

In force, Mar. 2, 1839. AN ACT to incorporate the Northern Division of the American Bottom.

**SEC. 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all that portion of the American bottom which lies in Madison and St. Clair counties, south of Wood river, is hereby declared a body corporate under the title and name of "The northern division of the American bottom."

**SEC. 2.** The inhabitants of said district of country are hereby constituted a body politic and corporate; and, under the name and style of "The president and trustees of the northern division of the American bottom," they and their successors shall be known in law; shall have perpetual succession; shall sue and be sued, implead and be impleaded, defend and be defended, in all courts of law and equity, and in all actions whatever; may purchase, receive, and hold property, real and personal, within said corporation, and may sell, lease, or dispose of the same for the benefit of the corporation, and may do all other acts as natural persons: they shall have a common seal, and may alter the same at pleasure.

**SEC. 3.** The powers of said corporation shall be vested in a president and a board of trustees.

**SEC. 4.** The president shall be elected by the voters of the corporation, and shall hold his office for the term of two years, and until his successor be duly elected and qualified.

**SEC. 5.** The board of trustees shall consist of six trustees, to be selected as follows: three from that part of said corporation which lies in Madison, and three from the portion lying in St. Clair counties; and shall hold their office for the term of two years, and until their successor are duly elected and qualified.

**SEC. 6.** The president, trustees, and all other officers of corporation shall, during their continuance in office, reside within the limits of the corporation; and if the president and trustees or other officers of the corporation shall cease to reside within the limits of the same, his office shall thereby immediately become vacated.

**SEC. 7.** Whenever any election for president or trustees shall be contested, it shall be determined by the board of trustees; and all vacancies that shall occur in the board of trustees shall be filled by election, in such manner as shall be provided by ordinance.

**SEC. 8.** The president may be removed from office for any misdemeanor in office, by a vote of two-thirds of all the board of trustees elected; and, whenever a vacancy shall happen in the office of president, it shall be filled by election in such manner as shall be provided by ordinance.

**SEC. 9.** The president shall have power to nominate, and, with the concurrence of the board of trustees, to appoint all corporation officers not ordered by law or ordinance to be otherwise appointed. He shall take care that the laws of the



State, so far as they relate to the corporation and the ordinances of the corporation, are duly enforced, respected, and observed within the corporation. He may remit fines, forfeitures, and penalties accruing or owing from the violation of any ordinance of the corporation. He may fill all vacancies which may occur in any office other than that of trustees, until the next meeting of the board of trustees after the vacancy shall have happened. He shall from time to time give to the board of trustees information relative to the state of the corporation, and shall recommend to their consideration such measures as he shall deem expedient.

Remission of fines.

SEC. 10. The president shall preside at all meetings of the board of trustees; and, when the board is equally divided, he shall give the casting vote. The board shall judge of the qualifications, elections, and returns of the members of the board. They shall make rules and regulations for the government of their own proceedings. They shall have power to compel the attendance of absent members at the meetings of the board, to punish members for disorderly conduct, and, by a vote of two-thirds of all the members elected, to expel a member, but not a second time for the same offence. They shall cause a true and faithful record to be kept of all the acts and proceedings of the board; and, at the desire of any member, shall cause the ayes and nays on any question to be entered therein.

When president to give casting vote.

Expulsion of members.

SEC. 11. There shall be four stated meetings of the board of trustees in every year, the time and place of which shall be prescribed by resolution or ordinance of the board.

Stated meetings.

SEC. 12. In all meetings of the board of trustees, a majority of the whole number of members elected shall constitute a quorum to do business; but any less number may adjourn from day to day, and compel the attendance of absent members. The president may call special meetings of the board of trustees, by giving five days' notice thereof, in writing, to the members of the board.

Quorum.

SEC. 13. Whenever any vacancy shall happen in the office of president, the trustees shall choose one of their own number to act, and receive the compensation of president, until such election shall be filled by election.

