears at the end of the third volume.

Volume 4 contains the Declaration of Independence, the Articles of Confederation, the Ordinance of 1787, the Constitution of the United States and those of Ohio, each with a separate index. This is followed by the general index, prepared by William H. Page and Challen B. Ellis, under a separate title page.

APPENDIX TO THE GENERAL CODE OF OHIO, CONTAINING LAWS IN FORCE FEBRUARY 15, 1910, NOT INCLUDED IN THE GENERAL CODE. Compiled by Timothy S. Hogan. Columbus, F. J. Heer, 1911. 537 p.

By the act of March 31, 1911, the Attorney General was directed to prepare an appendix to the Code, containing certain acts which had been omitted therefrom. He appointed two assistants and together they compiled these laws, most of which were historical, special or local in nature. These acts are published under various titles and chapters, according to subject matter, in the same form as those of the General Code.

Each section was assigned a number, continuing from the last designation in the General Code, 13,767, to 15,312. A parenthetical note gives its location in Bates' 6th edition; a note at the end of the section gives its source in the session laws, while marginal notes indicate the contents of each section. A few Federal laws appear at the end, followed by a topical index to the volume.

ANNOTATIONS TO THE GENERAL CODE OF THE STATE OF OHIO. Compiled and revised by W. J. Tossell. Norwalk, American Publishers Company, 1911. 4 + 1229 p.

This volume contains annotations to all the statutes in the General Code in the order of their appearance. Under each section number a historical reference to the old Revised Statutes or to the session laws is given, followed by annotations if the statute has been

construed by a court. There are no annotations to the statutes located in the "appendix" section of the code.

THE ANNOTATED GENERAL CODE OF THE STATE OF OHIO OF 1910, AND ALL LAWS OF A GENERAL NATURE PASSED SINCE ITS ADOPTION AND IN FORCE JANUARY 1, 1912. By William H. Page and John J. Adams. Cincinnati, Anderson, 1912. 7 volumes.

This annotated set, consisting of seven volumes, contains all the statutes in force on January 1, 1912. The arrangement of the original General Code is followed, except for the insertion of new sections, the omission of repealed sections and the addition of the annotations after each section. The section numbers assigned by the Legislature and the Attorney General have been retained; those unofficially assigned by the editors are placed in brackets.

The statutes and their annotations are contained in the first six volumes, while the seventh volume contains the Constitutions, etc., various tables and the general index to the statutes.

A four-volume supplement to this set,<sup>82</sup> containing new statutes found in volumes 103-106, *Ohio Laws*, was published in 1916. The new and amended sections are printed in their numerical order, with the unofficial section numbers in brackets. New annotations are included under their appropriate section numbers, even where there have been no amendments to the statutes. In general, the arrangement is similar to the preceding set, with the indexes and cross-reference tables appearing in the last volume.

THE GENERAL CODE OF OHIO. REVISED COMPACT EDITION INCLUDING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1921. Edited and revised by William H. Page. Cincinnati, Anderson, 1920. 4 volumes.

This set, published primarily to include the new legislation enacted after 1916, contains all the general laws in force on January 1, 1921. Again, it follows the arrangement of the earlier Page publications. The section numbering remains the same; new chapter numbers and headings, provided where needed by the editor, are enclosed in brackets. Cross-references and the history of the statutes are given, but the annotations are omitted. Municipal charters and rules and regulations of administrative bodies are included. The statutes and other miscellaneous material appear in the first three

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<sup>82</sup> SUPPLEMENT TO THE PAGE AND ADAM'S ANNOTATED GENERAL CODE OF THE STATE OF OHIO, CONTAINING ALL LAWS OF A PERMANENT AND GENERAL NATURE ENACTED BY THE GENERAL ASSEMBLY OF OHIO FOR THE YEARS 1913, 1914, 1915 . . . By William H. Page. Cincinnati, Anderson, 1916. 4 volumes.

volumes, while the fourth volume is devoted exclusively to the general index.

A three-volume set of annotations to the sections in this edition was published in 1922.<sup>83</sup> The annotations, which appear under each succeeding section number, are divided into groups under various sub-titles, which indicate the specific subject matter of that division. This method of classification of the annotations, which is still used in the current Page's Lifetime Edition, simplifies research. The set also contains historical annotations to the Declaration of Independence, the Articles of Confederation and the Constitution.

