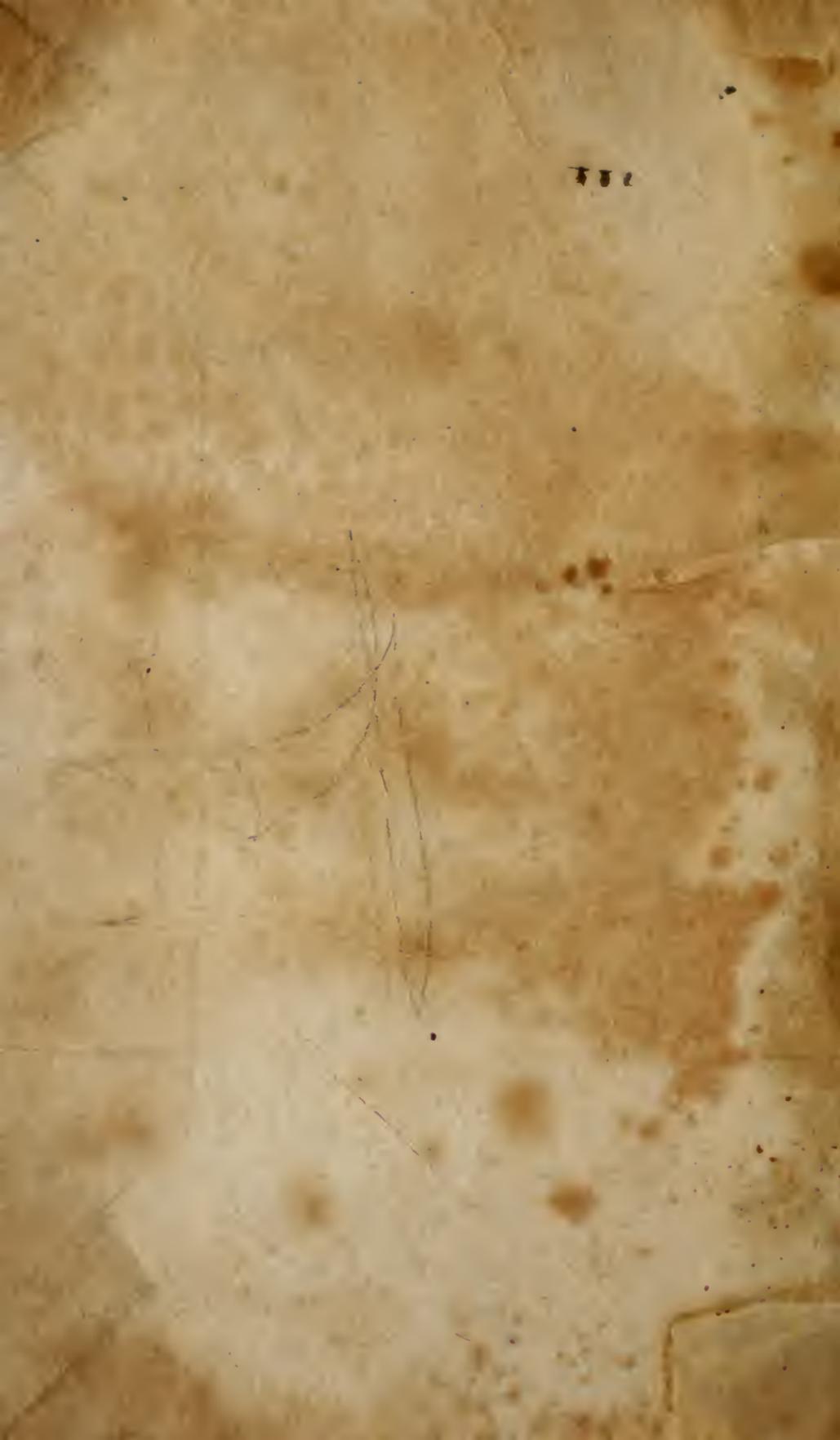


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to Review the year 68

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THE

LAWS OF ILLINOIS,

PASSED

AT SEVENTH GENERAL ASSEMBLY, AT THEIR SESSION HELD AT
VANDALIA, COMMENCING ON THE FIRST MONDAY IN
DECEMBER, 1830.

PUBLISHED IN PURSUANCE OF LAW.

VANDALIA:

PUBLISHED BY
ROBERT BLACKWELL, PUBLIC PRINTER.

.....

1831.

THE UNIVERSITY OF CHICAGO

1900

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STATUTE LAWS
OF THE
STATE OF ILLINOIS,

PUBLISHED UNDER THE DIRECTION AND AUTHORITY OF
THE GENERAL ASSEMBLY.

APPORTIONMENT.

AN ACT TO APPORTION THE REPRESENTATION OF THE IN FORCE
SEVERAL COUNTIES IN THIS STATE. FEB. 7, 1831.

SECTION I. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That until the next census, provided for by the constitution, shall be taken, and an apportionment be made, the several counties in this state shall be entitled to the following representation in the General Assembly, to wit: The counties of Alexander and Union one representative each, and the two together one senator. The counties of Johnson and Pope one representative each, and the two together one senator. The county of Gallatin two representatives and one senator. The counties of Franklin and Washington together two representatives; the county of Jackson one representative; and the three together one senator. The counties of Randolph and Perry together two representatives and one senator. The county of St. Clair two representatives and one senator. The county of Madison two representatives and one senator. The counties of Monroe and Clinton one representative each; and the two together one senator. The counties of Bond, Macoupin, and Montgomery, one representative each; and the three together one senator. The county of Greene three representatives, and one senator. The counties of Hamilton and Jefferson one representative each; and the two together one senator. The counties of Edwards, Wayne, and Wabash, one representative*

Distribution
of members to
the several
counties.

each; and the three together one senator. The county of Fayette one representative; the counties of Marion and Clay together one representative; and the three together one senator. The counties of Shelby and Macon together one representative, and one senator. The counties of Tazewell and McLean together one representative, and one senator. The county of White two representatives, and one senator. The counties of Lawrence and Crawford one representative each; and the two together one senator. The counties of Edgar, Clark, and Coles, one representative each; and the three together one senator. The county of Vermilion two representatives, and one senator. The county of Sangamon four representatives, and two senators. The county of Morgan four representatives, and two senators. The counties of Hancock, Pike, and Adams, together two representatives, and one senator. The county of Schuyler one representative; the counties of Fulton, Knox, and Henry, together one representative; the counties of Calhoun, McDonough, Warren, and Mercer, together one representative; and the counties of Schuyler, Fulton, Knox, Henry, Calhoun, McDonough, Warren, and Mercer, together one senator. The counties of Peoria, Jo Daviess, Putnam, La Salle, and Cook, together one representative, and one senator.

When several counties are joined.

SEC. 2. Whenever in the preceding section two or more counties are joined together for the purpose of electing representatives or senators, they shall form, and are hereby constituted, districts for that purpose.

Elections.

SEC. 3. At all future elections for senator or representatives, the clerks of the county commissioners courts in the district composed of the counties of Alexander and Union, shall meet at the seat of justice of Union county, to compare the returns of the election for senator in said district. In the district composed of the counties of Johnson and Pope, the clerks of the county commissioners courts shall meet at the seat of justice of Pope county, to compare the returns of the election for senator in that district. In the district composed of the counties of Franklin and Washington, the clerks of the county commissioners courts shall meet at the county seat of Franklin county, to compare the returns of the election for representatives; and the clerks of the county commissioners courts of the senatorial district, composed of the counties of Franklin, Jackson, and Washington, shall meet at the county seat of Franklin county, to compare the returns of election for senator. The clerks of

Clerks where to meet to compare returns.

the county commissioners courts of the counties of Randolph and Perry, shall meet at the county seat of Randolph county, to compare the election returns for representatives and senator. In the district composed of the counties of Clinton and Monroe, the clerks of the county commissioners courts shall meet at the seat of justice of Clinton county, to compare the election returns for senator. In the district composed of the counties of Bond, Montgomery, and Macoupin, the clerks of the county commissioners courts shall meet at the seat of justice of Montgomery county, to compare the election returns for senator. In the district composed of the counties of Hamilton and Jefferson, the clerks of the county commissioners courts shall meet at the county seat of Hamilton county, to compare the election returns for senator. In the district composed of the counties of Edwards, Wayne, and Wabash, the clerks of the county commissioners courts shall meet at the county seat of Edwards county, to compare the returns of the election for senator. The clerks of the county commissioners courts of the representative district, composed of the counties of Marion and Clay, shall meet at the county seat of Marion county, to compare the returns of the election for representative; and the clerks of the county commissioners courts of the senatorial district, composed of the counties of Fayette, Marion, and Clay, shall meet at the county seat of Marion county, to compare the returns of election for senator. The clerks of the county commissioners courts of the district, composed of the counties of Shelby and Macon, shall meet at the county seat of Shelby county, to compare the returns of elections for senator and representative. The clerks of the county commissioners courts of the district, composed of the counties of Tazewell and McLean, shall meet at the county seat of McLean county, to compare the election returns for senator and representative. The clerks of the county commissioners courts of the district composed of the counties of Lawrence and Crawford, shall meet at the county seat of Lawrence county, to compare the election returns for senator. The clerks of the county commissioners courts of the district composed of the county of Edgar, Clark, and Coles, shall meet at the county seat of Edgar county, to compare the election returns for senator. The clerks of the county commissioners courts of the district, composed of the counties of Hancock, Adams, and Pike, shall meet at the county seat of Adams county, to compare the re-

turns of elections for senator, and representatives. The clerks of the county commissioners courts of the district, composed of the counties of Fulton, Knox, and Henry, shall meet at the seat of justice of Fulton county, to compare the election returns for representative. The clerks of the county commissioners courts of the district, composed of the counties of Calhoun, McDonough, Warren, and Mercer, shall meet at the county seat of McDonough county, to compare the returns of elections for representative. The clerks of the county commissioners courts of the district, composed of the counties of Schuyler, Fulton, Knox, Henry, Calhoun, McDonough, Warren, and Mercer, shall meet at the county seat of Knox county, to compare the returns of the election for senator. The clerks of the county commissioners courts, of the district composed of the counties of Jo Daviess, Peoria, La Salle, Putnam, and Cook, shall meet at the seat of justice of Putnam county, to compare the returns of elections for senator and representative.

Clerks to meet to compare polls in fifteen days.

SEC. 4. The clerks of the county commissioners courts above-named, shall meet at the several places before-mentioned, within fifteen days next after any election for senator or representative in any of the said districts, for the purpose of comparing the votes given at such election.

Senators to be classed; when, and how.

SEC. 5. Within the first thirty days of the session of the senate, the senator from the county of Vermilion, and the senators from the districts composed of Bond, Montgomery, and Macoupin, Tazewell and McLean, Shelby and Macon, Peoria, Jo Daviess, Putnam, La Salle and Cook, Schuyler, Fulton, Knox, Henry, Calhoun, McDonough, Warren and Mercer, shall proceed to divide by lot their said number into two classes, the first class of which shall serve until the expiration of two years, from the first Monday of August, 1832; and the second class shall serve four years, from the first Monday in August, 1832. And in case of any vacancy occurring in any of the aforesaid offices, the same shall be filled in the manner prescribed by law for filling vacancies in the General Assembly.

[Approved, February 7th, 1831.]

APPROPRIATIONS.

AN ACT MAKING APPROPRIATIONS FOR THE YEARS
1831 AND 1832.

IN FORCE
FEB. 16, 1831.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the sum of six thousand dollars is hereby set apart and appropriated, as a contingent fund, to meet the contingent expenses of the State for the years one thousand eight hundred and thirty-one, and one thousand eight hundred and thirty-two. The said contingent fund shall be subject to the order of the Governor for the payment of any expenses which may be necessary and unforeseen by the Legislature, and for printing and distributing the Laws and Journals of the present General Assembly, a statement of which shall be laid before the next General Assembly, by the Auditor in his biennial report.

Contingent
fund.

Subject to the
order of the
Governor.

SEC. 2. There shall be paid to the Speaker of the Senate and of the House of Representatives, respectively, five dollars per day, for each day of the present Session, which shall extend to the late Lieutenant Governor Kinney for the time he served at the present General Assembly. To the members of the Senate and House of Representatives, three dollars per day, for each day of the present session, and three dollars for every twenty miles travel in going to and returning from the seat of Government. To the Secretary of the Senate and principal clerk of the house of representatives, respectively, five dollars per day, for each day of the present session. To the enrolling and engrossing clerks of the senate and house of representatives, respectively, four dollars per day. To the assistant secretary of the senate, and to the assistant clerk of the house of representatives respectively, three dollars per day. And the said compensation when due to the officers and members of the senate, as aforesaid, shall be certified by the secretary thereof, with the exception of his own compensation, which shall be certified by the speaker; and the compensation that may be due to the officers and members of the house of representatives shall be certified by the principal clerk thereof, and that of the clerk by the speaker; which said certificates, when made out as aforesaid, shall be sufficient evidence to the Auditor of each persons claim respectively, who shall issue his warrant on the Treasury for the amount such person shall be entitled to, as aforesaid, to be paid out of any monies in the Treasury not otherwise appropriated.

Compensation to the
Members of
the Assembly

And officers.

Sec. of the
Senate to
certify.

Clerk of the
H. of R. to
certify.

Appropriations.

- SEC. 3. The auditor of public accounts shall issue his warrant on the Treasury in favor of the different persons herein after named, for the several sums annexed to their respective names, to wit: To Cadwallader Jones, agent for Samuel Anderson, the sum of twenty dollars, for taxes paid on public land by mistake. To Soby Stewart six dollars, for taxes paid on resident land improperly sold by the Auditor. To Gershom Flagg ten dollars and fifty cents, being the amount paid by him into the treasury for lands purchased at the Auditor's sale, and for which the Auditor refuses to make a deed. To James Black thirty-one dollars and thirty-six cents for stationary furnished the present General Assembly, and sixteen dollars and thirty-eight cents for sundries furnished for repairing the state house, the sum appropriated at the last General Assembly not being sufficient to include the same. Also, Benjamin Parker is allowed three dollars per day for the time that he sat as a member of the present General Assembly, and three dollars for every twenty miles travel in coming to and returning from the seat of Government. To John Sinn the sum of five dollars and fifty cents for covering tables in both houses of the General Assembly. To Robert Blackwell the sum of two hundred and seventy-six dollars and fifty-one cents, for printing addresses, bills, and documents, for the present General Assembly. To Daniel Rawson the sum of four dollars for wood furnished the secretary, auditor, and treasurer's offices. To the sheriff of Fayette county, in addition to the compensation already allowed by law for his attendance on the Supreme Court, the sum of one dollar and twenty-five cents per day, during the present session of the court. To John D. Gorin the sum of seven dollars sixty-two and a half cents for blank books and other stationary furnished by him for the use of the different offices of this state. To William L. D. Ewing the sum of twenty-four dollars and seventy-eight cents for stationary furnished the auditor's and secretary's offices. To William McConnel the sum of eighty-one dollars and fifteen cents for stationary furnished said offices. To John Enochs the sum of fifteen dollars for fifteen cords of wood furnished, for which no appropriation was made at the last session. To John Y. Sawyer nine dollars for three days service as clerk to the committee upon the apportionment at the present session. To Isaac Walters of Crawford county the sum of five dollars and twenty-eight cents for taxes on resident land, impro-
- C. Jones.
- S. Stewart.
- G. Flagg.
- J. Black.
- B. Parker.
- J. Sinn.
- R. Blackwell.
- D. Rawson.
- Sheriff of Fayette.
- J. D. Gorin.
- W. L. D. Ewing.
- W. McConnel.
- J. Enochs.
- J. Y. Sawyer.
- I. Walters.

perly sold by the Auditor. To James Hall, treasurer, Treasurer. the sum of four hundred dollars for clerk hire for the years 1829 and 1830. To the secretary of the senate Sec. of the and clerk of the house of representatives, each, the sum Senate and Clerk of the of two hundred dollars for furnishing a copy of the H. R. Journals for the press. To Blackwell and Stapp for Blackwell & Stapp. paper for the use of the General Assembly, twelve dollars and fifty cents. To Thomas Houghan for station- T. Houghan. ary and other articles, thirty-four dollars and seven cents. To Joseph Conway six dollars and fifty-four J. Conway. cents, being his fees as clerk of Madison Circuit court, in the case of the Auditor of public accounts, for the State of Illinois, against John H. Spencer, which was dismissed at the plaintiff's cost. The Auditor of public accounts shall issue his warrant on the Treasurer, in favor of Blackwell and Stapp, for the sum of sixty-three Blackwell & Stapp. dollars and fifty-six cents for sundry articles furnished the state. To John Delaplain for making and repairing J. Delaplain. furniture, two dollars and twenty-five cents. Shadrach Bond for thirty-seven days service as commissioner of S. Bond. the penitentiary, one hundred and eleven dollars. To Gershom Jayne for twenty-eight days service as commis- G. Jayne. sioner of the penitentiary, eighty four dollars. To Wil- liam P. McKee for twenty-seven days service as commis- W. P. Mc- sioner of the penitentiary, eighty-one dollars. To Sam- Kee. uel C. Dunham for furnishing a plan of the penitentiary S. C. Dun- which was adopted by the commissioners, fifty dollars. ham. To William Nichols, the sum of five dollars for qualify- W. Nichols. ing the members. There shall be allowed to the Judge Judge of 5th of the fifth judicial circuit, the sum of one hundred dol- Circuit. lars, per annum, for the years 1831 and 1832, as an extra compensation, over and above his salary, for the additional duties imposed on him by the act regulating the circuits. To E. Capps, for one half ream of paper, one E. Capps. dollar and eighty-seven and a half cents. To John Ste- S. Stevens. vens for repairing state house doors, and for sundry articles furnished, nine dollars and twenty-two cents. To T. C. Kirk- Thomas C. Kirkman, for swearing in the members of man. the senate, three dollars. To John Enochs, three dol- J. Enochs. lars, for one day's attendance as serjeant at arms to the Senate. R. K. McLaughlin, for sundries furnished the R. K. Mc- legislature at the present session, sixteen dollars eighty Laughlin. seven and a half cents; and for thirty cords of wood furnished the state this session, forty-one dollars and twenty-five cents. To James Jones and David L. W. J. Jones & D. Jones, nine dollars each, for three days services, assist- L. W. Jones. ing the enrolling and engrossing clerks.

SEC. 4. The Cashiers of the branch banks, respectively, shall hereafter receive a salary, each, of the sum of two hundred and fifty dollars, per annum, and no more, any law to the contrary, notwithstanding. Ebenezer Capps is allowed the sum of twelve dollars and fifty cents, for stationary furnished the Legislature. There shall be allowed to each of the counties of Adams, Pike, Schuyler, and Fulton, the sum of one hundred dollars, annually; and to each of the other organized counties on the military tract, the sum of fifty dollars, annually, in addition to the sums now authorized by law to be paid to said counties in lieu of their resident land tax. To Charles Dunn, Richard J. Hamilton, and Mordecai Mobley, each, four dollars per day, while employed in examining and adjusting the accounts of James M. Duncan, late cashier of the State bank, which time shall be certified by said auditors, or a majority of them, to the Auditor of public accounts, which being done, he shall issue a warrant on the treasury, to each of said auditors, for the amount due. To James Caldwell, commissioner for the sale of lands in the Gallatin county Saline reserve, for money paid for advertising sale of lands, office rent, books, stationary, and a crier of the sale, the sum of one hundred and twenty-six dollars and sixty-three cents, to be paid out of the monies arising from the sale of lands in the said Saline reserve.

SEC. 5. There shall be allowed to the Secretary of State, for clerk hire in copying the laws of the present General Assembly, and making index and marginal notes to the same, three hundred dollars.

[Approved, Feb. 16th, 1831.]

AN ACT APPROPRIATING A PORTION OF THE AVAILS
ARISING FROM THE SALE OF THE SALINE LANDS, IN
GALLATIN COUNTY, TO INTERNAL IMPROVEMENT.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That so soon as it is ascertained that Congress grants permission to this state to sell twenty thousand acres of land, now*

IN FORCE
FEB. 16, 1831.

Appropriations, when Congress consent.

asked for by the legislature of this state, and the following sums are realized from the sales of said lands, the commissioners of said sales shall pay to the county commissioners court of Franklin county, the sum of eight hundred dollars to be expended under the direction of said commissioners, in building a bridge across Big Muddy river, on the road leading from the Gallatin county saline to Kaskaskia and Belleville: To the county commissioners court of Jackson county, one hundred and fifty dollars, to be expended under the direction of said commissioners, in building a bridge across Big Crab Orchard creek, on the road leading from Frankfort, in Franklin county, by way of Eight Mile Prairie, to Brownsville, in Jackson county: To the county commissioner's court of Pope county, the sum of five hundred dollars, to be expended under the direction of said commissioners, in finishing the bridge across Lusk's creek, near Golconda: To the county commissioner's court of Gallatin county, to be laid out ("under the direction of Leonard White, who shall direct and superintend the improvements on the roads in said county contemplated in this act, and the disbursement of the money appropriated to said objects; and he shall take receipts for all money paid out, and render an account of the money so expended, when called on by the commissioner's court of the county") on the road leading from Equality to Shawnee town, by Weed's works, the sum of two hundred dollars; on the road from Equality to Ford's ferry, the sum of two hundred dollars; on the road from Equality to Carmi, the sum of one hundred and fifty dollars; on the road from Equality by Blake's bridge, to McLeansborough, the sum of one hundred and fifty dollars; and on the road from Equality by Choisser's to Mount Vernon, the sum of two hundred dollars; and the sum of one hundred dollars to improve the navigation of the Saline creek, from Kirkpatrick's mill to White's bridge: The sum of one hundred dollars, to be appropriated on the road leading from Guard's works to Frankfort, one half to be applied on the road leading by Brown's, and the other half on the road leading by Grable's; and the several appropriations above made, amounting to eleven hundred dollars, to the county of Gallatin, shall be paid in equal proportion, until the same be paid: To the county commissioner's court of Monroe county, three hundred dollars, to be expended on roads and bridges, under the direction of said court: To the county commissioner's court of

To Franklin county.

To Jackson county.

To Pope county.

To Gallatin county.

To Monroe county.

To Union
county.

Union county, one hundred and fifty dollars, to be expended under the direction of said commissioners, in repairing a state road from Jonesborough to Littleton's ferry, on the Mississippi: To the county commissioner's court of Randolph county, four hundred

To Randolph
county.

dollars, to be appropriated under the direction of said commissioners, as follows, viz.: two hundred and fifty dollars thereof to repairing of the road leading from Kaskaskia to St. Louis, between Kaskaskia and the Eubuchon creek; and one hundred and fifty dollars in repairing the bluff, or hill, near Prairie du Rocher, on said road: To the county commissioner's court of St. Clair

To St. Clair
county.

county, three hundred dollars, to be expended under the direction of said commissioners, in building a bridge across Silver creek, where the state road crosses the same, from Middleton's ferry to Belleville, and in making causeways over the bottom of said creek; and also one hundred dollars, to be expended in building a bridge across Richland creek, on the road from Belleville to St. Louis: To the county commissioner's court of

To Vermilion
county.

Vermilion, four hundred dollars, to be by them expressly applied and expended in building a bridge across the south fork of the Big Vermilion river, where the state road crosses the same, leading from Danville to Fort Clark: To the county commissioner's court of Greene

To Greene
county.

county, three hundred dollars, to be applied according to their discretion, for the benefit of said county: The sum of three hundred dollars is hereby appropriated to the county of Edgar, for the purpose of building a bridge

To Edgar
county.

over Sugar creek, in said county: One hundred and fifty dollars is hereby appropriated towards building a bridge across Apple creek in Morgan county: The sum of three hundred dollars is hereby appropriated out of the proceeds of said lands, for the purpose of building bridges in

To Crawford
county.

Crawford county, to be applied under the direction of the county commissioners of said county: That one hundred and fifty dollars, appropriated to complete the bridge over Lusk's creek, near Golconda, by this act, be, and the same is hereby appropriated towards building a bridge across Big Bay creek at Green's Mill, on the road leading from Belgrade to Vandalia: The sum of four hundred dollars is hereby appropriated out of the proceeds of the sales of lands, in the Gallatin saline reserve, to be applied under the direction of the county commissioner's court, of Madison county, to the erection and repair of bridges in said county: To the county of Hamilton, two hundred dollars, to be expended under the di-

Appropriation for Pope
changed.

To Madison
county.

rection and repair of bridges in said county: To the county of Hamilton, two hundred dollars, to be expended under the di-

rection of the county commissioners of said county, in improving the present mail route from Shawneetown to St. Louis, so far as it lies within said county: Two hundred dollars to the county of Jefferson, to be expended under the direction of the county commissioner's court of said county: And two hundred dollars to Marion county, to be expended under the direction of the county commissioner's court; one hundred thereof in building a bridge across Crooked creek, and one hundred dollars thereof in building a bridge across the east fork of the Kaskaskia river, on the road leading from Golconda to Vandalia: Two hundred dollars to the county of Clay, to be expended under the direction of the county commissioner's court of said county, in improving the present mail route across the Little Wabash bottom, in said county: And the sum of one hundred and fifty dollars to the county of Clinton, to be expended under the direction of the county commissioner's court, of said county, in improving the Vincennes and St. Louis state road, at or near Beaver creek: To the county commissioner's court of White county, the sum of one thousand dollars, to be expended under the direction of said commissioners, in building a bridge across the Little Wabash river near Carmi: To the county commissioner's court of Wayne county, the sum of four hundred dollars, to be expended as follows, viz.: Two hundred dollars to build a bridge across Elm river, on the mail route from Fairfield to Maysville; and the other two hundred dollars to repair the state road from Fairfield to Albion: To the county commissioner's court of Edwards county, the sum of two hundred and fifty dollars, to be expended in discharging the debts of said county: To the county commissioner's court of Wabash county, the sum of four hundred dollars, to be expended under the direction of said commissioners, as follows, viz.: One hundred dollars to build a bridge across Bonpas creek, where the state road, leading from Mount Carmel to Maysville, crosses the same; One hundred and fifty dollars in repairing said road; and one hundred and fifty dollars in repairing and bridging such other roads, and streams, as said commissioners shall direct; To the county commissioner's court of Perry county the sum of one hundred and fifty dollars, to be expended in bridging Beaucoup, on the road from Frankfort to Pinckneyville; To the county commissioners of Shelby county, the sum of five hundred dollars, to be expended under the direction of said commissioners, in building a bridge across the Kaskaskia river at Shelbyville; to the

To Hamilton county.

To Jefferson county.

To Marion county.

To Clay county.

To Clinton county.

To White county.

To Wayne county.

To Edwards county.

To Wabash county.

To Perry county.

To Shelby county.

To Coles
county.

county commissioners of Coles county, the sum of four hundred dollars, to be expended in building a bridge across the Embarrass river, at the point or place where the state road, authorized to be located (this session) leading from Shelbyville, by the seat of justice, of said Coles county, to Paris, in Edgar county, shall cross said Embarrass river.

To be paid on
the order of
county court;
by commis-
sioner;

SEC. 2. The appropriations above made, shall be paid upon the order of the county commissioner's courts of the several counties, named in the order they stand in this act, by the commissioners appointed to sell said Saline lands (when selected) at Equality; and the orders of said commissioners receipted, shall be placed to his credit on settlement: and it shall be his duty, so soon as the sum due to any county, or the one half thereof, shall be received into his office, to inform the county commissioner's court of such county immediately, that the same is received, and subject to their order.

Commissioner
shall advise
county court.

Other laws re-
pealed.

SEC. 3. So much of the thirteenth section of the act, entitled "An act providing for the sale of the Vermilion saline reserve, and appropriating the avails thereof," as directs the appropriations made to the counties of Vermilion, Edgar, Clark, Crawford, Lawrence, and Wayne, to be paid first, is hereby repealed; and the various appropriations made by said act, excepting the appropriation of the proceeds of the first ten thousand acres to the Great Wabash river, to improve the navigation thereof, shall be paid out *pro rata* upon each of said appropriations.

[Approved February 16th, 1831.]

IN FORCE
DEC. 24, 1830.

AN ACT MAKING PARTIAL APPROPRIATIONS.

Appropriations to members and officers of the assembly.

SEC. 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the auditor of public accounts is hereby required to draw his warrant on the Treasury, for the sum of one hundred dollars, to each member of this General Assembly, and

a like warrant to the Speaker of each House, the Secretary of the Senate, Clerk of the House of Representatives, to each of the engrossing and enrolling Clerks, and Doorkeepers of both Houses.

[Approved, December 24th, 1830.]

AN ACT TO PROVIDE FOR THE ELECTION OF AUDITOR OF PUBLIC ACCOUNTS, AND FURTHER DEFINING HIS DUTIES. In force 14th Feb. 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the General Assembly shall, during their session, commencing on the first Monday of December, 1834, and every four years thereafter, elect by joint vote an auditor of public accounts, who shall be commissioned by the governor, and shall take and subscribe an oath, before some justice of the peace, or justice of the supreme court, to support the constitution of the United States, and of this state, and also that he will faithfully discharge the duties appertaining to the said office of auditor of public accounts; which said oath shall be endorsed upon his commission, and a copy of which shall be filed in the office of secretary of state.* Auditor to be elected 1834.
How qualified.

SEC. 2. The auditor, so elected, shall, before he enters upon the duties of his said office, enter into bond, payable to the people of the State of Illinois, with one or more good securities, in the sum of ten thousand dollars, to be approved by the Governor, and which bond shall be filed in the office of the Secretary of State, conditioned for the faithful discharge of the duties of said office by said auditor according to law, and for the delivery over to his successor of all books, records, vouchers, papers, presses and furniture appertaining to said office, whole, safe and undefaced: and should the condition of the said bond at any time be broken by said auditor, the Governor shall cause suit to be instituted To give bond.

Governor to
me for breach
of bond.

upon said bond against said auditor and his securities, nor shall one recovery render the same void, but the same may be prosecuted, from time to time, until the whole penalty shall be recovered.

To sign all
warrants.

SEC. 3. The auditor of public accounts shall, hereafter, in all cases, personally sign all warrants for money on the treasurer of the State, all tax receipts, and all other papers necessary and proper for the auditor to sign.

All laws pas-
sed in future
to apply to
each auditor.

SEC. 4. All laws, and parts of laws, now in force, relating to the duties of auditor of public accounts, or that may hereafter at any time be passed, shall be deemed and taken as applicable to each and every auditor that may be elected under this act.

Attorney
General to be
elected.

SEC. 5. There shall be elected by the General Assembly of the State of Illinois, at and during the session thereof, commencing on the first Monday in December, 1834, and every four years thereafter, by joint ballot of both houses, one Attorney General, whose duties shall be such as are, or may be, defined by law.

Warrants to
be counter-
signed by the
treasurer.

SEC. 6. In all cases where warrants for money are issued by the auditor upon the state treasurer, the said warrants, before they are delivered to the person or persons for whose benefit the same are drawn, shall be presented to the said state treasurer, who shall personally countersign the same; and shall also enter in a book, to be procured and kept for that purpose by him, the date, amount, and kind of money, and the name of the person or persons to whom the same are made payable. This act to be in force from and after its passage.

And recorded
by him.

[Approved, February 14th, 1831.]

AUDITOR AND TREASURER.

IN FORCE
FEB. 16, 1831.

AN ACT FURTHER TO DEFINE THE DUTIES OF THE AUDITOR OF PUBLIC ACCOUNTS AND STATE TREASURER.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That whenever the cashier of any one of the branches of the State bank of Illinois, or any other person, shall pay to the*

treasurer of this state any auditor's warrants, bank notes, or money, on account of any debt owing to the State bank of Illinois, the treasurer is required to give duplicate receipts for such payments, one of which receipts shall describe the kind of funds in which the payment was made, and shall be filed in the auditor's office, and entered by the audi or in a book to be kept for that purpose, and the other copy shall be countersigned by the auditor, and delivered to the person making payment; and no payment shall be considered as having been made until the treasurer's receipt shall have been countersigned by the auditor.

Treasurer to give Cashier's duplicate receipts.

Auditor to countersign one and file one.

SEC. 2. Any two of the auditors appointed by this General Assembly to settle the accounts of James M. Duncan, late cashier of the State bank of Illinois, shall be authorized to act in all cases in which the three auditors appointed for that purpose are now authorized by law to act, and shall complete the examination of said accounts, and make their report before the next term of the Circuit Court of the county of Fayette. This act to be in force from its passage.

Duty of the auditors appointed to settle J. M. Duncan's accounts.

[Approved, February 16th, 1831.]

BRIDGES.

AN ACT MAKING APPROPRIATIONS FOR CALHOUN COUNTY. IN FORCE JAN. 22, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That three hundred dollars be appropriated to the county of Calhoun, seventy-five dollars of which shall be expended under the direction of Jacob Wagner, to improve that part of the State road located between Wagner's ferry and the north boundary line of said county. And the remaining two hundred and twenty-five dollars, to be laid out under the direction of the county commissioners of said county, to build bridges, or improve public roads in said county.

Wagner's ferry.

Bridges.

SEC. 2. The Auditor of public accounts is hereby required to issue his warrants on the Treasurer, in

favor of the county commissioners court of Calhoun county, for the above appropriations, to be paid out of any moneys in the Treasury not otherwise appropriated.

[Approved, Jan. 22d, 1831.]

IN FORCE AN ACT TO AID THE CITIZENS OF JACKSON COUNTY TO
FEB. 14, 1831. MAKE CERTAIN INTERNAL IMPROVEMENTS THEREIN.

Commis-
sioners ap-
pointed to
raise subscrip-
tions.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William Eakin, Joel Manning, and Bennington Boon, are hereby appointed commissioners, and are authorized to receive subscriptions for the erection of a bridge across Kinkade creek, in said county, at or near the place where the road leading from Brownsville, in said county, to Kaskaskia, in Randolph county, crosses the same.*

To contract
for building
bridge,

SEC. 2. When the said commissioners shall have realized from the subscription aforesaid, the sum of one hundred dollars, it shall be their duty to contract with some person or persons for the building of said bridge, upon the best possible terms, to be completed within six months from the time of the making the said contract. And it shall be the duty of said commissioners to apply the said sum of one hundred dollars, subscribed as aforesaid, towards the building of said bridge, at such times and in such manner as they may deem expedient. And when the said bridge shall be completed and received, it shall be the duty of the said commissioners to certify the same to the auditor of public accounts, whose duty it shall be to issue his warrant on the treasury, in favor of the person or persons building the same, for the sum of one hundred and fifty dollars, to be paid out of any money in the treasury not otherwise appropriated.

and certify to
auditor.

SEC. 3. Benjamin F. Conner, Micajah Etherton, and Richard Hull, of Jackson county, are hereby appointed commissioners, and are authorised to receive subscriptions, for the erection of a bridge across Cedar creek, in said county, at or near the place where the

road leading from Brownsville, in Jackson county, to Jonesborough in Union county, crosses the same.

SEC. 4. And when the said commissioners shall have realized from the subscriptions aforesaid, the sum of seventy-five dollars, it shall be their duty to contract with some person or persons for the building of said bridge, upon the best possible terms, to be completed within six months from the time of making the said contract. And it shall be the duty of said commissioners to apply the said sum of seventy-five dollars, subscribed as aforesaid, towards the building of said bridge, at such times and in such manner as they may deem expedient. And when the said bridge shall be completed, it shall be the duty of the commissioners to certify the same to the auditor of public accounts, whose duty it shall be to issue his warrant on the treasury, in favor of the person or persons building the said bridge, for the sum of one hundred dollars, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 5. The said commissioners, before entering upon the discharge of the duties required of them by this act, shall take an oath, or affirmation, before some justice of the peace of said county of Jackson, faithfully and impartially to discharge the duties herein required of them, and they shall receive as a compensation, the sum of one dollar per day, each, for the time necessarily engaged in the discharge of the duties required of them by this act, to be paid out of the county treasury of the county of Jackson.

SEC. 6. Any person or persons, neglecting or refusing to pay to the said commissioners the amount of their subscription, upon request, it shall be the duty of the said commissioners, and they are hereby authorized and required, to sue such person or persons so refusing or neglecting to pay, as aforesaid, in the name of such commissioners, before any court having jurisdiction of the same: provided, however, that the appropriations made to carry into effect the objects of this act, shall in no event be drawn from the treasury before the expiration of eighteen months from the passage of this act. This act to take effect from and after its passage.

[Approved, Feb. 14th, 1831.]

IN FORCE
Feb. 14, 1831.

AN ACT TO AUTHORIZE SAMUEL WIGGINS TO BUILD A
TOLL-BRIDGE ACROSS THE KASKASKIA RIVER.

To build
bridge

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Samuel Wiggins be, and he is hereby authorized, to erect a bridge across the Kaskaskia river, at any place between the mouth of Sugar creek, and the mouth of Silver creek: Provided, that the said Samuel Wiggins shall erect the said bridge on land owned by himself, or shall pay to the owner or owners, on either side of the said river, for whatever damages they may sustain by reason of the building of said bridge.*

In 18 months.

SEC. 2. *The said bridge shall be completed within eighteen months from and after the passage of this act, and shall be built in a substantial and workmanlike manner: Provided, the said bridge shall be so constructed as not to obstruct the navigation of said river.*

Rates of toll.

SEC. 3. *After the completion of said bridge, the said Samuel Wiggins shall be, and is hereby authorized to demand and receive from every person crossing said bridge, the following rates of toll, to wit: For each head of hogs or sheep, crossing said bridge, one and a half cent; for each head of cattle three cents; each foot passenger six and one fourth cents; each horseman twelve and a half cents; each one horse waggon, or carriage, twenty-five cents; each two horse waggon, or carriage, thirty-seven and a half cents; each additional horse six and one fourth cents: provided, that any resident of the counties of St. Clair and Washington shall be permitted, at all times, to cross the said bridge free from any toll whatever: Provided also, that if said bridge shall be erected where the river is the line between the counties of Clinton and Washington, the inhabitants of Clinton county shall also be permitted to pass over the same free of toll.*

Certain persons to go free.

List of toll rates to be posted up.

SEC. 4. *The said Samuel Wiggins shall cause to be put up in some conspicuous place, near the said bridge, a list of the rates of toll herein-before enumerated; and if the said Samuel Wiggins, or any other person acting under him, and by his authority, shall demand and receive more toll than the rates allowed by this act, or shall unreasonably hinder, or detain, any person wishing to cross said bridge, the said Samuel Wiggins shall, for every such offence, forfeit and pay the sum of ten dollars, to be recovered in the name of any person suing therefor, by action of debt, before any justice of the*

peace of the county in which said bridge shall be situated. And if any person or persons shall wilfully do, or cause to be done, any injury to said bridge, the person or persons so offending, shall forfeit and pay to the said Samuel Wiggins, double the amount of such injury or damage, to be recovered before any justice of the peace as aforesaid.

SEC. 5. This act shall continue and be in force for ^{In force} the term of twenty years, from and after its passage. And ^{20 years.} it shall be the duty of the said Samuel Wiggins, to keep the said bridge in good repair, after the same shall have been completed, during the continuance of this act, under a penalty of ten dollars, for every wilful violation of the provisions of this section.

[Approved, Feb. 14th, 1831.]

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS COURT ^{IN FORCE}
OF SHELBY COUNTY, TO LEVY A TAX FOR CERTAIN PUR- ^{Feb. 10, 1831.}
POSES.

SEC. 1. *Be it enacted by the People of the State of* ^{To levy a}
Illinois, represented in the General Assembly, That the ^{tax.}
county commissioners court of Shelby county (if they shall deem the same expedient, and in accordance with the wishes of a majority of the people of the county) are hereby authorized to levy a tax upon the real and personal property of the taxable inhabitants of said county, to raise a sum of money sufficient to erect a good and substantial bridge across the Kaskaskia river, on the road (or whatever other point the said commissioners may deem the most convenient and beneficial to the public) leading eastward from said town towards Paris, in Edgar county. Said tax shall be collected by the sheriff of Shelby county, as other taxes are, for which ^{To be collect-}
collection he shall not charge more than five per cent. ^{ed as other}
The sum so raised shall be disbursed upon the object specified, under the direction of said county commissioners. ^{taxes.}

SEC. 2. Said county commissioners shall give public ^{Notice.}
notice, in two or more of the most public places in the vicinity, that they will let out, on a day specified, at least

thirty days after the date of said advertisement, the building of said bridge to the lowest bidder, which lowest bidder shall be the contractor for the same, who shall be required to give bond in double the sum of the contract, with good and sufficient security, for the faithful and certain performance of the conditions of said contract; and in failure of performance on the part of said contractor, the said commissioners are hereby authorized to institute suit on said bond, in any court having jurisdiction thereof, and judgment shall be had for the full amount of the penalty of said bond. This act to be in force from and after its passage.

[Approved, Feb. 10th, 1831.]

IN FORCE
FEB. 9, 1831.

AN ACT TO AUTHORIZE THE ERECTION OF BRIDGES OVER
SHOAL CREEK AND BEAVER CREEK, IN CLINTON
COUNTY.

J. Kain to
build bridges

and keep in
repair.

Rates of toll.

SEC. 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly, That* John Kain be, and he is hereby, authorised to erect good and substantial bridges over Beaver creek and Shoal creek, in Clinton county, upon the state road, as laid out by the commissioners appointed to view, survey and mark out the road from Vincennes to St. Louis: *Provided*, that said John Kain shall have said bridges built in a good and substantial manner, and completed within one year from the passage of this act. He shall also keep said bridges in good repair, at all times affording a ready and safe passage for all persons and their property over the same. And the said John Kain shall be allowed to hold said bridges for the term of twenty years, and shall be allowed to collect and receive for crossing both of said bridges, tolls at either of said bridges, as follows, to wit: each head of hogs or sheep one cent; each head of cattle three cents; each horseman twelve and a half cents; each carriage drawn by one horse eighteen and three-fourth cents; each carriage drawn by two horses twenty-five cents; each additional horse six and a fourth cents; waggons drawn by oxen, the same rates as those

drawn by horses; and each footman six and a fourth cents.

SEC. 2. Should the county of Clinton, at any time after the erection of said bridges, wish to make the same public bridges, the county commissioners' court of said county of Clinton shall have the privilege of doing so, upon paying to the said John Kain, or his heirs and representatives, the cost of the said bridges: *Provided*, that the inhabitants of Clinton county shall at all times be allowed to pass over said bridges free of toll: *Provided*, further, that nothing herein shall be so construed as to prevent or excuse the supervisor of said road from opening and keeping in repair a ford across each of said creeks, so as to afford a free passage for all travellers in time of low water. This act to be in force from its passage.

County may buy.

Ford to be kept open.

[*Approved, 9th Feb. 1831.*]

AN ACT MAKING CERTAIN APPROPRIATIONS, AND FOR RE-LOCATING A PART OF THE STATE ROAD LEADING FROM VANDALIA TO MAYSVILLE. IN FORCE FEB. 9, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That one hundred dollars be appropriated out of the funds arising from the sale of lots in the town of Vandalia, for the purpose of building a bridge across the Hurricane Fork of Okaw, on the road leading from Vandalia to Carlyle: said sum of money to be disbursed upon the object specified, under the direction of Samuel Houston, Abraham Starnes, and John Smith. That one hundred dollars be appropriated out of the same funds, for the purpose of building a bridge across said Hurricane Fork, on the road leading from Vandalia to Springfield, in Sangamon county: said sum to be disbursed upon the object aforesaid, under the control of Benjamin Roberts, Jonathan Hill, and Easton Whitton. That a like sum be appropriated out of the funds aforesaid, for the erection of a bridge across Boaze's creek, on the road leading from Vandalia to Shelbyville, in Shelby county: said sum to be disbursed under the direction of Edmund Boaze, John

Carlyle road.

Springfield road.

Boaze's creek.

Beck's creek. Enochs, and Hutson Cothran. That a like sum be appropriated out of the same fund, for the purpose of erecting a bridge across Beck's creek, on the last mentioned road: said sum to be disbursed under the direction of Paul Beck, sen. William Nichols, and Peter Moyers.

Hickory creek. That a like sum be appropriated out of the same fund, for the purpose of erecting a bridge across Hickory creek, on the road leading from Vandalia to Maysville, in Clay county, or at some other point hereinafter provided for the ascertainment of.

Commissioners to relocate Maysville road.

