

stables of this State. This act to take effect and be in force from and after its passage.

APPROVED, January 24, 1839.

In force, Jan. 24, 1839. AN ACT to change the name of the town of Vienna, in the county of Fulton.

Name of town of Vienna changed to Astoria.
Contracts not affected.

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, all that part of the county of Fulton on which the town of Vienna is situated, and which is embraced in the recorded plat thereof, shall hereafter be known by the name of Astoria: *Provided, however,* That the change of the name of said town shall in nowise affect contracts or conveyances heretofore made or entered into, or any other legal transaction or business whatever. This act to take effect and be in force from and after its passage.

APPROVED, January 24, 1839.

In force, Feb. 1, 1839.

AN ACT for the relief of Robert Davis and others.

Securities of Jas. Davis, clk co. com. c't Pike co.

May stay execution.

In case of default.

Proviso. Further proviso.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That upon the confession of a judgment before the Supreme Court by the securities of James Davis, late clerk of the county commissioners' court of Pike county, for the amounts due from said Davis to the State, the Auditor of Public Accounts is authorized to stay execution upon said judgment twelve months; and if five hundred dollars of the amount then due be paid, the execution may be stayed twelve months longer; and if one-half of the amount then due be paid, the execution may be stayed twelve months longer: but if default be made in any one of the payments, execution to issue upon the judgment, and credited by payments as though no stay had been allowed: *Provided,* That the costs shall be paid in advance: *And provided, also,* That the confession of judgment shall be had at the term of the Supreme Court now in session.

APPROVED, February 1, 1839.

In force, Feb. 1, 1839. AN ACT to create the county of Brown out of the county of Schuyler.

Boundary of the county of Brown.

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 and being within the following boundaries, to wit: Beginning at the southwest corner of township two south, of range four west, of the fourth principal meridian;

thence east to the Illinois river; thence up said river to the mouth of Crooked creek; thence up said creek to the township line between townships one and two north; thence west to the range line between four and five west of the meridian aforesaid; thence south with said range line to the place of beginning, shall constitute a new county to be called the county of Brown.

SEC. 2. That John M. Campbell of Schuyler county, John B. Curle of Adams county, and William W. Baily of McDonough county, be, and they are hereby, appointed commissioners to locate the seat of justice for said county: the said commissioners, or a majority of them, shall meet at the town of Mount Sterling, on the first Monday in June next, or within twenty days thereafter; and after being duly sworn before some justice of the peace, faithfully to perform the duties required of them by this act, shall proceed to locate and establish a permanent seat of justice of said county, having due regard to the geographical situation, present and future population, as well as donations which may be offered for the erection of public buildings; and if any donations shall be made for the purposes aforesaid, the said commissioners shall do and perform such acts and things as they may deem necessary, to secure the payment thereof to the county commissioners' court of said county, for the use of said county.

Comm'rs to locate county seat, appointed.

Time & place of meeting.

To be sworn.

Donations. Public buildings.

SEC. 3. That the citizens of said county hereby created are and shall be entitled to all the privileges allowed, in general, to citizens of other counties in this State; and until public buildings shall be erected for that purpose, the courts shall be held at such place, in Mount Sterling, as shall be provided by the county commissioners' court of said county; and if the permanent seat of justice shall be located at any place other than Mount Sterling, it shall be the duty of the commissioners hereby appointed to locate the same, and to give it a name: but if they shall select Mount Sterling for the seat of justice, then and in that case, Mount Sterling shall be the name of the said seat of justice.

Privileges of citizens.

Courts held in Mt. Sterling.

If county seat not placed at Mt. Sterling, comm'rs to locate & name.

SEC. 4. That an election for county officers shall be held in the said county of Brown, at the several places of holding elections, and by the same judges heretofore appointed by the Schuyler county court, on the first Monday in May next; which election shall be conducted in all respects agreeably to the laws regulating elections. It shall be the duty of the said judges to make returns of the poll-books of said election to Robert N. Curry and James W. Singleton, two justices of the peace at Mount Sterling, within seven days from and after said election: and it shall be the duty of the said justices of the peace to open and compare the said polls, and to make out and deliver certificates to the persons elected, and to return an abstract to the Secretary of State, in the same manner as is now required of clerks of the county commissioners' courts in such cases: *Provided*, That this act shall

Elections.

Returns of election to be made to two justices peace

Duty of justices.

Abstract to be sent to office of Sec. State. Proviso.

not be so construed as to repeal out of office any justice of the peace, or constable, who may be in office within the limits of said county, at the passage of this act; but they shall continue to hold their offices the same as if this act had not been passed.