Vacancy filled by trustees.

SEC. 14. The president and board of trustees shall have power, within the corporation, to levy and collect taxes not exceeding one-half of one per centum on all landed property, (made taxable by law for State purposes); to receive and use donations and appropriations from any person or body of persons whatsoever: *Provided* the proceeds of such taxation, and of such donations and appropriations, be used by them to secure the main intention of this act, that is to say, for the purpose of draining, reclaiming, and rendering healthful that tract of country included within the boundaries of the corporation. They shall have, and they are hereby invested with, powers to dig canals, ditches, sluices, and outlets for standing

Taxes on lands.

Proviso.

Intention of act to drain bottom.



Levees and  
dykes.

Fees of jurors.

Census.

Ordinances to  
be approved  
by president.

Ordinances  
reconsidered.

Style of ordi-  
nances.

Ordinances to  
be published.

How proven.

Private prop-  
erty for use  
of corpora-  
tion, how paid  
for.

waters in lakes, ponds, slashes, and pools of water; to turn the channels or beds of branches, rivulets, lakes or ponds, and to remove all obstructions in the same; to raise embankments, levees, or dykes whenever they shall deem proper, and to alter and vary the same at pleasure; to declare what shall be considered nuisances, and to cause the removal of the same; to regulate the election of corporation officers; to remove (at pleasure) from office any person holding any office created by ordinance; to fix the compensation of all corporation officers; to fix the fees of jurors, witnesses, and others for services rendered under this act, or any ordinances of the corporation; to provide for the payment of all expenses incurred in the performance of duties required by this act, or any ordinance of the corporation, and to provide for the collection and appropriation thereof; to provide for the taking the census of the inhabitants of the corporation; to appoint all officers, servants, and agents necessary to carry into effect the powers hereby granted.

SEC. 15. Every ordinance of the board, before it shall become a law, shall be presented to the president for his appropriation; and, should the president disapprove of the same, he shall return it to the board of trustees, with his objections; and then the board of trustees shall reconsider the ordinance so returned; and if, after such reconsideration, a majority of the whole number of trustees elected shall pass the ordinance, it shall become a law.

SEC. 16. If any ordinance shall not be returned to the board of trustees within five days after it shall have been delivered to the president for his approbation, it shall become a law in the same manner as if he had approved it.

SEC. 17. The style of the ordinances of the corporation shall be: "Be it ordained by the president and board of trustees of the corporation of the northern division of the American bottom."

SEC. 18. All ordinances passed by the board of trustees shall, before they become a law, be published in one or more newspapers published in the limits of the corporation, or in some newspaper published in St. Clair or Madison counties.

SEC. 19. All ordinances of the corporation may be proven by the seal of the corporation; and when printed and published in book form, and purporting to be printed by authority of the corporation, the same shall be received in evidence in all the courts and places without further proof.

SEC. 20. When it shall be necessary to take private property for the use of the corporation, or to injure private property for the general benefit of the corporation, the corporation shall make a just compensation therefor to the person whose property is so taken or injured; and if the amount of such compensation cannot be agreed on, the president shall cause the same to be ascertained by a jury of disinterested freeholders of the corporation. Such jury shall at the same



time take into consideration the benefits accruing to such property by any work done upon it by order of the corporation, as well as the injury done, and shall have the same in mind when making up their verdict on the same.

SEC. 21. All jurors empaneled to inquire into the Jury to assess. amount of damages or benefits sustained by a piece of property having had a corporation work done upon it, shall first be sworn to that effect, and shall return to the president the result of their inquiry, in writing, and signed by each juror.

SEC. 22. The president shall have power, for good cause shown within twenty days after the return to him of any inquest, to set the same aside, and to cause a new inquest to be made.

SEC. 23. The president and trustees shall have power, by Redemption ordinance, to direct the manner and condition in which any of land sold for taxes. property advertised for sale, or sold, for taxes by authority of the corporation, shall be redeemed: *Provided, however,* That at least two years shall be allowed for redemption.