SEC. 2. John Haley, John A Wakefield, and Benjamin W. Thompson, are hereby appointed commissioners, who being first duly sworn before some justice of the peace of the proper county faithfully and impartially to execute the duties herein required, shall meet at the house of said John A. Wakefield on the first day of May next, or at any time before, or within ten days thereafter, that they may agree upon, and proceed to review, re-locate, and alter, such part of said last mentioned road as lies between said Wakefield's and John W. Nichols' on said road, and thence to Cornelius Dunham's, in Marion county, on said road, as said commissioners may deem advantageous and right, having special regard to the eligibility and localities of the ground, convenience of crossing water courses, and distances. Said commissioners shall be paid out of the county treasury of Fayette county, by order of the county commissioners' court of said county, a reasonable compensation, not exceeding two dollars per day, for each day's service by them necessarily employed about said work. Said commissioners shall have power to employ all necessary hands to carry said work into effect, for which service each hand so employed shall be allowed out of the county treasury of the said county of Fayette by order of the county commissioners' court of said county, seventy-five cents per day.

Compensation.

To report.

SEC. 3. Within one month after the re-location of said road, should the commissioners deem the same necessary, they shall be required to file in the clerk's office of the said county commissioners' court, a report of their proceedings, setting forth the prominent points of location and alteration. And thereafter said road shall be deemed and considered, to all intents and purposes, a public highway, and shall be worked upon as other public roads are.

Bridges.

SEC. 4. Said bridges shall be completed before the first day of November, 1831, provided the sums respec-

tively appropriated should be sufficient for the objects contemplated; if not, then as soon as practicable after individual aid shall have been procured sufficient for the completion of the work. In no case shall any or either of the appropriations be paid out until the completion of the bridges respectively shall be certified by the commissioners in each case herein specified, and filed with the Auditor of Public Accounts, who shall thereupon issue his warrant on the treasury for the sum here-
To be completed by Nov. 1 1831.
To be paid for when completed.

SEC. 5. The sum appropriated by the latter clause of the first section of this act, shall be disbursed under the direction of John Haley, John A. Wakefield, and William D. Brown. A majority of the commissioners, in each of the cases aforesaid, shall be competent to act.

SEC. 6. The commissioners shall advertise, at two or more of the most public places in the vicinity, that they will meet on a day specified in said advertisements, and let out the contract for building the bridges to the lowest bidder or bidders. The lowest bidder or bidders shall be considered the contractor, and shall be required to enter into bond, with approved security, in double the amount at which the building of said bridge was bid off; which amount shall be recovered in full, in any court having jurisdiction thereof, for failure to perform his or their contract, according to the strict provisions thereof. This act to be in force from its passage.

[Approved, Feb. 9th, 1831.]

AN ACT TO REVIVE AND AMEND AN ACT, ENTITLED "AN ACT AUTHORIZING CHARLES SLADE TO BUILD A TOLL BRIDGE ACROSS THE KASKASKIA RIVER," APPROVED FEB. 12TH, 1823.
IN FORCE Feb. 9, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles Slade, or his legal representatives, be, and they are hereby authorized to rebuild his toll-bridge at Carlyle, across the Kaskaskia river, in section 18, town 2 north.

In 12 months. range 2 west, and that the provisions of the above recited act shall be in force and applicable to the same; provided, that said bridge be rebuilt within twelve months from this date.

Rates of toll. SEC. 2. Said Charles Slade shall be allowed to demand no greater or higher toll than the following rates, to wit: for each one horse waggon, sulky, or carriage, twenty-five cents; for each two horse waggon, or carriage, thirty-seven and a half cents; for each waggon, or carriage, drawn by a greater number of horses, or oxen, six and a fourth cents for each additional horse, or other animal; for a man and horse twelve and a half cents; for each person crossing on foot six and a fourth cents; for cattle per head three cents; for all other animals, such as swine, or sheep, two cents per head: provided, the said Charles Slade, or his legal representatives, shall at all times cross the inhabitants of Clinton county, toll free: provided also, the county commissioners court of Clinton county, shall not exact of said Slade any tax for the said bridge.

To keep in repair.

SEC. 3. Said Charles Slade, or his legal representatives, shall at all times keep said bridge in good repair, and allow a speedy passage to all persons, and their property, upon receipt of the toll allowed by this act. This act to be in force from and after its passage.

[Approved, Feb. 9th, 1831.]

IN FORCE
Feb. 7, 1831.

AN ACT TO AUTHORIZE JAMES NABB TO BUILD A TOLL-BRIDGE OVER THE EMBARRASS RIVER.

J. Nabb to build bridge.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James Nabb be, and he is hereby authorized to build a toll-bridge across the Embarrass river, in Lawrence county, at or near the place where the state road, leading from Vincennes to St. Louis, crosses the same. Said bridge to be built of strong materials, and erected upon stone buttments and piers, and to be commenced within one, and completed within two years, from the passage of this act.

SEC. 2. The rates of toll for passing over said bridge, shall be the same as are now allowed said Nabb for ferryage over said river, and shall be subject to the control of the county commissioners court of said county, in the same manner that the said ferry rates now are. Rates of toll.

SEC. 3. Whenever the county commissioners of said county, shall deem it expedient to purchase said bridge, they shall have a right so to do by paying the said Nabb the original cost of the same. And for the purpose of enabling the county commissioners to make said purchase, it shall be the duty of said Nabb to file with the clerk of commissioners court of said county, such vouchers as shall be deemed sufficient by the commissioners to ascertain the cost of said bridge: and after said purchase the same shall be a free bridge, subject to the control of the county commissioners court of said county. County may buy.

SEC. 4. The said Nabb shall at all times afford a speedy passage over said bridge to all persons and their property, on payment of the lawful toll: provided, that all persons when going to, and returning from musters, courts, divine worship, and elections, shall be allowed to pass free, themselves and horses. Free on certain occasions.

SEC. 5. Nothing in this act shall be so construed as to authorise the said Nabb to obstruct the navigation of said river, or the ford at or near the place where said bridge is contemplated to be built. Not to obstruct navigation.

SEC. 6. If at any time said bridge shall be left out of repair, for ten days together, the same shall become forfeited to the county: provided, that the destruction of said bridge by fire, or high water, shall not work such forfeiture, if the said Nabb shall proceed with reasonable diligence to repair the same. The said Nabb shall be authorised to place a toll gate at either end of said bridge, and receive the toll for passing the same as herein provided for. Kept in repair.
Toll gates.

[Approved, Feb. 16th, 1831.]

BRIDGES.

IN FORCE
Feb. 9, 1831.

AN ACT AUTHORIZING SAMUEL LAPSLEY TO BUILD A TOLL-
BRIDGE ACROSS THE ILLINOIS RIVER.

To build
bridge.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Samuel Lapsley, his heirs or assigns, are hereby authorised to build a toll-bridge across the Illinois river, to be abutted at each end on section 23, town 33 north, range 1, east of the third principal meridian; which bridge shall be completed within two years from the passage of this act.*

Rate of toll.

SEC. 2. The said Lapsley, his heirs or assigns, shall keep a ferry at the place aforesaid, under the regulations and rates now in force, or which may hereafter be provided by law, until the said bridge shall be completed; and the said Lapsley, his heirs or assigns, shall be entitled to occupy a quantity of land for the use of said bridge and ferry, not exceeding one acre at each end thereof.

To occupy
one acre at
each end.

When bridge
broken.

SEC. 3. If the said bridge shall be broken down by ice, or any other cause shall happen, or arise, whereby a passage cannot safely be made on the contemplated bridge, the said ferry shall be kept up until the defect or breach shall be repaired and amended.

To be ap-
praised.

SEC. 4. Whenever the bridge shall be completed, the county commissioners court shall appoint three disinterested freeholders to appraise the reasonable costs of erecting the same, who shall certify the same, and file it in the clerk's office of the said county commissioners court; and thereafter the county commissioners court may purchase the said bridge, at any time, by paying to the owner thereof the appraised value, and thereafter the same shall be a free bridge, and kept in repair by the county commissioners court of the county in which said bridge is erected: provided, that nothing herein contained shall be so construed as to give any of the privileges herein provided to said Lapsley, his heirs or assigns, unless said bridge is commenced within one year, and completed within two years: and provided also, that if said bridge is not so constructed as to admit an easy, safe, and unobstructed passage to steam-boats, and other water craft, the same shall at any time, on complaint, be demolished, by order of the county commissioners court of the county in which it is erected. And it shall be the duty of said court to cause the same to be removed or destroyed, upon complaint aforesaid, by an order di-

County may
buy.

To be com-
pleted in one
year.

Not obstruct
navigation.

rected to the sheriff of said county, commanding him to do the same.

[Approved, Feb. 9th, 1831.]

AN ACT TO ENABLE ISAAH L. POTTS AND JOSEPH ROBINETT IN FORCE
TO BUILD A TOLL-BRIDGE ACROSS BEAVER CREEK. 15th Jan. 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* IsaaH L. Potts, and Joseph Robinett be, and they are hereby authorised to build a toll-bridge across Beaver creek, in Gallatin county, at or near where the road from Ford's ferry to Equality crosses the same, and that they shall have the right to charge the same rates of toll as are charged at the bridge at Equality, for the period of ten years, from the time the said bridge shall be completed, and the same shall be completed within two years from the passage of this act: provided, that any time after the said bridge is completed, it shall be lawful for the county of Gallatin to render the same a free bridge, by paying to the said Potts and Robinett the first cost thereof, which cost shall be ascertained as in the other cases before the commissioners court.

To build bridge.
Rates of toll.
County may buy.

SEC. 2. If the said bridge shall be left out of repair for ten days together, the same shall be forfeited to the county: provided, that destruction of the same by fire, or high waters, shall not work such forfeiture, if the same shall be rebuilt or repaired with reasonable diligence.

Neglect to repair shall forfeit.

SEC. 3. Nothing in this act shall be construed to authorise the said Potts and Robinett to stop up, or obstruct the ford over said creek in time of low water.

Ford to be kept open.

SEC. 4. Where any person has undertaken the erection of a bridge, under the authority of any special statute of this state, and who has been, or may be, unable to complete the same within the time allowed by law; the county commissioners court of the proper county may prolong the time for the commencement or completion of the same, on the application of the undertaker: provided, that when said time shall be prolonged, it shall not be

General provision.
County court may prolong time, or change site.

computed as a part of the term during which the undertaker may be authorised to take or receive toll; and the said court, by and with the consent of the undertaker, if they deem it conducive to the public good, may change the site of such authorised bridge, so that the same may be built on the same stream, within four hundred feet of the place at which the same was originally intended to have been built.

Undertakers
failing.

SEC. 5. When any undertaker or undertakers have failed, or shall hereafter fail, to erect a bridge under any statute of this state authorising the same, the county commissioners court of the proper county, are hereby authorised to let out the same, on the same terms, to any person who will, or may undertake to erect the same.

Rates of toll
not to be
changed in
certain cases.

SEC. 6. In all cases of grant hereafter to be made under the act, entitled "an act to provide for the establishment of ferries, toll-bridges, and turn pike-roads," approved February 12, 1827; the terms or rate of toll shall not be changed during the term of privilege granted by the court.

[Approved, 15th Jan. 1831.]

AN ACT TO AUTHORISE ALEXANDER KIRKPATRICK TO
BUILD A TOLL BRIDGE ACROSS THE SALINE CREEK, AT
EQUALITY.

IN FORCE
JAN. 22, 1831.

To build
bridge.

On stone
piers.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Alexander Kirkpatrick be, and he is hereby, authorised to erect a toll bridge across the Saline creek, at Equality, at or near the site of the present one, heretofore built by James A. Richardson, and now owned by said Kirkpatrick. The said bridge to be built upon strong stone piers and butments, laid in lime and mortar, and to be completed on or before the expiration of the grant of said toll bridge to said Richardson, by the act of the 23d of December, 1824.*

SEC. 2. In consideration that the said Kirkpatrick shall comply with the terms of the foregoing section, there is granted to him, his heirs and assigns, for the

period of ten years from the expiration of the grant of said Richardson, in the act above referred to, the same rates of toll for the passage of persons, horses, carriages, &c. over said bridge, respectively, that by the above recited act were granted to the said Richardson; and also, the right to occupy, free of rent, not exceeding three acres of land at each end of said bridge, for the same time.

SEC. 3. The said Kirkpatrick shall at all times keep said bridge in repair, and allow a speedy passage to all persons and their property over it, upon receipt of the lawful toll: provided, that grand and petit jurors, and militia men, while going to and returning from court, muster, and all persons in times of elections, or of low water, shall be allowed to pass free, with their horses. And if at any time, said bridge shall be left out of repair for the space of ten days, the same shall become forfeited to the county of Gallatin: provided, that the destruction of said bridge by fire or water, or other uncontrolable cause, shall not work a forfeiture, if the said Kirkpatrick shall proceed with reasonable diligence to repair the same.

SEC. 4. Nothing in this act shall be so construed as to authorise the said Kirkpatrick, or those acting or claiming under him, to obstruct the present crossing place over said creek in time of low water, or to hinder said county, or any individual or company, from building another bridge over said creek, at any place not within one mile thereof, up and down the said creek.

SEC. 5. The said bridge, hereby authorised to be built by the said Kirkpatrick, shall, at the expiration of the said ten years, be delivered over, in good repair, by said Kirkpatrick, his heirs or assigns, to the said county of Gallatin, as a free bridge, under the penalty of five hundred dollars, to be sued for and recovered, for the use of said county. And the said county may at any time after said bridge shall be completed, purchase the same for the county, by paying therefor to the said Kirkpatrick, the net cost of the same, which the said Kirkpatrick shall receive, on pain of immediate forfeiture thereof to said county. The said cost to be ascertained by vouchers, or other proof, before the county commissioners court of said county, on reasonable notice to said Kirkpatrick to produce the same.

[Approved, Jan. 22, 1831.]

BRIDGES.

IN FORCE
JAN. 7, 1831.

AN ACT TO AUTHORISE JOHN CRENSHAW TO ERECT A TOLL BRIDGE AND A MILL DAM ACROSS THE NORTH FORK OF THE SALINE CREEK.

Toll bridge
across Saline
creek.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Crenshaw be, and he is hereby authorised to erect a toll bridge across the north fork of the Saline creek, in Gallatin county, at or near where the road leading from Equality, by Crenshaw's works, to Shawneetown, crosses the same: said bridge to be built of strong materials, and erected upon stone butments and piers.

Tolls allow-
ed.

SEC. 2. There is hereby granted to the said Crenshaw, his heirs and assigns, the same rates of toll for the passage of persons, horses, carriages, &c. that were granted to James A. Richardson, by the act authorising him to build a toll bridge across the Saline creek, approved December 23, 1824; and also sufficient ground at either end of said bridge, for toll houses, shops, &c.

County may
purchase the
bridge.

SEC. 3. It shall be competent for the county of Gallatin, at any time after said bridge shall be completed, to make the same a free county bridge, by paying to the said Crenshaw, his heirs or assigns, the net cost of the same, which the said Crenshaw shall receive, on pain of immediate forfeiture of the rights hereby granted; said cost to be ascertained by the county commissioners' court, from vouchers and other proof, to be furnished by the said Crenshaw, his heirs, &c. on a reasonable notice to him, given for that purpose.

Cost to be as-
certained by
county com.

No bridge to
be erected
within one
mile, on the
same creek.

SEC. 4. No other person or persons, body politic or corporate, shall be allowed to erect any other bridge on the same creek, within one mile of the same, up and down the said creek, during the continuance of the privileges hereby granted.

Persons going
to and from
muster, court,
&c. to pass
free.

Bridge to be
forfeited if left
out of repair
for ten days.
Proviso.

SEC. 5. The said Crenshaw shall at all times afford a speedy passage over said bridge to all persons and their property, on payment of the lawful toll: provided, that all persons while going to and returning from muster, court, or elections, shall be allowed to pass free, themselves and horses. And if at any time, the said bridge shall be left out of repair for ten days together, the same shall become forfeited to the county: provided, that the destruction of said bridge by fire, or high water, shall not work such forfeiture, if the said Crenshaw shall proceed with reasonable diligence to repair the same.

SEC. 6. The said John Crenshaw is hereby authorized to build a mill dam across the said north fork of the Saline creek, on the west half of the south-east quarter of section No. 3, in town No. 9 south, in range No. 8, east, belonging to the said John Crenshaw, and to connect the said dam with the land on the opposite bank of said creek, belonging to the state: provided, the said John shall commence the said dam within six months, and complete the same, and a mill, within two years from the passage of this act.

Mill dam may be built.

Proviso.

SEC. 7. There is hereby granted to the said John Crenshaw, the right of pre-emption in the purchase of lands, not exceeding a half quarter section, embracing the opposite bank of the said creek, at the price of one dollar per acre, in the event of the said land being hereafter selected and sold under the authority of the State.

Grant of pre-emption in land on the opposite bank.

[Approved, Jan. 7, 1831.]

IN FORCE,
Jan. 7, 1831.

AN ACT TO AUTHORIZE SAMUEL MUSICK TO BUILD A TOLL BRIDGE OVER SALT CREEK, IN SANGAMON COUNTY.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel Musick is hereby authorized to erect a toll bridge across Salt creek, in Sangamon county, at or near the place on said creek where the said Musick is now authorized to keep a ferry, and shall be authorized to place a toll gate at either end of said bridge, and may ask and demand for crossing the same the toll herein allowed.

To build bridge.

Rates of toll.

SEC. 2. The rates of toll for passing over said bridge shall be the same which are now allowed said Musick at his ferry aforesaid, and shall be subject to the control of the county commissioners' court of said county in the same manner that the said ferry rates now are.

SEC. 3. Whenever the county commissioners of said county shall deem it expedient to purchase said bridge, they shall have the right so to do by paying the said Musick the original cost of said bridge. And for the purpose of enabling the county commissioners to make said purchase, it shall be the duty of said Musick to file with

County may buy.

the clerk of the county commissioners' court of said county, such vouchers as shall be deemed sufficient by the commissioners to ascertain the cost of said bridge.

To be built in one year.

SEC. 4. The said Musick in order to entitle him to the benefits of this act, shall commence and finish said bridge within one year from the passage thereof: *Provided*, however, that the ford where said bridge is contemplated to be built, shall not be so obstructed as to prevent a free and safe passage over the same in time of low water.

Ford to be kept open.

[Approved, Jan. 7, 1831.]

IN FORCE
Jan. 22, 1831.

AN ACT TO AUTHORISE JEREMIAH BRAUGHTON TO ERECT
A TOLL BRIDGE ACROSS THE NORTH FORK OF THE SALINE
CREEK.

To build bridge.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Jeremiah Braughton be, and he is hereby authorised to erect a toll bridge, with good and sufficient stone butments on both banks, across the north fork of Saline creek, at or near the old ford, on the road leading from Carmi to Equality: Provided, that the erection of said bridge shall not obstruct the said ford, but the same shall remain a public highway.*

Not to obstruct ford.

SEC. 2. The county commissioners' court of Gallatin county shall have power and are hereby required to regulate the rates of toll, from time to time, as shall be thought proper.

Rates of toll.

SEC. 3. After said bridge shall be erected, if the said Jeremiah Braughton shall neglect or refuse to keep the same in repair, so as to afford at all times a speedy and safe passage to all persons and their property who may wish to pass, he shall forfeit and pay the sum of five dollars for every twenty-four hours the said bridge shall remain so out of repair: *Provided*, that if said bridge shall unavoidably be damaged, a reasonable time shall be allowed him to make the repairs.

Repairs.

SEC. 4. If the said Jeremiah Braughton shall fail to erect said bridge within twelve months after the passage

of this act, then any other person, or persons, who will comply with the provisions of this act, and erect said bridge, shall be entitled to the benefits hereby intended to be conferred on said Braughton. Failing to erect, any other person may.

SEC. 5. At any time after the expiration of five years from the completion of said bridge, the county commissioners' court shall have power, and are hereby authorised, to take possession of said bridge, on the payment by the county to the said Jeremiah Braughton, or such other person or persons as may build the same, the whole amount that said bridge shall cost, together with a reasonable compensation for so much labor as he may perform in person. And for that purpose the said Braughton, or such other person or persons as may build the same, shall keep a correct account of his expenditures, and the number of days he was necessarily employed in person, and file the same in the office of the clerk of the county commissioners' court of Gallatin county, immediately after the completion of said bridge. This act to take effect from its passage. County may buy.

[Approved, January 22, 1831.]

AN ACT TO ERECT CERTAIN BRIDGES.

IN FORCE
Jan. 22, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of two hundred dollars be appropriated and paid to the county of Warren, for the purpose of building a bridge across Henderson's river, in said county; the sum of two hundred dollars to the county of Knox, for the purpose of building a bridge across Spoon river, in said county; the sum of one hundred and fifty dollars to the county of Jo Daviess, for the purpose of building a bridge across the Winnebago inlet, where the mail road from Peoria to Galena now crosses the same; the sum of one hundred and fifty dollars to the county of Pike, for the purpose of building a bridge across M'Craney's creek in said county; the sum of one hundred and fifty dollars to the county of McDonough, for the purpose of building a bridge across Crooked creek in said county; and Warren county.
Knox.
Jo Daviess.
Pike.
McDonough

Adams. the sum of two hundred dollars to the county of Adams, for the purpose of building a bridge across Bear creek, in said county. Said bridges to be erected on public highways, and kept in repair by the counties in which they are situated.

County court
to choose
sites,
or appoint
persons to
choose.

SEC. 2. The sites of said bridges shall be chosen by the county commissioners of the respective counties in which they are situated, or by persons authorised by them for that purpose, and the construction of them shall be under the control and direction of said commissioners. And for the purpose of entering into contracts for the building such bridges, the county commissioners of each of the counties aforesaid, shall, previous to the first day of October next, give at least three weeks notice under their signatures in each of the election precincts of the county, at the usual places of holding elections, of the day and hour when they will attend at the court house of their county, and let out the same to the lowest bidder; which notice shall also contain a description of the bridge to be built, and the time within which it is to be completed. And the person or persons who shall be the lowest bidder or bidders, shall have the contract, upon his or their entering into bond with good security, in double the amount of his or their contract, to the county commissioners of the county in which such bridge is to be built, for the use and benefit of such county, for the faithful performance of such contract.

Notice.

Lowest bidder
to have con-
tract.

SEC. 3. Whenever either of said bridges shall be completed, and the fact of its completion be certified, by the county commissioners of the county in which such bridge shall be built, to the auditor of public accounts, he shall draw his warrant on the treasurer, in favor of such county commissioners, for the sum appropriated by the first section of this act for the purpose of building such bridge.

Certify to
Auditor.

[Approved, January 22, 1831.]

CANALS.

AN ACT TO AMEND AN ACT TO PROVIDE FOR THE CON- IN FORCE
 STRUCTION OF THE ILLINOIS AND MICHIGAN CANAL. FEB. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of Canal Commissioners, authorised to be appointed by the act to which this is an amendment, shall hereafter consist of three members, who shall be appointed by the governor, by and with the advice and consent of the senate, and who shall be subject to re-appointment biennially. Said commissioners shall constitute a board, to be known under the style and description of "the Board of Canal Commissioners of the Illinois, and Michigan Canal." They shall select one of their number to be the president thereof, and shall also designate one of their number to keep the records and proceedings of their meetings, unless they may impose said duties on the treasurer of the board, for which they shall allow him such additional compensation as they may think just and reasonable, not exceeding thirty dollars per annum. And in case of the death, resignation, or refusal to act, of the treasurer, the board shall appoint a successor to fill the vacancy occasioned thereby. And in case of the death, resignation, or refusal to act, of either of said commissioners, the president, (and if there be no president,) then one of the board shall certify such vacancy to the governor, who shall fill the same.

Board of commissioners constituted.

To appoint a president.

To have records kept.

To appoint their own treasurer.

Governor to fill vacancies in the board.

SEC. 2. The governor shall appoint one of the commissioners of said board as acting commissioner, and who shall be constantly employed on the canal route, when necessary, and may be removed by the governor, upon the representations of the board, for malfeasance, neglect, or omission of duty, who shall appoint a successor to said office. He shall give bond to the governor, for the use of the canal fund, with sufficient security, to be approved of by the president of the board, in the sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office; and upon the breach of the condition thereof, may be sued upon the same, and the amount of whatever judgment may be recovered against him, when collected, shall be paid to the treasurer, and made a part of the canal fund.

One to be acting commissioner.

Bond of acting commissioner.

Oath. He shall also take an oath well and faithfully to discharge the duties of his office; and as a compensation for his services, he shall receive the sum of three dollars per day, for every day he may be necessarily employed on said canal route, or on the business of the canal, out of the canal fund, to be paid quarter yearly, upon the certificate of the board of canal commissioners, or the president thereof. And in case of his death, or resignation, or refusal to act, the same shall be certified to the governor by the president, or one of the board of canal commissioners; and the vacancy occasioned thereby shall be filled by an appointment of a successor by the governor. In case of the sickness, or temporary absence granted to said commissioner, by the board or president thereof, the board or president may select one of said board to fill the vacancy thereby occasioned, until said commissioner renews the discharge of his duties, if such temporary appointment may be necessary; and the commissioner so selected shall be entitled to receive the amount to which the superintending commissioner was entitled, while absent; and if the superintending commissioner is sick, then to receive such compensation as the board may think just. The said superintending commissioner shall, under the consent and direction of said board, employ such agents, engineers, surveyors, draftsmen, and other persons, as in their opinion may be necessary, to enable them to fulfil and discharge the duties imposed upon them by this act, or the one to which this is an amendment. He shall also, under the consent and direction of said board, fix the prices, and let out contracts for excavations, embankments, dams, aqueducts, culverts, and make all other contracts necessary to the excavation and construction of said canal. He shall reduce all contracts to writing, and file the same, or an abstract thereof, with the treasurer, shewing the date, the amount, and the party with whom the same were made: and shall draw, from time to time, on the treasurer, for the amount of any contract he shall have made, or so much thereof as may be due, in favor of the person entitled to the same;—he shall keep duplicates of all such drafts, or orders, as he may draw on the treasurer, and shall present them, together with a statement of the contracts and disbursements, at each regular meeting of the board.

Compensation.

Successor, how appointed.

Substitute, when sick, or absent.

Duties of acting commissioner.

SEC. 4. The treasurer shall discharge the duties assigned him by the act to which this is an amendment, ex-

cepting as is herein otherwise provided.—He shall make all his returns of sales to the board of commissioners, together with his receipts and disbursements. He shall pay all sums on the draft or order of the superintending commissioner, in all cases where the contract, or abstract of the contract, has been filed by said commissioner in his office; which draft, or order, he shall number and preserve on file, and submit them to the examination of the board of commissioners at each regular meeting, and which the said board shall mark as cancelled. And the board of canal commissioners shall allow him annually for his services, such compensation to be paid ^{His compensation.} quarter yearly, as they may think proper: provided the same does not exceed six hundred dollars. And when it shall be necessary for the treasurer to employ one or more clerks, the board of canal commissioners may make such an ^{Clerk hire.} allowance therefor as they may think just and reasonable: provided, that nothing herein contained shall be so construed as to allow any additional compensation, for expenses sustained by said commissioners, or losses ^{Proviso.} sustained while in service.

SEC. 5. The said board of canal commissioners shall ^{Duties of the board.} hold two regular annual meetings at such time and place as they may think proper, and may convene at any time they may think advisable in cases of emergency, at the request of the superintending commissioner. A majority of said board, exclusive of the superintending commissioner, shall constitute a quorum to do business: They shall inspect the accounts, books, state of the treasury, and all the proceedings of the treasurer, and superintending commissioner, at each regular meeting, and report the same to the governor, who shall lay the same before the legislature, for their examination; they shall have full power to contract, and be contracted with; to sue, and be sued; plead, and be impleaded; to defend, and be defended, in all matters relating to said canal; and shall have full powers, control, and authority in all things relating to the same, that are not herein expressly provided for; they shall, by order of the board, furnish to the superintending commissioner, all means that are necessary to enable him to discharge the duties imposed upon him by this act. And they shall receive, as a compensation for their services, three dollars per day, for every day they may sit as a board, to be certified by the ^{Their compensation.} president to the treasurer, who shall pay the same out of the canal fund.

SEC. 6. There shall be no further sale of canal ^{Sale of lands,}

lands by private entry, until said lands are so far disposed of, that the board of commissioners may deem it expedient, by an order of their board, to be given to the treasurer, a copy of which shall be published four weeks successively, in some public newspaper, printed in this state, when the same shall be sold at private sale, as is provided for in the act to which this is an amendment. The said board shall make an order, directing said lands to be sold at public sale, from time to time, as they may think most conducive to the interest of said canal, in the same manner, and under the same regulations, as are provided in the act to which this is an amendment: provided, however, that the superintending commissioner shall superintend said sales, which shall in all respects be conducted, certificates made out and signed, and patents issued, as is provided for in the seventh section of the act to which this is an amendment. Said commissioners may arrest said sales when they think proper.

Proviso.

Subdivision of land, for sale. SEC. 7. Said commissioners may cause such tracts of land as they may think proper and conducive to the public interest, to be sold in tracts of forty acres; and they may subdivide such other tracts into smaller quantities, or lots, and sell the same as they may think most profitable to the canal fund.

The board may employ engineer.

SEC. 8. They shall have power to employ an engineer, without regard to any that has been promised on the part of the general government, to survey the whole line of the canal, or so much thereof as may be necessary for superintending and aiding in the construction of said canal, and for all other purposes connected with the same: they shall also have power to cause said engineer to examine the Illinois river, from the mouth of Fox river, down to the head of steam-boat navigation; and if, in their opinion, the navigation of the Illinois river can be improved by dams and locks, or otherwise, so as to secure its navigation as far upwards as the mouth of Fox river, with as little expense, and as much utility, as canaling from Fox river to the Little Vermilion, or foot of the rapids, they shall have power to terminate said canal at the mouth of Fox river.

His duties.

Town of Ottawa.

SEC. 9. The superintending commissioner shall so alter the survey and plot of the town of Ottawa, as to present the front street of said town on the verge of the second bank of the Illinois river. Said street shall be laid off at least one hundred and twenty feet wide; and the plot of said town, together with the streets and alleys, shall be so altered as to conform thereto.

SEC. 10. Said commissioners shall have power so to improve the mouth of Fox river, if they may deem it proper, to terminate said canal there, as to open a channel under the bluff of the town of Ottawa, of sufficient depth for steam-boat navigation; which channel may be extended to a point at or near the termination of said bluff. All the ground between the bluff and the Illinois river, in the town of Ottawa, shall be reserved from sale.

Mouth of the Fox river.

Ground reserved.

SEC. 11. Nothing in this act, or the one to which this is an amendment, shall be so construed as to prevent said commissioners, or their successors in office, from using any stone, timber, ground or water, or other material, for the purpose of making or aiding said canal, which may be required in its construction: and in all sales of said lands this right is hereby expressly reserved free from any cost, charge, or liability whatever. And the said commissioners may reserve from sale any tract or tracts of land, which they may think useful, on account of its timber, rock, or other advantages, in the construction of said canal.

Canal commissioners, their rights, and duties, in using building materials, and reserving land.

SEC. 12. Said commissioners are authorized, if they may be of opinion that it will increase the value of lots in any town laid off on the canal lands, that have, or may become seats of justice, to give a quantity of lots in said town, not exceeding ten acres, to aid in the erection of public buildings; for which donation the governor shall issue his patent as in other cases.

Donations for seats of justice.

SEC. 13. The said superintending commissioner, and such engineers as may be employed on the part of the state, are hereby empowered to give to such canal, such dimensions as they may think most advisable, upon survey and examination thereof, suitable to canal-boat navigation.

Dimensions of canal.

SEC. 14. It shall be the duty of the superintending commissioner, to cause the engineer employed by him, to ascertain, as early in the spring as the weather will permit, whether the Calamic will be a sufficient feeder for the part of the canal between the Chicago and Des Plaines rivers, "or whether the construction of a rail road is not preferable, or will be of more public utility than a canal." And if the commissioners shall be satisfied of sufficiency of said river, and that a canal will be of more public utility than a rail road, it shall be their duty to commence the excavations without delay. And if they shall be of opinion that it would not, all further proceedings in relation to said canal, and sales of land, shall be deferred until the next meeting of the legislature: pro-

Calamic:

Rail road.

When excavation shall commence.

vided, however, that said commissioners shall cause such a commencement to be made in the progress of the said canal, as to bring the state within the act of Congress making said grant, so as to save said grant to the state, if they shall be of opinion sufficient has not been done already.

Repealing
clause.

SEC. 15. So much of the act to which this is an amendment, as is inconsistent with the provisions of this act, be, and the same is hereby repealed.

[Approved, Feb. 15th, 1831.]

IN FORCE
JAN. 28, 1831.

AN ACT FOR THE SURVEY OF A ROUTE FOR A CANAL, OR
RAIL ROAD, IN ST. CLAIR COUNTY.

Commission-
ers appointed
and duties
assigned.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Samuel C. Christy, John Messenger, and Joseph Green, be, and they are hereby appointed, commissioners to examine and survey the American bottom, in St. Clair county, from the bluffs to the Mississippi river, opposite St. Louis, in order to ascertain the practicability and probable expense of constructing a canal, or rail road, and make report thereof to the next Legislature: provided, that the county commissioners court of said county, will defray the expenses of such examination and survey.*

[Approved, Jan. 28th, 1831.]

CIRCUIT COURTS.

IN FORCE
FEB. 16, 1831.

AN ACT SUPPLEMENTAL TO THE SEVERAL ACTS REGULATING THE SUPREME AND CIRCUIT COURTS OF THIS STATE.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the chief jus-*

tice of the supreme court, and the associate justices thereof, and the circuit judge of the fifth judicial circuit, shall hold the circuit courts of this state, at the times, and in the manner hereinafter provided.

SEC. 2. The counties of Pike, Calhoun, Greene, Circuits. Morgan, Sangamon, Tazewell, Macon, McLean, and Macoupin, shall constitute the first judicial circuit: The counties of Madison, St. Clair, Monroe, Randolph, Washington, Clinton, Bond, Shelby, Fayette, and Montgomery, shall constitute the second judicial circuit: The counties of Gallatin, Pope, Johnson, Alexander, Union, Jackson, Perry, Franklin, Marion, Jefferson, and Hamilton, shall constitute the third judicial circuit: The counties of White, Edwards, Wabash, Lawrence, Wayne, Clark, Crawford, Edgar, Vermilion, Coles, and Clay, shall constitute the fourth judicial circuit: The counties of Cook, La Salle, Putnam, Peoria, Fulton, Schuyler, Adams, Hancock, McDonough, Knox, Warren, Jo Daviess, Mercer, Rock Island, and Henry, shall constitute the fifth judicial circuit.

SEC. 3. Samuel D. Lackwood shall perform circuit duties in the first judicial circuit; Theophilus W. Smith in the second; Thomas C. Brown in the third; William Wilson in the fourth; and Richard M. Young in the fifth: And when either of the said judges shall be succeeded in office, it shall be the duty of his successor to preside, and hold the courts in the circuit of the judge or justice who shall be so succeeded. Judges assigned.

SEC. 4. There shall be two terms of the circuit court held, annually, in each of the counties now, or hereafter to be, organized in this state, at the court-house thereof, or place provided for holding court; which terms shall commence at the times hereinafter specified, and continue to be held from day to day, Sundays excepted, until all the business pending shall be disposed of, unless it shall be necessary to close the term to enable the judge to attend in the next county to hold court. Said terms shall be commenced and held at the times Terms. following, that is to say: In the county of Pike on the 1st circuit, fourth Mondays in March, and third Mondays in August. In the county of Greene on the first Mondays in April, and fourth Mondays in August. In the county of Macoupin on the second Mondays in April, and the Mondays after the fourth Mondays in August. In the county of Morgan on the third Mondays in April, and second Mondays after the fourth Mondays in August, In the county of Sangamon on the fourth Mondays in

2d circuit.

April, and third Mondays after the fourth Mondays in August. In the county of Macon on the first Mondays after the fourth Mondays in April, and fourth Mondays after the fourth Mondays in August. In the county of McLean on the Thursdays thereafter; and in the county of Tazewell on the second Mondays after the fourth Mondays in April, and fifth Mondays after the fourth Mondays in August. In the county of St. Clair on the first Mondays in April and September. In the county of Monroe on the third Mondays in April and September. In the county of Randolph on the fourth Mondays in April and September. In the county of Washington on the first Mondays in May and October. In the county of Clinton on the next Wednesdays thereafter. In the county of Bond on the second Mondays in May and October. In the county of Montgomery on the next Thursdays thereafter. In the county of Shelby on the third Mondays in May and October. In the county of Fayette on the next Thursdays thereafter. In the county of Madison on the second Mondays in June, and third Mondays in October. In the county of Gallatin on the first Mondays in March and September. In the county of Hamilton on the third Mondays in March and September. In the county of Jefferson on the next Thursdays thereafter. In the county of Marion on the fourth Mondays in March and September. In the county of Perry on the Fridays thereafter. In the county of Franklin on the first Mondays in April and October. In the county of Jackson on the second Mondays in April and October. In the county of Union on the third Mondays in April and October. In the county of Alexander on the fourth Mondays in April and October. In the county of Johnson on the Fridays thereafter: and in the county of Pope on the first Mondays in May and November. In the county of White on the first Mondays in April and September. In the county of Edwards on the second Mondays in April and September. In the county of Wabash on the next Thursdays thereafter. In the county of Lawrence on the third Mondays in April and September. In the county of Crawford on the Thursdays thereafter. In the county of Clark on the fourth Mondays in April and September. In the county of Edgar on the Thursdays thereafter. In the county of Vermilion on the Mondays after the fourth Mondays in April and September. In the county of Coles on the

3d circuit.

4th circuit.

Fridays after the Mondays on which the court in Vermilion is held. In the county of Clay on the last Mondays in March and August. In the county of Wayne on the Wednesdays thereafter. In the county of Jo Daviess on the second Mondays in April and last Mondays in August. In the county of Cook on the fourth Mondays in April, and second Mondays in September. In the county of La Salle on the Fridays after the fourth Mondays in April, and the Fridays after the second Mondays in September. In the county of Putnam on the first Mondays in May, and the third Mondays in September. In the county of Peoria on the Thursdays after the first Mondays in May, and the Thursdays after the third Mondays in September. In the county of Fulton on the second Mondays in May, and fourth Mondays in September. In the county of Schuyler on the third Mondays in May, and first Mondays in October. In the county of Adams on the fourth Mondays in May, and second Mondays in October. In the county of Hancock on the first Mondays in June, and third Mondays in October. In the county of McDonough on the Fridays after the first Mondays in June, and on the Fridays after the third Mondays in October. In the county of Knox on the second Mondays in June, and fourth Mondays in October. In the county of Warren on the Thursdays after the second Mondays in June, and on the Thursdays after the fourth Mondays in October; and in the counties of Mercer, Henry, and Rock Island, whenever the same, or either of them, shall be organized in pursuance of law, at such times as the judge of the fifth judicial circuit shall appoint.

SEC. 5. All writs, and other process, heretofore made returnable to the terms provided in the act to which this is an amendment, shall be taken and held valid, and returnable to the terms herein provided for.

[Approved, 16th February, 1831.]

CIRCUIT COURTS.

IN FORCE AN ACT FIXING THE TIME OF HOLDING CIRCUIT COURTS, IN
FEB. 16, 1831. THE COUNTIES OF MADISON AND CALHOUN.

Calhoun. SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Circuit Courts shall be held in the county of Calhoun on the first Friday after the last Mondays in March, and third Mondays in August; and in the county of Madison, on the fourth Monday of October, any law to the contrary notwithstanding.

Change of venue to adjoining circuit. SEC. 2 In all cases wherein a change of venue may be awarded, for any cause whatever, the same may be awarded to the next adjoining circuit, if it may suit the convenience of the parties, as well as to any county in which the suit was instituted.

Pike, vernal term. SEC. 3. The Circuit Court of Pike county shall be held on the last Monday in March, any law to the contrary, notwithstanding.

[Approved, February 16th, 1830.]

 CLERKS.

IN FORCE AN ACT RELATIVE TO THE CLERK'S OFFICE IN CLINTON
FEB. 15, 1831. COUNTY.

Where to be kept. SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the offices of clerk and recorder for Clinton county, may be kept at the upper town of Carlyle: provided, that the distance shall not exceed three-fourths of a mile from the present court house in Carlyle. This act to take effect from and after its passage.

[Approved, Feb. 15th, 1831.]

CLERKS.

AN ACT TO AUTHORISE CLERKS OF THE CIRCUIT AND COUNTY COMMISSIONERS COURT TO APPOINT DEPUTIES, IN FORCE FEB. 9, 1831.
IN CERTAIN CASES.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the several clerks of the Circuit and County Commissioners' Courts, in this State, be, and they are hereby authorized to appoint deputies, who shall, severally, take an oath for the faithful discharge of the duties of their office, and for whose conduct the principal clerk shall in all cases, be responsible. May appoint deputies.

SEC. 2. The principal clerk shall in all cases attend in person to the duties of his office, when it is practicable, or when the duties of the office are not greater than can be performed by one person. To attend in person when practicable.

SEC. 3. Whenever any clerk, as aforesaid, shall reside at such a distance from the seat of justice of his county that he cannot give his daily attendance to the duties of his office, and shall not, within six months from the passage of this act, remove to the county seat, or within such a distance that he can and will give his daily attendance to the duties of his office, the office shall be taken and deemed vacant; and the presiding judge of the Circuit Court, and the county Commissioners Court, at their first session after being informed of the fact, shall proceed to fill such vacancy. This act to take effect from and after its passage. Clerk to reside at or near seat of justice. Or forfeit his office.

[Approved, Feb. 9th, 1831.]

 COMMISSIONERS' COURTS.

AN ACT GRANTING CERTAIN POWERS TO THE COMMISSIONERS COURTS OF SANGAMON, GREEN-, AND MORGAN COUNTIES. IN FORCE FEB. 14, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county

How they
may ar-
range justices
districts.

commissioners courts of the counties Sangamon, Greene, and Morgan, are authorized, if they shall deem it necessary, at their next June term, to increase the number of justices and constable districts in their respective counties to ten. Also, if the commissioners' court of Morgan county shall deem it necessary at their next March term, they may establish one additional justice and constable district at Beardstown, and one at Naples, in said county: And the commissioners' court of Sangamon county may establish one additional district at the Island Grove settlement. And in each of said districts the court, establishing, may order an election for one justice of the peace and one constable, to be subject to all the laws in force defining the duties of justices of the peace and constables, and whose term of service shall expire the same as those now in office. Also, that the seventh section of an act to amend an act entitled, "an act to provide for the election of justices of the peace and constables," approved December 30, 1827, which amendment was approved January 13, 1829, shall not be construed so as to prevent any clerk from ordering an election for constable to fill any vacancy in said office, unless the county commissioners court are petitioned as now required.

And order
elections.

Clerks duties.

[Approved, Feb. 14th, 1831.]

COUNTIES.

IN FORCE FEB. 15, 1831. AN ACT ESTABLISHING THE COUNTIES OF JASPER AND EFFINGHAM.

Jasper county
established.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all that tract of country lying within the following boundaries, to wit: beginning at the south-east corner of section No. 22, of township 5 north, in range No. 14, west of the second principal meridian, thence north with the sectional line to the north-east corner of section No. 3, of township No. 8 north, in range No. 14 west; thence west with the line dividing townships 8 and 9 north, to the north west corner of section No. 6, in range No. 8*

Boundaries.

east; thence south with the line dividing ranges No. 7 and 8 east, to the south-west corner of section No. 19, in township No. 5 north; thence east with the section line to the place of beginning; shall constitute a county, hereafter to be organized on petition of a majority of the legal voters therein, which shall be called the county of *Jasper*; and the county seat thereof, when selected and located, shall be called *Newton*. County seat.

SEC. 2. All that tract of country lying within the following boundaries, to wit: beginning at the north-west corner of the aforesaid county of *Jasper*, and running south with the line thereof to the south-east corner of townships No. 6; thence with the line dividing townships No. 5 and 6, to the north-west corner of township No. 5 north, in range No. 4 east; thence north with the township lines to the north-west corner of section No. 19, of townships No. 9 north, in range No. 4 east; thence east with the section line to the north-east corner of section No. 24, in range 6 east; thence south with the township line to the south-east corner of township No. 9 north; thence east to the north-east corner of township No. 8 north, in range No. 7 east; and thence south with the range line to the place of beginning, shall constitute a new county, hereafter to be organized, to be called the county of *Effingham*, and the county seat thereof, when selected and located, shall be called by such name as the commissioners, who shall select and locate the same, shall designate. Effingham county established.
Boundaries.
County seat.