THE GENERAL CODE OF THE STATE OF OHIO, REVISED TO 1921, CONTAINING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1921. Edited by Archibald H. Throckmorton, Walter T. Dunmore, William E. Baldwin and Alvin C. Brightman. Cleveland, Baldwin, 1921. liv + 3685 p.

As a forerunner of today's Throckmorton's Ohio General Code Annotated, this was the first one-volume edition of Ohio laws to be published in sixty-seven years. It contains the original text of the 1910 Code, revised to 1921, with the original section numbers. Sections which had not been officially assigned numbers (the bracketed section numbers from Page's Code) and the Appendix sections (the general unclassified, special and local acts) have been omitted from this edition. The annotations have been brought up to date from all the reports, state and federal.

The arrangement of the titles, chapters and sections follows that of the original official code. After each section number the caption and the text of the section appears, followed by its legislative history and the annotations. The usual reference documents (Constitutions, etc.) and a general index are included.

Macdonald's Checklist of Statutes lists two other printings of this volume which were published in 1921.<sup>84</sup> The only difference indicated is a slight variance in pagination. A one-volume supplement to the 1921 Throckmorton's Code was published in 1922. It contains all laws of a general nature passed by the 84th General Assembly volume 109, *Ohio Laws*) with annotations from court decisions to May 1922.

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<sup>83</sup> THE ANNOTATIONS TO THE SECTIONS OF THE COMPLETE GENERAL CODE OF OHIO . . . . By William H. Page. Cincinnati, Anderson, 1922. 3 volumes.

<sup>84</sup> THE GENERAL CODE OF THE STATE OF OHIO. Revised to 1921, CONTAINING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1921. Edited by Archibald H. Throckmorton et al. Cleveland, Baldwin, 1921. liv + 3680 p.

Same, Cincinnati, (?), 1921. lix + 3685 p.

A "second edition,"<sup>85</sup> published in 1926, contains annotations to the Constitutions, various tables and the Appendix to the Code, consisting of the special, local and unclassified general laws, which had previously been omitted. In other respects, it is similar to the 1921 edition, with the statutes and annotations being brought up to date.

Further editions of Throckmorton's Ohio General Code Annotated were published in 1929<sup>86</sup> 1930,<sup>87</sup> 1931,<sup>88</sup> 1934,<sup>89</sup> 1936,<sup>90</sup> 1940<sup>91</sup> and 1948.<sup>92</sup> Except for minor variations in arrangement and content, such as insertion of the index in the middle of the volume in the 1934 edition, these follow the arrangement of the 1926 edition, with the material being brought up to date. The 1930 and 1931 editions are apparently the same—both contain the statutes in force on January 1, 1930, and all the pages correspond; however, they have different copyright and preface dates.

Beginning with 1930, the various editions were officially certified by the Secretary of State as containing true copies of the enrolled bills. A copy of the certificate of verification appears at the front of each volume. However, the 1948 edition, the current publication, contains the same certificate used in the 1940 volume; also the word

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<sup>85</sup> THE GENERAL CODE OF THE STATE OF OHIO, CONTAINING ALL LAWS OF A GENERAL NATURE AND APPENDIX TO THE GENERAL CODE IN FORCE JANUARY 1, 1926 . . . GENERAL NATURE AND APPENDIX TO THE GENERAL CODE IN FORCE JANUARY 1, 1926 . . . By Archibald H. Throckmorton, Walter E. Dunmore, William E. Baldwin and Alvin C. Bringham.

Second Edition, revised to 1926, by the publisher's staff. Cleveland Baldwin, 1926. Cleveland, Baldwin, 1926. xi + 3292 + 2 + 662 + 36 p.

<sup>86</sup> THROCKMORTON'S 1929 ANNOTATED CODE OF OHIO, COMPLETE IN ONE VOLUME, CONTAINING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1929. TOGETHER WITH APPENDIX TO THE GENERAL CODE. William E. Baldwin, Editor-in-Chief. Annotations by Archibald H. Throckmorton, Clement Bates, et al. Cleveland, Baldwin, 1929.

<sup>87</sup> THROCKMORTON'S 1930 ANNOTATED CODE OF OHIO. BALDWIN'S REVISION WITH OFFICIALLY CERTIFIED TEXT OF THE LAWS, CONTAINING ALL LAWS OF A GENERAL NATURE IN FORCE JANUARY 1, 1930 . . . William E. Baldwin, Editor-in-Chief. Annotations by Archibald H. Throckmorton, et al. Cleveland, Baldwin, 1930. v p.

