

SEC. 6. The majors of said battalions shall, so soon as they are organized as aforesaid, report to their respective brigadier generals. Major's duty

SEC. 7. Whenever it shall be necessary to divide any regiment in this State so as to make two regiments, it shall be the duty of the colonel or officer commanding the same, to notify the brigadier general of his brigade thereof, who may, if he think such division proper, issue his order to the colonel, or officer commanding said regiment, directing him to convene a board of officers of his regiment, which shall consist of all the commissioned officers thereof, a majority of whom shall constitute a quorum, the colonel, or officer highest in rank present, presiding. Said board, when so convened, shall proceed to determine whether they will divide said regiment; and if a division is agreed upon, they shall designate the line of division, and the place of holding the regimental muster of the new regiment, and cause the same to be recorded by the adjutant of said regiment, who shall be in attendance for that purpose. A return of the proceedings of said board shall forthwith be transmitted to the general of said brigade, who shall issue his order for an election for a colonel to command the new regiment, which shall be conducted, and return thereof made as in other cases. Division of regiments
Return

SEC. 8. Commissioned officers, living in the bounds of any regiment so created, shall continue to hold their respective offices as though no such division had been made.

SEC. 9. Colonels and commanders of odd battalions shall in all cases have the power to appoint their own staff. Power of colonel, &c to appoint staff

SEC. 10. The elections provided for by this act shall be subject to be contested, in the same manner as is provided for by the act to which this is an amendment.

APPROVED 4th March, 1837.

AN ACT encouraging volunteer companies.

In force, 2nd
March, 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any volunteer or independent company has become organized, or shall hereafter become organized, according to the laws

of this State, it shall be lawful for such company, at any regular meeting thereof, to adopt a constitution and by-laws for the regulation and government of said company, which shall not be inconsistent with the constitution of the United States or of this State.

Adopt constitution, not inconsistent with laws.

Duty of acting sergeant. Record.

SEC. 2. It shall be the duty of the acting orderly sergeant of the company to keep a perfect and complete record of the constitution and by-laws of said company, which shall be signed by the acting captain of the company, and countersigned by the acting orderly sergeant, and said constitution and by-laws shall, at all times, be subject to the inspection of any member of the company, and of all militia officers, and any person interested therein.

Fines.

SEC. 3. Said constitution and by-laws may fix the fines and penalties which shall be imposed on any member of the company for an infraction of any of the provisions of said constitution or by-laws, and may also fix the fines which shall be imposed on any member for a failure to parade at any muster which may be called, according to the constitution or bye-laws of the company.

Failure to parade.

SEC. 4. No company shall be entitled to any of the benefits of this law, which shall not provide in its constitution or by-laws for company musters during the year.

Violation.

SEC. 5. When any member of the company shall have been guilty of a violation of any of the provisions of the constitution or by-laws of the company, a fine shall have been assessed on him in accordance with the provisions of said constitution and by-laws, it shall be the duty of the acting orderly sergeant of the company, or in case he is interested, then of the next serjeant of the company, to demand of such member said fine, and in case of his neglect or refusal to pay the same, it shall be lawful to bring suit for the same in the name of the company before any justice of the peace of the county, subject to an appeal to the circuit court, as in cases of debt or assumpsit: *Provided*, however, that when said suit shall be brought, security for costs shall be given by some responsible person or persons, in case said suit shall be determined against said company.

To bring suit.

Before justice.

Evidence.

SEC. 6. It shall be sufficient evidence that the constitution or by-laws have been regularly adopted if they are signed by the acting captain and countersigned by the acting orderly sergeant of the company, and any member of said company may be a witness in all cases brought under the provisions of this law.

Fines collected

SEC. 7. All fines collected under this law shall be received by the acting orderly sergeant or acting captain of the company and shall be used for the benefit and under the direction of the company.

SEC. 8. It shall be lawful for any two or more volunteer companies to organise themselves into an odd battalion, and elect their major and all other staff officers; *Provided*, the parade grounds of said companies are in the same county and not more than twenty-five miles apart, and in case there shall be four or more volunteer companies in one county, they may organise themselves into a regiment and two battalions, and elect their colonel and staff officers in such manner as may be mutually agreed upon by the respective companies.

Two or more companies to be organized into an odd battalion.

Four companies in one county may form a regiment.

SEC. 9. Whenever any battalion or regiment shall be once organised as aforesaid, it shall be lawful for the same to adopt a constitution and bye-laws for their government, as is above provided for in the cases of companies, the acting colonel or major, (as the case may be,) supplying the place of the acting captain and the acting adjutant the place of the acting orderly serjeant.

When organized.

SEC. 10. Any person serving eight years in one or more volunteer or independent companies, shall be exempt from performing any military duty in time of peace, upon obtaining a certificate or certificates, that he has faithfully discharged his duty as a member of said company.

Eight years service shall exempt from military duty. Certificate.

SEC. 11. So much of the 8th section of an act entitled an act for the organization and government of the militia of this State, in force July 2d, 1833, as requires a volunteer to give notice in writing, to the commanding officer of the company in which he was enrolled, and authorises commandants of regiments to disband independent companies, be, and the same is hereby repealed.

Act repealed.

This act to take effect from and after its passage.

APPROVED 2d March, 1837.

AN ACT declaring certain streams therein named navigable.

In force March 1, 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Lusk Creek be and the same is hereby declared a navigable stream and public highway, from the mouth of said creek, so far up as Cowen's mill, on said creek.

Creek declared navigable.

SEC. 2. That Grand Pier creek be and the same is hereby declared a navigable stream from its mouth so far up as Chips' mill dam.

River declared navigable.

SEC. 3. Also, Big Creek is hereby declared navigable

Big creek de-