SEC. 3. Nathan Mars, William Magill, and Asahel Heath, are hereby appointed commissioners to locate the seat of justice for the county of *Jasper*, and John Haley, James Galloway, and John Hall, are hereby appointed commissioners to locate the seat of justice for the county of *Effingham*. The said commissioners, or a majority of them, are hereby required to proceed to examine the said commissioners respectively, at any time they may agree upon, previous to the first day of November next, and with an eye to the best interest of said counties, shall select a suitable place for the seat of justice for each of said counties. The commissioners respectively, are hereby empowered to receive from the owner of such lands as they may select for the purpose aforesaid, a donation of not less than twenty acres; or they may receive donations in money, which shall be applied to the purchase of lands for such purpose; and in either case they shall take good and sufficient deeds therefor, granting the land in fee simple, for the use and benefit of said counties, as Commissioners to locate a seat of justice of Jasper.
Commissioners to locate a seat of justice of Effingham.
Their duties.

the case may be. The commissioners, if they shall select lands belonging to government, shall purchase a half quarter section in each of said counties, for the use and benefit of such county, provided they shall receive donations in money sufficient to make such purchase or purchases: When the commissioners shall have made the selections of land for the permanent seats of justice for the respective counties, those for the county of *Jasper* shall report their proceedings to the recorder of Crawford county; and those for the county of *Effingham* shall report their proceedings to the recorder of Fayette county; who shall receive and keep the same in their respective offices until the said counties shall be organized, when they shall transmit the same to the clerks of the county commissioners court of the aforesaid new counties, respectively. The several commissioners shall be allowed the sum of three dollars per day each, for each day necessarily employed by them in performing the duties herein prescribed, which shall be paid out of the first moneys arising from the sales of lands, bought or donated as aforesaid; and the several recorders shall issue certificates of the same to the commissioners, at the time the said reports are filed.

[Approved, Feb. 15th, 1831.]

IN FORCE
Feb. 9, 1831.

AN ACT TO ESTABLISH ROCK ISLAND COUNTY.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all that tract of country within the following boundaries, to wit: beginning at a point in the middle of the main channel of the Mississippi river, where the north line of township fifteen north of the military bounty tract intersects the same: thence east with said line to the fourth principal meridian; thence north with said meridian to the middle of the main channel of Rock river; thence up the middle of the main channel of Rock river, with the meanders thereof, to the confluence of the Marais d'ogee slough, or creek, with said river; thence along the middle of the said Marais d'ogee slough, or creek, to the Mis-*

Boundaries.

Mississippi river, and to a point in the middle of the main channel thereof; thence down along the middle of the main channel of the Mississippi river to the place of beginning, shall constitute a county to be called *Rock Island*. Name.

SEC. 2. Whenever it shall be made appear to the satisfaction of the presiding judge of the circuit court, of *Jo Daviess* county, that the said county of *Rock Island* contains three hundred and fifty inhabitants, it shall be his duty to grant an order for the election of three county commissioners, one sheriff, and one coroner, to serve when elected in and for said county, until they shall be superseded by the persons who may be elected at the next general election, which shall take place after the special election herein provided for, as aforesaid; and shall also state in said order, the day and place for the holding of said election, the names of three qualified persons to act as judges thereof, and the manner of conducting the same, which shall be as near as practicable in conformity with the law regulating elections: After which election, the said county of *Rock Island* shall be considered as organized, and entitled to the same rights and privileges as the other counties in this state. When and how to be organized.

SEC. 3. The county commissioners, when elected and qualified, shall proceed at their first term to fix upon the temporary seat of justice for said county, and provide a place for holding the circuit and county commissioners' courts therein, until a permanent seat of justice shall be established by law. The terms of the circuit court shall be fixed at such times as may be appointed by the judge of the judicial circuit to which the said county may be attached. Seat of justice. Terms of circuit court.

SEC. 4. Until the said county shall be organized as aforesaid, the same shall remain attached to the county of *Jo Daviess*, as at present, for all judicial and other county purposes. This act to take effect from and after its passage. Attached to Jo Daviess until organized.

[Approved, Feb. 9th, 1831.]

IN FORCE AN ACT TO CREATE AND ORGANIZE THE COUNTIES
Jan. 15, 1831. THEREIN NAMED.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all* that tract of country, to wit: commencing at the boundary line between the states of Indiana and Illinois, at the dividing line between towns thirty-three and thirty-four, north; thence west to the south-west corner of town thirty-four, north of range nine, east; thence due north to the northern boundary line of the state; thence east with said line to the north-east corner of the state; thence southwardly with the line of the state to the place of beginning; shall constitute a county to be called **COOK**; and the county seat thereof is hereby declared to be permanently established at the town of *Chicago*, as the same has been laid out and defined by the canal commissioners.

Cook county established.

Boundaries.

Seat of justice.

La Salle county established

Boundaries.

Seat of justice.

Putnam county established

Boundaries.

Commissioners to select seat of justice.

SEC. 2. All that tract of country embraced in the following boundary, to wit: commencing at the south-west corner of *Cook* county; thence south thirty miles; thence west to the third principal meridian; thence north with said meridian line forty-eight miles; thence east in a right line forty-eight miles to the western boundary line of *Cook* county; thence south with said boundary line to the place of beginning; shall constitute and be called the county of **LA SALLE**; and the permanent county seat thereof is hereby established at *Ottawa*, as the same has been surveyed and laid out by the canal commissioners, on the north side of the Illinois river.

SEC. 3. All that tract of country, to wit: commencing at the south-west corner of town twelve, north, range six, east, running east to the Illinois river; thence down the middle of said river to the south line of town twenty-nine, north; thence east with said line to the third principal meridian; thence north with said meridian line forty-two miles; thence west to a point six miles due north of the north-west corner of town seventeen, north of range six, east; thence south in a right line to the place of beginning; shall constitute a county to be called **PUTNAM**.

SEC. 4. Joel Wright, Isaac Perkins, and John Hamlin, shall be, and they are hereby appointed, commissioners to select and locate the permanent seat of justice of said county. Said commissioners, or a majority of them, shall meet at the house of William Hawes, in said county, on the first Monday in May next, or within three days

thereafter, and after being first sworn before some justice of the peace faithfully and impartially to locate said seat of justice as near as practicable in the centre of said county, on the Illinois river, (if there is any suitable site,) with a just regard to its present and susceptibility of future population, shall select, designate, and permanently locate the seat of justice of said county, which shall be called *Hennepin*. Their duties.

SEC. 5. If said location should be made on private property, and the owner thereof shall give a quantity of land to the county, not exceeding twenty acres, to be laid off into town lots and sold for the benefit of said county, by the county commissioners of said county, the proceeds of which shall be appropriated to the erection of public buildings, the said commissioners in that case shall take a title, in fee simple, from the donor to the county commissioners of said county, for the use of the county aforesaid, to such donation as is provided for in this act. Donation:

SEC. 6. If said commissioners should locate said seat of justice on the lands owned by the government of the United States, it shall be the duty of the commissioners to report the same to the clerk of the county commissioners' court, who shall notify the county commissioners thereof, and it shall be their duty to purchase the same of the United States, and shall lay the same off into town lots, and make sale of the same from time to time as they may think proper, the proceeds of which shall be applied to the erection of a court-house and jail on the public square of said town. If located on public land.

SEC. 7. Said commissioners shall each be entitled to the sum of two dollars per day, for each day they may necessarily be engaged in locating said seat of justice, going to, and returning home from the same, to be paid out of the treasury of the county. Town lots.

SEC. 8. There shall be an election held at the house of *William Hawes*, in said county, one at *Ottowa*, in La Salle county, and one at *Chicago* in Cook county, on the first Monday in March next, for one sheriff, one coroner, and three county commissioners, in each of said counties. Public notice thereof shall be given by some justice of the peace, living within the boundaries of each of said counties respectively, and said elections in other respects shall be conducted as elections are provided for in other cases. Court-house and jail.

SEC. 9. It shall be the duty of the county commissioners' courts of each of said counties to provide some Compensation.

Elections for county officers.

How conducted.

Place of holding courts. suitable place for holding court at the respective county seats of each of said counties, (if it can be done,) and if not, then at the nearest convenient place to said county seats, until suitable court-houses can be erected.

Public buildings at Chicago. **SEC. 10.** The public buildings at Chicago shall be erected on the public square, as laid off by the canal commissioners, on the south side of the Chicago river; and on the public square laid off at Ottawa, on the north side of the Illinois river.

At Ottawa. **SEC. 11.** If the canal commissioners shall make any donations of lots for the erection of public buildings, at Ottawa or Chicago, to the county commissioners of said counties, it shall be the duty of the county commissioners' courts of each of said counties to sell the same whenever they may think it best, and apply the proceeds thereof to the erection of a court-house and jail, at said county seats respectively.

Public buildings at Chicago & Ottawa. **SEC. 12.** Townships 12, 13, 14, 15, 16, 17, and 18, north, range five, east, shall be attached to, and shall hereafter form part of Henry county.

Territory attached to Henry co.

Ferries. **SEC. 13.** The ferries to be established at the seats of justice of the several counties aforesaid, shall vest absolutely in the several counties created by this act. And the county commissioners court of the several counties shall, without delay, provide a suitable boat, or other water craft, at each of said county seats, and may employ one or more ferrymen to keep said ferry, or may let the same for any price they may think proper, or gratuitously, to any person from year to year. Said commissioners shall be entitled to such rates and charge such ferriage as is reasonable and just, and which shall not exceed the ordinary rates allowed on similar rivers: provided, however, that the citizens of said counties shall be entitled to cross at said ferries free of ferriage, when on business. And if the commissioners courts of said counties shall at any time fail or refuse to furnish proper water craft, or to keep the same in repair, they may be indicted and punished as other ferry-keepers are: provided, however, that nothing contained in this act shall be so construed as to divest any person of a ferry already established by law, where the occupier was the legal owner of the soil, at the landing on either side of said rivers, at the time when such ferry was established, or whose ferry has been established since said person acquired a legal right to the soil upon which the landing was made.

SEC. 14. The county commissioners court of Cook

county is hereby authorised to purchase of the government of the United States a quantity of land in section ten, town thirty-nine north, of range fourteen east, not exceeding eighty acres, to be laid out into town lots, and sold from time to time, as they may think proper; the proceeds of which, when sold, shall be appropriated to the erection of a court house and jail.

Cook county court, certain duties assigned it.

§ SEC. 15. All the country north of *La Salle* county, to the northern boundary line of the State and parallel with the lines of said county, is hereby attached to said county. And all the country north of *Cook* county, and parallel with the lines of the same, as far northward as *Rock* river, is hereby attached to *Cook* county.

Territory attached to Cook and La Salle.

[Approved, Jan. 15, 1831.]

AN ACT CREATING M'LEAN COUNTY.

IN FORCE
Dec. 25, 1830.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all that tract of country lying within the following boundaries, to wit: Beginning at the south-west corner of township numbered twenty-one north, of range numbered one, west of the third principal meridian; thence north between ranges numbered one and two, west of said meridian, to the north-west corner of township numbered twenty-eight north; thence east, between townships numbered twenty-eight and twenty-nine, to the north-east corner of township numbered twenty-eight, of range numbered six, east of the third principal meridian; thence south, between ranges numbered six and seven, east of said meridian, to the south-east corner of township numbered twenty-one north, of range numbered six, east of said meridian; thence west to the place of beginning; shall constitute a new county, to be called McLean.*

Boundaries.

SEC. 2. For the purpose of fixing the permanent seat of justice of said county, the following named persons are appointed commissioners, viz: Lemuel Lee, of Fayette county, Isaac Pugh and Elisha Freeman, of Macon county; which commissioners, or a majority of

Commissioners to locate seat of justice.

them, shall meet at the house of James Allen, in said county, on the second Monday of February next, or within five days thereafter, and being first duly sworn by some justice of the peace of the State, faithfully and impartially to take into view the convenience of the people, the situation of the present settlement, with a strict view to the population and settlements which will hereafter be made, and the eligibility of the place, shall proceed to explore and carefully examine the country, determine on and designate the place for the permanent seat of justice of the the same: provided, that the proprietor or proprietors of the land shall give and convey, by deed of general warranty, for the purpose of erecting public buildings, a quantity of land, in a square form, or not more than twice as long as wide, not less than twenty acres; but should the proprietor or proprietors of the land refuse or neglect to make the donation aforesaid, then said commissioners shall fix the said county seat (having in view the interest of the county) upon the land of some person who will make the donation aforesaid. If the commissioners shall be of opinion, that the proper place for the seat of justice is, or ought to be, on lands belonging to government, they shall so report, and the county commissioners shall purchase one half quarter section, the tract set forth, in their name, for the use of said county. The commissioners aforesaid, so soon as they decide on a place, shall make a clear report to the county commissioners' court, and the same, shall be recorded at length in their record book. The land donated, or purchased, shall be laid out into lots, and sold by the county commissioners to the best advantage, and the proceeds applied to the erection of public buildings and such other purposes as the commissioners shall direct, and good and sufficient deeds shall be made for the lots sold.

If on private property, a donation required.

If on public land, the same to be purchased by Co. Com'rs.

Report.

Town to be laid off, and lots sold. proceeds how appropriated. Deeds to be made.

Election.

SEC. 3. An election shall be held at the several places of holding elections, as now laid off by Tazewell county, in the said county of McLean, on the second Monday of March, next, for one sheriff, one coroner, and three county commissioners, who shall hold their offices until the next general election, and until their successors be qualified: and the justices of the peace and constables who are now in office and residing within the limits of said county of McLean, shall continue in office until the next quadrennial election for justices of peace and constables, and until their successors be quali-

ified. And it shall be the duty of the clerk of the circuit court of said county, and if there be none acting, then the recorder, or judge of probate shall give at least fifteen days notice previous to said election, and who shall appoint the judges and clerks of said election, who shall be legal voters; and the returns of the election shall be made to the clerk, recorder, or judge of probate, as the case may be, who gave the notice aforesaid, and by him, in the presence of one or more justices of the peace, shall be opened and examined, and they jointly shall give to the persons elected commissioners, certificates of their election; and like certificates to the persons elected sheriff and coroner, to forward to the Governor; which election shall in all other respects be conformable to law.

Notice thereof.

Returns to be made to county officer.

And to the Governor.

SEC. 4. All courts for said county shall be held at the house of James Allen, until public buildings are erected, unless changed to some other place by order of the county commissioners court, who shall make the same a matter of record.

Courts to be held at Jas. Allen's pro. tem.

SEC. 5. The commissioners herein appointed to locate the county seat, shall be allowed two dollars per day, each, for every day by them necessarily employed in making said location, to be paid by said county.

Compensation to Com's

SEC. 6. The seat of justice of said county of McLean, shall be called and known by the name of *Bloomington*.

Name of county seat.

[Approved, Dec. 25th, 1830.]

AN ACT ESTABLISHING COLES COUNTY.

IN FORCE
Dec. 25, 1830

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all that tract of country within the following bounds, to wit: beginning at the north-east corner of section four, in township sixteen north, in range fourteen west of the second principal meridian; thence west on the line dividing townships sixteen and seventeen, to the eastern boundary of range six east of the third principal meri-*

Boundaries.

dian; thence south on said line, the line dividing ranges six and seven, the eastern boundaries of Macon and Shelby counties, to the south-west corner of Clark county, township nine north, range six; thence east on the line dividing townships eight and nine, to the south-east corner of section thirty one, the east boundary of fractional range eleven east; thence north on said line, which is the division between fractional range eleven and range fourteen, to the north-east corner of section nineteen, in said range eleven. in township twelve north; thence to the north-east corner of section twenty-one, in said township twelve, and range fourteen; thence north on sectional lines, the centre of said range, to the place of beginning, shall form a new county, to be called *Coles*.

Commissioners to locate the seat of justice.

SEC. 2. For the purpose of fixing the permanent seat of justice of said county, the following persons are appointed commissioners, viz.: William Bowen of Vermilion county, Jesse Essarey of Clark county, and Joshua Barbee of Crawford county; which commissioners, or a majority of them, shall meet at the house of Charles Eastin, in said county, on the fourth Monday in January next, or within five days thereafter, and being duly sworn before some justice of the peace of the state, faithfully and impartially to take into view the convenience of the people, the situation of the present settlement, with a strict view to the population and settlements which will hereafter be made, and the eligibility of the place; shall proceed to explore and carefully examine the country, determine on and designate the place for the permanent seat of justice of the same: provided, the proprietor or proprietors of the land shall give and convey by deed of general warranty, for the purpose of erecting public buildings, a quantity of land in a square form, or not more than twice as long as wide, not less than twenty acres: but should the proprietor or proprietors of the land refuse or neglect to make the donation aforesaid, then and in that case said commissioners shall fix said county seat (having in view the interest of the county) upon the land of some person who will make the donation aforesaid. If the commissioners shall be of opinion and decide that the proper place for said seat of justice is, or ought to be, on land belonging to government, they shall so report, and the county commissioners shall purchase one half-quarter section, the tract set forth, in their name, for the use of the county. The commissioners appointed to locate the seat of justice shall, so soon as they decide on the place, make a clear report to the commis-

If on priv. prop. a donation required.

If on public land, the same to be purchased by county com.

sioners court of the county, and the same shall be recorded at length in their record book. The land donated, or purchased, shall be laid out into lots, and sold by the commissioners of the county to the best advantage; and the proceeds applied to the erection of public buildings, and such other purposes as the commissioners shall direct; and good and sufficient deeds shall be made for the lots sold.

Town to be laid off, and the lots sold.

Proceeds how applied. Deeds to be made.

SEC. 3. An election shall be held at the several places of holding elections as now laid off by *Clark* county, in said *Coles* county, on the Saturday preceding the first Monday in February next, for one sheriff, one coroner, and three county commissioners, for said county, who shall hold their offices until the next general election in 1832, and until their successors be qualified. And it shall be the duty of the clerk of the circuit court of said county, and if there be none, then the recorder, or judge of probate, to give at least fifteen days notice previous to said election, and who shall appoint the judges and clerks of said election, who shall be legal voters: and the returns of said election shall be made to the clerk of the circuit court, recorder, or judge of probate, as the case may be, and by him, in the presence of one or more justices of the peace, opened, and they jointly shall give to the persons elected commissioners, certificates; and that of the sheriff and coroner to forward to the governor; which election shall in all other respects be conformable to law.

Election.

Notice thereof.

Returns to be made to county officer

and to the governor.

SEC. 4. All courts shall be held at the house of *Charles Eastin*, in said county, and continue to be held there until public buildings shall be erected for the purpose, unless changed to another place by order of the county commissioners court, who shall make the same a matter of record.

Courts to be held at *Chas. Eastin's* pro. tem.

SEC. 5. The commissioners appointed to locate the county seat, shall be allowed two dollars per day each, for every day necessarily employed in locating the same, to be paid by said county.

Compensation to commissioners.

[Approved, Dec. 25, 1830.]

COUNTY SEATS.

IN FORCE AN ACT TO ESTABLISH A PERMANENT SEAT OF JUSTICE FOR
Dec. 24, 1830. THE COUNTY OF MCDONOUGH.

County seat
established on
S.W. 31. 6 N.
2 W.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county seat of the county of McDonough be, and is hereby permanently established on the south-west quarter of section thirty-one, in township six, north of range two west; and that the commissioners of said county are hereby authorised to purchase the said quarter section of land of the United States, as provided for by the laws of Congress: and that the name of said county seat be called *Macomb*.

Name.

[*Approved, Dec. 24, 1830.*]

IN FORCE AN ACT TO ESTABLISH A PERMANENT SEAT OF JUSTICE FOR
15th Jan. 1831. KNOX COUNTY, AND FOR OTHER PURPOSES.

Seat of justice
established.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the seat of justice for the county of Knox be, and the same is hereby permanently established on the south-west quarter of section twenty-eight, in township eleven north, of range two east of the fourth principal meridian; and that the county commissioners of the said county of Knox be, and they are hereby authorised to purchase, for the use of said county, the said quarter section of land of the United States, as provided for by the laws of Congress, and to lay off on the same a town, which shall be named *Henderson*.

named.

Boundaries of
Knox.

SEC. 2. The boundary lines of the county of *Knox* shall hereafter be as follows, to wit: beginning at the south-east corner of township nine north, in range four east of the fourth principal meridian; thence north on the line between ranges four and five east to the south-east corner of township twelve north, in range four east; thence east on the line between townships eleven and

twelve north to the south-east corner of township twelve north range five east; thence north on the range line between ranges five and six east to the north-east corner of township thirteen north range five east; thence west on the line between townships thirteen and fourteen north to the fourth principal meridian; thence south with said meridian to the south-west corner of township nine north, in range one east; thence east on the line between townships eight and nine north to the place of beginning.

SEC. 3. The boundary line of the county of *Henry* shall hereafter be as follows, to wit: beginning at the south-east corner of township fourteen north, in range five east of the fourth principal meridian; thence north between ranges five and six east to the middle of the channel of *Rock* river; thence down along the middle of the main channel of said river, with the meanders thereof, until it intersects the fourth principal meridian; thence south with said meridian to the south-west corner of township fourteen north, in range one east; thence due east on the line between townships thirteen and fourteen north to the place of beginning.

SEC. 4. Until the said county of *Henry* shall be organized, the same shall be attached to the county of *Knox*, for all judicial and other purposes.

[Approved, Jan. 15, 1831.]

AN ACT PROVIDING FOR THE LOCATION OF A PERMANENT SEAT OF JUSTICE FOR HANCOCK COUNTY. IN FORCE JAN. 1, 1831.

SEC. 1. Be it enacted by the People of the State of *Illinois*, represented in the General Assembly, That for the purpose of locating the permanent seat of justice in and for the county of *Hancock*, the following named persons shall be, and they are hereby appointed commissioners, viz: *Hart Fellowes* and *Samuel Bogert*, of *Schuyler* county, and *Daniel McNeil*, of *Warren* county, who, or a majority of them, are hereby required to meet at the house of *James White*, at the head of the *Des Moines* rapids, in said county, on the last Monday in the month

Boundaries of Henry.

Territory attached.

Commissioners appointed to locate seat of justice.

Their duties.

of February next, or within five days thereafter, and after being first duly sworn by some judge, or justice of the peace of said county, faithfully to take into consideration the convenience of the people, the situation of the settlements, with an eye to the future population of said county, and the eligibility of the situation, shall proceed to fix upon a place for the permanent seat of justice for said county, and give it a name.

To make
report.

SEC. 2. When said commissioners, or a majority of them, shall have agreed upon a place for a county seat, as provided in the first section of this act, they shall make report thereof in writing under their hands and seals, describing particularly the quarter or fractional quarter section, township, and range, upon which they have located the same, together with the name they may have given it, to the county commissioners court of said county, who shall at the next term of said court thereafter, cause the said report to be entered upon the records of said court; and the place so selected by the said commissioners, or a majority of them, shall be and remain the permanent seat of justice of Hancock county, and be known and called by such name as may be given it by said commissioners.

Compensa-
tion.

SEC. 3. The county commissioners court of said county shall allow the said commissioners such reasonable compensation per day for their services, as they may deem reasonable and just, not exceeding three dollars per day, out of the county treasury of said county.

How to pro-
ceed with pro-
prietor of land
selected.

SEC. 4. Should the said commissioners locate said seat of justice on lands belonging to an individual or individuals, they shall ask and obtain a donation of any number of acres not less than twenty, and also select and describe said donation in their report, with reasonable certainty by metes and bounds: provided, that should the proprietor or proprietors of such land refuse or neglect to make the donation herein provided for, the said commissioners shall then be required to locate the county seat aforesaid, on the nearest eligible situation on public land; and it shall also be the duty of said commissioners previous to locating the said county seat on the land belonging to any individual or individuals, to take a deed, in fee simple, to said county, for such land as may be donated as aforesaid.

[Approved, Jan. 1, 1831.]

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT TO RE-
MOVE THE SEAT OF JUSTICE OF WABASH COUNTY." IN FORCE
JAN. 15, 1831.

Whereas, the commissioners appointed by the act, to which this is an amendment, to assess the value of lots in the town of Centreville, and for other purposes, have never all met for the performance of the duties thereby enjoined, whereby nothing has been done of a valid and legal nature: Therefore,

Preamble.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of Wabash county be, and they are hereby, authorized and required at their next June term, to take jurisdiction of the matters and things specified in the second section of the act to which this is an amendment, and to perform the same duties in all respects whatever, as by the said section were required of the special commissioners therein named: *Provided,* the said court shall not be required to make out a report, but shall enter their proceedings of record, and grant their orders upon the county treasury, as in other cases.

Duties of co. com'rs in regard to county seat of Wabash.

SEC. 2. Any person aggrieved by the determination of the said county commissioners' court, in the premises, shall have the right to appeal to the circuit court of said county, at any time within thirty days from the final order made, by giving notice to the clerk of the county commissioners' court, and filing a transcript of such final order with the clerk of the circuit court, and in such appeal no bond shall be necessary.

Appeal allowed.

SEC. 3. Any person so disposed may relinquish any lot or lots heretofore bought by him in the town of Centreville, and on such relinquishment it shall be the duty of the said county commissioners' court to refund the amount of the purchase money, heretofore received, to such persons: *Provided,* such relinquishment be made before the assessment of damages shall take place as provided for in the first section of this act.

Lots may be relinquished.

[Approved, 15th Jan. 1831.]

IN FORCE
Jan. 15, 1831.

AN ACT PERMANENTLY TO LOCATE THE SEAT OF JUSTICE FOR MONROE COUNTY.

County seat
established.

Proviso.

Duty of com.
relative there-
to.

Certain acts
repealed.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county seat of Monroe county is hereby permanently located and established in the town of Waterloo, on the public square thereof: provided, however, that the proprietors of said town of Waterloo shall give, as a donation for the use of said county, a number of lots, not less than twenty-two, as laid out on the original plat of said town, to be selected by the county commissioners of said county, or a majority of them.

SEC. 2. If the proprietors aforesaid shall fail to make the donation aforesaid, then and in that case the county commissioners of said county, or a majority of them, are hereby empowered to meet at the town of Waterloo aforesaid, on the first, second, or third days of February next, and proceed to locate permanently the seat of justice for Monroe county, at the most eligible site, upon the lands of any person or persons who will make a donation to said county of not less than ten acres of land, for the use of the county, within one mile of said town of Waterloo. Said commissioners are to take into consideration the present and future population. All acts and parts of acts, coming within the meaning and purview of this act, are hereby repealed. This act to take effect and be in force from and after its passage.

[Approved, January 15, 1831.]

IN FORCE
1 June, 1831.

AN ACT TO AMEND THE ACT ENTITLED "AN ACT FOR THE REMOVAL OF THE SEAT OF JUSTICE OF WASHINGTON COUNTY," APPROVED 19TH JAN. 1829.

Courts to be
held at coun-
ty seat.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the third section of the above recited act, as requires the circuit court for Washington county to be held at Govington, be, and the same is hereby, repealed: and

that hereafter the circuit courts, the county commissioners' courts, and courts of probate, for said county, shall be held at Nashville, the seat of justice for said county, any law or usage to the contrary notwithstanding. This act to be in force from and after the first day of June next.

[Approved, 9th February, 1831.]

AN ACT TO ESTABLISH A PERMANENT SEAT OF JUSTICE FOR IN FORCE
WARREN COUNTY. JAN. 27, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the purpose of locating the permanent seat of justice in and for the county of Warren, the following named persons shall be, and they are hereby appointed, commissioners, to wit: Hazen Bedel of Hancock county, John G. Sanburn of Knox county, and John McNeil of Fulton county, who, or a majority of them, shall meet at the house of Stephen S. Phelps, in said county, on the first Monday in April next, or within ten days thereafter, and after being duly sworn by some judge, or justice of the peace of said county, faithfully to take into consideration the convenience of the people, the situation of the settlements, with a view to the future population of said county, and the eligibility of the situation, shall proceed to fix upon a place for the permanent seat of justice for said county, and give it a name.

SEC. 2. When said commissioners, or a majority of them, shall have agreed upon a place for a county seat, as provided for in the first section of this act, they shall make report thereof in writing, under their hands and seals, describing particularly the quarter, or fractional quarter section, township and range upon which they have located the same, together with the name they have given it, to the county commissioners' court of said county, who shall, at the next term of said court thereafter, cause the said report to be entered upon the records of said court. And the place so selected by said commissioners, or a majority of them, shall be and re-

Commissioners to locate county seat.

To report.

main the permanent seat of justice of Warren county, and shall be known and called by such name as may be given it by said commissioners.

SEC. 3. The county commissioners' court of said county shall allow said commissioners such reasonable compensation per day for their services, as they may deem reasonable, not exceeding three dollars per day, out of the county treasury of said county.

SEC. 4. Should the said commissioners locate said seat of justice on lands belonging to an individual or individuals, they shall ask and obtain a donation of any number of acres of land, not less than twenty, and also select and describe said donation in their report, with reasonable certainty by metes and bounds: provided, that should the proprietor or proprietors of such land neglect or refuse to make the donation herein provided for, the said commissioners shall then be required to locate the county seat aforesaid, on the nearest eligible situation on public land. And it shall also be the duty of said commissioners, previous to locating the said county seat on land belonging to any individual or individuals, to take a deed in fee simple to said county, for such land as may be donated as aforesaid: and the same shall be laid off into town lots by the county commissioners of said county, and the avails thereof shall be applied to the erection of the necessary public buildings in said county: provided, that nothing in this act shall be construed to authorise the said commissioners to locate the said seat of justice on any half quarter or quarter section of land, containing an occupied improvement, without the consent of the owner of said improvement.

SEC. 5. The county of Mercer is hereby attached to the county of Warren, for all judicial and other purposes, until it shall be organized as provided for by law.

[Approved, Jan. 27, 1831.]

Compensation.

How to proceed with proprietor of land chosen for county seat.

Mercer attached to Warren until organized.

AN ACT TO PERMANENTLY LOCATE THE SEAT OF JUSTICE OF ^{IN FORCE}
 TAZEWELL COUNTY. ^{FEB. 16, 1831.}

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Porter, Matthias Chilton, and John T. Stewart, are hereby appointed commissioners, who, or a majority of whom, shall meet at the town of Pekin on the first Monday in April next; or within four days thereafter, and after being first sworn by some justice of the peace impartially to locate the county seat of said county, as suitable to the prosperity of the same, and convenience of the inhabitants of said county as practicable, shall proceed to designate and permanently locate the same: provided, however, that the same shall not be located on private property, unless the proprietor or proprietors of the same shall make a title in fee simple to the county commissioners of said county, for the use of the county, of a quantity of land, not exceeding twenty acres, to be eligible selected within the boundary of said location.

Commissioners appointed.

Their duties.

Donation required.

SEC. 2. If said commissioners should locate said seat of justice on the public lands, they shall notify the clerk of the commissioners court, who shall notify the commissioners court of the same, (and if there is no clerk) then some one of said commissioners of said county, and it shall be the duty of said commissioners court, when notified thereof, to make application for, and purchase the same.

If located on public land, county commissioners to purchase.

SEC. 3. That the property herein provided to be purchased, or given, shall be laid out into town lots (or if already so laid off) shall be sold, and the proceeds thereof appropriated to the erection of a suitable court-house and jail.

Town to be laid off, and lots sold.

SEC. 4. Until the county seat of said county shall be located, it shall be the duty of the county commissioners court to procure a suitable house at Pekin, and the several courts shall be held at Pekin until suitable buildings are furnished at the county seat.

Courts to be held at Pekin pro. tem.

SEC. 5. That all the papers, records, causes, and proceedings, had in the courts heretofore held at Mackinaw, shall be transferred, and the causes tried at the place of holding court in Tazewell county.

Records, &c. to be transferred from Mackinaw.

SEC. 6. The several officers, who have been elected or appointed in Tazewell county, shall hold their offices at their option; and if any vacancies have occurred, or shall hereby occur in the same, it shall be the duty of the clerk of the commissioners' court of said county to give ten days public notice thereof; and there shall be an elec-

County officers.

Election to fill vacancies.

tion to fill the same, on the first Monday in March next, held at the several places of holding elections in said county; and the officers so elected shall be commissioned and qualified as in other cases.

Compensation to commissioners.

SEC. 7. Said commissioners shall be paid out of the county treasury of said county, two dollars and fifty cents for each day they may be necessarily engaged in locating said county seat, going to, and returning from the same.

[Approved, Feb. 16th, 1831.]

DISTRICTS.

IN FORCE Feb. 15, 1831.

AN ACT TO LAY OUT THE STATE INTO DISTRICTS, FOR THE PURPOSE OF ELECTING REPRESENTATIVES TO THE CONGRESS OF THE UNITED STATES.

Congressional districts.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the purpose of electing three representatives to congress, the following districts are hereby established, numbered, first, second, and third. The first shall be composed of the counties of Gallatin, Pope, Johnson, Alexander, Union, Jackson, Franklin, Perry, Randolph, Monroe, St. Clair, Washington, Clinton, Bond, Madison, and Macoupin. The second district shall be composed of the counties of White, Hamilton, Jefferson, Wayne, Edwards, Wabash, Lawrence, Clay, Marion, Fayette, Montgomery, Shelby, Vermilion, Edgar, Coles, Clark, and Crawford. The third district shall be composed of the counties of Greene, Morgan, Sangamon, Tazewell, Macon, McLean, La Salle, Cook, Putnam, Peoria, Henry, Knox, Jo Daviess, Mercer, Warren, Hancock, McDonough, Fulton, Schuyler, Adams, Pike, and Calboun.

1st District.

2d. District.

3d District.

The members to be elected, when.

SEC. 2. One representative to Congress shall be elected in each of the several districts aforesaid, at the general election held in the several counties on the first Monday in August, 1832: provided, however, that if Con-

gress shall not apportion to this state three representa-^{Proviso.}
tives, no election shall be held as aforesaid.

[Approved, Feb. 15th, 1831.]

AN ACT TO DIVORCE THE PERSONS THEREIN NAMED.

IN FORCE
FEB. 15, 1831:

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the S. & S. Walker.
bands of matrimony heretofore existing between Samuel Walker, of the state of Illinois, and Sarah Walker his wife, of the state of Pennsylvania be, and the same are hereby dissolved.

SEC. 2. The bands of matrimony now existing between J. & S. Holm.
Joshua Holm, and Sally his wife be, and the same are hereby dissolved.

SEC. 3. The bands of matrimony now existing be- J. & T. Jones
tween Julia Jones, of Greene county, and her husband Thomas Jones, are hereby dissolved, and the said Julia shall hereafter bear the name of Reynolds, instead of Jones.

SEC. 4. The bands of matrimony heretofore, and now P. & E. Evans.
existing, between Margaret Price Evans, of Greene county, and Elijah Evans her husband, are hereby dissolved.

SEC. 5. The bands of matrimony now existing be- E. & J. Jarrard.
tween Elizabeth Jarrard, and John Jarrard, both of St. Clair county, are hereby dissolved.

SEC. 6. The bands of matrimony now existing be- J. & M. Scott.
tween John Scott and Margaret Scott, of Pope county; N. & P. Turner.
and between Nathan Turner and Polly Turner, of Morgan county, are hereby dissolved.

SEC. 7. The bands of matrimony existing between A. & L. Hebbart.
Angelina Hebbart and Legar Hebbart, are hereby forever dissolved.

SEC. 8. Thomas Elliott and Levina Elliott, are here- T. & L. Elliott
by dissolved from the bands of matrimony.

SEC. 9. The bands of matrimony now existing be- A. & R. Morgan.
tween Arthur Morgan, of St. Clair county, and Rebecca Morgan his wife, are hereby forever dissolved.

S. & E. Nowland.

SEC. 10. The bands of matrimony heretofore, and now existing, between Samuel Nowland, and Elizabeth his wife be, and the same are hereby dissolved for ever.

J. & E. Ether-ton.

SEC. 11. The bands of matrimony now existing between James Etherton and Elizabeth Etherton; between

J. & P. Langley.

John Langley and Patience Langley; between Green

G. & M. Coleman.

Coleman and Mary Coleman; and between John W.

J. & E. Doty.

Doty and Elizabeth Doty, be, and the same are, hereby for ever dissolved.

W. & C. Mackelyea.

SEC. 12. The bands of matrimony now existing between William Mackelyea and Cloe Mackelyea; and

J. Crawford & wife.

between John Crawford, of Franklin county, and his wife, be, and the same are, hereby for ever dissolved.

S. & S. Strawn.

SEC. 13. The marriage contract now existing between Stephen Strawn and Sarah Strawn, be, and the same is hereby declared null and void.

J. & C. Goodman.

SEC. 14. The bands of matrimony now existing between John Goodman and Clarissa his wife, are hereby dissolved.

J. & P. Quarles.

SEC. 15. The bands of matrimony now existing between James Quarles and his wife Polly, of Jackson county, are hereby dissolved.

J. Carson & wife.

SEC. 16. The bands of matrimony now existing between Isaac Carson, of Fayette county, and his wife, are hereby dissolved.

[Approved, Feb. 15th, 1831.]

IN FORCE

FEB. 15, 1831. AN ACT TO DIVORCE JAMES VERMILION, AND OTHERS.

J. & S. Vermilion.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the*

E. & W. Robins.

bands of matrimony heretofore existing between James Vermilion, of Lawrence County, and Sarah, his wife; and the bands of matrimony heretofore existing between

J. & A. Mize.

Eve Robins, of Randolph County, and William Robins, her husband; and the bands of matrimony heretofore existing between John Mize and Annetta, his

wife; be, and they are hereby, dissolved.

[Approved, Feb. 15th, 1831.]

EDUCATION.

AN ACT CONFIRMING GRANTS OF PROPERTY MADE FOR IN FORCE
 THE ENCOURAGEMENT OF EDUCATION, AND FOR OTHER FEB. 1, 1837.
 PURPOSES.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all gifts* Grants for
 and grants heretofore made of land for the erection of certain purpo-
 a school-house, a house for divine worship, and for bur- ses secured to
 yring the dead, where such gift or grant of land shall those purpo-
 not exceed ten acres for a church or burying-ground, ses.
 shall be held valid in law to the use of the person or per-
 sons, or religious society, therein named, for the pur-
 pose of education, for divine worship, or for the inter-
 ment of the dead, and none other: *Provided*, that such
 gifts and grants shall be recorded in the county where To be record-
 ed.
 such lands may lie, within twelve months from the pas-
 sage of this act.

SEC. 2. When any person shall hereafter deem it Deeds to be
 made to co-
 comm'rs.
 proper to make a donation or grant of land for the pur-
 pose of erecting a house for divine worship, a house for
 education, or for the interment of the dead, such deed
 of gift or grant shall be made and executed to the coun-
 ty commissioners of the proper county, and their suc-
 cessors in office, in trust, and for the use of the persons,
 society or collection of people, therein named; which
 shall be held and used by such society, persons, or body
 of people, as therein directed, for the sole use of educa-
 tion, divine worship, and interment of the dead, and none
 other; which deed shall be recorded in the recorders' To be record-
 ed.
 office of the proper county, within twelve months after
 the execution of the same: *Provided*, that in no case
 shall such grant for the erection of a house for divine Limitation.
 worship exceed in quantity ten acres of land.

SEC. 3. If any person or persons shall commit any
 trespass upon the premises so granted, such trespasser Trespass how
 punished.
 shall be liable to pay all damages so committed, to be
 recovered in the name of any person who will sue for
 the same; and when recovered shall be paid over to
 those persons or societies interested in the premises, to
 be expended by them in repairing such damages, or
 making any improvements thereon that they may think
 fit.

SEC. 4. When any gift or grant, as aforesaid, shall
 be perverted, or used for any other purpose than con-

Grants per-
verted or
abandoned,
to revert to
county.
Unless other-
wise directed
by donor.

templated by this act, or shall be abandoned by the do-
nees, such gifts or grants shall become vested in the
county where such lands may lie, unless otherwise di-
rected, in such gift or grant by the donor, and shall be
sold by the order of the county commissioners of such
county, and the proceeds thereof applied for the use of
education in such county.

[Approved, Feb. 1, 1831.]

ELECTIONS.

IN FORCE
JAN. 1, 1831.

AN ACT PROVIDING FOR A SPECIAL ELECTION IN MADISON
COUNTY.

Election to
fill the vacan-
cy occasioned
by the death
of J. B. C.
Canal.

*Be it enacted by the People of the State of Illinois, repre-
sented in the General Assembly, That there shall be an
election of one representative in the county of Madison,
on Monday the tenth day of January, 1831, to fill the
vacancy occasioned by the death of John B. C. Canal,
Esquire: that notice thereof shall be given in the dif-
ferent election precincts by the clerk of the county com-
missioners' court of said county, without delay, and an
election held, a return thereof made, and a certificate
granted, as in other cases.*

[Approved, Jan. 1st, 1831.]

IN FORCE
JAN. 7, 1831.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT REGULATING
ELECTIONS."

How vacancy
in county
court shall be
filled.

*Be it enacted by the People of the State of Illinois,
represented in the General Assembly, That whenever any
vacancy shall happen in the office of county commis-
sioner, by death, resignation, or otherwise, the clerk*

of the county commissioners' court, when such vacancy shall occur, shall appoint a day to hold a special election to fill such vacancy, and shall give due notice to the several judges of the election to hold the same.

[Approved, Jan. 7th, 1831.]

AN ACT TO PROVIDE FOR THE ELECTION OF A REPRESENTATIVE TO THE CONGRESS OF THE UNITED STATES. IN FORCE
FEB. 9, 1831.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the several judges appointed to hold elections for justices of the peace and constables, throughout this State, on the first Monday in August next, are hereby required to give twenty days notice that a representative to Congress is to be elected at that time, and place specified; and the clerks of said elections shall prepare poll books for that purpose; and the judges and clerks shall receive and record the votes of all persons offering to vote, who are legally entitled to vote for representative to Congress, and shall make returns thereof as required by law for making returns of elections.

A special election to be held; when, and how.

Returns to be made.

[Approved, February 9th, 1831.]

AN ACT TO AUTHORISE ADDITIONAL POLL BOOKS TO BE OPENED AT THE COUNTY SEATS OF THE SEVERAL COUNTIES IN THIS STATE. IN FORCE
FEB. 9, 1831.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the county com-

County commissioners may appoint additional judges and clerks.

missioners' courts of the several counties of this State, are authorised, if they deem it necessary, to organize one or more additional sets of judges and clerks of elections, in the precinct including the county seat. This act to take effect from and after its passage.

[Approved, Feb. 9th, 1831.]

FERRIES.

IN FORCE
JAN. 27, 1831.

AN ACT TO AUTHORIZE THE TRUSTEES OF THE SIXTEENTH SECTION, TOWNSHIP SIXTEEN SOUTH, RANGE SEVEN EAST, TO KEEP A FERRY ACROSS THE OHIO RIVER, AND FOR OTHER PURPOSES.

Trustees may keep ferry.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the present trustees and their successors, trustees of section number sixteen, in township sixteen south, range seven east, in Pope county in this state, be, and they are hereby authorized, licensed, and permitted to keep a ferry across the Ohio river, at a point on said section sixteen, to be hereafter designated by the county commissioners' court of said Pope county. And for the purpose of ascertaining certainly the point at which said ferry shall be kept on said section, the county commissioners' court of said county shall, at their next March term, or as soon thereafter as said court may legally convene, if they should not meet in said month of March, designate the point on said section where said ferry, hereby established, shall be kept, and enter the same of record. And the court shall, at the same term, establish on record the rates by which such ferry is to be governed. After the place of keeping such ferry, and the rates shall be so fixed by the court, there shall be no change in either, unless upon the petition of two-thirds of the inhabitants of said township, and then the court may exercise a sound discretion.*

County court to fix the place.

Rates of toll.

How rates, and place may be changed.

May keep ferry by agent; or may lease the same.

SEC. 2. The said trustees may cause said ferry to be kept by an agent to be appointed by a majority of them, or such majority may lease the said ferry, if they should think it more conducive to the interests of the inhabitants

of said township. The ferriages received for crossing at said ferry by the trustees agent, in case they should appoint me, or the money received for rent if the ferry should be leased, shall be paid into the treasury of the board of trustees, and be appropriated by the board for the use of schools in said township: provided, that if the trustees should lease said ferry, the term of lease shall not extend beyond the term for which lots in said section are at present leased, and that the payments on such lease shall be made quarter yearly to the said treasury, so as to meet the engagements of the inhabitants of said township, with the teachers of their schools.

Avails to be applied to school.

Proviso.

SEC. 3. The said trustees shall cause said ferry to be furnished with a good tight boat, or boats, if more than one be necessary, and other small craft of sufficient number, strength, dimensions, and steadiness, for the safe and speedy transportation of all passengers, their teams, horses, cattle, and other animals, as well as their goods, chattels, and effects; and the said boat or boats, and other small craft, shall at all times be well furnished with suitable oars, setting poles, rigging, and other implements necessary for the service thereof, and also with men of sufficient strength, discretion, and skill, to manage the same. And they shall keep at all times the places of embarking and landing in good repair, by cutting away the banks and erecting wharves and causeways when necessary, so that passengers, their teams, horses, cattle, and other property, may be embarked and landed without damage or unnecessary delay. And in other respects the said trustees as keepers of a ferry shall be held to a strict compliance with the requisitions of the act, entitled "an act to provide for the establishment of ferries, toll-bridges, and turnpike roads," approved, Feb. 12, 1827, except in cases hereinafter provided for.