<sup>88</sup> *Id.*, published 1931.

<sup>89</sup> THROCKMORTON'S ANNOTATED CODE OF OHIO. BALDWIN'S REVISION, 1934. CONTAINING ALL GENERAL LAWS TO JULY 1, 1934 . . . William E. Baldwin, Editor-in-Chief. Cleveland, Banks-Baldwin, 1934. v p.

<sup>90</sup> THROCKMORTON'S OHIO CODE ANNOTATED, BALDWIN'S 1936 CERTIFIED REVISION, COMPLETE TO MAY 1, 1936. William E. Baldwin, Editor-in-Chief. Cleveland, Banks-Baldwin, 1936. v p.

<sup>91</sup> THROCKMORTON'S OHIO CODE ANNOTATED, 1940. BALDWIN'S CERTIFIED REVISION, COMPLETE TO JANUARY 1, 1940. William E. Baldwin, Editor-in-Chief. Cleveland, Banks-Baldwin, 1940. v p. Also published in two volumes.

<sup>92</sup> THROCKMORTON'S OHIO CODE ANNOTATED. BALDWIN'S 1948 REVISION, COMPLETE TO JANUARY 1, 1948. William E. Baldwin, Editor-in-Chief. Cleveland, Banks-Baldwin, 1948. v p. Also published in five volumes.



"certified" has been omitted from the title page of this edition.

Permanent supplements to the main editions of Throckmorton's Code appeared in 1922,<sup>93</sup> 1945<sup>94</sup> and 1952.<sup>95</sup> These follow the same arrangement as the main editions and contain the new and amended acts and annotations. In addition, paper-bound temporary supplements appear as a current service, showing the year-to-year changes in the laws. The pamphlet publications are eventually superseded by the permanent supplements or by new editions of the Code.

PAGE'S NEW ANNOTATED OHIO GENERAL CODE. ALL LAWS OF A GENERAL NATURE IN FORCE TO DATE OF PUBLICATION, WITH NOTES OF DECISIONS . . . By William H. Page. Cincinnati, Anderson, 1926. 3 volumes.

This three-volume set brings the statutes up to date through volume 111, *Ohio Laws*, giving all laws in force on January 1, 1926, and all annotations to September 1, 1925. The usual Page arrangement is followed—the sections appear in the standard numerical order, with the unofficial section numbers supplied in brackets by the editors. After each section number comes the caption, the text of the section, its legislative history, cross-references and the annotations. The Code proper appears in the first two volumes, while the last volume contains the Appendix sections, the Constitutions, various tables and the topical index.

Permanent supplements to this set were published in 1932<sup>96</sup> and 1935,<sup>97</sup> each of which brings all statutes and annotations up to date from 1926. The material follows the arrangement of the 1926 edition. If any amendments or annotations to a statute appeared during that period, they are printed—otherwise, no reference is made to the section. Amendments to the Appendix sections and the Constitutions are included, as are certain temporary uncoded laws.

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<sup>93</sup> SUPPLEMENT TO THROCKMORTON'S GENERAL CODE. William E. Baldwin, Editor-in-Chief. Cincinnati, (?), 1922. 324 p.

<sup>94</sup> THROCKMORTON'S OHIO CODE ANNOTATED. 1940-1945 BALDWIN'S CUMULATIVE SUPPLEMENT. William E. Baldwin, Editor-in-Chief. Cleveland, Banks-Baldwin, 1945. v p.

<sup>95</sup> THROCKMORTON'S OHIO CODE ANNOTATED. BALDWIN'S PERMANENT SERVICE, 1948-1952. William E. Baldwin, Editor-in-Chief. Cleveland, Banks-Baldwin, 1952. v p.

<sup>96</sup> PERMANENT SUPPLEMENT TO PAGE'S ANNOTATED OHIO GENERAL CODE (BEING PAGE'S OHIO CODE SERVICE, NUMBER SIX) CONTAINING THE COMPLETE STATUTE LAW OF OHIO SINCE 1926 . . . VOLUME FOUR . . . Edited by George C. Trautwein. Cincinnati, Anderson, 1932. 1118 + 154 p.