SEC. 24. There shall be a corporation register chosen by Register to be chosen to perform the duties of clerk. the trustees, whose duty it shall be to keep a record of all the official acts of the president, and, when necessary, to attest them. He shall perform the duties of clerk to the board of trustees when in session: he shall keep a book or books Records and papers of corporation, how and when kept. wherein shall be entered all the proceedings of the board; he shall keep in his office all records, public papers, and documents belonging to the corporation; and he shall perform such other duties as shall be assigned to him by the board of trustees. He shall hold his office for two years, and until his successor shall be duly appointed and qualified, unless re- Proviso. moved as heretofore provided. He shall, before entering on the discharge of the duties of his office, give bond to the president, conditioned for the faithful discharge of the duties of his office.

SEC. 25. Every officer of the corporation shall, before Officers to be sworn. entering on the discharge of the duties of his office, take and subscribe an oath or affirmation, before some judge or justice of the peace, that he will support the constitution of the United States and of this State, and that he will faithfully conduct himself in office.

SEC. 26. The general election for all officers of this cor- General elec- tion. poration, required to be elected by this act, shall be held on the third Monday of July, of eighteen hundred and thirty-nine, and on that day every two years thereafter. The voters shall possess the same qualifications as are required in voters for State officers, that is, shall be twenty-one years of age, shall have lived in the corporation six months preceding the election, &c.; and they shall vote *viva voce*. Vote viva voce.

SEC. 27. For the carrying out the organization of this corporation, Laurant Pensaneau, Narcisse Cornoyer, and Thomas Gilham, are hereby authorized and required to hold Pesons authorized to hold first election. an election, on the third Monday of July next, for president Time & place of election.



and six trustees as provided in this act, and to continue the same from ten o'clock A. M. to six P. M.; which election shall be held at the office of Alexander Cook, esq., in Illinoistown, in the county of St. Clair; and as soon as they shall have ascertained who are elected, they shall proclaim the same, and give certificates to such persons of such election. Said Laurant Pensaneau, Narcisse Cornoyer, and Thomas Gilham shall be qualified as judges of election as provided in cases of State elections, and shall appoint their clerk for the same. The return or polls of this election shall be delivered to the trustees of the corporation as soon as they shall have been qualified.

Certificates of election.  
Judges of election.

SEC. 28. The General Assembly may at any time alter, amend, or repeal this act.

APPROVED, March 2, 1839.

In force, Mar. 2, 1839. AN ACT to incorporate the Bainbridge Academy, in Franklin county.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John Bainbridge, Joel Norris, Warrenton K. Spiller, Dubratus Dempsey, Thos. E. Loudon, William T. Turner, Thomas Scurlock, Anderson Walker, Wilson Spiller, and Ragsdal Rowland, and their successors, be, and they are hereby, created a body politic and corporate, to be styled and known by the name of "The president and trustees of the Bainbridge Academy," and, by that style and name, to remain and have perpetual succession. The said academy shall be and remain at or near Bainbridge, in Franklin county, and State of Illinois. The number of trustees shall not exceed twelve, one of whom shall be president of the board, to be chosen by the trustees. For the present the abovenamed individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their discretion.*

Body politic.  
Name.

Powers.

SEC. 2. The object of said corporation shall be the promotion of the general interest of education.

SEC. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred on similar bodies corporate, to wit: To have perpetual succession; to make contracts; to sue and be sued; to plead and be impleaded; to grant and receive by its corporate name; and to do all acts as natural persons may; to accept, acquire, purchase, or sell property, real, personal, or mixed, in all lawful ways; to use, employ, manage, and dispose of all such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects before mentioned; to have a common seal, and to alter or change the same; to make such by-laws for its regulation as are not inconsistent with the constitution and laws of the United States

Further powers.