Regulations of ferry.

SEC. 4. It shall not be lawful for the said trustees to appoint any other person than a resident freeholder of said township to the office of secretary, treasurer, or collector, of their board.

Resident freeholders alone, to be Secretary, Treasurer, or Collector.

SEC. 5. The said trustees shall not be required, as in other cases of ferry keepers, to take out a license from the clerk's office of the county commissioners' court of said Pope county; nor shall they be required to give bond and security, as provided for in the act herein referred to, in the third section. But in all cases of a violation of non-observance of so much of said last mentioned act, as is hereby made obligatory on them, they may be sued as trustees and ferry keepers as aforesaid, and reco-

Trustees not to take out licence.

Nor give bond

May be sued.

veries had, by any person or persons aggrieved, before any court having jurisdiction, in the same manner that other ferry keepers may be sued and recovered against, under the before recited act. And the said trustees shall discharge the amount of any judgment recovered against them as aforesaid, by an order on their treasury, which shall be paid out of any money therein not otherwise appropriated.

[Approved, Jan. 27th, 1831.]

IN FORCE FEB. 15, 1831. AN ACT RELATING TO WIGGINS'S FERRY ON THE MISSISSIPPI RIVER.

Rates of toll to be spread on the journals of the house.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the rates of ferriage, as proposed in the communication of Samuel Wiggins, be spread upon the journals of the house, by the consent of said Wiggins, and that he be allowed hereafter to charge the prices therein stipulated, and no more.

May revoke the same, under certain circumstances

SEC. 2. This act shall be in force from and after its passage. And if the second section of the act, entitled "an act to authorise Samuel Wiggins to establish a ferry on the Mississippi river, opposite St. Louis," shall hereafter be repealed by an act of the legislature of this state, then said Wiggins shall be entitled to revoke the rates herein referred to.

[Approved, Feb. 15th, 1831.]

IN FORCE JUNE 1, 1831. AN ACT TO AUTHORIZE DAVID POTTS TO KEEP A FERRY ACROSS THE SALINE CREEK.

Authorized to keep ferry.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David

Potts is hereby authorised to keep a ferry for ten years across the Saline creek, at or near the place where the road leading from Isaiah L. Potts' to Shawneetown crosses said creek.

SEC. 2. Said Potts shall receive such rates for crossing at said ferry, as shall from time to time be allowed him by the county commissioners' court of Gallatin county, and in all respects be governed by law, as though the said ferry had been established by the order and permission of said court. This act to take effect on the first day of June next. Rates of toll.

[Approved, Jan. 7, 1831.]

AN ACT AUTHORISING THE ESTABLISHMENT OF A FERRY IN FORCE
ACROSS THE KASKASKIA RIVER, OPPOSITE THE TOWN OF KASKASKIA. FEB. 14, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois,* License of county court to town trustees confirmed
represented in the General Assembly, That the license heretofore granted by the county commissioners' court of the county of Randolph, to the trustees of the town of Kaskaskia, and to their successors in office, giving them the right of establishing a ferry across the Kaskaskia river, opposite the town of Kaskaskia, be, and the same is hereby recognized as valid, from and after the passage of this act; and that said ferry may continue in operation, And con- tinued.
under the same rules, regulations, and restrictions as other ferries, over said river, are now kept: but this act shall not be so construed as to affect any sight, or rights, accrued to any proprietor, or proprietors, of any ferry, or ferries, over said river, nor any forfeitures incurred previous to the passage of this act. This act not to affect private rights. This act to take effect from and after its passage,

[Approved, Feb. 14, 1831.]

FRANKFORT.

AN ACT FOR THE BENEFIT OF THE INHABITANTS OF
THE TOWN OF FRANKFORT.

IN FORCE
Feb. 15, 1831.

May extend improvements 10 feet in front of public square.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the lot-holders in the town of Frankfort shall have the privilege of extending their improvements ten feet in front of all the lots that lie fronting the public square of said town.

And on certain streets.

SEC. 2. And the lot-holders shall also have the privilege of extending their improvements ten feet on the streets that run parallel with the different sides of said public square, on one side of said streets, that always being the side of the streets on which the lot-holders on the public square have extended their improvements.

Trustees may change.

SEC. 3. In case the trustees of the said town of Frankfort shall at any time be desirous of changing the said extensions which may be made by virtue of the powers herein given, they shall be, and are hereby, vested with the power so to do.

[Approved, Feb. 15, 1831.]

HILLSBOROUGH.

AN ACT TO CHANGE CERTAIN STREETS IN HILLSBOROUGH.

IN FORCE
JAN. 28, 1831.

certain streets altered.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hamilton and Armstrong streets, in the town of Hillsborough, be changed from their present position, one hundred and twenty feet west; and said streets, when so changed, shall be and for ever remain public streets of said town, subject to the same regulations they would have been, had no change taken place: *Provided,* that this act shall not be so construed as to extend to the cross streets at the end of Hamilton and Armstrong streets.

SEC. 2. The lots of said town, on which the said streets will be thrown by the said change, shall be re-

moved sixty feet east, so as to fill the ground from which the said streets are removed. Certain lots altered.

SEC. 3. Summer street, in Tillson's addition to the town of Hillsborough, is hereby changed — feet west, Summer st. changed. so as to make said Summer street a continuation, on a right line, of said Hamilton and Armstrong streets in Hillsborough.

SEC. 4. Winter street, in Tillson's addition to the town of Hillborough, is hereby vacated, and the ground Winter st. vacated. on which it stands, together with the fractions of lots on each side of Summer street, caused by its transposition, shall be, and are hereby, attached to the adjacent lots in said town. Said Summer street is subject to the same rules and regulations it would have been, had no change taken place in its position.

SEC. 5. It shall be the duty of the county surveyor of Montgomery county to survey said streets, as changed by this act; and the county commissioners' court of said county shall allow said surveyor a reasonable compensation therefor, out of the county treasury of said county. County surveyor to make the above surveys.

[Approved, Jan. 28, 1831.]

IDIOTS.

AN ACT FURTHER TO SECURE THE PROPERTY OF IDIOTS, LUNATICS, AND DISTRACTED PERSONS. IN FORCE Jan. 13, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any person, or persons, who shall trade with, or credit any idiot, lunatic, or distracted person, either by note, bond, bill, or otherwise, all such contracts or obligations shall be void. Not to be dealt with.

SEC. 2. If any person, or persons, shall, by trading with, bartering, gaming, or any other device, possess himself, or herself, or themselves, of any property or valuable thing, belonging to any idiot, lunatic, or notoriously distracted person, he, she, or they shall be deemed guilty of swindling, and upon conviction thereof shall be Dealing with them deemed swindling.

liable to all the penalties as in other cases of swindling, and any person may appear and prosecute with effect.

Certificate:

This bill having remained with the council of Revision ten days, Sundays excepted, and the General Assembly being in session, it has become a law, this 19th day of January, 1831.

A. P. FIELD,
Secretary of State.

IMPROVEMENTS ON PUBLIC LANDS.

IN FORCE
FEB. 15, 1831.

AN ACT TO PROVIDE FOR THE COLLECTION OF DEMANDS GROWING OUT OF CONTRACTS FOR SALES OF IMPROVEMENTS ON PUBLIC LANDS.

Contracts for
improvements
on public
land, valid.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all contracts, promises, assumpsits, or undertakings, either written or verbal, which shall be made hereafter, in good faith and without fraud, collusion, or circumvention, for sale purchase, or payment of improvements made on the lands owned by the government of the United States, shall be deemed valid in law or equity, and may be sued for and recovered as in other contracts.*

[*Approved, Feb. 15, 1831.*]

INCORPORATIONS.

IN FORCE
March 1, 1831.

AN ACT TO INCORPORATE THE INHABITANTS OF SUCH TOWNS AS MAY WISH TO BE INCORPORATED.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That whenever the*

white males over the age of twenty-one years, being residents of any town in this state, containing not less than one hundred and fifty inhabitants, shall wish to become incorporated for the better regulation of their internal police, it shall be lawful for the said residents; who may have resided six months therein, or who shall be the owner of any freehold property therein, to assemble themselves together, in public meeting, at the court house or other place in said town, and when so assembled, they may proceed to choose a president and clerk of the meeting from among their number, both of whom shall be sworn, or affirmed, by any person authorised to administer oaths, faithfully to discharge the trust reposed in them as president and clerk of said meeting: provided, however, that at least ten days public notice of the time and place of holding such meeting, shall have been previously given by advertising in some newspaper of the town, or by setting up written notices, in at least three of the most public places in such town.

Town meetings, how to be held.

Notice.

SEC. 2. The residents, as aforesaid, of any town having assembled as directed in the first section of this act, may proceed to decide by vote, *viva voce*, whether they will be incorporated or not, and the president and clerk, after their votes are given in, shall certify under their hands, the number of votes, in favor of being incorporated, and the number against being incorporated; and if it shall appear that two-thirds of the votes present, are in favor of being incorporated, the president and clerk shall deliver a certificate of the state of the polls to the board of trustees, to be elected as hereinafter provided.

How to vote.

President and clerk to certify.

SEC. 3. Whenever the qualified voters, under this act, of any town, shall have decided in the manner herein provided, that they wish to be incorporated, it shall be the duty of the clerk of the meeting, at which they may so decide, to give at least five days previous public notice to the said voters, to assemble at the court house, or some other public place in such town, on a day to be named in such notice, to elect by *viva voce* vote, five residents and freeholders of such town, for trustees of the same, who shall hold their office for one year, and until other trustees are chosen and qualified; at which first election, the president and clerk of the first meeting shall preside, or in case of the absence of either of them, some suitable person shall be appointed by the electors to fill such vacancy or vacancies. And at every succeeding election for president and trustees, the preceding board

Election for trustees.

of trustees shall direct the manner in which the same shall be conducted.

Trustees how organized.

SEC. 4. The board of trustees of any town elected agreeably to the provisions of this act, shall choose a president out of their own body, and the president and trustees aforesaid, and their successors in office, shall thenceforth be considered in law and equity, a body corporate and politic, by the name and style of "the president and trustees of the town of _____," and by such name and style shall be forever able and capable in law and equity to sue and be sued, to plead and be impleaded, to answer and be answered unto, defend and be defended in all manner of suits, actions, complaints, pleas, causes, matters and demands, of whatever kind or nature they may be, in as full and effectual a manner, as any person or persons, bodies corporate, or politic can, or may do, and may have a common seal, and may alter the same at pleasure. The said president and trustees shall require their clerk to keep a fair journal and record of all their proceedings, and record all by-laws and ordinances which they may make, in a book to be provided for that purpose.

Their powers.

SEC. 5. The president and trustees, or a majority of them, of any town incorporated as herein directed, shall have power to make; ordain, and establish and execute such ordinances in writing, not inconsistent with the laws, or the constitution of this State, as they shall deem necessary to prevent and remove nuisances, to restrain and prohibit gambling, or other disorderly conduct, and to prevent the running of, and indecent exhibitions of horses, within the bounds of such town; to provide for licensing public shows; to regulate and establish markets; to sink and keep in repair public wells; to keep open and in repair the streets and alleys of such town, by making pavements, or side walks, as to them may seem needful: *Provided always*, that the lot in front of which any side-walk is made, shall be taxed to pay at least one half of the expenses of making such side-walk. The said president and trustees shall also have power to provide such means as they may deem necessary to protect such town from injuries by fires. And for the purpose of carrying the aforesaid powers into effect, the said president and trustees shall have power to define the boundaries of such town: provided, that the same shall not exceed one mile square, and to levy and collect annually a tax, on all the real estate in such town, not

exceeding fifty cents on every hundred dollars, of assessment valuation thereof.

SEC. 6. It shall be the duty of the said president and trustees, to cause all the streets and alleys of such town, ^{Their duties,} and all the public roads passing from and through such town, for one mile from the centre thereof, to be kept in good repair; and to this end, they are authorised to require every male resident of such town, over the age of twenty-one years, to labor in said streets, alleys and roads, at least three days in each and every year; and if such labor shall be insufficient, to appropriate so much of the tax levied on real estate, as may be necessary to keep the said streets, alleys and roads in repair; and also to appoint and prescribe the duty of all such officers, for such town, as they may deem necessary to carry into effect the foregoing powers; the collectors of the corporation tax, and the treasurer, shall severally give bond, made payable to the president and trustees, and their successors in office, with good and sufficient securities, in such sum as may by said president and trustees be deemed advisable. And a clause shall be inserted, that if at any time additional security be required, the same shall be given: the conditions of which bonds shall be that the officer shall faithfully perform the duties of his office; and said officers shall remain in office one year, (unless sooner removed,) and until others shall be appointed, and shall have given bonds.

SEC. 7. The said president and trustees, elected under ^{Term of} this act, shall continue in office for one year, and until ^{service.} their successors shall be elected and qualified. And it shall be their duty, before their time expires, to give at least ten days public notice to the qualified voters, under this act, to meet at such place as they may name, in such town, and elect a new board of president and trustees, for such town; and all vacancies, which may happen in said board by resignation, or otherwise, before their term of office expires, shall be filled by the other members of the board. The proceedings of said board shall always be public; and all their ordinances, before taking effect, shall be published for at least ten days, in a newspaper of such town, or by setting up copies of the same, in three of the most public places in such town. A majority of said board shall constitute a quorum.

SEC. 8. All moneys arising from the collection of ^{Monies how} taxes, fines, penalties, and forfeitures, shall be appropriated by said president and trustees towards the erecting, ^{expended.} improving, and regulating those objects which, by this

act, are placed under their control and jurisdiction, and to none others. And it shall be their duty to have an account current of the fiscal concerns of the corporation so kept; as will at all times, shew the true situation of the same to such as may desire to inspect the same: and the said president and trustees shall have full power to enforce their ordinances, by authorising the person or persons by them appointed to collect any tax imposed in pursuance of this act, to collect the same by distress and sale of goods and chattels of the person chargeable with the same, on giving at least thirty days public notice of the time and place of such sale: and, if no goods and chattels of the person chargeable with said tax, can be found, it shall be lawful to sell any town lot, owned by such person, or, so much thereof, as will pay the tax due and in arrear from any such person, upon giving at least thirty days notice of the time and place of making such sale, paying to the owner, or owners, the overplus, if any. The president and trustees may impose fines for the breach of their ordinances; but no fine shall be inflicted on any one person, for any one breach of any ordinance, of more than five dollars, which fine may be recovered before any justice of the peace, by action of debt, in the name of the president and trustees of such town, and collected by execution, as other judgments of justices of the peace. All fines collected in pursuance of this act, shall by the officer collecting the same, be paid over to the treasury of the corporation; and, for an omission to do so, such officer may be proceeded against by the president and trustees, in an action of debt for the same.

Accounts to be kept.

May impose fines.

Corporation may be dissolved.

SEC. 9. Two thirds of the qualified voters of any town, incorporated according to the provisions of this act, shall have power to dissolve the same, at any annual election for president and trustees, by voting against the incorporation, as is directed in the second section of this act.

Polls to be delivered to trustees.

SEC. 10. Whenever a president and trustees shall be elected for any town as herein directed, it shall be the duty of the president and clerk of the first meeting, provided for in the first section of this act, to deliver to them a certified statement in writing, of the polls at said first meeting; and it shall be the duty of such president and trustees, to deposite the same with the clerk of the county commissioners' court, of the proper county to be entered on record, in his office; and before entering upon their duty, to take an oath to discharge their duty according to their best abilities.

SEC. 11. Whenever any town shall be incorporated by this act, all other laws incorporating the same, or made to regulate in any way, the internal police of such town, shall be considered as repealed. The inhabitants of any town incorporated by this act, shall not be required to work upon any road, except as herein required. And whenever any town corporation shall be dissolved, according to this act, all persons having any funds belonging to such corporation, in their hands, shall pay the same into the county treasury; and all bonds and securities taken for the same by such corporation, shall vest in the county commissioners for the use of such county, who may have and maintain any proceedings thereon in law or equity, which might have been had by the said corporation.

Certain laws repealed.

Not work on public road.

When dissolved county to have funds.

SEC. 12. This act shall be considered a public act, and shall be in force from and after the first day of March next.

[Approved, Feb. 12, 1831.]

AN ACT TO AMEND "AN ACT TO INCORPORATE THE TOWN OF MOUNT CARMEL, APPROVED JAN. 10, 1825." IN FORCE Feb. 10, 1831.

SEC. 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That hereafter all free white male inhabitants of the town of Mount Carmel, who are required to pay taxes to the corporation, and whose names shall appear on the list of taxable inhabitants thereof, shall have a right to vote for trustees of the town.

Who shall vote for trustees.

SEC. 2. The ninth section of the act to which this is an amendment, is hereby repealed.

Approved, 10th Feb. 1831.

JUSTICES OF THE PEACE AND CONSTABLES.

IN FORCE
Jan. 7, 1831.

AN ACT CONCERNING JUSTICES OF THE PEACE AND CONSTABLES, AND CONCERNING COLES COUNTY.

Justice to re-
main in office
when bounda-
ries of coun-
ties are alter-
ed.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no act of the present General Assembly, nor any act which may hereafter be passed, forming a new county, or altering the boundaries of a county, shall be construed to affect in any manner the tenure of office of any justice of the peace or constable, but they may remain in office and continue to act as such in the new county, or county to which they may be transferred, for and during the term of time for which they were severally elected, commissioned, &c., as if no such alteration had taken place.

Coles attach-
ed to fourth
district.

SEC. 2. The county of *Coles* is hereby attached to, and shall form a part of, the fourth judicial circuit for all judicial purposes.

Approved, January 7th, 1831.

IN FORCE
Jan. 4, 1831.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT CONCERNING LANDLORDS AND TENANTS."

Landlord
may seize for
rent.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases of distress for rent, it shall be lawful for the landlord by himself, his agent, or attorney, to seize for rent any personal property of his tenant that may be found in the county where such tenant shall reside; and in no case shall the property of any other person, although the same be found on the premises, be liable to seizure for rent due from such tenant: *Provided,* that any crop or crops, growing or having grown on the premises, shall be liable for rent.

SEC. 2. In case of the removal or abandonment of the premises, or any part thereof, by such tenant, all grain or vegetable, grown or growing upon any part of the premises so abandoned, may be seized by the landlord, his agent, or attorney, before the rent is due; and

When premises are abandoned by tenants, what proceedings.

the landlord so distraining, shall cause the grain or vegetables, so growing, to be properly cultivated until perfected, and in all cases husband such grain or vegetables, grown and growing, until the rent agreed upon shall become due, when it shall be lawful for such landlord, his agent or attorney, to sell and dispose of the same, as in other cases of seizure, after the rent shall have become due, and also to retain a just compensation for his care, culture, and husbanding of such grain or vegetables: *Provided*, that such tenant may at any time redeem the property so taken before the rent is due, by tendering the rent agreed upon, and all reasonable expenses attending the same, for care, cultivation, and husbandry, as aforesaid, or replevy the same, as in case of seizure, where the rent is due.

This bill having remained with the Council of Revision ten days, Sundays excepted, and the General Assembly being in session, it has become a law, this 4th day of January, 1831. Certificate.

A. P. FIELD,
Secretary of State.

LICENSES.

IN FORCE
March 1, 1831

AN ACT REQUIRING MERCHANTS, AUCTIONEERS, PEDLARS, AND OTHERS ENGAGED IN THE SALE OF GOODS, WARES, AND MERCHANDIZE IN THIS STATE, TO PROCURE A LICENSE FOR THAT PURPOSE, UNDER THE PENALTIES THEREIN PRESCRIBED.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That no merchant, auctioneer, pedler, or other person, or persons, company, or corporation, shall hereafter be permitted to vend, sell, or retail, either at public auction or private sale, any goods, wares, or merchandize, without first having obtained a licence for that purpose, from the county commissioners' court, of the proper county in which such goods, wares, or merchandize, may be offered for sale; for which, he or they, at the granting there-* Merchants, Auctioneers, Pedlars, &c. to obtain license.

Clock Pedlars
to get special
license.

Domestic pro-
duce and
Manufactures
excepted.

Proviso.

Clerk may
grant permit
in vacation.

of, shall pay into the county treasury, for the use of such county, such sum as shall be assessed by the said court, not less than five, nor more than fifty dollars; which license, when thus procured, shall authorize the applicant, or applicants, to whom the same may be granted, to vend, sell, and retail goods, wares, and merchandize, in such county; for the term of one year, from the time of granting the same; but no such license as aforesaid, shall authorize any person, or persons, to vend, or peddle clocks in this state; but, in order to authorize any person to vend or peddle clocks, he shall procure a special license for that purpose, in the manner herein prescribed; and the county commissioners' court may grant licenses to venders and pedlars of clocks, for any term not less than three months, nor more than one year, which shall authorize such person or persons to vend and peddle clocks within the county, for the time specified in the license; but if the person applying for such license, shall not have resided within some county of this state, at least one year immediately preceding the time of applying for such license, he shall pay for the same a sum not less than twenty-five, nor more than fifty dollars, for every quarter of a year for which the license is to last; and if the person applying as aforesaid, shall have resided in some county of this state one year immediately preceding the time of applying for such license, he shall pay for the same a sum not less than twelve dollars and fifty cents, nor more than twenty-five dollars for every quarter of a year, for which such license is to last, to be assessed by the county commissioners' court, or their clerk, as in other cases, and the money to be paid into the county treasury; but any resident of this state may sell, without license, any articles not prohibited by law, except clocks, if such articles shall have been produced, or manufactured within this state by the person selling the same: provided, that this section shall not be construed to repeal or alter the provisions of the 127th section of the act relative to criminal jurisprudence, approved January 6, 1827.

SEC. 2. In all cases where the said court shall not be in session, when application is about to be made for a license, as aforesaid, it shall be lawful for the clerk of such court, to grant a written permission to such applicant or applicants to vend, sell, and retail goods, wares and merchandize as aforesaid, until the end of the next term of the said court, to be holden after the granting of such permit, and for one year from the date thereof, if the

said court at their said next term shall, upon examination and consideration, approve the same: provided such applicant or applicants shall first pay into the county treasury, for the use aforesaid, such sum as the said clerk in his discretion shall direct, in conformity with the rule prescribed in the first section, and as shall be usual in similar cases.

SEC. 3. Where a permission is granted by the clerk in vacation as aforesaid, it shall be the duty of the Court, at their next term thereafter, to examine such permit, and to proceed forthwith to assess the amount of the tax to be paid in such case, as in the case of an original application; and if the tax thus assessed shall correspond with the amount fixed by the clerk as aforesaid, they shall cause a license to be issued to the applicant or applicants for the term of one year, commencing from the date of the permit. If a greater sum shall be assessed than that fixed by the clerk, the applicant or applicants shall be forthwith required to pay over the residue to the county treasurer, under the penalty of forfeiting the amount already paid, and of having his or their permit revoked; but if a less sum shall be assessed, it shall be the duty of the Court to order a warrant to be drawn on the treasurer in favor of such applicant or applicants for the overplus, payable out of any money in the county treasury not otherwise appropriated.

Court to extend Clerks permit.

SEC. 4. If any person or persons, company or corporation, shall directly or indirectly keep a store, or shall sell or retail any goods, wares, or merchandize, (except as herein before excepted) without being duly authorized by a license or permit as aforesaid, such person or persons, company or corporation, so offending, shall forfeit and pay any sum not exceeding one hundred dollars, nor less than ten dollars, to be recovered by action of debt, in the name of the People of the State of Illinois, for the use of the proper county, before any justice of the peace or court of record, having jurisdiction of the same. In all which cases it shall be the duty of the county commissioners, sheriffs, coroners, justices of the peace, constables, and clerks of the several courts in this state, and lawful for any other person or persons, in case of their neglect, to cause such offenders to be sued, and the suit or suits prosecuted to effect: and bail may be required in such cases without affidavit, if the court or justice in their discretion shall deem the

Penalty for breach of this act.

same necessary to secure the county in the ultimate payment of any such penalty.

Certain acts
repealed.

SEC. 5. So much of the 15th section of the Act, entitled "An Act to provide for raising a revenue," approved February 13, 1827, as authorizes the county commissioners' court to levy a tax on stock in trade; the Act, entitled "An Act to authorize non-resident pedlers to sell goods in this state," approved March 30, 1819, and the Act, entitled "An Act to amend an Act, entitled an Act to authorize non-resident pedlers to sell goods in this state," approved March 30, 1819, approved February 14, 1823; are hereby repealed. This Act to take effect from and after the first day of March next.

[Approved, Feb. 16, 1831.]

LOAN.

IN FORCE
Jan. 27, 1831.

AN ACT TO AUTHORIZE THE GOVERNOR TO BORROW A SUM OF MONEY ON BEHALF OF THE STATE.

Governor au-
thorized to
borrow
\$100,000.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Governor is hereby authorized to borrow, on the credit of the state, a sum of money not exceeding one hundred thousand dollars; and the sum so borrowed shall be applied to the payment of the ordinary expenses of the government, and all other appropriations by law, saving a sufficiency for those objects and the redemption of the notes of the state bank of Illinois, as they respectively become due: *Provided,* that no engagement or contract shall be entered into which shall preclude the state from reimbursing any sum or sums thus borrowed, at any time after the thirty-first day of December, in the year one thousand eight hundred and fifty.

Proviso.

Certificates of
stock.

SEC. 2. The Governor is hereby authorized to cause to be constituted certificates of stock, signed by the Auditor and countersigned by the Treasurer, bearing an interest not exceeding six per centum per annum, payable semi-annually, at such places within the United States as may be agreed upon between the Governor and the

person or persons with whom the contract may be made, and re-imbursable as aforesaid; which stock, thus created, shall be transferable on the books of the Auditor, or on the books of such agent or agents as the Governor may appoint for that purpose in any part of the United States, by the owner or owners of such stock, his, her, or their attorney, and new certificates of the same shall be issued to the new holder or holders, either by the Auditor and Treasurer, or by such agent or agents authorized to receive such transfers, at the option of the holder of any such stock, the original certificates of stock being thereupon cancelled, at the time of the issuing of the new certificates of stock in lieu thereof: And if such new certificates of stock be issued by the Auditor and Treasurer, or agent or agents so appointed by the Governor, then the original certificates of stock, thus cancelled, shall be transmitted to the Treasurer of this state without delay, and deposited in his office, there to remain. And it is hereby further declared, that it shall be deemed to be a good execution of the said power to borrow, for the Governor of this state to cause the said certificates of stock, or any part thereof, to be sold: *Provided*, that such certificates of stock shall not in any case be sold for less than their par value.

Stock transferable.

Agents for transferring.

How stock shall be transferred.

SEC. 3. It shall be the duty of the Auditor and Treasurer to procure a sufficient number of blank certificates of stock, and the necessary books, the expense of which shall be paid out of any monies in the treasury not otherwise appropriated.

Auditor's and Treasurer's duties.

SEC. 4. The revenue arising from the taxes on the lands of non-residents is hereby pledged for the payment of the interest accruing on the stock which may be created, in pursuance of this act, and for the reimbursement of the principal of the same: and the faith of this state is hereby irrevocably pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby pledged for the payment of said principal and interest.

Revenue pledged to pay interest.

Public faith for principal and interest.

SEC. 5. The Governor is hereby authorized to stipulate with the person or persons of whom he may obtain a loan as aforesaid, that twenty thousand dollars of the same shall be paid into the state treasury, in specie, or paper of the bank of the United States and branches, on or before the tenth day of February, 1831; thirty thousand thereof, in the same kind of funds, on or before the first day of October, 1831; and fifty thousand dollars thereof, in specie funds, state paper, and Auditor's war-

Certain conditions specified.

rants, on or before the first day of October, 1832; and that the interest on the said several sums shall commence at the time of their payment into the state treasury respectively.

[Approved, January 27, 1831.]

MILITIA.

AN ACT SUPPLEMENTARY TO AN ACT, ENTITLED AN ACT
FOR THE ORGANIZATION AND GOVERNMENT OF THE MILITIA OF THIS STATE.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That from and after the passage of this act, when any independent company of grenadiers, light infantry, riflemen, artillery, or cavalry, shall become organized and uniformed according to the law providing for the raising of volunteer companies, the captain or commanding officer thereof, may petition the governor to furnish him, for the use of his company, with such a number of muskets, rifles, or other arms, with their accoutrements; or if an artillery company, a cannon or field piece, and swords, with their necessary appendages, as their respective companies may require; and set forth in said petition the regiment to which his company belongs, the number it contains, and a specific number and description of the arms and equipments requisite for them; which number shall not be for more than ten persons over and above the number of rank and file his company shall at that time contain; and also to name a place on one of the following navigable streams, viz: Ohio, Wabash, Mississippi, or Illinois, where he will receive the same. Which petition shall be accompanied with a certificate of the colonel or commanding officer of the regiment to which it belongs, that such company has been organized according to law, and also a bond, payable to the governor and his successors in office, for the use of the people of the state of Illinois, in a penal sum equal to fourteen dol-*

IN FORCE
Jan. 22, 1831.

Volunteers
may have
arms, from
state.

How to peti-
tion.

Colonel to
certify.

lars for each musket and equipment by him so petitioned for, or a sum equivalent thereto for such other arms as they may require, according to the prices at which they are rated by the United States when furnishing them, and signed by himself as principal, with good and sufficient securities, conditioned to safely keep and have in readiness for use, the arms and other equipments by him received, in case they should be required at any time. Which bond must be approved as to the sufficiency of the security, by the judge of the circuit court, of the county where such company is formed; and his certificate thereof, together with the bond, shall be filed in the office of the Secretary of State.

Bond to be given.

To be approved by judge.

SEC. 2. The Governor, upon application being made to him as aforesaid, shall, if there be any arms or other equipments, so petitioned for, within the State, or due to this State from the United States, immediately (if within the State) direct the person applying where they may be had, and furnish him with an order for the same; or if not, to order the same, and have them directed to the person so petitioning, at the place specified by him; and the person so applying, shall upon their being landed, consider them in his care, and from that time shall become responsible for the same, upon the conditions of his bond, and shall provide a place for the safe keeping thereof: And said company shall be permitted to use the same, upon all occasions, whenever they may be called together for any kind of duty.

Governor shall supply arms to such companies.

[Approved, Jan. 22, 1831.]

AN ACT AMENDING THE MILITIA LAWS OF THIS STATE.

IN FORCE
FEB. 10, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That so much of an act to amend an act, entitled, "An act for the organization and government of the militia of this State," approved January 19, 1829, as requires one company muster to be held in the month of September in each year, is hereby repealed: And so much of the act, entitled "An act for the organization and government of*

Certain acts repealed.

the militia of this State," approved January 25, 1826, as requires one battalion muster in each year, and one company muster in the month of April in each year, with all the things in that act prescribed in relation to said battalion and company musters, except so much as relates to fines for failing to attend said musters, are hereby revived.

Notices of
company
musters.

SEC. 2. It shall be the duty of every captain or commandant of a company, at least one week previous to the time of holding the company muster, annually, to cause a written or printed notice, of the times and places of holding the several company, battalion, and regimental musters, to be given to every inferior officer and private under his command.

Fines.

SEC. 3. No private shall be fined more than seventy-five cents for failing to attend any regimental muster, or more than fifty cents for failing to attend any battalion or company muster. No captain shall be fined for failing to wear epaulettes, or subaltern officer for failing to equip himself in time of peace.

Regimental
muster.

SEC. 4. In all cases where there is only one regiment in the county, the regimental muster shall be held at the county seat.

Conscien-
tious persons
excused.

SEC. 5. No persons conscientiously opposed to doing military duty, by reason of their religious opinions, shall be compelled to do so in time of peace, *provided* such person shall be a member of a religious society, whose rules require them to support all poor persons connected with their society: and any person so being opposed to doing militia duty, but not a member of any religious society, may be exempted therefrom on paying seventy-five cents each year into the county treasury. The clerk of the county commissioners' court of the county where such application shall be made, shall require an affidavit of the applicant, that he is conscientiously opposed to doing military duty, and of his age, and make a record thereof, and issue his certificate to such applicant of his exemption from doing military duty in time of peace. Such applicant shall pay the clerk granting such certificate, twenty-five cents, and the clerk shall keep a record of all such certificates and affidavits so granted by him, in a book for that purpose. All laws and parts of laws coming within the purview of this act, are hereby repealed.

Affidavit.

Clerk shall
certify and
keep record.

[Approved, Feb. 10th, 1831.]

MILLS AND MILL DAMS.

AN ACT AUTHORIZING STEPHEN T. BEEMAN TO ERECT A MILL IN FORCE
 AND OTHER MACHINERY, ON THE COLLEGE TOWNSHIP, IN JAN. 15, 1831.
 FAYETTE COUNTY.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Stephen T. Beeman, his heirs and assigns, be, and they are hereby, authorised to erect a mill or such other machinery as he may think proper, on the College township, lying within the county of Fayette, with full privilege and authority to draw the water from, and erect any dam on, the lakes lying on sections 2, 3, and 4, on said College township, and to conduct the water from any of said lakes, to the place where the said Beeman has erected a carding machine. S. T. Beeman to erect a mill on the College land.

SEC. 2. The said Stephen T. Beeman, his heirs and assigns, shall have the full term of three years, from the first day of March next, to erect his mill and other machinery; and to have, use and occupy the same for and during the term of fifteen years, from the first day of March next: *Provided*, however, that nothing herein contained, shall be so construed as to give the said Beeman any right to said land and water any longer than till Congress shall authorise the exchanging and location of said College township. Must erect within 3 years. May occupy land for 15 years. Or until Congress shall exchange it.

SEC. 3. The said Beeman shall designate the quarter sections required for the purposes aforesaid, and file the same with the county commissioners' court, of the county of Fayette. Shall designate quarter sections.

SEC. 4. If the State of Illinois, at any time hereafter (provided the Congress of the United States shall not grant the State of Illinois, the privilege of re-locating the said College township,) should sell or dispose of said College township, the said Stephen T. Beeman, his heirs or assigns, shall have the right of pre-emption to such quarter sections as the said Beeman or his heirs may select for the location of the above named mill and machinery, at the price the State may establish for said land, to such part of said township as the said Beeman may select for the erecting his mill, or other machinery thereon. Right of pre-emption.

[Approved, Jan. 15th, 1831.]

IN FORCE
FEB. 5, 1831.

AN ACT SUPPLEMENTARY TO AN ACT ENTITLED "AN ACT TO AUTHORISE STEPHEN T. BEAMAN TO ERECT A MILL AND OTHER MACHINERY ON THE COLLEGE TOWNSHIP, IN FAYETTE COUNTY."

Right of pre-emption limited.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act, to which this is a supplement, shall not be so construed as to entitle Stephen T. Beaman to the right of pre-emption to more than one quarter section of land, on the college township in Fayette county: and not to that quantity of land, if it interferes in any way whatever with the rights, or occupancy, of any individual who may have settled on said township before the said Beaman.

SEC. 2. Said quarter section, the right of pre-emption to which is granted to the said Beaman, shall be selected in one entire quarter section, and not in contiguous half quarters.

[Approved, February 5th, 1831.]

IN FORCE
JAN. 1, 1831.

AN ACT TO AUTHORIZE EDWARD W. JONES TO BUILD A MILL DAM ACROSS THE LITTLE WABASH RIVER.

To build mill dam.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward W. Jones be, and he is hereby authorized to erect a mill dam across the Little Wabash river, at or near Harris' shoals, on said river: *Provided,* said dam shall not be more than five feet in height.

How to proceed previous to building.

SEC. 2. Before the said Edward W. Jones shall commence said dam, he shall make an application, in writing, to the county commissioners' court of said county, for that purpose, signifying his intention to commence said work; whereupon, said court shall issue a warrant to the sheriff of said county, commanding him to summon twelve disinterested freeholders of the county, to assemble forthwith, who, after being duly sworn by the clerk of said court, shall proceed to the place designat-

ed, and after a full and fair examination of the premises, report to said court, under their hands and seals, whether in their opinion, and with what restrictions, the said dam can be erected without injury to the public, or to private property. The said Jones shall erect a Lock or slope in said dam, whenever the public shall require the same to be done.

SEC. 3. If their report be favorable to the erection of said dam, they shall make out their report and hand it over to said court, who shall make an entry thereof in the minutes of said court, and file and preserve the original return in said court. County com. to make record.

SEC. 4. If the report be unfavorable, and that in their opinion the said dam, if erected, would be an injury to the public, or to private property, then and in that case the said dam shall not be erected under the authority of this act. This act to be in force from its passage. If report be unfavorable dam not to be built.

[Approved, Jan. 1st, 1831.]

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT TO AUTHORIZE THE BUILDING OF MILL DAMS ACROSS THE SANGAMON RIVER," APPROVED FEB. 14, 1827. IN FORCE JAN. 22, 1831.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the county commissioners' court of Sangamon county are authorized to allow the building of mill dams across the Sangamon river, not exceeding six feet in height above the common stage of low water mark, subject to all the provisions of the act to which this is an amendment: *Provided,* the crossing place of any public road shall not be injured by the erection of such mill dams. Mill dam across Sangamon.

[Approved, Jan. 22d, 1831.]

MINORS, &c.

AN ACT TO AMEND AN ACT CONCERNING MINORS, ORPHANS, AND GUARDIANS, APPROVED FEB. 4, 1827.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all guardians shall hereafter educate their wards; and it is hereby made the duty of all civil county officers, to give information to the court of probate, of neglect or omission, of any guardian, to his or her ward: Provided, when there are not monies sufficient to teach the ward, to read and write, and the ground rules of arithmetic, and the guardian refuses and neglects to have them so educated, the court shall have power to put out, to any other person, the ward, for the purpose of having the same so educated. The judge of probate shall, in all cases, when information is made of the neglect of any guardian to educate his or her ward, and on the facts being established, remove such guardian, and appoint a suitable person to act as guardian and superintend the education of such minor or orphan.*

SEC. 2. Guardians shall have power to loan out the monies of their wards, at interest, in sums not exceeding one hundred dollars, on personal security, to be approved of by the judge of probate; *Provided, it shall not be let for a longer time than twelve months, without a renewal, and an approval of the security by the court; and if neglected longer, it shall be at the responsibility of the guardian. In all cases of any person being appointed guardian for more than one ward, at one time, the judge of probate shall include all in one bond.*

[Approved, Feb. 7, 1831.]

Guardians shall educate wards.

In case of omission to educate by guardian, Court shall act.

Guardian may be removed.

Guardian may loan money of his ward.

Bond.

NEGROES, &c.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT RE-
SPECTING FREE NEGROES, MULATTOES, SERVANTS AND
SLAVES," APPROVED JAN. 17, 1829. IN FORCE
FEB. 1, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That no black or mulatto person shall hereafter be permitted to come and reside in this State, until such person shall have given bond and security, as is required in the first section of the act to which this is an amendment. Any person who shall hereafter bring into this State, any black or mulatto person, in order to free him or her from slavery, or shall directly, or indirectly, bring into the State, or aid or assist any person in bringing any such black or mulatto person to settle or reside therein, shall be fined one hundred dollars, on conviction, or indictment, or before any justice of the peace in the county where such offence shall be committed.* Negroes to give bond.
Penalty for bringing negroes into State.

[Approved, Feb. 1, 1831.]

NORTHERN BOUNDARY.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT TO ASCERTAIN AND SURVEY THE NORTHERN BOUNDARY LINE OF THIS STATE." IN FORCE
FEB. 5, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Governor shall nominate, and by and with the advice and consent of the Senate, appoint a commissioner to mark and survey the northern boundary line of this State, and if no provision shall be made by law at the present session of Congress, to ascertain said boundary line of this State, then the Governor shall require the said commissioner, so appointed, to proceed to ascertain and mark said line; beginning at the eastern bank of the Mississippi river, or on the western shore of Lake Michigan, and on the parallel of forty-two degrees thirty minutes, north lati-* Governor to appoint commissioner.
If Congress shall not act on the subject, com'r. shall proceed alone.

tude, and thence along the said parallel to the point of termination on the said lake, or the Mississippi river.

SEC. 2. Said line shall be ascertained by celestial observations, and not by the Mariner's compass. At the distance of every five miles, the said Commissioner shall cause a stone to be set up, at least two feet above the surface of the earth, and sunk in the ground, at least eighteen inches.

SEC. 3. Said Commissioner shall have power to employ two chain carriers, one cook, and two other hands, to be employed in such manner as he shall direct, who shall be entitled to such compensation as shall be allowed by the Governor therefor.

SEC. 4. Said commissioner shall be entitled to the sum of three dollars per day, for every day necessarily employed in ascertaining said line.

SEC. 5. There is hereby appropriated for the purpose of paying the expense of ascertaining and marking said line, the sum of five hundred dollars, one half of which, may be drawn by said commissioner, as soon as he shall be requested by the Governor to perform the services above mentioned, and such portion of the balance as may be necessary when the work shall be completed: and the account of said commissioner shall be submitted to the next legislature, for liquidation and payment of whatever balance, if any, may be properly due him.

Approved, Feb. 5, 1831.

Line, how ascertained and designated.

To employ assistants.

Pay.

Appropriation.

OATHS, &C.

IN FORCE
Feb. 9, 1831

AN ACT IN ADDITION TO THE ACT CONCERNING OATHS AND AFFIRMATIONS.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That every notary public now appointed, or hereafter to be appointed, in this state, is hereby empowered to administer oaths and affirmations. And all oaths, affirmations, affidavits, and depositions, so administered or taken, shall subject any person who shall so swear or affirm falsely, knowing the same to be false, in any matter material to any issue or*

Notaries may administer oaths.

Perjury.

point in question, to the pains and penalties inflicted by law, for the time being, on persons convicted of wilful and corrupt perjury. This act to take effect from and after its passage.

[Approved, Feb. 9th, 1831.]

[PENITENTIARY.

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT RELATIVE TO CRIMINAL JURISPRUDENCE," APPROVED JANUARY 6, 1827, AND TO PROVIDE FOR THE REGULATION AND GOVERNMENT OF THE PENITENTIARY.

Part of this act in force Feb. 15, 1833 Residue on the completion of the Penitentiary.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* criminal convicts, sentenced to hard labor or solitary imprisonment, or to hard labor and solitary imprisonment, shall and may be imprisoned, restrained, and employed, in, and within the precincts of the penitentiary, situate at, or near the town of Alton, in the county of Madison: And the court before whom such conviction may be, are hereby authorised and empowered, by their order on the sheriff of the county where such conviction is had, to cause all such convicts, as soon as conveniently may be after sentence, to be removed from any jail of such county, to the said penitentiary. And the sheriff of the county in which such conviction may be had, is hereby authorised and required, by himself, or his deputies, to remove such convicts to the penitentiary accordingly, and deliver the same into the custody of the warden thereof; and the said sheriff, and his deputies, shall have all the power of sheriff and deputies, in all counties in this state, which he, they, or any of them, may enter into, or pass through, for the purpose of conveying such convicts to the penitentiary aforesaid: And it shall be the duty of the clerk of the court, before whom such conviction shall be had, to make out and deliver to the sheriff of the county, a copy of said conviction and judgment, and order thereon, who shall leave an attested

Convicts may be confined in Penitentiary.

copy thereof, with a copy of his return thereon, with the warden of the said penitentiary. And the said sheriff shall make due return to the court of their said order.

Warden shall
receive con-
victs.

Sec. 2. It shall be the duty of the warden of said penitentiary, to receive such persons as may be convicted, sentenced, and ordered to confinement, and them safely keep in said penitentiary, pursuant to their sentence, until the same be performed, or they be otherwise discharged by due course of law.

Election of
warden.

Sec. 3. There shall be elected at the present session of the General Assembly, a warden of said penitentiary; and said warden's compensation shall not commence until he enters upon the active discharge of the duties of his office; and at the next session of the General Assembly, and every second session thereafter, the General Assembly shall elect by joint vote, a warden of the penitentiary, who shall hold his office for two years, unless sooner removed by the Governor. He shall have the care, custody, rule and charge of the said penitentiary, and of all persons confined therein, and of all lands, buildings, machines, implements, tools, materials, stock and provisions, appurtenant or belonging to the same, or the precincts thereof; and he shall be commander of any military force, which may be necessary to guard the same; and he shall be treasurer of said penitentiary, and as such, shall pay out, receive, and be accountable for, all money for maintaining the same, or derived from manufactures, and all other concerns of the said penitentiary; and he shall keep the books of the same, until the inspectors hereafter named, shall authorise the appointment of a clerk for that purpose; he shall cause regular entries to be made in such books, of all the pecuniary and other necessary concerns of the establishment; and it shall be the duty of said warden, at the commencement of every session of the General Assembly, to render a fair account, approved and examined by the inspectors, to the General Assembly, of all the expenses and disbursements; and of all the receipts and profits, on account of said penitentiary, and a statement of its general affairs. And the said warden shall, before he enters upon the duties of his office, take and subscribe an oath, to support the constitution of the United States, and of this state, and also duly and impartially to perform the duties of his office, according to law and to the best of his ability; he shall also give bond to the Governor, for the use of the people of the State of Illinois, in the sum of twenty thousand dollars, with

His duties.