SEC. 5. That at the next general election, and until a new apportionment of representation shall be made among the several counties of this State, the county of Schuyler shall elect one Representative, and the county of Brown one Representative to the General Assembly; and in case a vacancy shall happen in the office of Senator from the county of Schuyler, the said county of Schuyler and the county of Brown shall vote together to fill such vacancy, and until a new apportionment of representation shall be made; and in case of an election for a Senator, it shall be the duty of the clerk of the county commissioners' court of Brown county, within four days after returns of such election shall be made to him, to meet the clerk of Schuyler county at Rushville, and the two, together, shall compare the polls, and deliver a certificate to the person elected, and also return a transcript of the votes given for Senator to the Secretary of State.

SEC. 6. That the said county of Brown shall be attached to and form a part of the fifth judicial circuit; and it shall be the duty of the judge of said circuit to hold two terms of the circuit court in said county, annually, at such time as the said judge shall order and appoint, or at such time as may be provided by law.

SEC. 7. That it shall be the duty of the county commissioners' court of said county to appropriate, set apart, and pay into the county treasury of Schuyler county, one-half of the sum which shall remain due and payable to Alden and Burton from the said county of Schuyler for building a bridge across Crooked creek, after the said county of Schuyler shall have expended the money already appropriated to that object; the said amount so to be paid by the county of Brown to be made and certified by the county commissioners' court of Schuyler county, so soon as the amount can be ascertained; and it shall be the duty of the county commissioners' court of Brown county to provide the means to make such payments annually, and at the time the same become due from the county of Schuyler to the said Alden and Burton.

SEC. 8. That the sheriff of Schuyler county shall have power to collect all taxes, fines, and forfeitures heretofore assessed, and to serve all process necessary to the prosecution and disposal of all causes now pending in the Schuyler circuit court, the same as if no change had been in the boundaries of said county, and as if this act had not been passed.

SEC. 9. That the commissioners hereby appointed to locate the seat of justice shall be allowed and paid out of the county treasury of said county, the sum of three dollars per day each.

Schuyler to
elect one Rep.
Brown, one.

In vacancy
for Senator,
Schuyler and
Brown together
to elect.

Duty of clerk
of Brown co.

Poll books
compared at
Rushville.

Brown co. at-
tached to 5th
Jud. Cir.
Duty of judge
to hold two
terms.

Duty of com'rs
to pay half of
sum due to Al-
den & Burton
to Schuyler
county.
Bridge across
Crooked cr'k.

Duty of com-
missioners of
Brown co.

Sheriff of
Schuyler, ju-
risdiction of.

Pay of com'rs
to locate co.
seat.

SEC. 10. That so soon as the school commissioner of Schuyler county shall be notified by the county commissioners' court of Brown county, that a school commissioner for that county has been appointed, to deliver to said commissioner, all moneys and papers belonging to the several townships in the said county of Brown.

APPROVED, February 1, 1839.

AN ACT to provide for the election of Justices of the Peace in Naples and Meredosia, and for the appointment of certain Notaries Public. In force, Feb. 1, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter there shall be two justices of the peace and two constables elected at every general election for justices of the peace and constables, in the Naples justices' districts of Morgan county.

SEC. 2. A special election for one justice of the peace and one constable, in addition to the justice of the peace and constable now authorized by law, shall be held in said justices' districts, at the usual place of holding elections, on the first Monday of April next; and said officers shall hold their offices until the next general election, and until their successors are elected and qualified.

SEC. 3. The Governor shall appoint, by and with the advice and consent of the Senate, one notary public in said town of Naples, whose duties and term of service shall be the same as other notaries public of this State.

SEC. 4. Orson B. Cobb, who acted as a justice of the peace in the said Naples justices' district, shall be deemed to have been a regularly appointed and qualified justice of the peace in said district, from the time of his first acting to the time of his death.

SEC. 5. The provisions of the first and second sections of this act shall be extended and applied to the justices' district in which Meredosia is situated.

SEC. 6. The provisions of the third section of this act shall be extended and applied to the following towns in the county of Morgan, viz: Merodosia, Bethel, Exeter, Franklin, Waverly, Manchester, Princeton, Lexington, and Winchester; and to Grafton, Whitehall, and Jerseyville, in Greene county; to Rockport, Griggsville, and Perry, in Pike county; Chester, in Randolph county; to Hamburg, in Calhoun county; to Virginia, in Cass county; to Juliet, Lockport, and Wilmington, in Will county. There shall also be appointed, in like manner, two additional notaries public in the city of Chicago, and one additional notary public in the city of Alton.

APPROVED, February 1, 1839.