

In force, Feb. 16, 1839. AN ACT to change the name of the town of Mechanicsburg, in St. Clair county.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the town of Mechanicsburg, in the county of St. Clair, which has been laid off agreeably to law, and a plat thereof recorded pursuant to the statute in such cases, shall be, and is hereby, changed to that of Muscautah; by which latter name it shall be known and called in all public records; and in all legal transactions where it may be necessary to name said town, the name of Muscautah shall be used: *Provided, however,* That the change of the name of said town shall in nowise affect any contracts or conveyances heretofore made, or any other legal transactions whatever.

Name of town changed.

Proviso.

SEC. 2. This act shall take effect from and after its passage.

APPROVED, February 16, 1839.

In force, Feb. 16, 1839.

AN ACT to create and organize the county of Scott.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all that part of country situate in the following boundary, to wit: Beginning in the centre of the channel of the Illinois river opposite the line between townships fifteen and sixteen north; thence, running east, on said line, to the line between ranges twelve and thirteen; thence, south, on said range line, to the northwest corner of section eighteen, in township fifteen north, range twelve west; thence, east, to the line between ranges eleven and twelve; thence, south, to the northwest corner of section eighteen; thence, east, to the northwest corner of section sixteen; thence, south, to the northwest corner of section twenty-eight; thence, east, to the northwest corner of section twenty-six; all in township fourteen north, range eleven west; thence, south, to the line dividing Morgan and Greene counties; thence, west, with said line, to the centre of the channel of the Illinois river; thence, north, with the channel of said river, to the beginning; which shall constitute a county, to be called Scott.

Boundaries of Scott co.

Election.

SEC. 2. There shall be an election held on the third Monday in March next, at the town of Winchester, and at the different places of voting, for justices of the peace and constables in the limits of the said county of Scott. The election shall be conducted by the present judges of election in said county, who have been appointed by the county of Morgan, according to the election laws of this State; at which election the legal voters of the county of Scott shall elect all county officers for the county, who shall be qualified and commissioned

County officers.

as similar officers are in other counties of this State. Said officers, so elected and qualified, shall hold their offices until the next ensuing regular election for such officers now provided by law; and shall have the same jurisdiction, and discharge all the duties, in the limits of the county of Scott, that are required by law of similar officers in other counties of this State.

SEC. 3. Within five days after said election, the judges of election at the different places of voting, shall return the poll-books of said election to the town of Winchester, directed to Ira Rowen, John Hanback, and Samuel Peak, three acting justices of the peace in the limits of said county; and the said justices shall meet in the town of Winchester within seven days after said election, and proceed to open said election returns, and to do and perform all the duties in relation to said returns that are required by law of the clerks of county commissioners' courts in relation to similar returns.

SEC. 4. As soon as the county officers shall have been elected and qualified as provided for in this act, the county shall be considered organized, and the clerk of the county commissioners' court shall give notice of the same to the judge of the first judicial circuit, who shall appoint a clerk of the circuit court, and shall hold courts in the said county, in the town of Winchester. Said county of Scott shall form a part of the first judicial circuit till otherwise ordered by law.

SEC. 5. Suits and indictments that have been commenced, or may hereafter be commenced, in the circuit court of Morgan county, by any of the citizens living in the limits of the county of Scott, before the organization thereof, shall not be affected by this act; but all such suits, so commenced, shall be decided in the circuit court of Morgan county.

SEC. 6. The said county of Scott shall, at the next regular election for Senators and Representatives to the General Assembly, be entitled to elect one Representative to the General Assembly; and the county of Morgan four Representatives; and the county of Scott shall vote with Morgan to elect one Senator, until the next apportionment of Representatives provided for by the constitution of the State.

SEC. 7. All justices of the peace and constables elected in the county of Morgan, who reside in the limits of the county of Scott, shall hold their offices and have jurisdiction in the said county of Scott, as though they had been originally elected in the said county.

SEC. 8. The school funds belonging to the several townships in said county, and all notes and mortgages pertaining to the same, shall be paid and delivered over to the school commissioner of the county of Scott, by the school commissioner of the county of Morgan, so soon as the said county shall be organized, and the commissioner of school lands appointed and qualified according to law, together with all

interest arising out of said money that has not been heretofore expended for school purposes in that part of Morgan county now included in the county of Scott.

County seat. SEC. 9. The seat of justice of said county shall be, and permanently remain, at Winchester, upon the following condition: That the president and trustees of said town consent that the court house of said county shall be upon the public square, or on a lot adjoining said square, at the option of said president and trustees; said lot to be procured by said president and trustees, and a good title conveyed to said county, and shall erect a court house thereon for the use of said county, upon a plan and with materials to be agreed on by the county commissioners of said county, within three years from the time at which the said county commissioners shall agree upon such plan and materials and notify the president and trustees thereof: *Provided*, The cost thereof shall not exceed three thousand five hundred dollars: *And, further*, That said president and trustees will build a jail for the use of said county, upon a lot or place procured by the said president and trustees, within the limits of the land included in the town plat, or some addition to said town, and not to contain less than one-fourth of an acre of ground, upon a plan agreed upon by the county commissioners of said county, within two years from the time said county commissioners shall agree upon a plan and notify said president and trustees thereof: *Provided*, The cost thereof shall not exceed one thousand five hundred dollars: *Provided, further*, That if the court house shall cost more than the sum herein specified, the excess shall be deducted from the cost of the jail, or, if less, the difference to be added to the price of the jail if necessary, it being the object of this section to require an economical expenditure of five thousand dollars, by the president and trustees, in the erection of the court house and jail, and no more; and that sum may be used in building the court house alone, or may be divided in the erection of both the buildings, in such proportion as the county commissioners of said county shall direct; and that the aforesaid expenditure shall be made within the time agreed for the erection of said buildings.