Oath.

Bond.

sufficient security, to be approved by the Governor, conditioned that he will faithfully perform the duties incumbent on him, as warden of said penitentiary; and the warden shall have power to appoint all subordinate officers belonging to the penitentiary, and to remove them for negligence or mal-conduct. Such officers shall be paid quarter-yearly, such compensation for their services, as the warden and inspectors may think just, out of the penitentiary fund: *Provided*, such compensation to each of said officers, does not exceed the sum of two hundred and fifty dollars per year.

May appoint assistants.

SEC. 4. At the present session of the general assembly, and every two years thereafter, the governor shall, by and with the advice and consent of the senate, appoint four persons, residing in the vicinity of the penitentiary, who, together with the governor, shall constitute a board of inspectors of the penitentiary, who shall hold their offices until their successors shall be qualified to office, and who shall serve without fee or reward; the governor, and any two of the other inspectors, shall constitute a quorum. Said board of inspectors shall have power, from time to time, to make, ordain and establish all such rules and regulations, not repugnant to the laws of this state, as they may from time to time see fit, for the government and direction of the said warden, and all other officers, agents, or servants of said penitentiary, as may be proper for the maintenance, government and instruction of the convicts, and for the purchase of all materials, machines, tools, implements, provisions, medicine and clothing, for the use of the convicts, and for the sale and disposition of any articles, tools, and manufactures, which may belong to the said penitentiary; and they shall have power to direct all matters and things relating to the same, and to the officers, agents, and servants thereof, and all convicts therein, and as to the manner of keeping the books and accounts of the said establishment; which books and accounts they shall from time to time examine. And the said inspectors shall, at the first session thereafter, lay a copy of all such rules and regulations, before the general assembly, to be annulled or confirmed, in whole or in part, as the general assembly shall decide: *Provided*, that whenever any officer, agent, or servant shall be appointed by the warden, in case of vacancy or misconduct in the appointment of such officer, agent or servant, shall have power to appoint, or remove and appoint, as the case may require; and such appointment, or removal and appoint-

Inspectors of penitentiary.

Their powers.

Reference

Warden may appoint sub-officers, during pleasure.

Inspectors to
keep record.

ment, shall endure during the pleasure of the warden. Said inspectors shall cause a record of their proceedings to be kept; and, generally, shall have power to see that the laws and regulations are duly observed, and of attending to the various concerns of the establishment.

Auditor to
draw war-
rants in favor
of warden.

SEC. 5. The auditor of public accounts, on application of the governor, shall from time to time draw his warrant on the treasury, in favor of the said warden, for all sums of money, which have been, or hereafter may be appropriated, for the support of the said penitentiary. The said inspectors may employ such military guard as may be necessary for the safe keeping and employment of the convicts.

Voluntarily es-
capes.

SEC. 6. If the said warden or any of the said officers, agents, or servants, or any other person or persons, or any sheriff or deputy sheriff, shall fraudulently contrive, procure, aid, connive at, or otherwise voluntarily suffer the escape of any convict, in custody, or in the said penitentiary committed, under sentence of confinement as aforesaid, every such person, on conviction thereof, shall be punished by solitary confinement, for a term not exceeding three months, and by confinement to hard labor for a term not exceeding ten years, at the discretion of the court.

Negligence of
warden.

SEC. 7. If any warden or other person, as aforesaid, shall negligently suffer any convict committed as aforesaid, under sentence of solitary imprisonment, to be at large without the cell or apartment assigned to such convict, or to be there visited, conversed with, comforted, or relieved, contrary to the rules and regulations of said penitentiary, or shall negligently suffer such convict or any other convict committed to the penitentiary, under sentence of confinement to hard labor, to be at large without the precincts of said penitentiary, or contrary to the rules and regulations thereof, to be out of close confinement, the warden, or any other person neglecting his duty in the premises, being thereof duly convicted, shall be punished by a fine, not exceeding two hundred dollars.

Rescue.

SEC. 8. If any person shall forcibly or fraudulently rescue or attempt to rescue, any convict from the custody of any officer or other person authorized or empowered, by any order of commitment as aforesaid, or from the penitentiary, or from any other prison or jail, where any such convict may be lawfully committed, pursuant to any sentence of solitary imprisonment, any person so offending, being thereof duly convicted, shall be punish-

ed by solitary imprisonment for any term not exceeding three months, and by confinement to hard labor, for any term not exceeding ten years, according to the nature and aggravation of the offence.

Assisting convict to escape...

B/C

SEC. 9. If any person shall convey to any convict in custody, or committed under any sentence to solitary imprisonment and hard labor; into said penitentiary, or into any other place where such convict may be confined, any tool, instrument, weapon, or other aid, with intent to enable such convict to escape such custody or confinement, whether such escape be effected or not, every person so offending, being duly convicted thereof, shall and may be punished by a fine not exceeding five hundred dollars, and imprisonment in the common jail of the county not exceeding six months.

All business to be in name of warden.

SEC. 10. The business and dealings of the penitentiary shall be transacted by, and in the proper name of, the warden; and each warden, and his successors in office, shall in his proper name, as warden of said penitentiary, be capable of suing and being sued, in all matters concerning or arising out of the business, rights, or dealings of the said penitentiary; and it shall be the duty of the said warden to enforce the collection of the debts due the institution, as soon, and with as little expense as possible.

SEC. 11. When any male person shall be condemned to labor, or confinement in the penitentiary, for the term of two years, or more, the judge of the court presiding at such trial, shall appoint a competent person, as trustee to take care of the estate of such convict, until the expiration of his imprisonment. The trustee so appointed, shall be authorized to collect all debts due to such person convicted, and shall be compelled to pay his debts, as far as the property of the convict, in the hands of said trustee, will admit. The trustee so appointed, shall give such security as the presiding judge may require, for the proper execution of his trust. The judge presiding in such circuit shall, at the time such convict may be condemned, and from time to time thereafter, make such order and decree, for the government of said trustee, in the case of such estate, and for the maintainance of the convict's family, if he shall have one, as he may think proper, equitable, and expedient.— When such convict shall be lawfully released from his confinement, the trustee so appointed to take care of his estate, shall be compelled to account with such convict for all the trust reposed in him, in the care and management of such convict's estate. And the judge presiding

Estate of male convicts to be managed by trustees.

B/C

in such circuit shall make such allowance of compensation to such trustee, from time to time, and on the final settlement of such trust, as the said judge may deem equitable and just.

Inspectors to apply all appropriations.

SEC. 12. Any moneys which have been, or hereafter shall be appropriated, for the building, enlarging, or improving said penitentiary, shall be applied under the direction of the inspectors; and the said inspectors are authorized to contract for the building of a department for the warden. And so much of an act, entitled "An act concerning the saline reserves, a penitentiary, and the improvement of certain navigable streams," as provides for the appointment of commissioners of the penitentiary, be, and the same is hereby repealed; and the inspectors shall have the same power under said act, as said commissioners had.

Convicts may be punished for misconduct.

SEC. 13. The said warden and other officers, agents, and servants, shall each of them have power to order any convict to solitary confinement, for misbehaviour, refractory conduct, idleness, negligence in performing their daily task, impertinent or improper language, or breach of any of the rules and regulations; and shall immediately report the same to the said warden, and the warden shall punish such convict therefor, by solitary imprisonment, for any term not exceeding thirty days, or may discharge the said convict from the imprisonment, ordered by the said warden, officers, agents, or servants.

Warden and agents may suppress mutiny, &c.

SEC. 14. The said warden, officers, or agents, shall have power, each of them, to suppress all risings, rebellions, or other refractory conduct, of the said convicts, and for that purpose, they, and each of them, shall have power to use all necessary force and violence towards such convicts, to accomplish the same.

Warden and agents to reside at penitentiary.

SEC. 15. The said warden, officers, agents, and servants, shall constantly reside at the penitentiary, day and night, unless liberty of absence shall be allowed to the warden by the governor, or to such officers, agents, and servants, by the warden. In case of the death, resignation, or absence of the warden, such one of the said officers, as shall be previously designated by the Governor, shall perform all the duties of warden, until the Governor shall fill the vacancy, or until the warden shall return. The warden, officers, agents, and servants, shall not be liable to serve on juries, perform militia duty, or work on roads.

SEC. 16. The Governor shall have power to contract with a suitable person to keep and employ in working on the penitentiary, such persons as may be

committed to the penitentiary, until the same shall be in a condition to receive them. And when the penitentiary shall be in a condition to receive convicts, the Governor shall announce the same in a proclamation; and thereafter such convicts shall be confined in the penitentiary. The Governor shall also make proclamation announcing the making of the contract mentioned in the section.

Governor may make convicts work on penitentiary until completed.

SEC. 17. It shall be the duty of the sheriff of the county where the conviction was had, to employ a sufficient force to guard all convicts to the penitentiary; and the sheriff shall be responsible for the safe delivery of such convicts. A failure to deliver the same shall be a breach of duty in the official conduct of such sheriff, for which he may be indicted in any county, as in other cases of malconduct in office. The said sheriff shall be allowed thirty cents for each mile necessarily travelled in going to the penitentiary with each convict, to be paid out of the state treasury, on the warrant of the auditor, which shall be issued in favor of such sheriff, in full compensation for all charges and expenses of himself, and all guards, and all other expenses whatever: *Provided*, That in extraordinary cases, the county commissioners' court of the proper county shall make such additional allowance, as it may deem right and just; which additional allowance shall be discharged, as is herein provided.

Sheriff's duties.

County court:

SEC. 18. The warden of the penitentiary shall receive out of the state treasury the sum of six hundred dollars per annum for his salary, payable quarterly, on the warrant of the auditor, to commence at such time, as he shall enter upon the duties of his office.

Wardens pay

SEC. 19. The sum of ten thousand dollars is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, which, with the money arising out of the sale of the saline lands, and heretofore appropriated to the erection of a penitentiary, shall be disbursed under the direction of the inspectors, on the building and completing of said penitentiary. The sum of two thousand dollars, to be paid out of the treasury, is hereby set apart as a penitentiary fund, to be drawn by the warden, on the order of the governor, at such times as may be necessary in furnishing supplies of provisions, clothing, mechanic's tools, and materials for labor, and such other incidental expenses, as may from time to time accrue.

Appropriation.

Handwritten notes: 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900

When this act shall take effect.

SEC. 20. So much of this act as relates to the duties of the sheriff, together with the fourteenth, eighteenth, nineteenth, twenty-first, and twenty-second sections of this act, shall be in force from and after its passage. The residue of the act shall take effect and be in force from and after the proclamation of the governor announcing the completion of the penitentiary. In the mean time, the person with whom the governor shall contract, as is provided for, in the eighteenth section of this act, shall have all the power in relation to said convicts, and in relation to the management of the penitentiary, as is by this act committed to the wardens.

Manslaughter.

SEC. 21. Every person who shall be convicted of the crime of manslaughter, shall be punished by confinement in the penitentiary, for a term not exceeding seven years.

Poisoning.

SEC. 22. Every person who shall be found guilty of administering poison, as provided in the forty-sixth section of the act, to which this is an amendment, and shall thereof be convicted, shall be punished by confinement in the penitentiary, for a term not less than seven years, and which may extend to life.

Mayhem.

SEC. 23. Any person convicted of mayhem, shall be punished by confinement in the penitentiary, for a term not more than seven years.

Rape.

SEC. 24. Any person convicted of rape, as defined in the forty-eight section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, and may extend to life.

Sodomy.

SEC. 25. Any person of the age of fourteen years and upwards, who shall be convicted of the infamous crime against nature, as defined in the fiftieth section of the act to which this is an amendment, shall be punished by confinement in the penitentiary for a term not less than three months, nor exceeding two years.

aggravated assaults.

SEC. 26. Any person convicted of an assault, with an intent to commit murder, rape, mayhem, robbery, or larceny, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than fourteen years.

Kidnapping.

SEC. 27. Any person convicted of the crime of kidnapping, as defined in the fifty-fifth, fifty-sixth, and fifty-seventh sections of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, not exceeding seven years.

SEC. 28. Any person convicted of arson, as defined Arson. in the fifty-eighth section of the act to which this is an amendment, and every person convicted of the offence described in the fifty-ninth section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than five, nor more than fourteen years.

SEC. 29. Any person guilty of burglary, robbery, or burglary, robbery, larceny. larceny, as defined in the sixtieth, sixty-first, sixty-second and sixty-fourth sections of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one, nor more than fourteen years: *Provided*, that no person shall be condemned to confinement in the penitentiary, where the value of the property taken shall not exceed ten dollars.

SEC. 30. Any person who shall be convicted of mark- Altering marks. ing or branding, or of altering, or defacing any mark or brand, of any horse, mare, colt, jack, jennet, mule, or any one, or any more head of neat cattle, or sheep, goat, hog, shoat, or pig, with an intent to steal, or prevent an identification of the same, as described and provided in the sixty-sixth section of the act to which this is an amendment, shall be punished by confinement in the penitentiary for a term not less than one year, nor more than five years.

SEC. 31. Any servant, officer or person, employed Embezzling records, or effects of the public. in any public department, or office, or station, of the government, or of the state, or any county of this state, or in any office or corporate body, who shall embezzle, steal, secrete, or fraudulently carry away any money, goods, chattles, effects, book or books, of record or of account, bond or bonds, promissary note or notes, bank bills or notes, or any other writing, or security for payment of money, as defined and described in the sixty-seventh section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than ten years.

SEC. 32. Any person convicted of either of the offences Criminal code referred to. described in the sixty-eighth section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor than five years.

SEC. 33. Any person convicted of either of the offences described in the seventieth, seventy-first, or seventy-second section of the act to which this is an amendment, shall be punished by confinement in the peni-

tentiary, for a term not less than one year, nor more than five years.

Forgery.
SEC. 34. Any person convicted of forgery, or either of the offences described in the seventy-third section of the act to which this is an amendment, or of counterfeiting, or of either of the offences described in the seventy-fourth, seventy-fifth, seventy-sixth, seventy-seventh, seventy-eighth, or eighty-first sections of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than fourteen years.

**Counterfeit-
ing.**
SEC. 35. Any person guilty of perjury, or subornation of perjury, as described in the eighty-second section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than fourteen years.

**Perjury and
subornation.**
SEC. 36. Any person who may be convicted of bribery, or any of the offences described in the eighty-fifth and eighty-sixth sections of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than five years.

Bribery.
SEC. 37. Any person who shall be guilty of either of the offences described in the eighty-eighth section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than seven years.

**Other acts re-
ferred to.**
SEC. 38. Any person convicted of either of the crimes defined in the ninety-first section of the act to which this is an amendment, shall be punished by confinement in the penitentiary for a term not less than one year, nor more than seven years.

**Other acts re-
ferred to.**
SEC. 39. Any person convicted of either of the offences defined in the 101st section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than ten years: *Provided*, such imprisonment shall have been for a criminal offence.

ferred to.
SEC. 40. Any person convicted of either of the offences defined in the 134th section of the act to which this is an amendment, shall be punished by confinement in the penitentiary, for a term not less than one year, nor more than five years.

**Certain laws
repealed.**
SEC. 41. All acts and parts of acts providing punishments other than are herein provided, respecting the several offences herein described, referred to, or provi-

ded for, be and the same are hereby repealed, as soon as this act is made to take effect by its own provisions.

SEC. 42. In all cases of conviction of crimes, the punishment for which is hereby provided, the jury by whom the conviction shall be had, shall fix the term and nature of the confinement, as is provided by this act; the judge, in passing sentence on the prisoner, shall say in said sentence, how long the prisoner shall be confined, how long to solitary confinement, and how long to hard labor, and to either or both.

Jury to fix term and nature of confinement.

SEC. 43. This act, nor any thing herein contained, shall be construed as to subject any person to the punishments herein provided, who has committed any of the offences referred to in this act, before the same takes effect: *And provided further*, that no person of the age of eighteen years and under, shall be condemned to labor, or solitary confinement in the penitentiary, under the provisions of this act; but all trials for crime, committed by persons of the age of eighteen years and under, shall be punished according to the provisions of the act to which this is an amendment.

Proviso.

SEC. 44. The 97th and 121st sections of the act to which this is an amendment, are hereby repealed.

Repealing clause.

Approved, 15th Feb. 1831.

PRACTICE.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT CONCERNING PRACTICE IN COURTS OF LAW," APPROVED JAN. 29, 1827.

IN FORCE FEB. 9, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in all cases where a judgment, or decree, shall be rendered in any circuit court, in any case whatever, either in law or in chancery, against two or more persons, either one of said persons shall be permitted to remove said suit to the supreme court, by appeal, or writ of error, and for that purpose shall be permitted to use the names of all of said persons, if necessary; but no costs shall be taxed against

Where there are several defendants one may appeal.

any person who shall not join in said appeal or writ of error. And all such cases shall be determined in said supreme court as other suits are, and in the same manner that it would have been if all the parties had joined in said appeal or writ of error.

Minors may sue by next friend.

Next friend to give bond for costs.

SEC. 2. Hereafter, minors may bring suits in all cases whatever, by any person that they may select as their next friend; and the person so selected shall file bond with the clerk of the circuit court, or justice of the peace before whom the suit may be brought, acknowledging himself bound for all the costs that may accrue and legally devolve upon such minor. And after bond shall have been so filed, said suit shall progress to final judgment and execution, as in other cases.

[Approved, Feb. 9, 1831.]

IN FORCE
JUNE 1, 1831.

PUBLIC RECORDS, &c.

AN ACT PROVIDING A SUMMARY MODE TO RECOVER
PUBLIC RECORDS, PAPERS, AND OTHER PUBLIC PROP-
ERTY, ILLEGALLY WITHHELD.

Officers to deliver over papers and records on removal from office.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That if any officer, civil or military, having the custody of any records, books, papers, documents, or other property, appertaining or belonging to his or any other public office, or to any court or clerk thereof, shall resign, be removed from office, or his office be otherwise vacated, (except in cases otherwise provided by law,) it shall be his duty to deliver to his successor in office, on demand, all such records, papers, documents, and other property.—*

Executor or administrator to deliver over in case of death.

And in all cases where any such officer shall die, it shall be the duty of his executors or administrators to deliver all such records, books, papers, documents, and other property, to his successor, on demand, except in cases otherwise provided by law. And if any person resigning, or removed from office, or whose office is otherwise vacated, or the executors or administrators of any such officer, shall neglect or refuse to deliver over the said

records, books, papers, documents, and other property, to the person entitled to receive the same, at the time prescribed, or to be prescribed by law, he or they shall forfeit and pay a sum, not exceeding one thousand dollars, nor less than one hundred dollars, to be recovered by action of debt, or indictment, in any court of competent jurisdiction, to the use of the county in which the conviction is had, and shall moreover be liable to pay to any person who may be injured by the detention of any such records, books, papers, documents, or other public property, all damages which may accrue to him thereby, to be recovered by special action on the case in any court or tribunal of competent jurisdiction, and the recovery of the penalty and damages shall be no bar to an action against such officer and his securities, and his, or her, or their executors or administrators, on his, her, or their bond.

Fine for refusal or neglect.

Officer liable for all injuries

SEC. 2. If any person whose office has become vacated or determined as aforesaid, or his executors or administrators, shall neglect or refuse to deliver over, according to the provisions of this act, any record, book, paper, document, or other article of public property, as aforesaid, when thereto lawfully required by the successor to such officer or other person entitled to the custody thereof, it shall and may be lawful for any judge of the supreme, or circuit court of the proper county, upon the affidavit of any competent person setting forth proper facts, to issue his warrant, directed to the sheriff or coroner of the proper county, commanding him to seize all the records, books, papers, documents, and other public property, belonging or appertaining to the said officer, and deliver the same to the person entitled to the custody thereof, to be named in such warrant.

Judge may order seizure of public books and papers, when detained.

SEC. 3. It shall be lawful for the officer executing any warrant, issued as aforesaid, to break open any doors, trunks, or places, in which any of the records, books, papers, documents, or other public property, in such warrant commanded to be seized and secured, may be concealed, or in which he may suspect them to be, and in case of resistance to arrest any person or persons who may resist the execution of such warrant, and to carry him, her or them, before some judge or justice of the peace, to be dealt with as other persons obstructing the execution of such process: and the officer executing such warrant, may call to his assistance, the power of the county, in the same manner as in the execution of

Officer executing such warrant: his duties.

Penalty for neglect of officer to execute warrant.

other process. And any officer, to whom any such warrant may be directed and delivered, who shall neglect or refuse to execute and return the same according to law, or otherwise fail to perform any of the duties herein required of him, shall forfeit and pay a sum, not exceeding one thousand, nor less than one hundred, dollars, to be recovered by indictment, to the use of the county, in any court of competent jurisdiction.

Judge may issue citation in favor of any person aggrieved.

SEC. 4. It shall be lawful for any person who may think himself aggrieved, by the issuing of any warrant as aforesaid, to apply to any judge of the supreme, or circuit court of the proper county, who, if he be satisfied upon the affidavit of the applicant, there is good cause to believe, that injustice has been, or is about to be done, under or by virtue of such warrant, shall issue a citation to all persons interested therein, commanding them to appear before such judge, at a place and time to be in such citation named, which shall be executed by the sheriff or coroner, as process issued by the supreme or circuit court. And the judge shall have the power to enforce obedience to such citation by attachment, to be issued by him, and shall have power to proceed in a summary way, and determine according to right and justice; and may issue his warrant for the restoration of any book, record, paper, document, or other article of property, which shall appear to him, to have been improperly seized or delivered over; which warrant shall be executed in the same manner, and the officer to whom it is directed, shall have the same powers, and be liable to the same penalties for neglect of duty, as upon other warrants issued under this act. This act to take effect on the first day of June next.

Commissioner of northern line.

SEC. 5. So much of an act to ascertain and survey the northern boundary line of this State, approved January 2, 1829, as authorises the Governor to appoint a commissioner without the consent of the Senate, is hereby repealed; and any person appointed under said act is hereby declared to be out of office.

[Approved, February 15th, 1831.]

RELIEF.

AN ACT FOR THE BENEFIT OF JOHN POWELL AND IN FORCE
OTHERS. DEC. 25, 1830

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John Powell, of Vermillion county, and his heirs, shall have the sole use, occupancy and possession of the west half of the south-west quarter of section, number twenty-one, in township number nineteen, north, of range thirteen, west of the second principal meridian, in said county, for the term of ten years from the passage of this act, free of rent, (he having erected at considerable expense, a mill thereon) with the privilege of making such improvements thereon as he may see proper.

J. Powell to have half quarter sec. rent free, for certain term.

SEC. 2. When said tract of land shall become liable to sale, or to be purchased, under the authority of the State, the said Powell, his heirs or assigns, shall have the privilege of purchasing said tract at one dollar and twenty-five cents per acre, in preference to any other person, by applying to the register, and paying the money by the day or time of sale of the Vermillion Saline Lands; shall be first exposed to sale, in the manner pointed out in the act providing for the sale of said lands; and a patent shall be issued for the same, as set forth in that act.

Grant of pre-emption in said land.

SEC. 3. Each and every person settled on the lands reserved for saline purposes, on Big Vermillion river, in Vermillion county, prior to the first day of December 1830, and made improvement thereon, shall have the right of pre-emption to eighty acres, or one half quarter section, to include the improvements as near as possible, by paying one dollar and twenty-five cents per acre, previous to the day of sale, or time of offering said lands, on making proof to the satisfaction of the register and receiver of settlement and improvement.

Grant of pre-emption to others who have made improvements on the Vermillion Saline reserve.
Proof of settlement and improvement.

[Approved, Dec. 25, 1830.]

RELIEF.

In FORCE
Jan. 1, 1831.

AN ACT FOR THE RELIEF OF THE ADMINISTRATORS, WIDOW
AND HEIRS, OF SAMUEL MARSHALL, DECEASED.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be lawful for the administrators of Samuel Marshall, (late of Shawneetown,) deceased, to sell and dispose of the undivided moiety of said deceased in the steam saw mill, and twelve acres of land, on which the same has been built, situate near Shawneetown, in the county of Gallatin, and to apply the avails, in the first instance, towards the payment of debts due and owing by said deceased: *Provided,* said sale shall be assented to, in writing, to be filed with the judge of probate of said county, by the widow of said deceased, for and on behalf of herself and her minor children, the heirs at law of the said deceased: and provided further, that the said sale shall be made at public auction, and upon a credit of one and two years, in pursuance of three weeks public notice in the newspaper printed at Shawneetown, the purchaser giving bond, with security, to be approved by said administrators, for the purchase money.

Adm's. of S.
Marshall to
sell certain
real estate.

Avails how
applied.

Proviso,

Adm's. may
make deed.

SEC. 2. The said administrators, or the survivor or survivors of them, are hereby authorised and empowered, to make a sufficient deed for the conveyance of all right, title and interest of the said deceased, his widow and heirs, in the premises, to the purchaser, either at the time of the sale, or on the payment of the purchase money, as they may judge proper.

Surplus, if
any, how dis-
posed of.

SEC. 3. If on a final settlement of the estate of said deceased, there should be a surplus over and above what shall be required to pay off debts, the said administrators shall make up and satisfy to the widow and heirs at law of said deceased, so far as said surplus shall extend, the amount with interest, which they shall have realised from said land and mill; that is to say, one third to the widow, and the other two thirds to the said heirs at law then in being, to be invested in their names by said administrators, in land, or other safe and profitable stock, for their use and benefit.

[Approved, Jan. 1, 1831.]

RELIEF.

AN ACT FOR THE RELIEF OF BENJAMIN HENDERSON.

IN FORCE
JAN. 7, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the cashier of the Brownsville branch of the State bank of Illinois, be, and he is hereby, authorised to make a deed of conveyance, in fee simple, to Benjamin Henderson, of Jackson county, releasing to said Henderson, all the right, claim, title, and interest, of the State, or of the State bank of Illinois, of, in and to, a certain tract of land, situate in said county, and known as the southwest quarter of section 26, in town eight south, range two, west of the third principal meridian, containing one hundred and sixty acres, which was sold under a mortgage, given to said bank, and bought in by said bank, upon his, said Henderson's, paying to the cashier the amount of the purchase money paid therefor, and interest, and the cost and expenses of said sale.

Cashier at
Shawneetown
to make deed
to B. Henderson,
for certain
lands.

On payment.

SEC. 2. After the execution of said deed by said cashier, all the right and title of the State, or State bank, in and to said tract of land, is hereby declared to be vested in the said Benjamin Henderson. This act shall be in force from and after its passage.

Effect of
deed.

[Approved, Jan. 7th, 1831.]

AN ACT FOR THE RELIEF OF THOMAS REDMOND.

IN FORCE
FEB. 10, 1831.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That if Thomas Redmond shall, within two years from the passage of this act, pay the sum of seventy dollars into the State Treasury, and the further sum of thirty-five dollars within three years from the time this act takes effect, which he is hereby authorised to do, without interest, thereupon the auditor of public accounts shall give to said Redmond a final certificate, upon the production of which

T. Redmond
to receive
title for a cer-
tain lot on
payment
without in-
terest.

to the Governor of this State, the Governor shall execute to said Redmond a patent for lot numbered twenty-five, attached to the town of Vandalia, in conformity with the provisions of "an act to authorise the auditor of public accounts to sell lots in the town of Vandalia, and for other purposes," approved Feb. 12, 1823.

[Approved, Feb. 10th, 1831.]

IN FORCE
Jan. 27, 1831.

AN ACT FOR THE RELIEF OF JAMES TURNEY.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That a credit of eighteen hundred and fifty-nine dollars, is hereby given upon a judgment obtained in the circuit court of Greene county, at the August term, 1830, in favor of the President and Directors of the State bank of Illinois, for the use of the people of said State, against James Turney, upon three receipts given by him for certain notes placed in his hands for collection, payable to the said President and Directors, at the Edwardsville branch of the State bank; and the Attorney General of the State is hereby authorised to credit the said judgment by the amount of all notes embraced in said receipts remaining unpaid, which said Turney shall deliver to him on or before the first day of September next; and also by the amount of all judgments heretofore obtained by said Turney on notes embraced in said receipts which remain unpaid, upon the said Turney delivering to him a copy of such judgments on or before the said first day of September next.

Credit allowed J. Turney for a certain sum.

Attorney General to make certain allowances.

Time allowed him, on his giving security.

SEC. 2. If the said James Turney shall, on or before the first day of January, 1832, secure the payment of the amount due upon the judgment aforesaid, by executing his notes, payable to the Governor, with such security as shall be approved by him and the Attorney General, one for one third of the amount payable one year after date; one for one third of the amount payable two years after date; and one for one third of the amount payable three years after date; the Attorney General shall thereupon enter on the record of the Circuit Court of Greene

county, satisfaction in full of the said judgment: *Provided*, said Turney shall pay the costs of the suit against him, before he is discharged from the payment of said judgment.

[*Approved, Jan. 27, 1831.*]

AN ACT FOR THE RELIEF OF THE PURCHASERS OF TOWN LOTS IN THE TOWN OF EQUALITY. IN FORCE
FEB. 9, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* in all cases where any person, being a purchaser, or the legal holder of a certificate of purchase, of any town lot in the town of Equality, in the county of Gallatin, shall have failed, or may hereafter fail, to make full and complete payment of the purchase money of any such lot, within six months after the last payment became or may become due, the said purchaser, or holder, shall be allowed until the twentieth day of September, 1831, to make said payment; and the lot so unpaid for shall not be forfeited, as now provided by law, but the same shall be held by the present owner, or occupier, until a failure to pay agreeably to the provisions of this act, any law to the contrary notwithstanding. Time allowed
to purchasers
of lots in E-
quality.

SEC. 2. Nothing in this act contained shall be so construed as to prevent the county commissioners' court from collecting any debt due for the purchase of any lots in the town of Equality, when they shall respectively become due and payable. Co. commis-
sioners may
collect debts
as they be-
come due.

[*Approved, Feb. 9, 1831.*]

AN ACT FOR THE RELIEF OF JAMES RATCLIFF. IN FORCE
Feb. 9, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* the cashier of the branch bank of the state of Illinois at

Credit allowed him for payment to late cashier. Shawneetown, is hereby authorized to allow James Ratcliff two hundred and sixty-four dollars: *Provided*, that the said Ratcliff shall present his written affidavit, together with other corroborative evidence to the said cashier, shewing that he has paid into, or deposited that amount of money in, said branch bank, during the lifetime of the late cashier thereof, and that the same has not been applied to the purposes for which it was paid, or deposited, nor to the use of the said Ratcliff: provided, such allowance shall be made as a credit on any debt due from the said Ratcliff to the said bank.

Act of Jan. 29, 1829, extended to him.

SEC. 2. The cashier is authorized to extend to the said Ratcliff, on a settlement, the benefits of an act to amend an act, supplementary to an act establishing the state bank of Illinois, approved Jan. 10, 1825, approved Jan. 29, 1829, as though such settlement had been made prior to the 1st July, 1830.

[*Approved, Feb. 9, 1831.*]

IN FORCE
Feb. 15, 1831.

AN ACT FOR THE BENEFIT OF THE LEGAL REPRESENTATIVES OF JOHN M'CLURE, DECEASED.

Preamble.

Whereas, John M'Clure, in his life-time, by deed of trust, gave to a trustee, for the use and benefit of Jane Warnock and her children, a house and lot of land in the town of Vandalia, and also a piece of land adjoining the said town, which said house is in a state of delapidation, whereby the interest of the said minors is gradually wasting, to prevent which:

J. B. Moore authorized to sell certain real estate.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That to prevent a total loss to the said Jane Warnock and her children, and to enhance the interests of the minors, that James B. Moore be, and he is hereby, authorized and empowered to dispose of the said house and lot of land in Vandalia, being the lot numbered four, in square numbered thirty, in the plat of the said town; and also out-lot, containing six acres, numbered eighty-four, either at public auction or private sale, and upon receiv-

ing the purchase money, to give a conveyance to the purchaser for the same in due form of law.

SEC. 2. The said James B. Moore, as soon as practicable after the sale of the property mentioned in the first section of this act, shall invest the proceeds of the sale of the said property in the purchase of the east half of the north-west quarter of section number nineteen, in township number one, south, in range number nine, west, in St. Clair county, if the same can be obtained on reasonable terms; and if not, then in such other real estate as the said James B. Moore shall deem conducive to the interests of the said Jane Warnock and her children; and in case there should be any surplus, to invest the same in such other real estate, in St. Clair county, (taking a deed to himself as trustee for the said Jane Warnock and her children,) as the said James B. Moore shall deem most conducive to the interests of the said minors. Which said purchases shall be, and are hereby made subject to the same trusts, uses, and purposes, that the said house and lot of land in Vandalia, and the said piece of land adjoining the said town, are now subject to.

[Approved, Feb. 15, 1831.]

AN ACT FOR THE RELIEF OF HUGH M. WEED.

IN FORCE
FEB. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in consideration of the sale of the east half of the south-west quarter of section twelve, township ten, south, range eight, east, being a part of the thirty thousand acres of land selected by the commissioners appointed under the authority of the act, entitled "an act concerning the saline reserve, a penitentiary, and the improvement of certain navigable streams," and also being a part of the improved land leased to Andrew Frazier, by authority of an act regulating the Gallatin county saline, and Hugh M. Weed being the legal holder of said lease, he shall be hereafter allowed forty dollars, on the payment of the first annual rent.

Deduction in
H. M. Weed's
rent.

SEC. 2. Valentine Tite, the purchaser of the said

V. Title released from claim for rent. half quarter section of land, is hereby released from any claim for the rent thereof.

[Approved, Feb. 15th, 1831.]

RELIEF.

IN FORCE

Feb. 15, 1831. AN ACT FOR THE BENEFIT OF MARGARET JANE MC. CORKLE.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* W. B. Gooding, of Adams county, is hereby authorized to sell and convey the west half of the north west quarter of section seventeen, township one south, range nine west of the third principal meridian, the same being the property of Margaret Jane McCorkle, an infant; and the said Gooding shall vest the money, arising from such sale in other lands, to be purchased in the name, and for the benefit, of said infant. The said Gooding, before he proceeds to sell, shall execute a bond to said Margaret, with good security, to be approved by the judge of probate, of St. Clair County, in the sum of five hundred dollars, conditioned for the faithful performance of the trust herein conferred upon him, which bond shall be filed in the office of the judge of probate, of St. Clair County.

[Approved, Feb. 15, 1831.]

REVENUE.

IN FORCE

JAN. 1, 1831.

AN ACT CONCERNING THE REVENUE OF ST. CLAIR COUNTY.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the*

sheriff of the county of St. Clair is authorized to collect the taxes due and owing by the inhabitants of the said county for the year one thousand eight hundred and twenty-nine, in the same manner that the sheriff for that year might or could have done: but those persons who have paid to the county commissioners' court of the said county, the taxes due by them respectively, to the said county for the said year, are discharged from said taxes so paid. This act to take effect from its passage.

Tax of 1829, to be paid to the present sheriff.

[Approved, Jan. 1, 1831.]

IN FORCE
FEB. 12, 1831.

AN ACT TO AMEND THE SEVERAL REVENUE LAWS OF THIS STATE.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the several clerks of the county commissioners' courts within this State, upon receiving the list of lands advertised for sale by the auditor, shall immediately thereupon examine said list, and upon examination, should he find any of the residents' lands therein advertised for sale, he shall make out a list of such resident lands so advertised, and immediately transmit the same to the auditor, who, upon receiving the list from the clerk, any time previous to the sale of lands so advertised, shall strike such tract or tracts from his list, and in no case be authorized to sell the same.

County clerks to examine auditor's list of lands advertised.

SEC. 2. So much of the act, to which this is an amendment, approved February 10, 1827, as authorized a class of third rate land for taxation, is hereby repealed; and hereafter the public printer shall be allowed six cents for each tract advertised for sale.

3d. rate of land abolished.

Printers allowance fixed.

SEC. 3. In all cases in which non-residents have failed, or shall hereafter fail, to list their lands for taxation, according to law, the auditor shall list them from the best information he can obtain, and his so listing them shall be as good and valid, in all respects whatever, as if they had been listed by the owner; and in whose name soever any lands may be listed for taxation, or sold for

If land owners fail to list their lands, auditor shall list them.

Lands sold by State subject to taxation from time of sale.

taxes, the sale shall be as good and valid, in all respects whatever, as if such land or lands had been listed for taxation, and sold for taxes, in the name of the patentee, or of the actual owner, any thing in any law, to the contrary notwithstanding.

SEC. 4. All lands sold by the State, or by any county or township, whether the same be canal, seminary, school, saline, or other lands, are hereby declared subject to taxation, from the date of the sale; and it shall be the duty of the auditor of public accounts, on or before the first day of April next, to transmit by mail, or otherwise, to the clerk of the county commissioners' court, of any county, in which any canal, seminary, saline, or other lands sold by the State, are situated, a correct list of the lands, so sold, lying in such county, with the name of the purchaser of each tract; and on or before the first day of April, annually, said auditor shall transmit, as aforesaid, a list of all such lands, so sold, of which he shall not have previously furnished a list as aforesaid.

Auditor to furnish county clerks with lists of lands sold by State.

County orders not to bear interest.

SEC. 5. County orders, hereafter issued, shall not be deemed to bear interest, unless interest is expressly mentioned on the face of the order, or unless the county commissioners' court shall, by a general order, ordain that such county order shall bear interest.

[Approved, Feb. 12th, 1831.]

RIVERS.

IN FORCE
Jan. 7, 1831.

AN ACT DECLARING THE EMBARRASS RIVER AND BON PASS CREEK NAVIGABLE STREAMS.

Embarrass river declared navigable.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Embarrass river be, and the same is hereby, declared a navigable stream and public highway, from Shaw's mill, on said river, to its confluence with the Great Wabash river.

SEC. 2. The Bon Pas, from the main forks to its junction with the Wabash river, is hereby declared a navigable stream. Bonpass declared navigable.

Approved, January 1st, 1831.

AN ACT DECLARING THE BIG VERMILION A NAVIGABLE STREAM, AND FOR OTHER PURPOSES. IN FORCE March 1, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the Big Vermilion river as has been meandered by the United States deputy surveyors, and the bed of which has not been measured and sold as other lands, is hereby declared a navigable stream, and a public highway. Part of Big Vermilion navigable.

SEC. 2. If any person or persons, shall obstruct or injure, or cause or procure to be injured or obstructed, the navigation of said stream, by falling trees, erecting dams, or any other impediment, so as to render the same inconvenient or dangerous to pass, every such person, so offending, shall be liable to indictment, and upon conviction, shall forfeit and pay for every such offence, not more than five hundred dollars, nor less than ten dollars, for each week, he, she, or they, may keep or continue such obstruction, and be imprisoned, at the discretion of the court, not more than three years, nor less than three months. This act to take effect from and after the first day of March next. Penalty for obstructing navigation.

[Approved, Feb. 5th, 1831.]

AN ACT APPOINTING COMMISSIONERS TO VIEW CERTAIN NAVIGABLE STREAMS, IN GREENE COUNTY. IN FORCE Feb. 14, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That

Com's. appointed to view certain streams.

phen W. Spencer, Luther Calvin, and Amos Vanmeter, of Greene county, are hereby appointed commissioners to view and examine Apple Creek, from Spencer's mill to the mouth of said creek; and the creek or slough from Calvin's mill to the Illinois river; and the Macoupin creek, from Vanmeter's mill to its confluence with the Illinois river. And William Bridges, Isaac Darniel, and Alexander P. Scott, of Greene county, be, and they are hereby appointed, commissioners, to examine Otter creek, from Bridges' mill to its confluence with the Illinois river. Each set of commissioners, or a majority of them, shall meet at some convenient time and place, before the first day of November next, and proceed to examine into the propriety, practicability, and probable expenses of rendering those streams navigable.

To report to county court.

SEC. 2. The said commissioners, or a majority of them, after performing said service, shall report their proceedings to the county commissioners' court of Greene county, whereupon the said court shall make such allowance for said service as they may deem just and reasonable, to be paid out of the county treasury; and the clerk of the county commissioners' court, shall transmit a copy of the aforesaid report to the next General Assembly.

[Approved, Feb. 14th, 1831.]

ROADS.

IN FORCE
JAN. 1, 1831.

AN ACT TO CHANGE PART OF THE STATE ROAD LEADING FROM PARIS TO VANDALIA.

Commissioners to re-locate part of state road from Paris to Vandalia.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Jonathan Mayo, Samuel Brimberry and Smith Shaw be, and they are hereby appointed, commissioners to view and re-locate that part of the state road leading from Paris to Vandalia, that lies between Paris and the sixteenth section, in township thirteen, north, of range twelve, west.*

SEC. 2. Said commissioners shall meet in Paris, on or

before the first Monday in July next, and after being sworn, impartially to locate the same, before some justice of the peace, they shall commence at the south end of Main street, in the town of Paris, and run thence, on a straight line, as near as the nature of the ground will admit, to the north-west corner of section number sixteen, in township thirteen, north, of range twelve, west.

When comr's shall meet.

Points of road

SEC. 3. Said commissioners shall, within fifteen days after the location of said road, cause a true survey or map of the same to be lodged with the clerk of the county commissioners' court of Edgar county, and said road shall in all respects be deemed a public highway, and shall be opened and kept in repair, as other public roads are. And the county commissioners' court of Edgar county shall allow to said commissioners, a reasonable compensation for their services out of the county treasury.

Comm'r's to make a map of road.

Road to be a public highway.

Compensation.

[Approved, Jan. 1, 1831.]

AN ACT TO LOCATE A STATE ROAD FROM MOUNT CARMEL TO MAYSVILLE. IN FORCE Jan. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Scoby Stewart and Hiram Bell of Wabash county, and James Wickersham of Clay county, be, and they are hereby appointed, commissioners to view, mark and locate a road from Mount Carmel in the county of Wabash, by Wilcox's bridge, to Maysville in the county of Clay. Said commissioners, or a majority of them, shall meet at the town of Mount Carmel, in the month of April next, and after being sworn before some justice of the peace faithfully to discharge the duties required of them by this act, shall proceed to view, mark, and locate said road, taking into consideration the local situation of the country and the public convenience, and shall fix said road on the most advantageous ground for a permanent road.

Comm'r's appointed to locate road from Mount Carmel to Maysville.

SEC. 2. Said commissioners shall, on or before the first Monday in June next, make report of their proceedings to the county commissioners of the respective coun-

To report.

ties through which said road may pass: and said road, thus laid out, shall be a public highway of this state, and the county commissioners' courts of each and every county through which said road may pass, shall cause the same to be opened and kept in repair as other public roads are. Said commissioners shall receive for their services a just compensation out of the funds of the counties, respectively, in which they reside, by order of the county commissioners' courts.

Compensation.

SEC. 3. The road as now running from Fairfield in Wayne county, to Maysville, in Clay county, crossing Elm river at or near William M'Cormick's, thence with the road as now laid out from Maysville, by the Blue Grass Point in Fayette county, to Shelbyville in Shelby county, is hereby declared a public state road, to be opened four poles wide, and kept in repair as other state roads.

Road from Fairfield to Maysville and Shelbyville declared public.

[Approved, January 15, 1831.]

IN FORCE
Jan. 15, 1831.

AN ACT TO LOCATE A STATE ROAD FROM FRENCH CREEK BRIDGE IN WHITE COUNTY, TO MOUNT CARMEL IN WABASH COUNTY.

Comm'rs appointed to lay out road from French creek bridge to Mt. Carmel.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Richard Davis, James Gray, Joseph L. Wilson, and John Grayson, are hereby appointed commissioners to view and mark out a road from French creek bridge in White county, to Mount Carmel in Wabash county. Said commissioners, or a majority of them, shall meet at Mount Carmel on the first Monday of April next, or as soon thereafter as may be practicable. and after being sworn before some justice of the peace impartially and faithfully to locate said road, shall proceed to lay out the same on the most advantageous ground for a permanent road, taking into consideration the situation of the country and the public convenience. The commissioners shall, as soon as may be, make and cause true maps and surveys of said road, signed by themselves, to be lodged in the county commissioners' courts of the counties through*

which said road passes; and the said courts shall cause the same to be opened at least four poles wide, and the said road when so laid out and opened, shall be deemed a state road, and shall be kept in repair as other state roads. That part of the present state road, running from French creek bridge to *Bonpas*, is hereby vacated.

