

AN ACT for the formation of De Witt county.

In force, Mar.
1, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all that tract of country within the following boundaries, to wit: Beginning at the northwest corner of section numbered eighteen, in township numbered twenty-one north, in range numbered one, west of the third principal meridian, and running thence, east, on the section lines, to the northeast corner of section numbered thirteen, in township numbered twenty-one north, in range numbered six east; thence, south, on the range line between ranges six and seven, to the township line between townships numbered eighteen and nineteen north; thence, west, on the last mentioned township line, to the third principal meridian; thence, north, on said meridian line, to the township line between townships numbered twenty and twenty-one north; thence, west, on said last mentioned township line, to the range line between ranges numbered one and two west; and thence, north, on said last mentioned range line, to the place of beginning, shall constitute a new county, to be called the county of De Witt.

Boundaries of
De Witt county.

SEC. 2. For the purpose of permanently establishing the seat of justice of said county, the legal voters thereof shall meet, at the several places of holding elections for Representatives and Senators in said county hereby created, on the first Monday in May next, and proceed to vote for the following points, to wit, the towns of Clinton and Marion, of said county; and the place receiving the largest number of votes given shall be the established seat of justice of said county.

Voters to lo-
cate co. seat.Places to be
voted for.

SEC. 3. The legal voters of said county shall, at the same time and places above specified, elect one sheriff, one coroner, one recorder, one county surveyor, one probate justice, one clerk of the county commissioners' court, and three county commissioners, who shall hold their offices until the next succeeding general election, and until their successors are elected and qualified; which said elections shall be conducted in all respects agreeable to the provisions of the law regulating elections.

Election for
co. officers.

SEC. 4. It shall be the duty of the clerk of the circuit court of said county to give at least thirty days' notice of the time and places of holding said elections above provided for, by posting up notices thereof at at least six public places in the county; and the returns of said elections shall be made to said clerk who gave the notice as aforesaid, and by him, in presence of one or more justices of the peace, shall be opened and examined; and they jointly shall give to the persons elected county commissioners certificates of their election, and shall transmit abstracts of the election for the county officers to the Secretary of State as now required by law. It shall further be the duty of said clerk and justice or justices of the peace, as the case may be, to furnish the clerk of the county commissioners'

Notice of
election.Returns, how
made.Certificate of
election.

Abstract of
votes.

court with an abstract of the votes given for the seat of justice of said county; which said abstract shall be recorded in the record of the proceedings of said commissioners' court, and shall forever exist as evidence of the established seat of justice of said county.

Judges of
election.

SEC. 5. For the purpose of holding said election, it shall be the duty of the present judges of election embraced within the limits of said county to act as judges of the same: *Provided, however,* That should said judges decline acting, or be absent on the day of election, the qualified voters present may elect, from among their own numbers, three qualified voters to act as judges of said election, who shall have power to appoint two persons to act as clerks, as in other cases.

Proviso.

Officers con-
tinued.

SEC. 6. The present justices of the peace and constables embraced within the limits of said county shall be, and are hereby, continued in office as justices and constables of said county of De Witt until the next regular election of justices of the peace and other county officers.

Donations.

SEC. 7. The proprietor or proprietors of the town where the county seat may be located as aforesaid shall donate the sum of two thousand dollars, payable within a period not less than twelve nor more twenty-four months from the time said location shall be made; or, in lieu thereof, at their discretion, shall grant and convey, by good and sufficient warranty deeds, town lots or other lands situated in or about the town where the county seat shall be so located, the aggregate value of which shall not be less than two thousand dollars, to be appraised by three disinterested freeholders, to be mutually agreed upon by the proprietor or proprietors of said town and the county commissioners of said county: *Provided* said proprietor or proprietors and the county commissioners of said county cannot agree upon the value of the same: *Provided, however,* And said donations or grants are upon this express condition, that the court house and public offices of said county shall be erected on the present established public square of the town in which the county seat may be located.

Proviso.

Further provi-
ed.

Money, how
appropriated.

SEC. 8. It shall be the duty of the county commissioners' court, at as early a period as practicable, to appropriate said two thousand dollars so donated as aforesaid, or the proceeds of said real estate granted as aforesaid, as the case may be, in the erection of a court house or other necessary public buildings; for which purpose, should the donations consist of real estate, the county commissioners shall have power to dispose of said real estate in such manner, and upon such terms, as they may deem most consistent with the public interests.

De Witt to
form part of
8th circuit.

SEC. 9. Said county shall be attached to, and form a part of, the eighth judicial circuit; and, until the county seat shall be located as provided in this act, the circuit and county commissioners' courts shall be held at the town of Marion.

SEC. 10. For judicial and other purposes, said county shall continue to form parts of McLean and Macon counties until organized as above provided for, and shall continue to be attached to said counties in all general elections until otherwise provided by law.

SEC. 11. After the election of county officers as herein provided, the persons elected county commissioners are hereby authorized to administer oaths of office to all other county officers; and the said county commissioners shall, within ten days after their election, meet together as a court, lay off the county into precincts and justice's districts, appoint a school commissioner for the county, and transact any other business which may be deemed necessary.

SEC. 12. The school funds belonging to the several townships in said county, together with all interest arising out of said moneys that have not heretofore been expended for schools embraced within the limits of the counties of McLean and Macon now proposed to be set off into the county of De Witt, and all notes and mortgages appertaining to the same, shall be paid and delivered over to the school commissioner of said county of De Witt, by the school commissioners of the counties of McLean and Macon, as soon as said county shall be organized and the commissioner of school funds shall be appointed and qualified according to law.

SEC. 13. It shall be the duty of the county commissioners of said county, before the erection of public buildings, to provide some suitable room or building in which to hold the circuit and county commissioners' courts.

The inhabitants residing within so much of the territory set off and forming a portion of De Witt county as are now within the bounds of Macon county, shall continue to be and constitute a part of the taxable inhabitants of Macon county until the first of January, 1840.

APPROVED, March 1, 1839.

AN ACT to authorize the county commissioners' court of St. Clair county to change State roads in said county.

In force, Feb. 26, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county commissioners' court of St. Clair county is hereby authorized to change the location of any State road in said county: *Provided,* That no change shall be made in the Great Western mail route; nor any change in any State road at the points where such road enters the county, without the consent of the county commissioners' courts of the adjoining counties interested.

APPROVED, February 26, 1839.