

SEC. 2. The county commissioners' court of said county, shall cause the court house and other public property at the town of America, to be sold to the highest bidder, on a credit of nine months, previous notice of the time and place of sale for at least four weeks, having been first given, by posting at least three written advertisements in the three most public places in the said county, and the proceeds of the sale shall be applied to the erection of the necessary public buildings for the county at Unity.

Public property
at America to
be sold.

Proceeds how
applied.

APPROVED, Jan. 24, 1835.

AN ACT declaring Spoon River a Navigable Stream.

In force June
1, 1835.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Spoon River be, and the same is hereby declared a navigable stream from its confluence with the Illinois river up to Cameron's mill on said river, and the same shall at all times hereafter be a public highway, and free for the passage of boats and water crafts from the mouth of said river up to said mill: *Provided,* That any person or persons wishing to build a mill dam on said river, may do so, by constructing an apron to such mill dam, so as to permit flat and keel boats to pass the same.

River declared
navigable.

Proviso.

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

APPROVED, Feb. 12, 1835.

AN ACT declaring Crooked Creek in Schuyler County a Navigable Stream.

In force June
1, 1835.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Crooked Creek in Schuyler county in this State, be, and the same is hereby declared a navigable stream from its confluence with the Illinois river up to Henly's mill on said creek, and the same shall at all times hereafter, be a public highway, and free for the passage of boats and water craft of every description, from the mouth of said creek up to said mill: *Provided,* That any person or persons wishing to build a mill dam on said creek, may do so, by constructing an apron to

such mill dam so as to permit flat and keel boats to pass the same.

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

APPROVED, Feb. 11, 1835.

In force Jan.
24, 1834.

AN ACT to amend "An act prescribing the mode of Summoning Grand and Petit Jurors, and defining their qualifications;" approved, February 7, 1827.

Part of law re-
pealed.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That so much of the eighth section of the act to which this is an amendment, as requires sheriffs or other officers to make timely return of any summons to the clerks that issued the same, be, and the same is hereby repealed.

Sheriff's duty
in relation
thereto.

SEC. 2. *Be it further enacted,* That in all cases where any sheriff or other officer shall be commanded to execute any summons, by virtue of the aforesaid act, he shall be required to make timely return of the same, on or before the return day thereof, to the clerk of the circuit court.

APPROVED, Jan. 24, 1835.

In force Jan.
27, 1835.

AN ACT to amend "An act regulating Enclosures".

Owners of ani-
mals breaking
lawful fence,
liable for dama-
ges.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That if any horse, mare, gelding, colt, mule or ass, sheep, lamb, goat, kid, bull, cow, heifer, steer or calf, or any hog, shoat or pig, shall break into any person's enclosure, the fence being good and sufficient, the owner of such animal or animals, shall be liable in an action of trespass, to make good all damages to the owner or occupier of the enclosures, for the first offence single damages only, and ever afterwards double the damages sustained.

Sufficiency of
fence to be pro-
ven on trial.

SEC. 2. *Be it further enacted,* That the condition of the fence at the time the trespass was committed, may be proven upon trial, and that complaint made by the party injured before any justice of the peace of the county where in such trespass shall be made, such justice is hereby authorized and required to issue a summons without delay to