SEC. 2. The commissioners may receive out of the county treasuries of each county through which said road is laid out such compensation as the county commissioners' courts shall see fit to allow them: *Provided*, that said commissioners shall not be required to lay out said road until the county commissioners' courts of White, Edwards, and Wabash counties, shall agree to pay them for laying out the same. This act to be in force from its passage.
[Approved, Jan. 15, 1831.]

Compensa-
tion.

AN ACT TO LOCATE A STATE ROAD FROM HILLSBOROUGH
TO SHELBYVILLE. IN FORCE.
Jan. 22, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Easton Whitton and William Shirley of Montgomery county, and James W. Vaughan and James W. Johnson of Shelby county, be, and they are hereby appointed commissioners to view, survey and locate a state road, to commence at Hillsborough, in Montgomery county, thence to Shelbyville, in Shelby county.

Comm'rs to
lay out road
from Hillsbo-
rough to Shel-
byville.

SEC. 2. The commissioners aforesaid, or a majority of them, shall meet at Hillsborough, on the twentieth day of March of the present year, and before entering on the duties assigned them by this act, shall take an oath before some justice of the peace faithfully and impartially to locate said road, keeping in view the shortness of the route, and the eligibility of the ground, so as to make the same a permanent road.

Their duties.

SEC. 3. The said commissioners, so soon as they shall have completed said work, shall make out a map under their hands, with the courses, distances, streams, notable places, with such estimates and remarks as they shall deem interesting, and return the same to the county com-

Map & report.

missioners' court of each county, through which the same shall pass, of the portion lying and being in each county, which shall be recorded at length in said courts.

Compensation.

SEC. 4. The map and report being filed, in pursuance of the third section of this act, the whole bill of expenses shall be made out and presented to the county commissioners' courts of the counties of Montgomery and Shelby, who shall make an allowance therefor for the sums severally due, allowing the commissioners two dollars each, and each necessary hand employed seventy-five cents per day, the expenses of which shall be equally paid by said counties.

County court to open road.

SEC. 5. The county commissioners' courts of the counties of Montgomery and Shelby shall cause the said road to be opened four poles wide, so soon as practicable, worked and kept in repair to the best advantage.

[Approved, Jan. 22, 1831.]

IN FORCE
Jan. 27, 1831.

AN ACT TO CHANGE A PART OF THE STATE ROAD, LEADING
FROM SPRINGFIELD TO PARIS.

Com's. to lay
out part of the
above road.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Jesse A. Pickrell and John Churchill, of Sangamon county, and Buel Stephens and David Owens, of Macon county, be, and they are hereby appointed, commissioners, to view, mark, survey and locate a road from the east fork of Clear creek, where the present road now crosses said creek, by the way of Sowell Cox's and George Churchill's, from thence to the long point, and from thence on the nearest and best ground to Decatur; and from thence across the north fork of Sangamon river, at the most suitable place for a bridge or ferry; and from thence in the most direct course towards Paris, until said road strikes the present location. All that part of said road between the termination and place of beginning, is hereby vacated.*

SEC. 2. Said commissioners, or a majority of them, shall meet at the house of Sowell Cox, in Sangamon

county, on the second Monday in March next, or within one month thereafter, and after being first duly sworn Their duties. before some justice of the peace, faithfully to perform such duties as are required by this act, shall proceed to the place of beginning and commence said location, and as soon as practicable, shall make a true survey and maps of said road, signed by them, and file the same in the office of the clerks of the county commissioners' courts of Sangamon and Macon counties.

SEC. 3. Said road, when laid out as aforesaid, shall be deemed a public highway, the county commissioners' courts of said counties, shall cause the same to be opened four poles wide, and to be worked and kept in repair as other state roads. The respective county commissioners' courts of said counties, may allow said commissioners a reasonable compensation for their services, to be paid out of their respective county treasuries. County court shall open road. This act to take effect from and after its passage. Compensation,

Approved, Jan. 27, 1831.]

AN ACT TO LOCATE AND ESTABLISH CERTAIN STATE ROADS, AND CONCERNING BLAKE'S BRIDGE. IN FORCE Jan. 28, 1831:

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Joseph Jones and Ephraim Phar of Wabash county, and Benjamin Skinner of Edwards county, are hereby appointed commissioners, a majority of whom may act, to view, locate, and mark a road, beginning at Mount Carmel, in Wabash county, by Wilson's bridge on Bonpas creek to Albion, in Edwards county, there to intersect and constitute a part of the state road running from Albion to Fairfield, in Wayne county. Commissioners' to lay out road from Mount Carmel to Fairfield.

SEC. 2. Daniel Turney and Elijah Blانيت of Wayne county, and William Donohoe and William Hill, of Marion county, are hereby appointed commissioners, a majority of whom may act, to view, locate and mark a road from Fairfield, in Wayne county, on the nearest Commissioners' to lay out road from Fairfield to Salem.

Commissioners' to lay out part of road from Salem to Vandalia. and best route, to Salem, in Marion county. And Henry W. Higgins and Hardy Foster, of Marion county are hereby appointed commissioners' to view and lay out a road from Salem, in Marion county, on the nearest and best route, to intersect the State road leading from Golconda to Vandalia.

Where to meet. SEC. 3. The commissioners named in the first section of this act (or a majority of them) shall meet at Mount Carmel, and those named in the second section, (or a majority of them) shall meet at Fairfield, on the first Monday in May next, or within twenty days thereafter, and after being duly sworn before some justice of the peace, faithfully to perform the duties enjoined on them by this act, shall proceed to locate and mark the parts of said road respectively, for which they are appointed commissioners, and certify the same to the county commissioners' court of the counties, respectively, through which the same may pass; and said road, when located, shall be, and remain a public highway of this state, from Mount Carmel, in Wabash county, by Wilson's bridge, Albion, and Fairfield, to Salem, in Marion county, and shall be opened and kept in repair as other state roads. Said commissioners' shall be paid out of their respective county treasuries, such sums as the county commissioners' courts may, respectively, deem just and reasonable.

Act repealed. SEC. 4. So much of the act, entitled "an act to lay out the road therein mentioned," approved February 10, 1823, as authorises the laying out a road from Fairfield to intersect the road from St. Louis to Vincennes at any point deemed best on the way to Vandalia, be, and the same is hereby, repealed, and said road vacated.

Certain roads declared state roads. SEC. 5. The road as now laid out from Ford's ferry on the Ohio river, to Equality in Gallatin county, thence to McLeansboro, as hereinafter to be located, and thence to Mount Vernon; and the road now laid out from Equality, by way of Guard's works, Burnets', Choiser's, Lockhart's, Burton's, and Irwin's, to Mount Vernon; and the road as now laid out from Golconda to Frankfort, thence to Mount Vernon, thence by Wilcott Lewis's to Salem; and the road now established by way of Stwearths' and Brocketts to Shelbyville; are hereby declared to be state roads.

SEC. 6. Leonard White, of Gallatin county, and Henry Wheeler of Hamilton county, are hereby appointed commissioners' to view, re-survey and re-locate so much of the road, first mentioned in the fifth section

of this act, as lies between Equality and McLeansborough, so that the same shall cross at Blake's bridge, and make such alterations in the present road as they shall deem right for the public good. And the said Blake's bridge, over Saline creek on said road, is hereby declared to be a toll bridge, and the said Blake, or his assignees, shall have the right to demand and receive such rates of toll as are now allowed for ferriages across said creek, and the same shall continue to be a toll bridge, until the counties of Hamilton and Gallatin, or either of them, shall remunerate him for the building of said bridge, which being done, the same shall become a county bridge free of toll.

Commissioners' to lay out road between Equality and McLeansborough.

Blake's bridge, made a toll bridge.

SEC. 7. The said Leonard White and Henry Wheeler shall be paid out of the county treasuries of Hamilton and Gallatin counties, besides necessary expenses, the sum of two dollars per day for the time necessarily employed by them under this act; and such chain carriers and other hands as may be necessary, shall be paid in like manner, seventy-five cents each per day. The said commissioners' shall report their proceedings under this act, with a map of the road, so far as the same shall run in Gallatin county, to the county commissioners' court of that county, and the residue of said road to the same court in Hamilton county; and said counties shall cause said road to be opened and kept in repair, as other state or county roads are.

Compensation to commissioners.

Commissioners to report to respective counties.

SEC. 8. Nothing in this act shall be so construed as to give to any of said commissioners' a claim upon the state treasury for pay for their services.

Not to be paid by state.

Approved January, 28th. 1831.

AN ACT FOR THE BENEFIT OF ABNER EADS, AND OTHERS, IN FORCE
ROAD COMMISSIONERS, AND AUTHORIZING AN ALTERA-
TION IN A STATE ROAD IN VERMILION COUNTY. Jan. 22, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following sums shall be paid to the persons hereinafter*

Appropriations to certain persons.

named commissioners, &c. appointed in 1826, to view, survey and locate a State road from the county seat of Peoria county, on the Illinois river, to the county seat of Vermilion county, and thence to the state line between Indiana and Illinois, viz: to Abner Eads, forty-eight dollars and twelve cents, in full for services as commissioner, and for wagon, horses, and provisions found: to Samuel Fulton, in full for services as commissioner, twenty-five dollars and fifty cents: to George M. Beekwith, in full for services as surveyor, making out maps, &c. sixty dollars and fifty cents: to Orlin Gilbert, chain carrier, ten dollars and fifty cents: to James Barnes, chain carrier, eleven dollars and ninety cents: and William Rowan blazer, nine dollars and ten cents.

Auditor to issue warrants.

SEC. 2. The auditor of public accounts is hereby directed to issue warrants upon the treasury, for the several sums above stated, in favor of said individuals, and which amount or sums of money, shall be paid out of any money in the Treasury, not otherwise appropriated.

Com's. to be appointed to re-survey a part of above road.

SEC. 3. The county commissioners' court of Vermilion county, are hereby authorised and required to appoint three good and competent persons of said county, to review, alter, survey and locate the State road above named, the eastern part only, commencing at the fortieth mile post, from thence by Danville to any, or such point, on the State line between Illinois and Indiana, as may be considered most advisable: Said commissioners shall make oath before some justice of peace, to be by them subscribed, that they will faithfully and impartially review, survey and locate the same to the best advantage for the public good; and when the work shall be done, they shall make out a map, with the courses and distances, accompanied with such estimates and remarks as they shall see proper to make, and which shall be recorded at length in said court.

Road to be a public road.

SEC. 4. Said road shall be four poles wide, and shall be opened, worked, and kept in repair as other county roads are. And so soon as the amendment shall be made, the county commissioners shall declare the old road vacated, or such part or parts thereof as they shall deem right; and if any part be retained, the same shall be considered a county road.

Compensation.

SEC. 5. The county commissioners' court of said county, shall make a reasonable allowance to said com-

misioners, and hands employed to assist, for locating said road, and order the same to be paid out of the county treasury.

[Approved, Jan. 22, 1831.]

AN ACT ESTABLISHING A PERMANENT ROAD FROM THE WEST
BANK OF THE WABASH, OPPOSITE VINCENNES, TO CHICAGO.
IN FORCE
Jan. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John Houston, of Crawford county, Stephen D. Handy, of Clark county, and James Clyman, of Vermilion county, be, and they are hereby appointed, commissioners, to view, survey and locate a State road, to commence at the ferry on the west bank of the Wabash river, opposite Vincennes; thence to Palestine, thence to York, thence to Darwin, thence to Paris, thence to Danville, and thence to Chicago.*

SEC. 2. Said commissioners, or a majority of them, shall, before entering on the duties assigned them, make oath before some justice of the peace of the State, to be by them subscribed, to the amount and purport following, viz: that they will faithfully view, survey and locate said road, from point to point given, varying as little as they conveniently can from a direct line, and that they will do as little damage to improved lands and private property as the nature of the case will permit, exercising their best judgment at all times, keeping strictly in view the public good, making the same a permanent road.

SEC. 3. At the termination of each mile, on the eastern side or margin of the road, on the true line, a suitable stone shall be firmly placed in the ground, leaving at least twenty inches above the surface, with the number of miles in figures marked thereon, numbering from the place of beginning. Said commissioners' shall make out a map under their hands, with the courses, distances, streams, and notable places, with such estimates and remarks as they shall deem interesting, and return the

same to the county commissioners court of each county through which the same shall pass, of the portion lying and being in each county, which shall be recorded at length in said courts, and filed and preserved. And said commissioners shall make a full and complete map and report of said road, as above described, estimates &c., and return the same to the office of the Secretary of State, there to be filed and preserved.

Map and report.

SEC. 4. The map and report being filed in the Secretary's office, the whole bill of expenses shall be clearly made out and presented to the auditor of public accounts, who shall issue his warrants on the treasury for the sums severally due, allowing the commissioners two dollars each, and each necessary hand employed, seventy-five cents, per day, together with the expenses of procuring, marking, and placing the stones; which amount, or sums of money, shall be paid out of any money in the treasury not otherwise appropriated.

Compensation.

Width of road

SEC. 5. Said road shall be four poles wide, and the county commissioners' courts in the several counties through which the same shall pass, shall immediately cause the same to be opened, worked, and kept in repair to the best advantage.

When to commence.

SEC. 6. The commissioners hereby appointed shall commence the work early in the fall of 1831, make no unnecessary delay, finish the work and make report.

How to cross Big creek.

SEC. 7. If said road shall cross big creek at any other place than at the mill formerly owned by Bell, in Clark county, then the appropriation made to build a bridge there, provided for in the act making provision for the sale of the Vermillion Saline reserve, and appropriating the avails thereof, shall be applied and expended where said road shall cross said creek, or upon such other part or parts thereof, as the commissioners' court shall direct, said act to the contrary notwithstanding.

Other roads to be vacated.

SEC. 8. All roads and parts of roads now established between any and all the points named, where the road hereby authorized shall not run thereon, or vary from them, shall be annulled and vacated, and the work shall be applied on the new state road, unless in the opinion of the said county commissioners the same is, or will be, of great public utility, in which case the same shall not be vacated, but kept up as a county road, and a special entry of record shall be made by the commissioners' court, respecting the same.

Approved, January 15, 1831.

ROADS.

AN ACT TO APPOINT COMMISSIONERS TO LAY OUT AND IN FORCE
 LOCATE A STATE ROAD FROM LAWRENCEVILLE, THROUGH Jan. 7, 1831.
 STRINGTOWN, TO SHELBYVILLE.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* that Samuel Adams of Lawrence county, John Fleming of Shelby county, and William Garrard of Crawford county, be, and they are hereby appointed commissioners to view mark and locate a road from Lawrenceville in Lawrence county, through Stringtown, to Shelbyville in Shelby county. Commissioners to locate road from Lawrenceville to Shelbyville.

SEC. 2. The said commissioners, or a majority of them, shall meet at the town of Lawrenceville on the first Monday in May next, or as soon thereafter as practicable, and proceed to view, mark, and lay out said road on the nearest and most eligible route, taking into view the present and future population. When to meet
How to proceed.

SEC. 3. The said commissioners shall during the month of May next, or as soon thereafter as possible, cause a true report of said road, signed by them, to be lodged with each of the county commissioners' courts in the counties, respectively, through which it may pass; which road, when laid out as aforesaid, shall be deemed and considered a public state road; and the county commissioners of the counties through which said road may be located, shall appoint supervisors, and cause the same to be opened, worked, and kept in repair as other public roads are. And said commissioners shall receive such compensation for their services, not exceeding one dollar and fifty cents per day, out of the respective county treasuries in which they may reside, as may be considered reasonable and just. To make report.
Compensation.

Approved, January 7, 1831.

ROADS.

IN FORCE
Jan. 7, 1831.

AN ACT CONCERNING PUBLIC ROADS IN MORGAN COUNTY,
AND FOR OTHER PURPOSES.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of Morgan county, is hereby authorised and required, at the next March term of said court, or at some regular term thereafter, to cause an entry or entries to be made on the records of said court, declaring what roads passing through or within said county are public roads, naming the most noted places from and to which such roads lead; and the said court may, if deemed expedient, cause the State roads passing through the county to be surveyed, and the courses and distances thereof entered upon the records of the court, and such changes and alterations made in such roads, as may be necessary to straighten them, and make them run on sectional or other lines of the surveys of public lands: *Provided,* that no change or alteration shall be made in any of said roads, to the injury of any person owning land through which the same may pass, without the consent of such owner.

SEC. 2. The said court may make an order, or orders, appointing one or more competent persons, to examine and survey the State roads, passing through the county, and to make such alterations therein as may be deemed of public utility, and make report thereof to the court; and if the court shall be of opinion that the road should be made to run as surveyed, an order shall be made, declaring the same a state road, and the present road discontinued: *Provided,* that all expenses attending the changing and surveying of the roads, as aforesaid, shall be paid out of the county treasury of Morgan county.

SEC. 3. James Green, Joseph Cloud, and John Henderson, are hereby appointed commissioners, to survey and lay out a road from Henderson's Grove, in the county of Montgomery, passing Milton Shurtliff's in Morgan county, to Jacksonville; and said commissioners, or a majority of them, shall meet at the house of Milton Shurtliff, on the first Monday of April next, or within one month thereafter, and after being sworn before a Justice of the Peace, impartially to perform the duties

County com's
of Morgan, to
have roads
surveyed and
records made.

May appoint
persons to sur-
vey roads.

Com's. ap-
pointed to lay
out road from
Henderson's
to Jackson-
ville.

required of them, shall proceed to survey and locate the road upon the nearest practicable route, designating the course through the prairies, by fixing stakes in the ground, and through the timber by marking the trees, and after surveying and locating the same, they shall make out a report in writing, shewing the courses and distances of the road, and naming the most noted points on the route; which report shall be filed with the clerks of the county commissioners' courts of the counties of Morgan and Montgomery, and entered upon the records of said courts; and the road so surveyed and located, shall be a state road, and opened and kept in repair as other state roads. The commissioners in surveying the road, shall locate the same as near as may be, on the sectional or other lines of the surveyors of public lands, and shall avoid, if possible, passing through any farm, except with the consent of the owner: and they shall not change the present road, except to straighten the same, and make it run on the sectional or other lines of the surveyors of public lands. And the commissioners shall be allowed a reasonable compensation for their services, out of the county treasuries of the counties through which the same may pass. Their duties.

[Approved, Jan. 7th, 1831.]

AN ACT RELATIVE TO THE STATE ROAD FROM THE TOWN IN FORCE
OF AMERICA, IN ALEXANDER COUNTY, TO VANDALIA. JAN. 7, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of Union county are hereby authorized and required at their March term next, or as soon thereafter as may be, to appoint three discreet persons of said county, whose duty it shall be to examine so much of the state road, leading from the town of America, in Alexander county, to Vandalia, as lies within the said county of Union, and make such alterations thereon as they may deem most expedient, and make a report to the said court of their proceedings: and the said court shall proceed to have the same opened

Co. Comm'rs
of Union to
have road ex-
amined and
opened.

and kept in repair agreeably to the report so made, and so much of the said road as is on different ground from the road so reported shall thereafter be declared vacated, and the road so reported shall be the public state road.

Expense of locating. SEC. 2. The county commissioners' court shall pass an order, allowing to each of the persons appointed under the authority of the first section of this act the sum of one dollar per day, for each day necessarily employed by them in locating said road.

[Approved, Jan 7, 1831.]

IN FORCE
Jan. 1, 1831.

AN ACT TO COMPENSATE CERTAIN ROAD COMMISSIONERS.

Allowance to certain persons.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Joseph Piggot of Greene county, be allowed and paid out of the state treasury thirty-six dollars, as a compensation for twenty-four days service in viewing and marking a state road, leading from Vandalia to the town of Eminence, on the Mississippi river; and that John D. Gillham of Greene county, be allowed and paid, in like manner, twenty-one dollars for fourteen days service on the same road; and that Joseph Williams of Montgomery county, be allowed and paid, in like manner, three dollars for two days service on the same road.*

Auditor to issue.

SEC. 2. The auditor of public accounts is hereby required to issue his warrant on the treasury, in favor of the above named commissioners, for the several sums allowed them by this act.

[Approved, Jan. 1, 1831.]

IN FORCE
Jan. 28, 1831.

AN ACT TO LOCATE A STATE ROAD FROM SHELBYVILLE TO PARIS.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John*

Fleming of Shelby county, Thomas Sconce of Coles county, and Thomas Rhodes of Edgar county, be, and they are hereby appointed, commissioners to view, survey, mark and locate a road from Shelbyville in Shelby county, to the seat of justice of Coles county, and from thence to Paris in Edgar county, to be located on the nearest and best route, doing as little damage to private property as the public good will permit.

Comm'rs to locate road from Shelbyville to Paris.

SEC. 2. The said commissioners, or a majority of them, shall meet at Shelbyville, on or before the fifteenth day of October next, and after being duly sworn by some justice of the peace of said county of Shelby, faithfully to view and locate said road, without partiality, favor or affection, shall immediately thereafter proceed to discharge the duties required of them by this act, placing in the prairie, through which the same shall pass, stakes of a reasonable size of durable timber.

When to meet

SEC. 3. As soon as practicable after said road is located, said commissioners, or a majority of them, shall make out a report, accompanied by a map or plat of said road, denoting the courses and distances from point to point, with such other remarks as they, or a majority of them, may deem necessary and proper, and transmit the same to the secretary of state. And they, or a majority of them, shall make a map or plat of so much of said road as lies within the respective counties, and transmit it to the clerk of the county commissioners' court of the respective counties through which the same may pass, which shall be filed and preserved in the office of said court.

Their duties.

SEC. 4. When said road shall be so located, it shall be to all intents and purposes a state road, four poles wide, and shall be opened and kept in repair as other roads are in this state.

To be a state road.

SEC. 5. The county commissioners' court of each county through which the said road may pass, are hereby authorized and required to allow to said commissioners one dollar and fifty cents per day, for the time necessarily employed in locating the said road in each of their respective counties: *Provided*, that nothing herein contained shall be so construed as to create any liability on the part of this state to pay said commissioners for their services, rendered under the authority of this act.

Compensation.

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

[Approved, Jan. 28, 1831.]

ROADS.

IN FORCE
FEB. 5, 1831.

AN ACT TO ESTABLISH A STATE ROAD FROM SPRINGFIELD
TO ROCK ISLAND.

A route estab-
lished to
Lewiston.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the road leading from Springfield in Sangamon county, to Sangamon town, by the way of Spring creek bridge and Neale's, as the same is now travelled; thence to New-Salem; thence to Miller's ferry, on the Sangamon river; thence to Havanna in Tazewell county; thence to Lewiston in Fulton county; be, and the same is hereby declared, a State road.*

Com's. to lo-
cate road
from Lewis-
ton to Rock
Island.

SEC. 2. Stephen Dewey and Jonas Rawalt, of Fulton county, and Riggs Pennington, John G. Sanburn, and Parnach Owen, of Knox county, are hereby appointed commissioners to view and locate a road from Lewiston in Fulton county, by Canton in said county, and the seat of justice of Knox county, to Rock Island. The said commissioners, or a majority of them, shall meet at Lewiston, on the third Monday in April next, or within one month thereafter, who, after being duly sworn before some justice of the peace, faithfully to discharge their duties agreeably to the provisions of this act, shall proceed to view and locate said road on the most advantageous ground for a permanent road, regard being had to the local situation of the country and the public convenience, and shall designate the route of the same, by placing substantial stakes in the ground in the prairie, and by cutting marks on the trees through the timber. And the said commissioners shall, on or before the first day of September next, make returns of the location of said road, designating the important points through which the same is located, to the clerks of the county commissioners' courts of the counties of Fulton and Knox, which returns shall be entered on the records of said courts. And the said road, when laid out and the returns made as aforesaid, shall be deemed and considered a State road, and shall be opened and kept in repair as other State roads are.

Their duties.

Compensa-
tion.

SEC. 3. Said commissioners shall receive such compensation as the county commissioners' courts of Fulton and Knox counties shall deem reasonable, to be paid out of the county treasuries of said counties: *Provided,*

that this act shall not be obligatory on the commissioners hereby appointed, unless the county commissioners' courts of the counties of Fulton and Knox, shall, by orders of said courts, agree to pay the expense of locating said road.

[Approved, Feb. 5, 1831.]

AN ACT TO ALTER PART OF THE STATE ROAD FROM VANDALIA TO KASKASKIA, AND DECLARING A CERTAIN ROAD THEREIN NAMED A STATE ROAD.

IN FORCE
FEB. 5, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Samuel Douglass and John Thompson, of Randolph county, be, and they are hereby appointed, commissioners, to view and re-locate that part of the State road leading from Vandalia to Kaskaskia, which lies within the limits of the county of Randolph, so as to make the same intersect the present county road of said county, at or near some point on the nine mile creek, beginning at such point on such point on the State road, in the direction from Kaskaskia to Covington, in Washington county, as the said commissioners may deem expedient.*

Com's. appointed to locate part of road from Vandalia to Kaskaskia.

SEC. 2. The said commissioners shall meet at the house of John Thompson in Randolph county, on or before the first Monday in April next, and after being sworn before some justice of the peace shall proceed to view, mark and locate said road on the nearest and best route, taking into consideration the public good, and the damages sustained by private individuals.

When to meet.

SEC. 3. The said commissioners shall, within fifteen days after the location of said road, cause a true survey or map of the same to be lodged with the clerk of the county commissioners' court of Randolph county, and said road shall in all respects be taken to be, and is hereby declared to be, a part of the State road from Vandalia to Kaskaskia. That part of the State road included between the points where the road intended by this act shall commence and terminate, is hereby declared to be vacated.

Their duties.

Compensa-
tion.

SEC. 4. The said commissioners shall receive as a compensation for their services the sum of two dollars per day each, to be paid out of the state treasury; and the auditor of public accounts is hereby authorized and required to issue his warrant upon the treasury for the same; upon the production by said commissioners of the receipt of the clerk of the county commissioners' court of Randolph county, that the survey and map of said road are filed in his office: provided, that compensation shall not be allowed for more than six days service for each commissioner.

Part of road
from Golconda
to Vandalia
established

SEC. 5. The road from Brownsville, by Herralds, Elvira, Witt's mill, in Pope county, to where it intersects the road from Golconda to Vandalia, is hereby declared to be a state road, and shall be worked on and kept in repair as other state roads are. This act to take effect and be in force, from and after its passage.

[Approved, Feb. 5, 1831.]

IN FORCE
Feb. 9, 1831.

AN ACT DIRECTING THE LOCATION OF A STATE ROAD,
FROM CARMİ, IN WHITE COUNTY, TO THE WABASH
RIVER IN CRAWFORD COUNTY.

Commission-
ers appointed
to locate road
from Carmi to
Albion.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* William McHenry and Philip Underwood of White county, and Daniel Boltinghouse of Edwards county, be, and they are hereby appointed, commissioners, any two of whom may act, to lay out, survey, and mark a road, commencing at Carmi, in White county, crossing crooked creek at or near Mitchell Stoke's, in White county, and thence to Albion in Edwards county; and make a plat thereof, and file the same with the clerks of the county commissioners' court of the counties of Edwards and White, of that part lying within such county. And the county commissioners' courts of Edwards and White shall make a just and equitable allowance to each of

Compensa-
tion.

said commissioners, for all time and necessary expense in laying out, surveying, and making and filing a plat of said road, which shall be paid out of the treasuries of their respective counties.

SEC. 2. The county road now established from Albion to Henry J. Mills' in Edwards county, shall be deemed a state road: and Asabel Heath of Lawrence county, is hereby appointed a commissioner to view, continue, and mark said road from said Mills' to Higgins' mill on the Bon Pas creek; thence to James Law's in Lawrence county; thence to Aaron Vannetter's; and thence to Heath's mills on the Embarrass river, in Lawrence county; and shall make a report thereof, to the clerks of the county commissioners' courts of Edwards and Lawrence counties, of that part thereof that may lie within such county. And the county commissioners' courts of the counties of Edwards and Lawrence shall make said commissioner a just and equitable allowance for all time and necessary expense in viewing and reporting the same, to be paid out of the respective county treasuries for that part that may pass through such county.

Thence to H. J. Mills's, established.

Commissioners appointed to locate road thence to Heath's mills.

Compensation.

SEC. 3. Samuel Baker is hereby appointed a commissioner to view, mark, and continue said road, from Heath's mills to the Wabash river, in Crawford county, opposite to McCarty's ferry, and make report thereof, to the clerk of the county commissioners' court of Crawford county. And the county commissioners' court of Crawford county shall make a just and equitable allowance for all time and necessary expense in viewing and marking the same, which shall be paid out of the county treasury of said county.

Commissioners appointed to locate road from Heath's mills to Wabash river.

Compensation.

SEC. 4. The first section of said road shall be laid out, as aforesaid, on or before the first day of July next; the second section on or before the first day of August next; and the third section on or before the first day of September next; and shall be deemed a state road, four poles in width, and shall be opened and kept in repair by order of the county commissioners' courts of the several counties through which the same may pass, as county roads are.

Time when road to be laid out.

Shall be a public road.

SEC. 5. Archibald Spring, and Hugh Reynolds are hereby appointed commissioners' to review and relocate a part of the state road that lies between Albion in Edwards county, and Bon pas in White county, commencing at Albion, and running on the best and most eligible route to intersect the present state road, at or near the

Commissioners appointed to re-locate road from Albion to Bon-pas.

Compensa-
tion.

Roads not to
be located un-
less county
courts agree
to pay for
them.

south-west corner of the north-west quarter of section numbered nineteen, town two south, range fourteen west. The said commissioners, as soon as they re-locate said road, shall certify to the county commissioners' court of Edwards county, a report of such location; and said road, when laid out as aforesaid, shall be a public highway of this state, and shall be opened and kept in repair, by the order of the county commissioners' court of Edwards county, as county roads are. The county commissioners' court of Edwards county shall allow said commissioners last named, a just and reasonable compensation for their services, to be paid out of the treasury of said county. All other roads heretofore laid out, commencing and terminating at the same points, and lying between the same, are hereby vacated.

SEC. 6. The commissioners appointed by this act, shall not be required to locate said road, unless the county commissioners' courts of the respective counties through which the said road shall pass, shall first agree to pay the expenses thereof.

[Approved, Feb. 9, 1831.]

IN FORCE
FEB. 10, 1831. AN ACT TO LOCATE A ROAD FROM GREENVILLE IN BOND
COUNTY, TO SHELBYVILLE, IN SHELBY COUNTY.

Commission-
ers to locate
road from
Greenville to
Shelbyville.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John Hopton and James Durley of Bond county, and Benjamin Roberts of Montgomery county, be, and they are hereby appointed, commissioners to view and locate a state road from Greenville, in Bond county, through the Hurricane settlement, in Montgomery county, thence on the nearest and best route to Shelbyville, in Shelby county. The said commissioners' in the location of said road, shall have special regard to the public convenience, the localities of the ground, settlements, and advantages in crossing water courses. If, in the location of said road, the commissioners should intersect either of the state roads leading from Hillsborough or Vandalia, to Shelbyville, then and there said road shall*

terminate; at which point said commissioners shall erect, or cause to be erected, a good substantial post, designating the point of intersection.

SEC. 2. Said commissioners shall meet at Greenville on the last Monday in May next, or as soon thereafter as they may agree on, and after being duly sworn before some justice of the peace of the proper county, to perform the duties herein required, shall proceed to survey, mark and locate said road. Where said road passes through timber, the commissioners shall mark the same, and where through prairie, it shall be their duty to put up good and substantial posts at the end of each quarter of a mile, firmly and strongly fixed in the ground; and at the end of each mile, as well in the timber as prairie, the number of miles shall be legibly marked on trees or posts. When said road shall be thus located and surveyed, it shall be the duty of the commissioners, within thirty days thereafter, to file a report of their proceedings in the offices of the clerks of the county commissioners' courts of the respective counties through which the said road may pass, after which, said road shall be to all intents and purposes a public highway of this state, and shall be worked on and kept in repair, as other state roads. Said road shall be opened four poles wide.

Their duties.

SEC. 3. Said commissioners shall have power to employ all the hands necessary to the completion of the work. They shall keep an accurate account of the number of days or length of time that they may be employed in the location and survey of said road in each of the counties through which the same may pass. The commissioners shall, within thirty days thereafter, present their accounts to the respective county commissioners' courts, of the counties through which said road passes, for the services they may have performed in each county, which said accounts the commissioners' courts aforesaid shall pay. Each commissioner shall receive one dollar and fifty cents per day, for each day by him necessarily employed about said work: and such hands as they may deem it expedient to employ, shall receive seventy-five cents each, per day. A reasonable allowance shall be made by the several counties through which the road passes, for setting in the posts along said road, as herein required. This act to be in force from and after its passage.

Their duties.

Compensation.

[Approved, Feb. 10, 1831.]

ROADS.

IN FORCE
Feb. 10, 1831. AN ACT TO RE-LOCATE A PART OF THE ST. LOUIS AND
VINCENNES STATE ROAD, AND FOR OTHER PURPOSES.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Harry Wilton, Andrew Bankson, and John H. Morgan, be, and they are hereby appointed commissioners to view, mark, and lay out a road from Carlyle to Charles Cox's, in Clinton county. Said commissioners, before entering on the duties above assigned, shall take an oath before some justice of the peace to locate said road the nearest and best route, and make return thereof to the county commissioners' court, who shall cause the same to be opened and kept up as other state roads are: Provided, the county commissioners' court of Clinton county will pay the said commissioners a reasonable compensation.

Approved, 10th Feb. 1831.

IN FORCE
FEB. 10, 1831. AN ACT TO LOCATE AND LAY OUT A ROAD FROM PEKIN,
IN TAZEWELL COUNTY, TO VERMILIGN COUNTY.

SEC. 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Isaac Perkins of Tazewell county, William Orendorff of McLean county, and Matthias Reinhart of Vermilion county, be, and they are hereby appointed, commissioners to view, survey, mark and locate a road from Pekin in Tazewell county, to Mackinaw town, thence to the Blooming Grove, thence to Cheney's Grove, and thence to the big Grove in Vermilion county, so as to intersect, at or near the big Grove, a road about to be laid out by commissioners to be appointed by the county commissioners' court of Vermilion county, from the Indiana state line, by Danville, towards Fort Clark. Said road, when so located, shall be considered a state road, and shall be opened and kept in repair as other roads are in this state.

SEC. 2. The said commissioners, or a majority of them, shall meet at Pekin in Tazewell county, on the tenth day of October next, or within ten days thereafter, and after being duly sworn before some justice of the peace for that purpose, shall proceed to view, survey, mark, and locate said road on the nearest and best route from point to point given, doing as little damage to private property as the public good will permit. when to meet.

SEC. 3. The said commissioners, where said road passes through timbered land, shall cause the same to be marked on the trees, and where it passes through prairie, they shall cause a furrow to be run with a plough: said road shall be four poles wide. Their duties.

SEC. 4. As soon as said road shall be so located, said commissioners shall make a map or plat of said road, and shall designate the courses and distance from point to point, denoting the most remarkable places and water courses, with such other remarks as they may deem advisable, and transmit the same to the secretary of state, who shall file and preserve the same in his office. Map & report.

SEC. 5. Said commissioners shall also make a map or plat of so much of said road as lies in the respective counties through which said road passes, and transmit the same to the clerk of the county commissioners' court of the county, who shall file and preserve the same in his office. Other maps.

SEC. 6. The said commissioners shall make out a statement of the length of time necessarily employed by them, and their necessary hands in locating said road in each county through which the same passes, and present it to the county commissioners' court of the proper county; and the said court is hereby authorized and required to make said commissioners and their necessary hands a reasonable compensation per day, out of the county treasury, for their services rendered under this act: *Provided*, that nothing in this act contained shall be so construed as to create any liability on the part of this state, to pay the said commissioners, or their necessary hands, out of the state treasury. This act to be in force from and after its passage. Compensation.

[Approved, February 10th, 1831.]

ROADS.

AN ACT TO PROVIDE FOR CHANGING CERTAIN STATE
ROADS IN SANGAMON COUNTY.IN FORCE
Feb. 14, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel Morris, James Walters, and Abraham Duff, are hereby appointed commissioners to view and re-locate that part of the state road leading from Springfield to Jacksonville, which lies between the town of Springfield and Samuel Morris': also that part of said road which lies between Turner's branch and the east end of William Moffatt's lane. Said commissioners, or a majority of them, shall meet at the court-house in Springfield on the first Monday in April next, or within ten days thereafter, and after being sworn faithfully to discharge the duties imposed on them by this act, shall proceed to view, survey, and mark or stake the best practicable route for the road from Springfield to Samuel Morris', so as to make said road pass on the township or other lines of the surveys of public lands, wherever practicable, having due regard to the public convenience: they shall then proceed to view, survey, and mark or stake, in like manner, that part of the route which lies between Turner's branch and the east end of William Moffatt's lane. And immediately upon the completion of the surveys aforesaid, the commissioners shall make a report to the county commissioners' court of Sangamon county, stating the manner in which they have discharged their duties, and the courses and distances of the route surveyed, which report shall be entered upon the records of said court, and the court shall thereupon make an order declaring the routes, so surveyed, the state road, and vacating so much of the present state road as may be changed by the route surveyed. The said court shall also require the routes surveyed, to be opened and kept in repair, as other state roads, and allow the commissioners a reasonable compensation for their services and expenditures.

Comm'rs to
re-locate part
of certain
roads.

To report.

Road from
Springfield to
Beardstown
may be re-lo-
cated.

SEC. 2. The county commissioners' court of Sangamon county, whenever it shall be deemed expedient by said court, may cause the state road leading from Springfield to Beardstown to be surveyed and re-located from Springfield to the county line of Morgan county, so as to make the road pass on the nearest practicable route, and

on the township or other lines of the surveys of public lands; and whenever such survey and re-location shall be made by order of the court, the court shall declare the route, so surveyed, the state road, and discontinue the whole, or any part, of the present road.

[Approved, Feb. 14th, 1831.]

AN ACT CHANGING A PART OF THE STATE ROAD FROM VANDALIA TO CARROLTON, THENCE TO ATLAS, IN PIKE COUNTY. IN FORCE
Feb. 14, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Joseph Borough of Macoupin county, Henry Cook and John Barnett of Greene county, be, and they are hereby appointed, commissioners to view and relocate that part of the state road leading from Vandalia to Carrolton, that lies between Hillsborough and Carrolton, so as to pass through the seat of justice of Macoupin county. And Young Wood and William Eldred and Jeremiah Smith, of Greene county, are hereby appointed commissioners to review, change, and re-locate that part of the state road from Carrolton to the mouth of Apple creek. And Jacob Wagner, Benjamin Mun, and George McClelland, are appointed commissioners to view, locate and establish a road from said Wagner's ferry to the Mississippi, opposite Clarksville, in the state of Missouri.*

Commissioners to re-locate road from Vandalia to Carrolton.
From Carrolton to Apple creek.
From Wagner's ferry to Mississippi.

SEC. 2. Each set of the above named commissioners, or a majority of them, shall meet at some convenient time, and at such points as they may agree, on or before the fifteenth day of June next, and after being sworn before some justice of the peace, shall proceed to perform the duties respectively assigned them by this act: And each set of commissioners shall view, survey, mark, and establish such parts of said road, as above directed, on the nearest possible route, always keeping in view, the eligibility of the ground over which the same shall pass, avoiding as much as possible the injury of private property. Said road to be marked through the prairies by setting stakes of durable timber at proper distances, or by running a furrow with a plough.

Their duties.

To report. SEC. 3. As soon as practicable after said road is located, a majority of each set of commissioners shall make out a report, accompanied by a map or plat of such parts of said road as they have respectively located, denoting the courses and distances from point to point, and transmit the same to the secretary of state. And they shall make report, in like manner, of so much of said road as lies in the respective counties, and transmit it to the clerk of the county commissioners' court, of the county through which the same may pass, which shall be filed and preserved in the office of said court.

To be a state road. SEC. 4. When said road shall be so located, it shall be a state road, and shall be opened four poles wide, and kept in repair as other state roads.

Compensation. SEC. 5. The county commissioners' court of each county through which said road shall pass, are hereby authorized and required to allow said commissioners such compensation as they may deem just and equitable, for the time necessarily employed in locating said road in each of their respective counties: *Provided*, that nothing herein shall be so construed as to require said commissioners to perform the services required by this act, until the county commissioners' courts of the several counties shall order the same.

Road vacated. SEC. 6. As soon as the road contemplated by this act, shall be located and improved, all that part of the state road from Vandalia to Carrolton, thence to Atlas, in Pike county, as is changed by this act, is hereby vacated: *Provided*, nevertheless, that the county commissioners' courts of the several counties, through which said road passes, may enter and order making any part or parts of said road a county road, and cause the same to be kept in repair as other county roads are.

[*Approved, Feb. 14th, 1831.*]

IN FORCE FEB. 15, 1831. AN ACT AUTHORIZING THE LAYING OUT AND ESTABLISHING CERTAIN ROADS THEREIN NAMED.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Harry*

Wilton and Andrew Borders, be, and they are hereby appointed, commissioners, to view and locate the route of a road, beginning at a point to be designated by them on the Cumberland road, east of the Kaskaskia river; thence the nearest and best route to New-Nashville, in Washington county; and thence the nearest and best route to Kaskaskia, in Randolph county. It shall be the duty of said commissioners to meet at Vandalia, on or before the first day of October next, and after having taken an oath or affirmation, before some judge or justice of the peace, faithfully and impartially to execute the duties required of them by this act, to proceed to view and lay out the route of the road aforesaid.

Com's. appointed to locate road from Cumberland road to Kaskaskia.

SEC. 2. John Hutchings and Joel Manning, are hereby appointed commissioners, to view and locate the route of a road from New-Nashville, by way of Pinckneyville in Perry county, to Gill's ferry, on the Mississippi river, on the nearest and best route for a road. It shall be the duty of the commissioners, last named, to meet at Brownsville, on or before the first day of October next, and after having taken an oath or affirmation, before some judge or justice of the peace, faithfully and impartially to execute the duties required of them by this act, to proceed to view and lay out the route of the last mentioned road. Robert Huggins and John Wood-rome, of Perry county, are hereby appointed commissioners, to view and lay out the route of a road from Lively's ferry, on the Kaskaskia river, through Pinckneyville in Perry county, to Kirkpatrick's bridge on Little Muddy river, in Franklin county, on the nearest and best route for said road. And it shall be the duty of said commissioners to meet at Lively's ferry, on or before the first day of October next, and after having taken an oath or affirmation, before some justice of the peace, faithfully and impartially to execute the duties required of them by this act, to proceed to view and lay out the route of said road.

Com's to locate road from Nashville to Gill's ferry.

Com's. to locate road from Lively's ferry to Kirkpatrick's bridge.

SEC. 3. The said commissioners shall have power to employ a surveyor, two chainmen, and a marker, for surveying and marking each of the routes aforesaid, and allow to each surveyor any sum, not exceeding three dollars per day, and to the chainmen and marker, not exceeding one dollar per day, each, for each day necessarily employed; and each of the said commissioners shall be allowed two dollars and fifty cents per day, for each day necessarily employed in performing the duties required of them by this act; to be paid out of the court.

Their duties.

Com's. to locate road from Tatman's ferry to Belleville.

ty treasuries of the respective counties through which the same may pass. Job Badgley, John Hart and David Hill, are hereby appointed commissioners to survey, mark and lay out a road from Tatman's ferry on the Kaskaskia river, to Belleville, in St. Clair county. The said commissioners shall lay said road out on the straightest best direction found practicable, and certify the same to the county commissioners' court of said county: which said road, so laid out, shall become a public highway of this State. So much of the state road as now runs from Tatman's ferry to Belleville, is hereby vacated. James Mason, Isaac Griffin, and Alexander Culbertson, are hereby appointed commissioners, to mark, survey, and lay out a road from Belleville, by Thomas Pulliams, on the Kaskaskia river, to — Gorden's, in Washington county, so as to intersect the road leading from Illinois town to Franklin county. Said commissioners shall make out a report of their proceedings, and certify the same to the county commissioners' court of St. Clair county; and it shall be the duty of said court to cause both of said roads to be opened, and kept in repair, as other roads are. Said commissioners shall be allowed a reasonable compensation for their services, out of the county treasury of St. Clair county.

Com's. to locate road from Belleville to Gorden's.

To report.

Duties.

SEC. 4. Said commissioners shall cause the routes of the roads aforesaid, where the roads shall pass through timbered land, to be marked on the trees, and fix posts, firmly driven in the ground, at the end of each quarter of a mile, and at the end of each mile; and when the same shall pass through prairie, by fixing posts along the routes, and at the end of each mile raising mounds of earth, at least two feet in height and three feet in diameter at the base, and shall keep field notes and make plats of the routes, and return the same to the clerk of the county commissioners' court of each county, of that part of the road laid out in such county, certified by them; and it shall be the duty of the county commissioners of each county, in which said road shall be so laid out, to cause an entry to be made upon their records of the same, and direct, by an order, the opening of the road forty feet wide, in their county, and to keep the same in repair as other public roads; and when so opened, the same shall be considered and deemed a public road, as other public roads laid out in each county, to all intents and purposes: *Provided*, said commissioners shall not be compelled to perform the services herein required of them, until the county commissioners courts of the respective

Duty of county court.

counties, through which the said roads shall pass, shall by an order of their court, provide for the payment of the expenses of viewing and laying out said roads. Compensation.