Jail.

Proviso.

President and trustees to give bond. SEC. 10. In order to secure the payment of the five thousand dollars mentioned in the preceding section of this act, the president and trustees of the town of Winchester are hereby required, in four months after the organization of the county of Scott, to execute a bond to said county of Scott, in the penalty of six thousand dollars, with such security as shall be approved of by the county commissioners of said county, with the condition that, if the president and trustees shall faithfully comply with all the provisions of this act, said bond to be null and void, otherwise to remain in full virtue and force in law and equity. If the president and trustees shall deem it proper, in order to raise the said five thousand dollars, to levy a tax, they are hereby authorized, for the next four years after the

passage of this act, to levy a tax of three per centum per annum, on all real estate within the limits of the corporation of the town of Winchester. And the said president and trustees shall have power to make such ordinances and by-laws as shall secure the assessment and payment of the three per cent., until the said sum of five thousand dollars is raised, and no longer: *Provided*, Said by-laws and ordinances shall not be inconsistent with the constitution and laws of this State. All bonds, notes, or subscriptions, that may hereafter be made or executed, for the purpose of building public buildings in the town of Winchester, made payable to the president and trustees of the town of Winchester, or any other person, are hereby declared valid, and may be sued on and collected by law; all such suits to be commenced in the name of the person or persons to whom payment was to have been made, for the use of the county of Scott.

SEC. 11. In case of failure on part of said trustees to comply with the foregoing sections, the county commissioners' court of said county shall locate the county seat of said county at some eligible point at or near the centre of said county; and shall make it a condition in the location, that at least twenty acres of land shall be conveyed to the county, to be laid off into town lots, streets and alleys; and the proceeds of the sales of said lots to be appropriated to the erection of public buildings for the use of said county.

SEC. 12. In order to ascertain the cost of the buildings required by the preceding sections, the county commissioners shall, so soon as they agree upon the plan of said buildings, appoint two competent mechanics to act with two to be appointed by said president and trustees, and a fifth to be chosen by the four appointed as aforesaid, to make a full and definite bill of the work and materials required in the erection of said buildings, and the cost and value thereof; and the persons so selected shall make such bill of work and materials, and the value thereof, and deliver one copy of the same to the county commissioners' court or to their clerk, and one copy to said president and trustees or their clerk; which bill, when so made by said mechanics, shall be conclusive upon the parties, and shall regulate them in the application of the five thousand dollars: *Provided, however*, That no mechanic shall be chosen under the provisions of this section who resides in the town of Winchester. The foregoing committee of mechanics shall, before entering on the duties assigned them by this section, each take an oath or affirmation, faithfully and impartially to discharge the duties assigned them by this section.

Cost of buildings.

Mechanics appointed to make bill of work, &c.

SEC. 13. In case any one of the county commissioners of Morgan county shall be included in the county of Scott, an election shall be held in the county of Morgan, to fill the vacancy thereby created, as in other cases of vacancy.

SEC. 14. Until a new apportionment can be made of interest on the school, college, and seminary funds, the school

School fund.

commissioner of Morgan county shall apportion that fund among the schools in the counties of Morgan and Scott as though it was all the county of Morgan. This act to take effect from and after its passage.

APPROVED, February 16, 1839.

In force, Feb. 19, 1839. AN ACT to authorize the clerk of the Madison circuit court to procure the rebinding of certain records.

Clerk may
have records
rebound.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the clerk of the circuit court of the county of Madison be, and he is hereby, authorized to take and convey the record books of said court to any place he may select, for the purpose of having the same rebound in a proper and substantial manner; and when said records shall be so rebound, the said clerk shall return the same to the office of the clerk of the Madison circuit court, without diminution or injury.

APPROVED, February 19, 1839.

In force, Feb. 19, 1839. AN ACT to constitute the town of Manchester a justice and constable's district.

Justice's dis-
trict.
Time of elec-
tion.

Jurisdiction
of justice.

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, the corporate limits of the town of Manchester shall constitute a justice and constable's district. The legal voters of the corporation of said town shall, on the first Monday in April next, and on the first Monday in April, every fourth year thereafter, elect, in said corporation, one justice of the peace and one constable, who, when elected and qualified, shall have concurrent jurisdiction with other justices of the peace and constables in the county of Morgan, and shall hold their offices for the same term, and be subject to the same laws. This act shall not be construed so as to prevent the citizens in the Manchester district from electing two justices of the peace and two constables, as now provided by law. The citizens living in the said corporation shall not vote with the district for the two justices of the peace and constables to be elected in the district; nor shall the district vote with the corporation for the justice and constable to be elected in the corporation.

APPROVED, February 19, 1839.