

AN ACT to protect the Cumberland road, and prevent trespasses.

In force, Mar.
2, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That if any person or persons shall be guilty of removing any materials for the construction of the Cumberland road in this State, now made and hereafter to be made and constructed, or deface, injure, or destroy any of the works, or steal or destroy any tool or instrument belonging to the United States for the use of said road, he or they shall be guilty of a high crime or misdemeanor, and shall be punished severely under the laws now existing and in force for the punishment of similar offences on individual and State property. Persons trespassing, how punished.

SEC. 2. That if any person or persons shall store any combustible or other matter in any of the culverts or bridges, or obstruct them in any manner whatever, or encamp or build fires within or near them, or obstruct any of the culverts, ditches, or drains, remove or deface any mile-stones, or stop with teams to feed on the road, shall be guilty of trespass, and shall be held accountable under the existing laws; and suits may be brought against said trespassers by any agent of the Government, or any other person who may take upon himself to attend to the same, for all such offences.

SEC. 3. In cases arising under this act, the individual may be taken by capias or warrant founded on affidavit, and held to bail or committed to jail. Persons trespassing, how taken.

SEC. 4. Suits shall be brought before any court having competent jurisdiction to try and hear such cases; and the right to appeal to the circuit court is reserved as in similar cases now provided by law.

APPROVED, March 2, 1839.

AN ACT to amend an act, entitled "An act in relation to garnishees," approved February 12, 1839. In force, Mar. 2, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the "Act in relation to garnishees," approved February 12, 1839, be, and the same is hereby, suspended; and shall not take effect until the first day of January, 1840.

APPROVED, March 2, 1839.

AN ACT to repeal an act, entitled "An act to incorporate the town of Upper Alton." In force, Mar. 2, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act, entitled "An act to incorporate the town of Upper Alton," approved

Act repealed. February 18th, 1837, be, and the same is hereby, repealed:
 Proviso. *Provided*, That the board of trustees of the said town of Upper Alton, now in office, shall have power and authority to collect, sue for, and recover, from any collector or treasurer of said town, or who may have acted as such, or other persons, any moneys in their hands, collected by them for taxes or otherwise, belonging to said town; and the said board of trustees shall appropriate the same to the payment of any debts that may have been contracted by authority of the said board of trustees; and should there be any overplus, after discharging all the debts as aforesaid, the same shall be expended, under the direction of the said board of trustees, in improving the streets in the said town of Upper Alton.

APPROVED, March 2, 1839.

In force, Mar.
2, 1839.

AN ACT concerning the town of Naples.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Branch railroad and appendages thereof, authorized by the Board of Public Works, from the Northern Cross railroad to the town of Naples, be, and the same is hereby, abandoned; and the Board of Public Works elected at the present session of the General Assembly be, and they are hereby, required to adopt such measures as will secure from waste and injury all public property and materials appertaining to said branch and appendages, and make such disposition of said materials and property as they may deem the interests of the State require, and to effect such a compromise with the contractors thereof as they may deem justice demands, and will be most conducive to the interests of the State.

Branch road
abandoned.
Duty of Board
of Public
Works.

Compromise
with contract-
ors.

Act repealed.

SEC. 2. That the act, entitled "An act to construct a railroad from Naples to Jacksonville," approved February 18, 1837, be, and the same is hereby, repealed.

APPROVED, March 2, 1839.

In force, Mar.
2, 1839.

AN ACT to provide for the relocation of a State road therein named.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Hugh L. White, John R. Crandell, and Moses Young, be, and they are hereby, appointed commissioners to review and relocate so much of the State road leading from Wesley City, in Tazewell county, to Pekin, and from thence to Springfield, in Sangamon county, as lies between the north line of the town of Pekin and Crane creek.

Com'rs to lo-
cate road.