[Approved, Feb. 15th, 1831.]

AN ACT TO APPOINT COMMISSIONERS TO LAY OUT A STATE ROAD FROM ALTON TO GALENA. IN FORCE FEB. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel Whiteside of Madison county, William Carlin of Greene county, and Samuel S. Matthews, of Morgan county, be, and they are hereby appointed, commissioners, to view, survey and locate so much of the State road as lies between Alton and the Illinois river at Bairdstown; and that John Foley of Jo Davies county, Jesse Bartlett of McDonough county, and Hart Fellows of Schuyler county, be, and they are hereby appointed, commissioners, to view, locate and survey so much of said State road as lies between the Illinois river, opposite Bairdstown, and Galena. Com's. to lay out road between Alton and Illinois river. Com's. to lay out road between Illinois river and Galena.

SEC. 2. The commissioners, or a majority of them, appointed for that part of the road which lies south of the Illinois river, shall meet at Alton, on the fifteenth day of June next, or within thirty days thereafter, and after being duly sworn to observe the provisions of this act shall proceed to lay out, locate and survey said road, from Fountain ferry in Alton, by the way of Carrolton, Whitehall, and Jacksonville, to Bairdstown, on the Illinois river; and shall, on or before the first day of September next, make out, or cause to be made out, a true or perfect map, or plat of said road, and file the same with the Secretary of State, and also file a duplicate, of so much of said road as passes through each of the several counties, with the clerks of the commissioners' courts of said counties. Duties of the Com's. south of the Illinois river.

SEC. 3. The commissioners, or a majority of them, of that part of said state road which lies north of the Illinois river, shall, on the the fifteenth day of June next, or within thirty days thereafter. meet at Rushville, and after taking an oath to observe the provisions of this act, Duties of commissioners north of Illinois river,

shall proceed to lay out, locate, and survey said road, from the Illinois river, opposite Bairdstown, by way of Rushville and Macomb, to Galena; and shall, on or before the first day of October next, make, or cause to be made, a perfect map, or plat of said road, and file the same with the secretary of state, and also a duplicate of so much of said road as passes through the several counties, and file the same with the clerks of the county commissioners' courts of said counties.

Shall be a public road.

SEC. 4. Whenever said road shall be laid out and located as aforesaid, it shall be deemed a public road, be opened four poles wide, and be worked upon as other state roads are, and the same shall not be changed or turned out of its course upon any account whatever.

Compensation.

SEC. 5. The said commissioners shall receive for their services such compensation as shall be deemed just and reasonable, out of the several county treasuries through which said road shall pass: *Provided*, however, that nothing contained in this act, shall authorize said commissioners to proceed to lay out and locate said road, until the county commissioners of the several counties, through which said road is contemplated to be laid out, shall make an order for the payment of such expenses as may be incurred thereby.

Bridge over Macoupin.

SEC. 6. The county commissioners' court of Greene county, are hereby authorized, if they deem it expedient, to cause a good substantial bridge to be built across Macoupin creek, where said road shall cross the same, to be paid out of the county treasury,

[*Approved, Feb. 15th, 1831.*]

IN FORCE,
June 1, 1831.

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT CONCERNING PUBLIC ROADS, APPROVED FEB. 12, 1827."

Three days labor required.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every able bodied male person over the age of twenty-one years, and under the age of fifty years, residing in this state, shall be required to perform three days labor on the public highways, under the superintendence of the

supervisor of the district in which he resides, any law to the contrary notwithstanding; and the said supervisor shall be required to give each and every person three days notice of the time and place of working, and the tools with which he is required to work; and not less than eight hours shall be deemed a days work: *Provided*, that when any person shall own, or have in his service, any slave, or slaves, or registered servants, it shall be sufficient to give the notice to the master. Supervisor to give notice.

SEC. 2. Whenever in the opinion of the county commissioners' court of any county of this state, the road labor required by the first section of this act, shall be insufficient to keep the roads in good repair, they shall enter an order on the records of said court, requiring the supervisors to call upon every taxable male inhabitant in his district, to perform labor on the roads at the rate of not more than one day, for every one hundred dollars worth of real and personal property he may possess in the county: *Provided*, That where the taxable property of any person liable by law to work on roads and public highways, does not amount to fifty dollars, he or they shall not be required to perform more than three days labor, as provided for in the first section of this act. Extra labor

SEC. 3. For the purpose of ascertaining the amount of each and every person's road labor, as required in the second section of this act, as soon as the several supervisors shall be notified by the county commissioners' court, that additional road labor is required, they are hereby required to make out a list of the taxable male inhabitants in their respective districts, and forward the same immediately to the clerk of the commissioners' court, who shall thereupon make out a statement of the amount of real and personal property, from the return of the assessor of his county, and forward it to the supervisor of the proper district. How to tax extra labor.

SEC. 4. Any person owing road labor, shall be exonerated from performing the same, by paying to the supervisor the sum of fifty cents, in lieu of each day's work required of him by this act: which money shall be expended by the supervisor (if he may think it necessary,) in purchasing plank and other materials, to build or repair bridges or causeways in his district, to procure guide boards, or to employ hands and teams on the road. Money may be paid for bor.

SEC. 5. Any person may be exonerated from road labor by procuring a hand as able as himself (which shall be judged of by the supervisor,) as a substitute. And every principal shall be liable for the conduct and per-

Substitutes. performance of his substitute, as if he was performing the labor in person; and if any fine or forfeiture shall be incurred by him, for a violation of the provisions of this act, the principal shall be compelled to pay it; which may be sued for, and recovered, before any justice of the peace in the county.

Neglect or refusal to labor on road. SEC. 6. If any person shall, on receiving the notice required by this act, neglect or refuse to perform his road labor, or to pay the value thereof as required by the fourth section of this act, the value of such road labor may be recovered of him in an action of debt, before any justice of the peace in the county, in the name of — county, for the use of the road district in which the defendant resides; and in all such cases the supervisor shall be a competent witness.

Misconduct of laborers. SEC. 7. If any person performing such work on the road under the superintendence of a supervisor, or any person for him, or by his order, shall conduct himself in a disorderly manner, so as to disturb the other hands, be idle, or shall disobey the order of the supervisor, or person under him; the supervisor is hereby authorized to discharge him, and may commence suit and recover of him the amount of road labor due from such person, for that year, estimating the same at fifty cents in specie per day; and the supervisor is hereby required to give credit before judgment shall be rendered, for the amount of work actually performed, or money paid, if any, by such person: And such disorderly person shall moreover pay a fine, for such disorderly behaviour on said road, not exceeding two dollars, nor less than fifty cents, in the discretion of the justice of the peace, before whom the same may be tried, to be recovered as in other cases under this act.

Laying out new roads. SEC. 8. For the purpose of laying out any new road by the order of the county commissioners' court of any county in this state, or building or repairing any bridge or causeway, the supervisor, or any person under his direction, is hereby authorized to enter upon the nearest unimproved land, and to cut and haul away timber, or to quarry, and haul away any stone or gravel, which may be necessary for that purpose: *Provided*, he shall not take any timber already cut, or any stone or gravel already quarried, for another purpose, without leave of the owner, or his, or her agent: *And provided also*, that unless the owner, or his, or her agent, shall first consent to the opening of any new road, to the cutting of timber, and to the quarrying of stone, the supervisor shall call

upon two discreet householders to value the materials about to be used, and the injury which the owner will sustain, by laying said road, taking into consideration, the advantages to said owner, of the work about to be performed. If the owner of the land or his agent shall see proper, he may choose two other discreet householders, to act with such as may be chosen by the supervisor; and if they cannot agree, then the four, shall choose a fifth, as umpire, and the five, or a majority of them, shall make out their award, under their hands and seals, and transmit it to the clerk of the county commissioners' court, who shall file and preserve the same; which award shall be final and conclusive of amount of damages sustained by such person. And the amount so awarded, shall be paid to the owner of the land, or to his or her agent, out of the county treasury.

Assessment of damages.

SEC. 9. The several supervisors are hereby authorized whenever it may be necessary for the purpose of draining any public highway, to cut a ditch or drain through any adjoining land, if it can be done without any material injury to the owner thereof. And any person who may stop, or fill up said ditch, shall pay a fine of ten dollars, to be recovered as other penalties are by this act.

Drains through private land.

SEC. 10. It shall be the duty of each and every supervisor to render an account to the county commissioners' court of his county, at their March term annually, of the amount of money received by him during the year, and the manner in which it has been expended; and if any balance shall be in his hands, the same shall be paid over by him to said court.

Supervisors to account.

SEC. 11. In the location of all new roads, and alterations of roads, the county commissioners' court shall appoint as one of the commissioners or viewers, the county surveyor, unless he shall be unable to serve, or considered by the court, interested to too great a degree in the work. All county roads shall hereafter be surveyed, and a perfect map and report, with the courses and distances, signed by the viewers, or a majority of them shall be returned to the court, and the road being established, the report shall be recorded at length; and when any road, or part of a road, shall be established, it shall be the duty of the court to say and determine on the width of the same, not less than thirty, nor more than fifty feet wide.

Viewing and laying out new roads.

SEC. 12. The eighth, eleventh, and eighteenth sections of the act to which this is an amendment, are here-

Repealing
clause.

by repealed. This act to be in force from and after the first day of June next.

[Approved, Feb. 15, 1831.]

SALINES.

FORCE
u. 11, 1831.

AN ACT TO ENCOURAGE THE MANUFACTURE OF SALT,
AND FOR THE BENEFIT OF CONRAD WILL, AND OTHERS.

May lease to
C. Will.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Governor be, and he is hereby authorized to execute a lease to Conrad Will, of the Muddy Saline, free of rent, which lease shall end on the first day of December, 1840, and commence at the expiration of the lease granted to James Pearce.

Superintendent
may permit persons to
enter upon vacant
lots.

SEC. 2. The superintendent of the Gallatin county saline is hereby authorized to permit any person, or persons, to enter upon any vacant lot of the said saline, or with leave hereafter to be granted by the lessee, upon any ——— occupied lot, and to dig there for salt water, committing no unnecessary waste; and if such person, or persons, shall succeed in the discovery of salt water of equal or greater strength than that now generally used at said saline, he or they shall be entitled to the exclusive right of boiling the same, and manufacturing salt therefrom, free of rent, for the period of ten years from the day the salt water is discovered, and shall moreover have sufficient timber, for fuel and other purposes, to carry on such manufacture for the period aforesaid.

Persons dis-
covering salt
water to have
certain privi-
leges.

SEC. 3. If any of the present lessees shall make new discoveries of salt water as above, they shall have the same rights and privileges in respect to such new discovered water as is granted above to other persons: provided, they shall comply faithfully with the conditions of their existing leases, so far as shall relate to all other matters except new discoveries of salt water hereafter made.

Lessees dis-
covering
water to have
privileges.

SEC. 4. The said person, or persons, and old lessees

aforesaid, shall at the expiration and end of their respective leases as aforesaid, surrender up to the state all the works and improvements so made, in good repair, except the metal used in boiling salt water: provided, that nothing in this act shall be so construed as to interfere with any of the rights or privileges belonging to the present lessees.

Proceedings
at the expira-
tion of leases.

SEC. 5. The old lessees who do not make further discoveries of salt water, as aforesaid, may be permitted to hold the lots now leased to them, until the first day of December, 1840, by their paying to the state, the same rent annually, that is now specified in their several leases.

Leases may
be extended.

SEC. 6. No person shall be entitled to the benefits of this act relative to newly discovered salt water, who shall dig for, and discover salt water, so near another well of good salt water, as to injure the quality or quantity of the same.

Present wells
protected.

SEC. 7. Permission is hereby granted to any person, or persons, from and after the expiration of the lease of the big muddy saline, heretofore granted by the Governor of this state, to James Pearce, to enter upon the said saline reservation, and dig for salt water, and if such person, or persons, shall succeed in the discovery of said water, he or they shall be entitled to the exclusive right of boiling the same, and manufacturing salt therefrom, free of rent, for the term of ten years from the discovery of said water; or, with leave hereafter to be granted by the present lessee or lessees, of the said big muddy saline, any person or persons, may at any time after such leave given, enter upon the said saline reservation and dig for water as aforesaid, and in the event of his or their discovering the same, he or they shall be permitted to use the same for the manufacturing of salt, for the term aforesaid, free of rent.

Privileges
which were
granted to J.
Pearce ex-
tended to oth-
er persons.

Approved, Jan. 11, 1831.

AN ACT CONCERNING THE VERMILLION SALINE.

IN FORCE
Jan. 28, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John*

J. W. Vance
to occupy
Vermilion sa-
line.

W. Vance, the present occupyer of the Vermillion saline, shall have the use occupancy and possession of said saline, the land included in the original lease to McCall, Treat, and others, and also one half section more, to be by him selected, for timber, free of rent, until the first day of January, 1833; provided, that said Vance shall give bond, with sufficient securities, during the present session of the Legislature, made payable to the Governor and his successors in office, for the use of the people of the state, in such penalty as the Governor shall direct, conditioned that he will go on and bore the present well, to the depth of 500 feet, make all the salt he possibly can, by reasonable exertions, committing no unnecessary waste of timber, and that he will give up to the state, peaceably, and without delay, at the expiration of said term, the lease so granted, with all the buildings and improvements of every nature and kind, in good repair, saving to himself, as his property absolutely, all the metal: which lands and improvements will then be unincumbered, and the property of the state.

On certain
terms speci-
fied.

If Vance does
not comply
with the
above provis-
ions, Gover-
nor shall set-
tle with him.

SEC. 2. If said Vance shall not give bond with securities, as above stated, the Governor shall cause a final settlement to be made with said Vance, as contemplated in the original bond given by McCall, Treat, and others, on fair and equitable principles, deducting the sum which may be found due for the use of said works, from the 16th of December, 1829, until settlement shall be made, and in order to effect the settlement, the Governor may appoint an agent, to act for the state, with general or special powers to act and close the concern with the said Vance, and to lease the works for a term not exceeding two years.

Selections to
be made by
section lines.

SEC. 3. In making selections by settlers on the Vermillion saline reserve, granted in the act passed for the benefit of John Powell and others, the same shall be made by legal divisions, north and south lines, as now observed by Congress; and said act shall not be construed to apply to sections sixteen and seventeen, upon which the salt works are situated: No preemption right shall be given on said sections.

Approved, January, 28th, 1831.

SALINES.

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT REGULATING THE GALLATIN COUNTY SALINE." IN FORCE.
Dec. 25, 1830.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the superintendant of the Gallatin county saline shall receive for his services, as superintendant, the sum of three hundred and fifty dollars per annum. Salary of the superintendant.

SEC. 2. So much of the act entitled, "An act regulating the Gallatin county saline," as relates to the salary of the superintendant, is hereby repealed. Part of former act repealed.

[Approved, Dec. 25, 1830.]

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT CONCERNING SALINE RESERVES, A PENITENTIARY, AND THE IMPROVEMENT OF CERTAIN NAVIGABLE STREAMS, APPROVED DEC. 19, 1828." IN FORCE
JAN. 4, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That after the first day of March next, the commissioner of lands on the saline reserve, shall cause public notice to be given, in any number of newspapers, not exceeding four, for six weeks successively, that the said lands will be offered for sale to the highest bidder. The said commissioner shall give notice of the day and place of such sale. And in offering the said lands he shall proceed in the same manner as was required by the act to which this is an amendment, except that the whole shall be offered and sold in tracts of forty acres: *Provided*, That the said lands shall in no case be sold for a less sum than seventy-five cents per acre: *Provided further*, that the sub-division above named shall be made by an east and west line running through the legal sub-division authorized by the United States. Comm'r of saline land to advertise sale.
Land to be sold in 40 acre lots.
Divisions to be east & west

SEC. 2. After the said lands shall have been offered

Persons may enter tracts at private sale. for sale, as is above required, it shall be lawful for any person or persons to enter, in tracts of forty acres, if he or they choose so to do, any of the said lands remaining unsold, at seventy-five cents per acre.

Comm'rs appointed to select saline lands.

SEC. 3. Alexander K. Boutwell, Samuel M'Clintock and Giles Y. Taylor, are hereby appointed commissioners, whose duty it shall be to enter upon the saline reserve and select, by the surveys of the United States, any number of acres, not exceeding five thousand, in the said reserve; and if there are any lands selected by the former commissioners, which shall be useful for salt making, or any which the lessee or lessees of any lot in the said saline will not relinquish, or any other lands selected which it is inexpedient now to sell, the same shall be relinquished: *Provided*, the selections, as before required, in this section, shall not exceed the amount so relinquished. The said commissioners shall, before entering upon their duties, take an oath for the faithful discharge of the duties required by this section; and, after the selections have been made, they shall report to the commissioner authorized to sell the same, describing particularly what lands have been relinquished, and what have been selected in lieu.

To take oath.

Salary of saline land com. fixed.

SEC. 4. The commissioner appointed to sell the lands authorized to be sold in the Gallatin county saline reserve, shall receive, from and after the first day of January one thousand eight hundred and thirty-one, as a compensation for his services, the sum of four hundred dollars per annum, in lieu of the four per cent. as now allowed to him by law; the said sum to be in full compensation to said commissioner for office rent, clerk hire, books, stationary, and transportation of the money; the same to be paid out of the funds arising from the sale of the lands in the saline reserve.

[*Approved, Jan. 4, 1831.*]

IN FORCE
Jan. 4, 1831.

AN ACT TO AMEND AN ACT, ENTITLED, "AN ACT CONCERNING THE SALINE RESERVE, A PENITENTIARY, AND THE IMPROVEMENT OF CERTAIN NAVIGABLE STREAMS."

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Leon-*

ard White is hereby appointed a commissioner, in place of John McLean, deceased, under the fourth section of the act to which this is an amendment. L. White appointed commissioner.

[Approved, Jan. 4, 1831.]

AN ACT FURTHER TO AMEND THE ACT CONCERNING THE SALINE RESERVES, A PENITENTIARY, AND CERTAIN NAVIGABLE STREAMS. IN FORCE FEB. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the commissioner appointed by the sixth section of the "act concerning the Saline reserve, a penitentiary, and the improvement of certain navigable streams," shall enter into an additional bond, payable to the Governor and his successors in office, for the use of the people of the State of Illinois, with security, to be approved by the said Governor, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties as commissioner, as directed by said act: *Provided,* that the giving of such additional bond shall not vacate the one already given, but the same shall remain in as full force as if this act had not passed. And if the said commissioner shall fail to comply with the requisitions of this section, on or before the first day of July next, his office shall be deemed vacant, and the Governor shall fill such vacancy as in other cases. Com'r. for the sale of Saline lands to give additional security. Not to vacate old bond.

SEC. 2. Whenever Congress shall take off the restriction from twenty thousand acres of the land in the Gallatin county Saline reserve, least useful for salt making, and so soon as the act of Congress, passed for that purpose, shall be published in any of the newspapers authorised by Congress to publish the laws of the United States, the said land shall be selected in the manner hereinafter provided, and offered for sale in tracts of forty acres each, by the commissioner mentioned in the first section of this act, who shall commence by offering the lowest number of section, township and range, until all are offered at the price they will bring, not less than the minimum price of seventy-five cents per. Provisions for further sales of Saline lands

acre; and if all shall not be sold, the same shall be subject to entry in tracts of forty acres, or any larger quantity, at the option of the purchaser: *provided*, the same shall be in conformity with the surveys of the United States. And where the same is sold or entered in tracts of forty acres, the said quantity of forty acres, shall be ascertained by an east and west line, dividing in equal halves the legal subdivision of half quarter sections. And the said commissioner is hereby required to pay over the moneys, arising from the sale of the aforesaid lands, into the State Treasury, and take the Treasurer's receipt therefor, at the end of every six months from the opening of the sale; the time and place of which, together with a description of the land, shall be advertised at least six weeks before the sale, in at least four newspapers: the said money to be subject to the disposition of the General Assembly.

All sales to be subject to present incumbrances.

SEC. 3. All Saline lands, hereafter to be sold, shall be sold subject to the incumbrance of the existing leases, unless the leasers shall, respectively, make a written relinquishment of their leases, and in such case, the commissioner shall file such relinquishments in his office, and shall sell all lands, of which the leases shall have been relinquished, as free from incumbrance.

Com's. appointed to select Saline lands.

SEC. 4. Leonard White, John Black, and Benjamin Cummins, are hereby appointed commissioners to select twenty thousand acres of land in the Gallatin county Saline reserve, (in case Congress shall consent to the unconditional sale of the same,) taking special care that the land so selected, shall not interfere or injure the present or future manufacture of salt: and after the same shall be so selected, it shall be the duty of the said commissioners to make a report, describing accurately the lands so selected, to the commissioner authorised to sell the same, and also return to him the relinquishments of the lessees.

Their duties.

SEC. 5. The said commissioners, mentioned in the foregoing section, shall, previous to entering upon their duties, take an oath for the faithful discharge of the same, and after the duties enjoined by this act are performed, they shall make a joint certificate of the number of days which they were necessarily employed in such duties, and transmit the same to the commissioner authorised to sell said land, who is hereby authorised and required to pay, out of the first proceeds of the sales of lands so selected, the sum of two dollars a day to each commissioner, respectively, for the number of days in

which they may have been employed in the selection aforesaid.

SEC. 6. All persons now occupying lands in the Galatin county Saline reserve, and having permanent improvements thereon, if the land so occupied or improved consists of lands to be selected under the provisions of this act, or of the "act to amend an act entitled an act concerning Saline reserves, a penitentiary, and the improvement of certain navigable streams," passed at the present General Assembly, shall be permitted, by the commissioner appointed to sell the same, to enter them, at any time previous to the offering said land at public sale, as is provided in this act, or the act alluded to in this section, at eighty cents per acre.

Improvement
on Saline
lands.

[Approved, Feb. 15th, 1831.]

SECRETARY OF STATE.

AN ACT DEFINING AND REGULATING THE DUTIES AND TERM OF SERVICE OF THE SECRETARY OF STATE. IN FORCE
FEB. 14, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Secretary of State shall be keeper of the seal of the state: he shall reside and keep his office at the seat of government: he shall provide suitable books for that purpose, and shall keep a fair register of all the official acts of the Governor; and when required, shall lay the same, and all papers, minutes and vouchers relative thereto, before either house of the General Assembly: he shall also procure the necessary books, stationary and presses for the safe deposit of the archives of his said office; which shall be certified by the Governor to the Auditor of Public Accounts, who shall issue his warrant on the State Treasurer for the amount of the same: he shall be clerk to the council of revision, and shall also make and preserve in his said office a record of the title and date of all laws, either approved or rejected by said council of revision, and of all acts generally of said council.

Shall keep the seal, and shall reside at seat of governm't

His duties.

To be clerk to the council of revision.

SEC. 2. All public acts, laws, and resolutions that have been, or shall be, passed by the General Assembly

Public records to be kept in secretary's office. of this state, shall be carefully deposited in the office of Secretary of State; and the Secretary of State is hereby charged with the safe keeping of said office, and all laws, acts, resolutions, and records deposited, or which shall hereafter be deposited therein.

To furnish copies of laws to public printer. Shall superintend printing. SEC. 3. The Secretary of State is hereby authorized and required to cause to be made out true and accurate copies of all laws, acts and resolutions of the General Assembly, which may be ordered by the said General Assembly to be printed; and such copies so made out, he shall deliver to the person or persons authorized to print the same. And the Secretary of State shall likewise superintend the printing of such laws, acts and resolutions, carefully comparing the printed copies with the original laws and rolls deposited in his office, correcting all errors that may appear in such printed copies; and shall make and cause to be printed, at the end of such printed copy, an index to the same, and his certificate that the acts and resolutions so printed are exact copies of the rolls in his office, and also a table of contents, referring to the page on which each act commences.

Distribution of laws. SEC. 4. The Secretary of State shall cause to be distributed to the several officers, and into the several counties in this state, the printed laws and journals of the General Assembly, and likewise so many of the laws of the United States as shall be allowed to the several officers and to the several counties respectively, in such number and manner as is, or shall be, allowed by the General Assembly, and the reasonable expenses attending such distribution shall be paid out of the state treasury.

To furnish copies of records to individuals. SEC. 5. The Secretary of State shall, when required by any person or persons so to do, make out copies of all laws, acts, resolutions or other records, appertaining to his said office, and shall attach thereto his certificate, under the seal of this state, and for which he shall be entitled to such fees and compensation as now are, or hereafter may be, allowed by law.

To countersign commissions. SEC. 6. All commissions required by law to be issued by the Governor, shall be countersigned by the Secretary of State, who shall also affix the state seal thereto. He shall also make a register of such commission, specifying the person to whom given or granted, the office conferred, with the date and tenor of such commission, in a book to be provided and kept for that purpose. The act entitled, "an act regulating and defining

the duties of Secretary of State," approved March 1, 1819, is hereby repealed. This act to take effect from and after its passage.

[Approved, Feb. 14, 1831.]

AN ACT TO AMEND AN ACT TO PROVIDE FOR THE SALE OF IN FORCE
THE SEMINARY LANDS, APPROVED JAN. 12, 1829. FEB. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That should the Congress of the United States grant to this State the right to surrender township five north, of range one west, selected for seminary purposes, to the said United States, and authorise the State of Illinois to locate a like quantity of land, in small tracts, in the State, the Governor of the State shall on behalf of the people of the State of Illinois, make out a deed of surrender to the United States of all the right, title and interest of said State to said township of land, and transmit the same to the Secretary of the Treasury of the United States, and which deed shall for ever divest the State of Illinois to all claim or interest in the same.

If Congress agree to exchange seminary lands, Governor to transfer.

SEC. 2. So soon as the Congress of the United States shall grant to this State the right to locate said township of land upon other public lands, the Governor shall appoint one or more persons to locate said land, in small tracts, upon the best lands they can obtain, and in places most likely to command purchasers immediately, and who shall report the locations, so made by them, to the several registers of the land offices in whose districts the land so selected may lie, and to the Auditor, who shall immediately thereafter inform the Secretary of the Treasury, from time to time, of the number and description of said lands so located. And the Auditor shall, as soon thereafter as possible, give public notice, in the newspaper printed by the public printer of this state, that said lands, or such part as shall have been located, will be offered at public sale, by said Auditor of public accounts, at the state house in Vandalia, at such time as he shall appoint. Said notice shall be published three months,

Governor to appoint persons to select seminary lands.
Auditor's duty.
Notice.

successively, before the day of sale, and the said sale shall be conducted, and deeds made in all respects, as is required by the act to which this is an amendment.

Improvements.

SEC. 3. When persons may have improved any tract or tracts of said land, before the same shall be located under the authority of this act, or where the same is held as assignee, vendee, or legal representative, such person or persons, shall have a right of pre-emption in the purchase of not more than one hundred and sixty acres, including his, her, or their improvement, at the price of one dollar and twenty-five cents per acre: *Provided*, that proof be furnished the Auditor of such improvement or claim, in the same manner as is required by the act to which this is an amendment: and provided, also, that such person or persons, shall have, before the day of sale of such lands, paid into the State treasury the full amount of said land, at the price aforesaid; and where such payment is not made as aforesaid, the Auditor shall sell said land to the highest and best bidder.

Pre-emption.

Sales.

SEC. 4. When lands shall have regularly been offered at public sale as aforesaid, and remain unsold, the same may be sold at private sale, in the same manner as provided in the act to which this is an amendment.

Minimum price.

SEC. 5. No lands shall be sold under this act, either by public or private sale, unless the same be sold at a price not less than one dollar and twenty-five cents per acre. This act to take effect from its passage.

[*Approved, Feb. 15, 1831.*]

SCHOOL LANDS.

IN FORCE

Feb. 15, 1831.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT AUTHORIZING THE SALE OF SECTIONS NUMBERED SIXTEEN, OR SUCH LAND AS MAY BE GRANTED IN LIEU THEREOF TO THE INHABITANTS OF SUCH TOWNSHIPS, FOR THE USE OF SCHOOLS," APPROVED JAN. 22, 1829.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the first section of the act, entitled "an act authorizing the*

sale of sections numbered sixteen, or such land as may be granted in lieu thereof to the inhabitants of such townships, for the use of schools," approved January 22, 1829; and so much of the second section of said act as makes it imperative for the county commissioners of each and every county to wait for a proclamation by the Governor, before they shall appoint a commissioner or agent for the inhabitants of the county; and so much of the fifth section of said act as requires nine-tenths of the freeholders and householders of the township to petition before the land can be sold; and such other parts of the above recited act as are inconsistent with the provisions of this act; be, and the same are hereby, repealed.

Certain acts repealed.

SEC. 2. The county commissioners' court of each and every organized county shall, at any regular term, proceed to select and appoint the commissioner for the county, and require bond, or bonds, as stipulated in the act to which this is an amendment; and all other provisions and stipulations in said act shall be carried into effect, sales made, and patents issued, as fully as if government had assented to the sale, and the sales made as aforesaid, shall be valid: provided, that no land shall be sold unless petitioned for, as pointed out in the act hereby amended, by three fourths of the white male inhabitants in the township, over twenty-one years of age: and provided, also, that no sale of such lands shall be made in any township, unless the same contains at least fifty white inhabitants.

County court to appoint commissioner.

Land not to be sold unless inhabitants petition.

SEC. 3. Hereafter it shall be the duty of the county commissioners' court, of the several counties to appoint trustees in each township, as provided for by an act relating to school lands, approved February 17, 1827; and said trustees, when so appointed, shall be required to do and perform so much of the duties of trustees set forth by that act as will be conducive to the advancement of common schools, in their township. And the said act is hereby revived and made to be in force hereafter, for the regulation of their proceedings, in all cases where the school lands have been, or may be hereafter leased; and said trustees shall perform all other duties required by this act: provided, that in no case shall said trustees lease out any school lands which have not heretofore been leased.

County court to appoint trustees.

Their duties.

SEC. 4. Whenever three fourths of the legal voters of the township shall petition the commissioner to sell the school lands in the township, the trustees shall proceed previous to the lands being offered, to value each half

lands to be valued.

Maps to be made.

quarter, or other smaller subdivision, if they shall deem it advantageous to sell in smaller quantities, and shall make out a map of the said school lands, with the several tracts marked and numbered thereon, as proposed by them to be offered, with a certified statement of the valuation, per acre, of each particular tract, and the number of acres contained therein, (assuming six hundred and forty for the contents of the section); which map and valuation shall be filed with the commissioner appointed for selling the land, who shall record the same in a book to be kept by him for that purpose: provided, that no tract shall be valued at a less price than one dollar and twenty-five cents per acre.

Commissioner to keep book.

How sales shall be conducted.

SEC. 5. When any commissioner, appointed and qualified as required by law, shall receive the petition of three fourths of the legal voters of any township, as provided for, and the map and valuation of the trustees, as required in the preceding section, he shall proceed in the same manner as required in the act, to which this is an amendment, except that the same shall be offered in tracts as designated on the map filed by the trustees; and no tract shall be sold unless the bid shall amount to the valuation thereof, as certified by the trustees; and in case that sum is not bid, it shall be noted down as not sold, and may be purchased thereafter, by any person, at the aforesaid valuation, and the purchaser, whether being the highest bidder, or otherwise, shall pay for the same in cash, at the time of making the purchase, and the commissioner shall proceed as now required by law.

Leases to be respected.

SEC. 6. In all cases where the inhabitants of any township petition the commissioner to sell their school lands, and there should be any legal holders of leases on any part of said land, that part shall remain unsold, unless the trustees can make a contract with such lessee to relinquish his lease, not paying to exceed one half the interest that would accrue from the amount that would be obtained from the sale of such land: and in all cases where any tract of land shall be advertised for sale by any commissioner, whereon there is a lease or any other incumbrance it shall be the duty of the claimant, previous to the day of sale, to deliver to the commissioner, a statement of his claim, with a copy of the vouchers that entitle him to it; and if they are such as to give him any legal claim whatever, said commissioner shall give notice thereof to the trustees, and if the claim is not removed previous to the day of sale, the same shall not be offered at that time.

Claimant under lease to give notice.

SEC. 7. The county commissioners' courts of the several counties in this state, shall be authorized to establish a rate of interest at which school funds shall be loaned, and to make such rules and regulations for the safety and usefulness of the same in their counties, as are necessary to cause a judicious and equitable distribution of the interest arising from the same; and the commissioner, at each regular term of said court, shall be required when making return as now required by law, also to make return of all his other transactions, specifying the bonds, notes, and all other obligations for money, or interest on money, or other property, that he may have received; also a statement of all monies received, and the person or persons by whom the same was paid, and whether for interest, or principal, or purchase money; also of all monies paid or loaned out, and to whom the same was paid or loaned, and the rate of interest payable on each one; and he shall present to said court, annually, a statement of all interest paid to him, (keeping the accounts and funds of each township separate at all times,) and a summary statement of the manner proposed for the distribution thereof, and if approved by the court, they shall order the same to be paid to the treasurer of the several townships to which the same belongs.

Money to be loaned on interest.

SEC. 8. Whenever any commissioner appointed to sell school lands shall resign, refuse to act, or be succeeded by the appointment of another person, he shall immediately deliver over, to the clerk of the county commissioners' court of the county, all book, notes, bonds, and other papers, appertaining to said office, and said clerk shall give him a receipt for them; and upon failure to perform the same, when required so to do, by a notice from the commissioners' court, and served by the sheriff, he shall be liable to indictment, and upon conviction, shall forfeit and pay a fine, not exceeding five hundred dollars, for the use of the county where such conviction is had, and be liable for all other penalties and forfeitures incurred by any other neglect of his duty; and the clerk receiving such books and papers shall, as soon as the successor of said commissioner is qualified, deliver to him the books, and all other papers, and take his receipt for the same; and in case of the death of any person holding the office of commissioner, his executors or administrators shall be required to make the delivery of the books and papers as aforesaid, under the penalties above provided.

Commissioner resigning or refusing to act to give up papers.

Executors of deceased commissioner to give up papers

How money
may be loan-
ed.

SEC. 9. Whenever the whole, or any part of the school lands of any township shall have been sold, and any five or more of the citizens of such township shall join in making application to the commissioner for a loan of the monies, or any portion of the monies, arising from such sale, not exceeding in any case, two hundred dollars, to any one association of citizens, for the exclusive purpose of erecting a school house in such township, they shall be entitled to such loan for a period not exceeding ten years, at an interest of six per cent. per annum, payable yearly, upon their entering into bond, with good security, to be approved by said commissioner, in a penalty of double the amount of the loan, payable to said commissioner and his successors in office, for the use of the inhabitants of the township, conditioned that the money so loaned, shall be faithfully and exclusively applied to the erection of a good substantial brick, stone or frame school house in such township, to be completed within one year from the time of receiving the loan; and that on failure to complete such school house within one year, or on failure to have a school kept in the same at least three months in each callendar year thereafter, or on failure to pay the interest annually, then the said borrowers shall repay the principal of said loan, to said commissioner or his successors in office: which bond shall be renewed every second year, and whenever the commissioner shall deem additional security necessary, he shall require the same to be given, and on failure of the borrowers to give such additional security, or on failure to renew their bond as required in this section, or on their failure to perform any of the stipulations in their bond, the said borrowers shall be required immediately to repay the loan, and on failure to do so, it shall be the duty of the commissioner, to sue for the same.

[Approved, Feb. 15th, 1831.]

SHAWNEETOWN.

IN FORCE
Jan. 22, 1831.

AN ACT GRANTING CERTAIN POWERS TO THE TRUSTEES
OF SHAWNEETOWN.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the trus-*

And school
house built.

tees of Shawneetown be, and they are hereby, authorized to organize a fire company of citizens of said town, to take charge of and keep in repair and exercise their fire engine, hose, &c.: And said trustees may make such bye-laws, with such penalties as they shall deem proper and necessary to enforce order, punctuality and obedience on occasion of exercises and fires, which penalties may be collected as other corporation fines and penalties are. And the officers and members of such fire company, not exceeding thirty, shall for the time being be exempt from serving on juries, or in the militia, except in time of war. And the same rights and privileges as are herein granted, shall be, and are hereby, extended to all incorporated towns and villages within this state.

May organize fire company.

Trustees to make rules.

Firemen exempt from certain duties.

[Approved, Jan. 22, 1831.]

SHERIFFS AND CORONERS.

AN ACT TO AMEND AN ACT ENTITLED, "AN ACT CONCERNING SHERIFFS AND CORONERS," APPROVED FEB. 12, 1827.

IN FORCE FEB. 7, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the act, to which this is an amendment, as provides that application shall be made to, and leave obtained from, the circuit court, before an action can be brought and maintained on any sheriff's or coroner's official bond, for neglect or failure to pay over moneys collected by them, or either of them, by virtue of any execution, process, or fee-bill, to any person entitled to receive the same, or who shall wilfully neglect their official duty, be, and the same is hereby repealed. This act to take effect from and after its passage.

Act requiring leave to use sheriff's bond repealed.

[Approved, Feb. 7th, 1831.]

SHERIFFS AND CORONERS.

AN ACT CONCERNING SHERIFFS AND CORONERS.

IN FORCE
Jan. 5, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That when- ever the office of any coroner shall have expired by the constitutional term of two years, it shall be lawful for the same person, whether re-elected or not, to continue to perform all the duties of coroner until his successor shall be commissioned and qualified.*

Coroner to
serve until his
successor be
qualified.

[Approved, Jan 7, 1831.]

STATE BANK.

AN ACT PROVIDING FOR THE SETTLEMENT OF THE AC-
COUNTS OF JAMES M. DUNCAN, LATE CASHIER OF THE
STATE BANK.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That for the purpose of securing to the state her rights, and that strict justice be rendered to the late cashier of the state bank, James M. Duncan, and in order that a speedy ad- justment may take place, the following persons are here- by appointed auditors, viz.: Charles Dunn, Richard J. Hamilton, and Mordecai Mobley, who shall strictly ex- amine the books, records, entries, and accounts of said late cashier, and make an exhibit of the same in a sum- mary, concise and satisfactory manner; and when ascer- tained and made out, they shall make a report to the present General Assembly.*

Auditors to
settle acc'ts
of late cashier

SEC. 2. Said auditors are hereby authorized and empowered to make all reasonable allowances for con- tingent and other expenses, which are justified by, and within the spirit and meaning of, any law concerning said cashier and state bank, giving him credit for all ac- counts and charges which can be allowed upon legal and equitable principles; and the settlement being so made shall be final and conclusive, binding on the state

Their powers.

and the said cashier: *Provided*, that said settlement shall not be final until it is submitted and approved by this General Assembly; *And provided, also*, the said auditors shall not allow the said late cashier any salary for services since the first day of March, 1829; *And provided further*, that the said late cashier shall first in writing addressed to the auditors, and signed by his hand, agree to the settlement, which agreement shall be reported by the auditors to this General Assembly.

SEC. 3. So soon as the examination shall be closed and the settlement made by the said auditors, and approved and confirmed by this General Assembly, the said late cashier shall immediately deliver over to the state treasurer all the books, papers, notes, accounts, money, bank notes, auditor's warrants, and other property, appertaining to the said bank, and all monies deposited by said treasurer in said bank, and not heretofore drawn out by him; and the said treasurer shall give the said late cashier a special and secure receipt for the same: *Provided*, that the securities of the said late cashier shall in no wise be considered as discharged from their liability as such until every thing required of said cashier by the settlement and report of the said auditors, as approved by the General Assembly, shall be fully performed by him: *And provided, further*, that nothing in this act contained shall be so construed as to affect in any manner any suit or suits instituted against the said late cashier for an alleged default until all the books, papers, notes, accounts, monies, bank notes, auditor's warrants, and other property, as aforesaid, shall be delivered over to the state treasurer.

Duty required
of late cashier

Sureties no
released.

[*Approved, Feb. 1, 1831.*]

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT TO PROVIDE
FOR THE SETTLEMENT OF THE ACCOUNTS OF THE LATE
CASHIER OF THE STATE BANK, JAMES M. DUNCAN."

IN FORCE,
Feb. 15, 1831:

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the auditors appointed by the act, to which this is an amendment, are

Auditors to
retain books.

To deliver
books to Au-
ditor of public
accounts.

To report.

hereby authorised and required to retain in their possession the books, papers and accounts of the State bank, until they have made a full and complete investigation of the affairs of said bank, and until they have fully and completely ascertained, as far as practicable, the debts and credits between the State and the late cashier, James M. Duncan; and after the same has been done, the said auditors shall deposit the books, papers and accounts of the State bank, now in their possession, in the office and under the care of the Auditor of public accounts; and shall also deposit in the hands of the said Auditor, the result of their investigation in writing, signed by their hands, which shall contain a full and perfect account of the situation of the institution of the State bank, so far as the same may be collected from said books, and also a full account of the state of the debets and credits between the State and the said James M. Duncan.

Approved, 15th Feb. 1831.

IN FORCE
FEB. 1, 1831.

AN ACT TO PROVIDE FOR BURNING THE NOTES OF THE
STATE BANK OF ILLINOIS.

To burn mo-
ney, Feb. 12,
1831.

To burn at
the end of
each quarter.

Am't to be
certified.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That on the twelfth day of February, 1831, between the hours of ten and two o'clock, the Governor, Auditor of Public Accounts, Secretary of State, and Treasurer, or a majority of them, (the Treasurer always being one,) shall proceed to count and burn all the State paper that shall be in the Treasury at that time, whether the same belong to the Treasury or the State bank. And they shall, in like manner, within ten days after the expiration of each quarter, proceed to count and burn all the State paper that may be in the treasury, or bank at the end of such quarter. And the Governor, Auditor, Secretary of State, and Treasurer, or a majority of them, (the Treasurer always being one,) shall make duplicate certificates of the amount so counted and burned by them, one of which certificate shall be filed in the Treasurer's of-*

rice, and the other in the office of the Auditor of public accounts: and the Auditor and Treasurer shall respectively, make an entry of the same upon their books. The fourth section of an act, entitled "An act authorizing the commissioners of the school and seminary fund to loan the same to the State," is hereby repealed.

[Approved, Feb. 1, 1831.]

AN ACT TO PROVIDE FOR FUNDING THE PAPER OF THE STATE BANK OF ILLINOIS. IN FORCE
Feb. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any holder or holders of paper of the State bank of Illinois, or its branches, shall present the same at the treasury for payment, and there shall not be disposable funds in the treasury to redeem the same, if such person or persons shall desire to have such paper funded according to the provisions of this act, it shall be the duty of said Treasurer to receive said paper, and to issue to such person or persons presenting the same, certificates of stock, signed and registered by the Treasurer, and countersigned and registered by the Auditor, bearing interest at the rate of six per cent per annum, which interest shall be payable at the State Treasury, on the first Mondays of January and June, or at any time thereafter, in each year; which stock shall be transferable on the books of the Auditor and Treasurer by the holders of the same, or their agents, and shall be redeemable at the pleasure of the State: *Provided,* that notice of the intention of the State to redeem the same shall previously be given by the Treasurer, by an advertisement published three successive weeks in the newspaper published by the public printer, the last of which publications shall be two months previous to the time appointed for redeeming said stock.

SEC. 2. The stock first issued shall be first redeemable, and the Treasurer shall specify in his advertisement the amount which the state will be prepared to redeem at the time to be mentioned in such advertisement, designating the stock then to be redeemed by the numbers

and dates of the certificates; and from and after the day appointed for redeeming the said certificates of stock, the same shall cease to bear interest.

Stock receivable for public debts.

SEC. 3. Such stock shall always be receivable at the State Treasury, in payment of debts or taxes payable to the State.

State paper to be burned.

SEC. 4. All State paper which shall be received into the treasury under the provisions of this act, shall be burned, as provided by law in other cases.

Surplus specie funds to be applied to redeem stock.

SEC. 5. If at any time there shall be in the treasury of the State a surplus of specie funds, above what will be necessary to defray the current expenses of the government, for six months from such time, the Treasurer shall be authorised to apply such surplus to the redemption of the paper of the State bank, and its branches, or to the redemption of the stock authorised by this act.

SEC. 6. The sums payable out of the State Treasury to the several counties on the Military tract, in lieu of their resident land taxes, shall hereafter be paid in specie or notes of the bank of the United States and branches.

[Approved, Feb. 15, 1831.]