<sup>97</sup> SUPPLEMENT TO PAGE'S ANNOTATED OHIO GENERAL CODE, 1926 TO 1935, CONTAINING THE COMPLETE STATUTE LAW OF OHIO SINCE 1926, AS FOUND IN OHIO LAWS, VOLUMES 112, 113, 114, 114 (PART II), 115 AND 115 (PART II) . . . Edited by George C. Trautwein, Annotations by Carl L. Meier. Cincinnati, Anderson, 1935. 6 + 1653 + 218 p.

Repeals are indicated by references to the appropriate section numbers.

In addition, various paper-bound temporary supplements to this Code were also published.

PAGE'S DESK EDITION OF THE OHIO GENERAL CODE, CONTAINING ALL OHIO STATUTES OF A GENERAL NATURE IN FORCE JANUARY 1, 1931. COMPLETE IN ONE VOLUME . . . By William H. Page. Cincinnati, Anderson, 1930. xxiv + 1 + 3159 + 1 + 1162 p.

This one-volume edition includes the new laws contained in volumes 112 and 113, *Ohio Laws*, and follows the usual Page treatment for the legislative histories, cross-references and repeals. There are no annotations in this volume—merely citations to those cases holding particular sections unconstitutional. The Code sections, Appendix sections, Constitutions and tables are followed by the topical index.

A supplement containing the 1931 statutes, found in volume 114, *Ohio Laws*, was published in that year.<sup>98</sup> It is arranged similar to the main volume, bringing the material up to date.

In 1931, another edition of Page's Desk Edition was published.<sup>99</sup> It is a one-volume reprint of the 1930 edition followed by the 1931 supplement. No new material is contained in it.

PAGE'S OHIO GENERAL CODE ANNOTATED, CONTAINING ALL LAWS OF A GENERAL AND PERMANENT NATURE IN FORCE AT THE DATE OF PUBLICATION, WITH NOTES OF DECISIONS CONSTRUING THE STATUTES. Lifetime Edition. William H. Page. Cincinnati, Anderson, 1937-52. 14 volumes.

This current edition of Page's General Code, begun in 1937, originally consisted of twelve volumes, but now contains fourteen units. The arrangement of the previous Page editions is followed in this set, with the usual captions, legislative histories, cross-references and annotations. The bracketed section numbers are those originally assigned by the editors.

Volumes 1 through 10 contain the annotated codified laws. Volume 11 contains the annotated Appendix sections, with index, the annotated Constitutions and other important documents, various

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<sup>98</sup> PAGE'S DESK EDITION TO THE OHIO GENERAL CODE, 1931, SUPPLEMENT, CONTAINING LAWS PASSED BY THE EIGHTY-NINTH GENERAL ASSEMBLY . . . Compiled and arranged by the publisher's editorial staff. Cincinnati, Anderson, 1931. 4 + 577 p.

<sup>99</sup> PAGE'S DESK EDITION OF THE OHIO GENERAL CODE, CONTAINING ALL OHIO STATUTES OF A GENERAL NATURE IN FORCE JANUARY 1, 1931. COMPLETE IN ONE VOLUME . . . TO WHICH HAS BEEN ADDED THE LAWS OF THE 89TH GENERAL ASSEMBLY (1931) . . . By William H. Page. Cincinnati, Anderson, 1931. xxiv + 1 + 3159 + 1162 + 1 + 557 p.

tables and an index to special, local and temporary acts found in volume 1 to 117, *Ohio Laws*. Volume 12 contains the general index for the entire set, in addition to which, each individual volume contains its own index to the material contained therein. Cumulative "pocket supplements" to each volume are published annually, containing all changes (amendments, repeals, new laws, etc.) enacted since the publication of the original volume. When a pocket supplement becomes bulky, a new "replacement volume" is issued, superseding the original volume. The supplement to volume 11 includes appendixes containing temporary uncoded laws for the years 1941-1951. The set is kept current also by pamphlet supplements which are published during the year.

OHIO TEMPORARY LAWS, ANNOTATED, 1932 to 1939, INCLUSIVE. BY the publisher's staff. Cincinnati, Anderson, 1939. 129 p.

This volume of annotated temporary laws consists of nine appendixes, lettered A through J (there is no letter I), each for a separate session of the Legislature. Since the acts are not codified, they are unnumbered. The bill, *Ohio Laws* citation, and the title of the act appear at the head, while the text is followed by the usual cross-references, legislative histories and annotations. The temporary acts contained therein appear in volume 114 to 118, *Ohio Laws*.