AN ACT AMENDING AN ACT, SUPPLEMENTAL TO AN ACT ESTABLISHING THE STATE BANK OF ILLINOIS, APPROVED JAN. 23, 1829, AND FOR FINALLY CLOSING THE AFFAIRS OF THE STATE BANK OF ILLINOIS AND BRANCHES.

IN FORCE
Feb. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all persons indebted to the state bank of Illinois or any of its branches, by default, at this time, cashiers and collectors excepted, and all those who did not avail themselves of the provisions of the act to which this is an amendment, shall be allowed to pay such debt on or before the first day of May, 1832, by executing to the said bank a note for the amount due, with such security as the cashier shall approve, on the recommendation of the clerk and sheriff of the county in which such debtor re-

Bank debtors to give a note for the amount, payable in May, 1832.

sides, to be signed by the security as principal, and be liable as such, and as near as may be in the following form: "On or before the first day of May, 1832, we, or either of us promise to pay to the president and directors of the state bank of Illinois, for the use of the people of the state, the sum of — dollars, with interest from the date, for value received:" *Provided*, if such note be paid on or before the day it becomes due, said interest shall be remitted, but if not punctually paid, the same shall be charged and collected: *Provided*, when suits may be pending, or judgments already recovered, the costs shall be first paid. When there is a mortgage, the same shall not be in anywise affected or impaired by this act, or the proceedings under it: and there shall be allowed to all bank debtors, coming within the provisions of this act, until the 21st day of November, 1831, to comply with the foregoing provisions.

If punctually paid, interest remitted.

Costs to be first paid. Mortgages not to be affected by this act.

Provisions of the act to be complied with before 21 Nov

SEC. 2. The provisions of the third section of the act, to which this is an amendment, are hereby extended to all those coming within the provisions of it, until the 20th day of November, 1831. Any person indebted to the state bank, or branches, who shall make full and complete payment of any note or notes, mortgage or mortgages, on or before the first day of December, 1831, shall be released and discharged from all interest, and be allowed six per cent. discount on the principal; and any person who shall make full and complete payment, of all debts due from him to the state bank, on or before the first day of May, 1832, shall be released and discharged from all interest: *Provided*, that none of the foregoing privileges shall extend to the purchasers of property from the state bank, on account of such purchase money.

Provisions of former act extended.

If full payment be made before 1st. Dec. dis. allowed, and int. remitted

before 1st. May 1832, int. remitted.

Proviso.

SEC. 3. The several duties imposed upon the cashiers of the state bank, and its branches, by the act to which this is an amendment, are required of them under the provisions of this act, until herein otherwise provided for.

Duties of cashiers.

SEC. 4. The cashiers of the several branch banks shall, on or before the 4th day of July, 1832, deliver over to the Attorney General, and states' attorneys of the proper judicial circuit, all notes, mortgages, and claims of the bank, on all persons residing within their several respective districts, taking the receipt of said Attorney General, or states' attorney, for whatever may be so delivered; which receipt, together with all money, books and other property belonging to the bank, such

Cashiers to deliver to sta. attor. before July 4, 1832, all notes &c. taking receipt for same.

Receipt to be delivered to treasurer.

Cashiers to post and balance their books.

State treasurer to post &c. books of principal bank.

deliver notes &c. to states' attorney,

and make report to the Legislature.

Salaries of cashiers.

Books &c. to be delivered to principal bank.

Expiration of the office of cashier.

States' attorney to sell bank property,

and execute deeds, and receive the amount of notes &c.

If monies be paid before the time limited, for property sold by the bank, dis. allowed.

and amount endorsed.

cashier shall deliver over to the treasurer. And it shall be the duty of the cashiers of the different branch banks, to have their books completely brought up, posted, and balanced, and the corresponding vouchers filed and numbered in regular order, so that a fair and complete statement can be effected without further trouble than to inspect and examine the correctness of the same, which the president and directors shall examine and determine. The state treasurer shall perform the like duty of posting and balancing the books of the principal bank, and filing and numbering the corresponding vouchers, and place in the hands of the attorney for collection, in the same way as is required of the branch cashiers, and have all laid before the next General Assembly.

SEC. 5. The cashiers of the several branch banks shall hereafter receive the sum of two hundred and fifty dollars, and no more, for their respective salaries; and they shall deliver over to the principal bank all books and papers, as required in the 4th section of this act, on or before the first Monday in December, 1832, at which time the office of cashier shall expire. After which time the Attorney General and states' attorneys shall effect the sale of all bank property, as is required in the 4th section of the act to which this is an amendment, (or shall cause the sheriffs of the different counties to do the same), and shall execute all deeds in behalf of the bank, as is now required of the cashiers, and the same shall be good and valid as though they had been executed by the cashiers. And the Attorney General and states' attorneys, are authorized to receive payment of the notes due the bank, as is provided in the foregoing sections.

SEC. 6. Any person who may be indebted to the state bank of Illinois, or branches, on account of property sold by the bank, shall be entitled to a discount, at the rate of six per cent. per annum, on all monies paid by such debtor prior to the same becoming due, and may pay the same to the state treasurer, and take his receipt for the sum so paid; and upon exhibiting such receipt to the clerk of the court where such bond is filed, agreeable to the act to which this is an amendment, said clerk shall endorse the amount so received for, together with the amount of interest so allowed, as a credit to the debtor on said bond.

SEC. 7. The cashiers shall proceed in effecting collections of money due the bank, and discharging all the duties imposed on them by the several acts of this state.

And it shall be the further duty of the cashier of the ^{Banking} Brownsville branch bank to sell the banking house in ^{house in} Brownsville in the same manner, and under the same ^{Brownsville} conditions and provisions, that other bank property was ^{to be sold.} heretofore required to be sold.

SEC. 8. The cashier of the branch of the state bank ^{Allowance to} at Shawneetown be, and he is hereby, required to allow ^{J. Forrester} to John Forrester, as a credit on a judgment which said ^{as a credit on} bank has obtained against him in the Gallatin circuit ^{a judgment.} court, the sum of two hundred and fifty-six dollars, that sum being the amount which the land of said Forrester brought at the time it was sold by the cashier of said bank, over and above the price for which the same land was struck off to said bank under an execution issued on the above named judgment.

SEC. 9. If said Forrester shall, on or before the first ^{And if full} day of September, 1831, make full and complete pay- ^{payment be} ment of the principal of the writing obligatory upon ^{made by 1st.} which said judgment was obtained in favor of said bank, ^{September,} he shall be released from all interest accrued thereon: ^{interest re-} *Provided*, the said Forrester shall, by the day aforesaid, or ^{mited.} at the time of making full and complete payment as ^{Costs.} aforesaid, pay all costs which he is bound by the judgment aforesaid, to pay to the bank.

SEC. 10. If William L. May shall, on or before the ^{Interest and} first day of March, 1831, make payment of a note of ^{discount al-} seventy dollars, executed by himself and Robert Pogue, ^{lowed W. L.} to the President and Directors of the state bank of Illi- ^{May, if note} nois, he shall be released from all interest accrued there- ^{paid by 1st. of} on, and six per cent. of the principal. ^{March.}

[Approved, Feb. 15, 1831.]

AN ACT PROVIDING FOR THE REPAIR OF THE STATE ^{IN FORGE} HOUSE. FEB. 16, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, reoresented in the General Assembly, That the*
R

Commissioners to repair state-house.

auditor of public accounts, state treasurer, secretary of state, James Hall, James Whitlock, and John D. Gerin, be, and they are hereby appointed, commissioners to superintend the repair of the State-house, in such manner as to accommodate the next General Assembly of this state.

Their duties.

SEC. 2. Said commissioners, or a majority thereof, shall, after public notice given in two or more public newspapers in this state, for six successive weeks, let out the repair of said house to the lowest bidder, taking bond and good security for the faithful performance of the conditions of the contract. Said commissioners, or a majority of them, shall have power to determine what repairs are necessary.

Their powers.

SEC. 3. Said commissioners shall have power to prescribe the conditions of the bond given by the undertaker, or undertakers, for the repair of said house.— When the work shall be completed according to the terms, and in the manner prescribed in the bond, the said commissioners, or a majority thereof, (excluding the auditor) shall certify the same to the said auditor, under their hands and seals, who shall thereupon issue his warrant on the treasury for the amount of the contract: *Provided*, the sum so expended by the said commissioners, under the authority of this act, shall be applied to repairing the present state-house, and shall not exceed five hundred dollars: a report whereof said commissioners are required to make to the next General Assembly.

To certify completion of the work to Auditor.

Limitation.

No compensation.

SEC. 4. The commissioners shall perform the duties herein required of them, without compensation.

[Approved, Feb. 16, 1831.]

IN FORCE
Jan. 11, 1831.

AN ACT CONCERNING THE STATE TREASURER.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That hereafter each and every

state treasurer shall give bond, and a duplicate bond with good and sufficient securities, in the sum of fifty thousand dollars, with a clause inserted that if at any time thereafter additional security be required, the same shall be given; the necessity of which additional bond and duplicate bond shall be left to the Governor. Each and every bond, and duplicate hereby required, when made out and signed, shall be presented to the Governor and judges of the Supreme court, for inspection and approval, and if approved of by the Governor and judges, or by the Governor and any two of the judges, the original shall be deposited in the office of the Secretary of state, and the duplicate copy in the office of the Auditor of Public Accounts. Said bond or bonds and duplicates shall, in all other respects, be drawn as required by the law. So much of the law now in force, as requires the treasurer to give bond in the sum of twenty thousand dollars, and that the Governor alone shall approve the bond, is hereby repealed: *Provided*, however, that when a vacancy shall happen in the office of treasurer, either by death, resignation, or otherwise, the Governor, Lieutenant Governor, and Auditor of Public Accounts, shall approve of the sufficiency of the security. This act to take effect from and after its passage.

State treasurer to give bond in \$50,000.

To be approved by Governor and judges, and deposited in secretary's office.

Former provision repealed.

Proviso.

Approved, Jan. 11, 1831.]

SUPREME COURT.

AN ACT REGULATING THE OFFICE OF CLERK OF THE SUPREME COURT.

IN FORCE
Feb. 15, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the supreme court, or a majority thereof, shall have power to remove any clerk of said court, for neglect of duty, incompetency to perform the duties of his office, or for any misconduct in office of which he may be guilty, or for*

Supreme court may remove clerk, for certain causes.

any other cause which shall be satisfactory to said court, or a majority thereof: *Provided*, that the cause of the removal of said clerk shall be expressed on the records of the court.

Chief Justice
to perform
certain duties

SEC. 2. The chief justice of the supreme court is hereby required to ascertain from the clerk of said court, the manner, and for what purposes, he has expended the sums of money appropriated for furniture for the court room, paper and stationary for his office; and if the same has not been expended in pursuance of law, or the money drawn therefor by said clerk refunded without delay, the said court, or a majority thereof, are hereby authorized and required to remove said clerk from office.

[*Approved, Feb. 15th, 1831.*]

AN ACT TO AUTHORIZE THE GOVERNOR OF THIS STATE
TO SUBSCRIBE FOR A CERTAIN WORK THEREIN NAMED.

IN FORCE
FEB. 14, 1831.

Governor to
subscribe for
reports.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Governor of this state be, and he is hereby, authorized and required to subscribe for one hundred and fifty copies of a work about to be published by Sidney Breese, Esquire, entitled "Reports of cases determined in the supreme court of the state of Illinois, from its first organization to the end of the December term, 1830," for the use of the people of the state of Illinois.*

SEC. 2. Whenever the said books shall be delivered, well bound in leather, neatly executed, and on good paper, at the office of the Secretary of State of this state, he shall give to the said Sidney Breese a certificate thereof, and upon the same being presented to the Auditor of Public Accounts of this state, he is hereby required to issue his warrant on the treasury of this state, in favor of said Sidney Breese, for so much as the num-

ber of books, so delivered and specified in said certificate, not exceeding one hundred and fifty copies, shall amount to, at three dollars per copy: *provided*, the judges of the supreme court of this state shall give a written certificate, to be added in said book, that the reports cited in the same have been correctly taken and reported.

SEC. 3. The Governor shall immediately after delivering of said books, as aforesaid, or so soon thereafter as practicable, cause them to be distributed in the following manner, to wit: one to the clerk of the circuit court in each county in this state which is, or may be hereafter, formed, to be by him kept, and delivered over when a change of officers takes place in that office, in the same manner as the records and proceedings are delivered over; and if any of the aforesaid clerks shall wilfully, or through negligence, suffer the same to be lost, destroyed or removed, he shall forfeit the sum of fifteen dollars, to be recovered before any justice of the peace, for the use of the state: one copy to the executive of each state in the Union: five copies to the executive of the United States: one copy to each of the judges of this state that are, or hereafter may be, created: one to the attorney general, and each state's attorney: and one to the auditor and treasurer: the remainder to be placed in the office of secretary of state, for the use of the state.

[Approved, Feb. 14th, 1831.]

WATER CRAFT, ESTRAYS, &C.

AN ACT TO AMEND AN ACT, ENTITLED, "AN ACT CONCERNING WATER CRAFT FOUND ADRIFT, LOST GOODS, AND ESTRAY ANIMALS," APPROVED JAN. 10, 1827.

IN FORCE
JUNE 1, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That any person, being a householder, who shall take up any head*

Proceedings
in case of ta-
king up es-
trays.

Oath.

Appraise-
ments.

Justice's fee.

of cattle, sheep, hog, or goat, shall advertise the same as is now required by law, and if no owner appears to claim his, her, or their property, within ten days, the taker up shall go before some justice of the peace, of the proper county, and make oath, as is required in taking up an estray horse; whereupon, such justice shall take from such taker up, upon oath, a particular description of the marks, brands, colour, and age of such estray; then said justice shall also cause such estray or estrays, to be appraised, in like manner as is required to be done in the case of an estray horse, and if the value does not exceed the sum of five dollars; no further proceedings need be had, than for the justice to enter the same in his estray book, for which the justice shall be entitled to a fee of twenty-five cents, and when so posted and entered, the right, after the expiration of six months, shall vest absolutely in the taker up: *But*, he shall be accountable for, and pay to each owner, the appraised value of such animal, after deducting all lawful charges incident to taking up and posting such estray or estrays. And if the appraisement of any estray or estrays, shall exceed five, and does not exceed ten dollars, the right therein shall be vested in the taker up, by his paying into the county treasury the appraised value thereof, at the expiration of six months, after the same shall be advertised.

Persons viola-
ting estray
law.

SEC. 2. If any person, after having taken up any estray animal, shall not deliver such estray to the sheriff, to be sold as prescribed by the act to which this is an amendment, within one year from the time of taking up the same, then it shall be lawful for the county commissioners' court of the proper county, to summon such taker up to appear before said court, and shew cause why judgment shall not be entered against him, or her: and upon hearing and examining the case, the court may proceed to enter up a judgment thereon, according to the testimony adduced, and agreeably to equity and justice: and the clerk of said court may issue execution thereon, returnable as in cases of execution issued by the clerk of the circuit court: *Provided*, that such judgment shall in no case exceed the amount at which such estray was appraised at the time of taking up, with twenty per cent. damages thereon.

Sheriff's duty
in selling
estrays.

SEC. 3. Whenever any estray animal shall be sold by the sheriff, it shall be his duty, within ten days thereafter, to make return to the clerk of the county commissioners' court of the description of the estray,

the name of the taker up, the name of the purchaser, and the amount for which it was sold.

SEC. 4. No person shall be liable to a fine under the provisions of the 15th section of the act to which this is an amendment, to a greater amount than the value of the property so found, but shall be subjected by this act to the payment of all damages sustained by any individual, in consequence of his failure to comply with the requisitions of the act to which this is an amendment, recoverable before any court having jurisdiction of the same. Fines limited.

SEC. 5. The act of January 22, 1829, entitled "An act to amend an act, entitled An act concerning water craft found adrift, lost goods, and estray animals," approved January 10, 1827, and so much of the act, to which this is an amendment, as is repugnant to the provisions of this act, are hereby repealed: *But*, rights acquired, and liabilities incurred, under the act hereby repealed, are not effected or impaired by this act. This act shall take effect on the first day of June next. Acts repealed

[Approved, Feb. 14, 1831.]

WILLS.

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT RELATIVE TO WILLS AND TESTAMENTS, EXECUTORS AND ADMINISTRATORS, AND THE SETTLEMENT OF ESTATES." IN FORCE
Feb. 14, 1831.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Judges of Probate shall have jurisdiction, concurrently with the Circuit Courts, in all cases, without regard to the amount in controversy, when an executor or administrator is a party defendant, and when he must necessarily be sued as such. And when a claim shall be filed, or suit brought, against any such executor or administrator, and it shall appear on trial that such claimant, or plaintiff, is indebted to such executor or administrator, it shall be lawful for such judge of probate to give judgment there- Jurisdiction
of judges of
probate ex-
tended.

for, and issue an execution, or any other final process which the circuit court might issue in like cases. And the said court shall have power, before giving judgment against any executor or administrator, to require the claimant to make oath that such claim is just and unpaid: *Provided*, that the amount of such judgment shall not be increased upon the testimony of the claimant.

Exe'rs and adm's may sue before judge of probate.

SEC. 2. Executors and administrators may sue before the judge of probate, in all cases in which the action of debt or assumpsit will lie, for all sums, demands, or damages, due, or claimed to be due, to their testator intestate, or to themselves in their representative capacity, when the balance claimed to be due does not exceed one hundred dollars; and the said judge of probate shall proceed, in such cases, in the same mode, and shall have the same powers and fees, as justices of the peace.

Judges of probate to keep records.

File papers.

SEC. 3. The judges of probate shall make, keep and preserve complete records of all wills, testaments and codicils, and the probate thereof, all letters, testamentary and of administration, and all bonds taken of executors or administrators, and shall file and preserve the originals of the aforesaid papers, and all inventories, appraisements, sale bills, and other exhibits, presented to and received by said courts, appertaining to the administration and settlements of estates: And shall enter on their order book the amount of all such inventories, appraisements, sale bills, and other exhibits, under a proper heading for easy reference: And shall enter upon their book of record all matters, controversies and suits, that shall arise for decision or adjudication before them, with the names of the parties, and the judgment or opinion of the court, in order that there may be no difficulty in taking appeals.

May issue process.

Sheriffs and constables to serve process.

SEC. 4. The judges of probate shall have power to issue all process necessary to enforce the judgments and decrees of said court, which process shall be directed to the sheriff or to any constable of the county. And any sheriff or constable, to whom such process shall be directed, is hereby authorised and required, to execute the same, and they shall be entitled to the same fees as are allowed for serving like process issued by a justice of the peace.

Widows relinquishment.

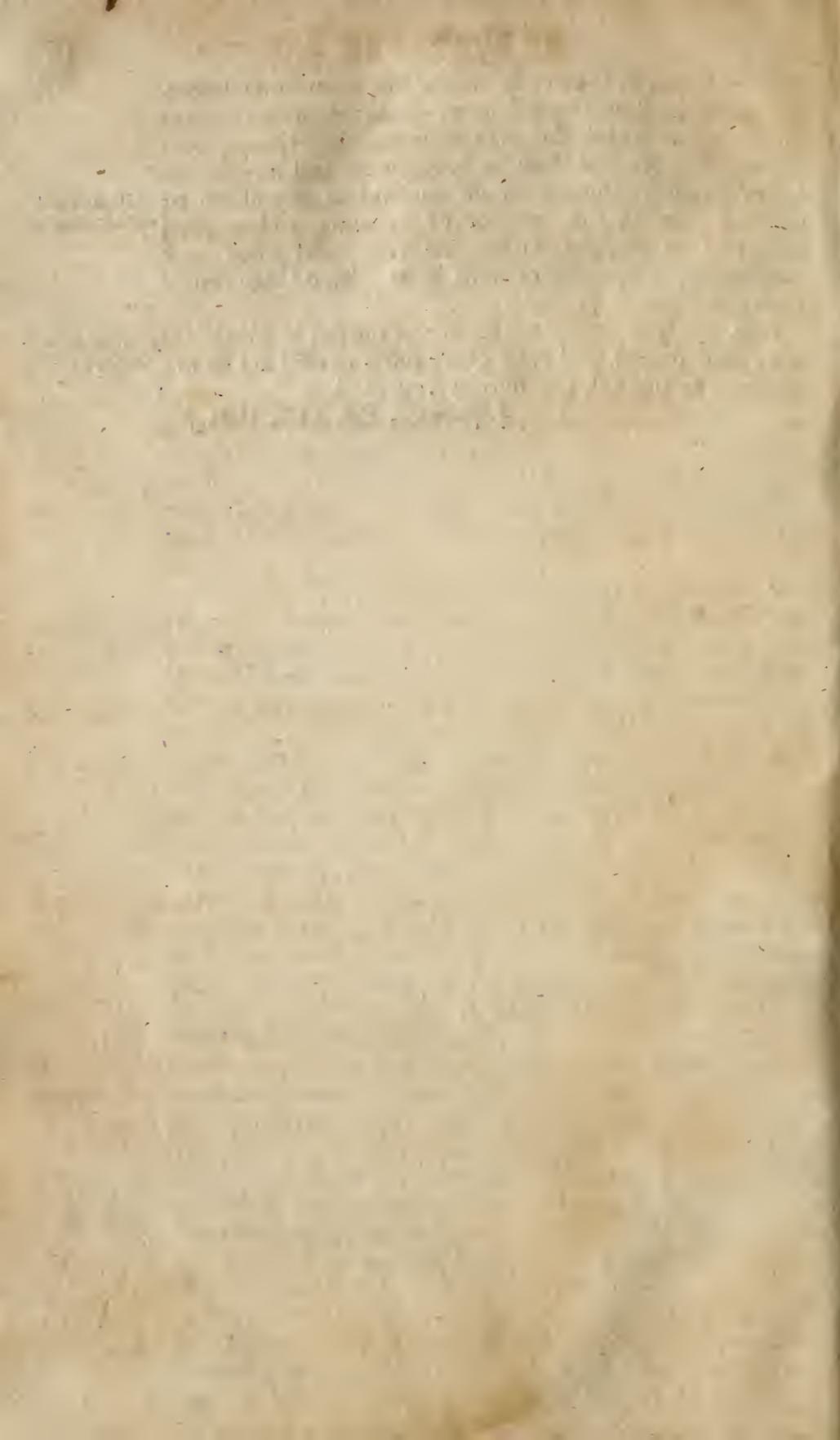
SEC. 5. When an inventory shall have been made of the personal estate of any testator or intestate, the widow may relinquish her right to any or all of the specific articles of property allowed to her by the forty-

fourth section of the act to which this is an amendment, and take in lieu thereof other personal property, not to exceed in value the article or articles relinquished.

SEC. 6. No suit shall be brought against any executor or administrator, for or on account of any claim or demand against the testator or intestate, unless such suit shall be brought within one year next after such executor or administrator shall have settled his accounts with the court of probate. Suits against ex's & adm's.

SEC. 7. The sixty-sixth section of the act to which this is an amendment, and such other parts of said act as are contrary to this act, are hereby repealed. Clause repealed.

[*Approved, Feb. 14th, 1831.*]



REPORTS

OF THE

AUDITOR AND TREASURER,

TO THE

GENERAL ASSEMBLY,

DECEMBER, 1830.

AUDITOR'S REPORT.

STATE OF ILLINOIS, AUDITOR'S OFFICE,
Vandalia, December 11, 1830. }

SIR:—

The Auditor of Public Accounts has the honor of submitting to the General Assembly of the State of Illinois, the enclosed statements, numbered 1, 2, 3, and 4, containing a concise account of the Receipts and Expenditures at the Treasury, during the two preceding years, ending with the last day of November, 1830.

I am, Sir,

Very respectfully,

Your obedient servant,

E. C. BERRY, *Auditor.*

The Hon.

Speaker of the House of Representatives.

Total amount of Receipts and Expenditures at the Treasury, from the 30th day of November, 1828, to the 1st day of December, 1830.

<i>On what account received.</i>	<i>Dolls.—cts.</i>	<i>Dolls.—cts.</i>
Amount remaining in the Treasury on the 30th Nov. 1828, - - - -	7,319 86	
Amount received from non-residents, from the 30th Nov. 1828, to the 1st Dec. 1830,	70,396 16	
Amount received from the Ohio Saline, during the same time, - - -	2,787 43	
Amount received from the sales of Vandalia Lots, during the same time, - -	2,866 67	
Amount received from Sheriffs, during the same time, - - - - -	3,048 72	
Amount received from the sales of Seminary Lands, - - - - -	20,756 67	
Amount received from the sales of the Galatin Saline Lands, - - -	2,546 04	
Amount paid into the Treasury by the Commissioners of the school fund, -	1,230 51	
Amount received from A. Field, late Treasurer, and his securities, - - -	5,500 06	
		116,452 12
From this sum deduct the amount of audited warrants, paid at the Treasury from 30th Nov. 1828, to 1st Dec. 1830, -	77,411 72	
Also, deduct the amount of Interest paid on state paper, during same time, -	3,847 55	
Also, deduct the amount of money refunded on lands redeemed, &c., during the same time, - - - - -	2,788 53	
		84,047 80
Leaving a balance in the Treasury, on the 1st day of December, 1830, of -		32,404 32
Amount of outstanding warrants on the 1st day of Dec. 1830, - - - -	11,516 38	
To which, add the amount of the school fund warrant against the Treasury,	28,283 80	
		39,800 18
From this sum deduct the amount of money remaining in the treasury on the 1st Dec. 1830, - - - - -		32,404 32
Leaving a balance against the Treasury, on 1st December, 1830, of - - -		
Amount of audited warrants drawn upon		

	Dolls.—cts.	Dolls.—cts.
the Treasury from the 30th Nov. 1828, to the 1st Dec, 1830, for the current expenses of the government, and charged to the following accounts, viz.:		
The General Assembly, session of '28—'29,	16,984 07	
Special appropriations, - - -	9,583 92	
Contingent fund, - - - -	3,083 34	
The Judiciary, - - - -	9,676 31	
Postage Account, - - - -	229 21	
Appropriations for wolves, - - -	32 21	
The Governor, - - - -	2,142 85	
Attorney General, - - - -	733 28	
The Treasurer, - - - -	1,714 28	
The Auditor and clerks, - - - -	3,128 56	
Secretary of State, - - - -	1,083 42	
The Militia, - - - -	930 20	
Bridges, - - - -	1,100 00	
Roads, - - - -	1,700 00	
Agent of the Ohio Saline, - - - -	1,000 00	
Judgments for Lots in Perryville, -	226 00	
Incidental expenses, - - - -	1,075 03	
Town of Vandalia, for surveying lots, &c.	398 50	
The Penitentiary, - - - -	300 00	
The Kaskaskia River, - - - -	596 62	
Circuit Attornies, - - - -	1,933 12	
To the Counties on the Military Tract,	4,875 00	
The State House, - - - -	641 09	
		63,167 01

NO. 2.

A Statement of Specie Receipts and expenditures at the Treasury, from the 30th November, 1828, to the 1st. day of December. 1830.

<i>On what account received.</i>	Dolls.—cts.	Dolls.—cts.
Amount received into the Treasury from the sale of Seminary Lands, -	20,756 67	
Amount received from the sales of the Gallatin Saline Lands, - -	2,546 04	
Amount paid into the Treasury by the School Fund Commissioners, - -	1,230 51	
Amount received for taxes, - - -	158 49	
		24,691 71
From this sum deduct the amount of Specie Warrants paid at the Treasury up to the 1st. day of December, 1830. -		17,754 52

	Dolls.—cts.	Dolls.—cts.
Leaving a balance of specie in the Treasury on the 1st. December, 1830, of		6,937 19
Amount of outstanding Specie Warrants,		95 31
Leaving a balance in favor of the Treasury on the 1st. December, 1830, of		6,841 88

NO. 3.

A Statement of State Paper Receipts and expenditures at the Treasury, from the 30th November, 1828, to the first day of December, 1830.

<i>On what account received.</i>	Dolls.—cts.	Dolls.—cts.
Amount received into the Treasury, from Non Residents, - - - -	70,237 67	
Amount received into the Treasury, from the Ohio Saline, - - - -	2,787 43	
Amount received from the sales of Vandalia Lots. - - - -	2,866 67	
Amount received into the Treasury from Sheriffs. - - - -	3,048 72	
Amount received from A. Field, former Treasurer, and his securities, -	5,500 06	
Amount remaining in the Treasury on the 30th November, 1828, - - -	7,319 86	
		91,760 41
From this sum deduct the amount of audited warrants paid at the Treasury, interest paid on State paper, and money refunded up to the 1st December, 1830.		66,293 28
Leaving a balance of State Paper in the Treasury, on the 1st. December, 1830, of		25,467 13

NO. 4.

<i>Redemption Account.</i>	Dolls.—cts.	
Amount of Redemption money remaining in the Treasury, on the 30th November, 1828, - - - -	1,918 19	
Amount of Redemption money received from 30th November, 1828, to the 1st. December, 1830. - - - -	11,572 56	
		13,490 75
From this sum deduct the amount of Redemption Money paid out during the same time, - - - -		11,827 49

	<i>Dolls.—cts.</i>
Leaving a balance of Redemption Money in the Treasury on the 1st. December, 1830, of	\$1,663 26

The following are the sums due to the State.

From non-resident Delinquents' List, now advertised for sale for the taxes,	11,600 00
From A. Field, late Treasurer,	12,516 03
From the Ohio Saline, for rents &c.	5,866 00
From Sheriffs, on Judgments,	805 00

E. C. BERRY, *Auditor*

AUDITOR'S OFFICE, ILLINOIS,
Vandalia, December 11 1830.

TREASURER'S REPORT.

TREASURER'S OFFICE,
Vandalia, December 11, 1830. }

SIR:—

I have the honor to submit to the Legislature, the accompanying report, of the transactions in this office, during the last two years, by which it will appear, that a considerable addition to the receipts of the Treasury has been made within that time, and that the situation of the finances is such, that with prudent management the credit of the state may not only be sustained, but placed in a permanent and honorable condition.

By referring to my last report, it will be seen that the receipts into the Treasury, for non-resident taxes, within the two years preceding the meeting of the last Legislature, were \$59,172 28. The same item, in the report now submitted, shews the amount of \$70,237 67; making a difference of \$11,065 39. The whole amount of this difference, may not be caused by increase of revenue, but may be occasioned, to a small extent, by the payment of a portion of the taxes at an earlier date than usual. But it will justify the assertion, that the regular income of the state has increased by *one sixth*, within the last two years.

It will be seen, also, that the amount of State paper in the Treasury exceeds considerably the amount of warrants in circulation, and that all the claims upon the State, now existing, may be discharged on demand, with the exception of the sum due the School Fund.

It is, however, important that the Legislature should be informed of the fact, that a speedy exercise of the legislative interposition is necessary, in order to sustain the credit of the State, at its present respectable standing, by providing means for the payment of the debts which are about to become due, as well as those which shall accrue in the ensuing two years.

The amount borrowed from the School Fund was intended to have met all the demands upon the Treasury, accruing after the borrowing of that money, up to the close of the present year; but as a part of that fund has been withheld by the Treasury Department of the General Government, contrary to the expectation of the General Assembly, there will be a deficiency at the end of the present quarter. A balance of less than \$1500 constitutes all the means which the disbursing officers of the State are authorized by law to appropriate to the payment of the salaries of officers or contingent

expenses, which will become due on the 31st of this month. The amount of warrants which will probably be issued at the close of the present quarter, may be stated at \$3,000 without taking into view the expenses of the present Legislature. In order, therefore, to discharge the warrants as fast as they shall be issued, there will be required, besides a small amount towards the payment of officers' salaries, such further sum as may be needed, for the payment of the members and officers of your body.

There will be required, to pay the salaries of officers, and to support the contingent fund, for the next two years, about \$25,000, with the addition of such sum, if any such, as may be added to the ordinary expenditures, by the creation of offices, or other new appropriation.

To meet this, will be the revenue accruing from taxes, the rents of salines, and sales of Vandalia lots, which may be estimated at \$75,000 00, and which, supposing the expenses of the present session, to amount to \$15,000, will nearly double the probable demands upon the Treasury. If, then, all the income of the State was now paid into the Treasury in par money, we should command a surplus revenue of at least \$30,000, in every two years, at the disposal of the Legislature, for the payment of their debt to the School Fund, or for other purposes. To effect this desirable object, two points are necessary to be secured: 1st, The withdrawal of State paper from circulation: and 2d, The supply of a small sum to meet the immediate wants of the Treasury.

The first of these objects may be effected, by giving the privilege to the holders of State paper of funding the same, and allowing them legal interest, payable annually, or semi-annually, until the principal shall be redeemed, reserving to the State the right to redeem the whole or any part thereof, at pleasure. I am advised that several large holders of our money are willing to make such an arrangement; and it is thought that it would be generally acceptable, provided that the Legislature shall pledge a certain fund, to be sacredly applied to the payment of the interest, and the final extinguishment of the loan. That fund may be found in the surplus revenue above alluded to, a part of which may be applied to the payment of the interest, and the balance be annually expended in reducing the loan.

To accomplish the second object, a loan of about forty thousand dollars would be required; which would be amply sufficient to meet all the demands on the Treasury, for the next two years, including the last quarter of this year. This arrangement would leave the income of the next two years totally unincumbered, and applicable to the payment of the interest, and the extinguishment of the principal debts, alluded to in this and the preceding proposition; and it will be seen that any amount of state paper which might be paid

into the Treasury for taxes, or into the State Bank, would as effectually reduce the debt of the State, as if paid in specie, and then applied in the redemption of State paper.

The amount of State paper, with the interest which might be funded, may be stated at

\$120,000 00
40,000 00

\$160,000 00

Which may be discharged by the whole revenue of 1831 and 1832, and a surplus of \$15,000 in each succeeding year, in about eight years.

All which is respectfully submitted.

JAMES HALL, *Treasurer.*

The Hon.

The Speaker of the House of Representatives.

Report of Receipts and Payments at the Treasury of the State of Illinois, from 1st December, 1828, to 30th November, 1830, inclusive.

RECEIPTS.			PAYMENTS.		
1828	December	8,403 77	1828	December	11,914 62
1829	January	16,849 99	1829	January	14,418 12
"	February	71 95	"	February	117 85
"	March	166 90	"	March	204 28
"	April	215 75	"	April	000 00
"	May	388 08	"	May	322 08
"	June	1,603 00	"	June	2,138 16
"	July	6,737 95	"	July	4,759 13
"	August	6,454 97	"	August	4,029 90
"	September	1,814 55	"	September	873 55
"	October	2,427 46	"	October	3,651 51
"	November	1,762 72	"	November	209 15
"	December	5,301 39	"	December	2,586 35
		<u>52,198 48</u>			<u>45,224 70</u>
1830	January	10,146 27	1830	January	5,496 41
"	February	386 47	"	February	1,544 16
"	March	655 96	"	March	000 00
"	April	259 72	"	April	530 00
"	May	128 80	"	May	126 28
"	June	3,064 39	"	June	1,135 74

RECEIPTS.			PAYMENTS.		
1830	July	5,168 07	1830	July	970 68
"	August	7,279 09	"	August	1,062 92
"	September	2,992 53	"	September	270 00
"	October	832 51	"	October	698 00
"	November	1,327 26	"	November	2,598 31
		<hr/>			<hr/>
		32,242 07			14,432 50
		52,198 48			45,224 70
		<hr/>			<hr/>
		84,440 55		Dollars	59,657 20
	Balance,	7,319 86			
		<hr/>			
	Dollars	91,760 41			

JAMES HALL, *Treasurer.*

James Hall, State Treasurer, in account with the State of Illinois.

STATE PAPER.

		DR.
1828		
Nov. 30.	To balance in the Treasury this date,	7,319 86
" "	" amount of taxes paid into the Treasury from 30th Nov. 1828, to 30th November, 1830, - - -	70,237 67
" "	" cash received from Sheriffs within same date, - - - -	3,048 72
" "	" cash received from Vandalia lots same date, - - - -	2,866 67
" "	" cash received from Salines same date,	2,787 43
" "	" " " " late Treasurer, do.	5,500 06
		<hr/>
		\$91,760 41

SPECIE.

To cash received 3 per cent. fund, - - -	1,230 51
" " " from sale of Seminary Lands,	20,756 67
" " " sale of Land in Gallatin Saline,	2,546 04
" " " for taxes, - - -	158 49
	<hr/>
	\$24,691 71

1828

CR.

STATE PAPER.

Nov. 30.	By amount of Auditor's warrants paid,	59,657 20
" "	" " interest on old paper and money refunded, - - - - -	6,636 08
" "	" balance in the Treasury, State paper,	25,407 13
		<hr/>
		\$91,760 41

SPECIE.

By amount of warrants paid, - - -	17,754 52
" balance in Treasury, specie,	6,937 19
<hr/>	
\$24,691 71	

JAMES HALL, Treasurer.

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Received of the Treasurer of the
Board of Education the sum of
\$100.00 for the year ending
the 31st day of December 1874

Witness my hand and seal this
1st day of January 1875

Attest my hand and seal this
1st day of January 1875

John J. [Name] Secretary

John J. [Name] Treasurer

John J. [Name] Clerk

John J. [Name] Assessor

John J. [Name] Collector

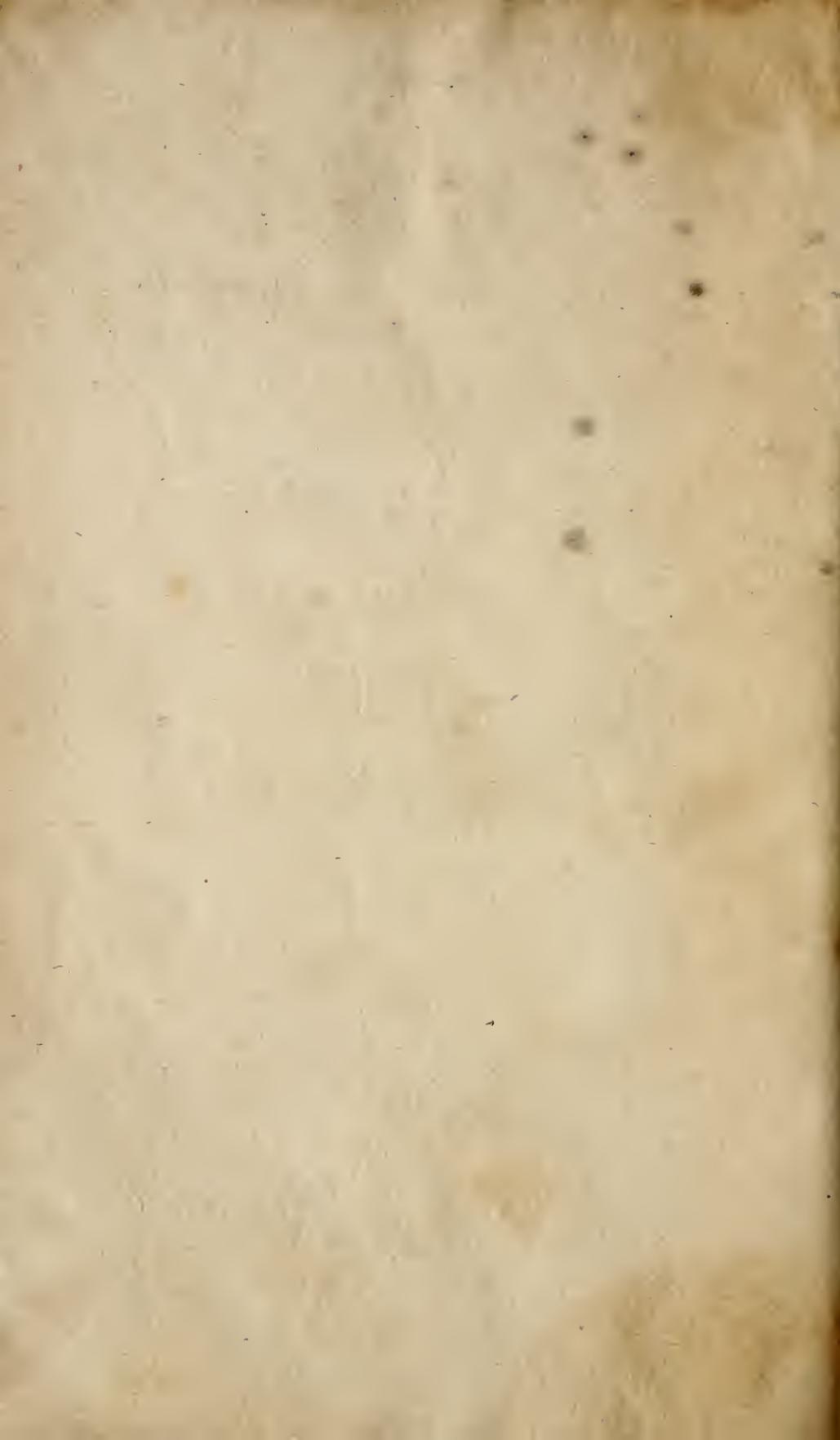
John J. [Name] Auditor

John J. [Name] Comptroller

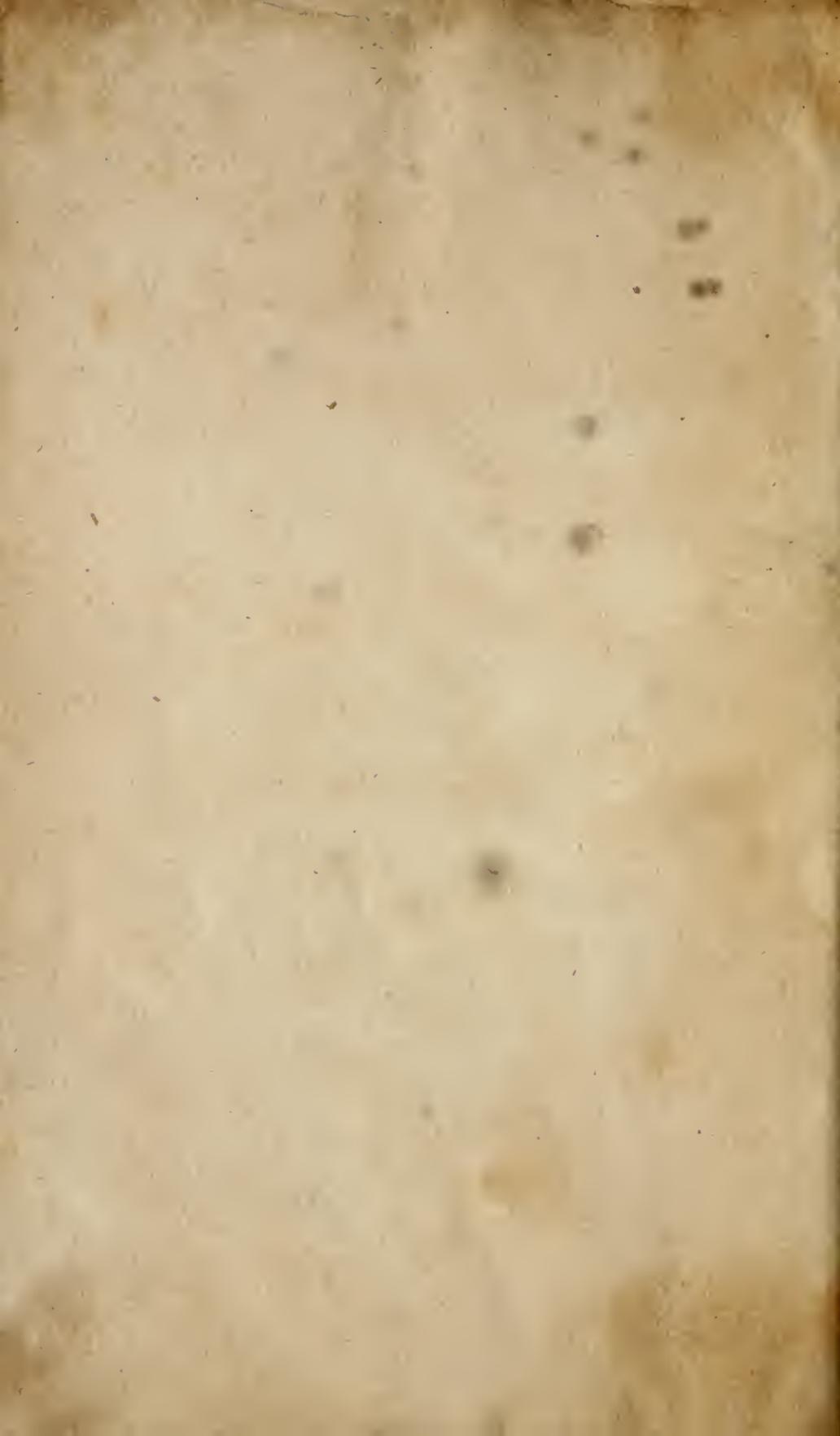
John J. [Name] Register

John J. [Name] Surveyor















Blake

From