

Galletin County shall be and the same are hereby directed to be holden on the third Mondays in January, March, May, July, September and November yearly and every year. Any laws or parts of laws to the contrary notwithstanding. This act shall be in force from and after the first day of January next.

GEO FISHER

Speaker of the House of Representatives

PIERRE MENARD

president of The Council

Approved Feb [sic] 8, 1813

NINIAN EDWARDS

AN ACT to prevent the Migration of free Negroes and Mullattoes into this Territory and for other purposes—

SEC. 1. Be it enacted by the Legislative Council and House of Representatives of the Illinois Territory That it shall not be lawful for any free negro or mullatto to migrate in this Territory, and every free negro or mullatto who shall come into this Territory contrary to this act shall and may be apprehended and carried by any citizen before some Justice of the peace of the county where he shall be taken; which Justice is hereby authorised to examine, and order to leave the Territory every such free negro or Mullatto, which said free negro or Mullatto shall be allowed from the time of his examination before the Justice of the peace fifteen days to depart from the Territory, and if after the expiration of the said fifteen days he or she shall be found in the Territory he or she shall be carried before a Justice of the peace who shall order him or her to be whipped on his or her Bare back not exceeding thirty-nine stripes nor less than twenty-five stripes and if he or she shall thereafter remain in the Territory fifteen days he or she may be punished in the same manner as aforesaid and so on as long as he or she shall refuse or fail to depart from the Territory.

SEC. 2. Be it further enacted that all free negroes and Mullattoes now residing in the Territory shall within six months after the passage of this act apply to the clerk of the court of Common Pleas of the County in which such negro or mullatto may reside to be registered and numbered by the clerk, which register shall specify the name, age, colour, and stature of said free negro or mullattoe, a copy of which register signed by the clerk shall be delivered to the said

free negro or mullatto for which the clerk shall demand of him or her the sum of fifty cents—Provided however that no negro or mullatto as aforesaid, shall claim the benefit of this section until he, she, or they produce to such clerk satisfactory evidence that he, she, or they is, or are entitled to freedom—Provided also that no negro or mullatto who is claimed as a servant or slave by any person or persons shall be entitled to the benefit of this section.

SEC. 3. Be it further enacted that if any such Free negro or Mullatto being of the age of twenty-one years shall neglect to procure such certificate it shall be the duty of any Justice of the Peace of the county wherein he or she may be found to order him or her to leave the Territory as in the first section of this act, and the said free negro or mullatto shall be subject to the same penalties for refusing to leave the Territory as is provided in the first section of this act.

SEC. 4. Be it further enacted that if any such free negro or mullattoe shall hereafter be convicted before any Justice of the peace of the county where the offence was committed, of stealing, or harbouring runaway negroes or mullattoes or slaves belonging to persons either in this Territory or elsewhere. The said Justice of the peace whose duty it shall be to take cognizance of such offences, shall order him or her to receive on his or her bare back not less than thirty-nine nor more than fifty lashes and the Justice shall order him or her to depart from Territory in thirty days, and if such free negro or mullatto shall neglect to depart accordingly, he or she shall be dealt with in the same manner as is provided in the first section of this act.

SEC. 5. Be it further enacted that any such free negro or Mullatto who is required by this act to register himself with the clerk as aforesaid, shall at the same time register with the said clerk in the same manner all such free negroes or Mullattoes residing with him or her as may be under the age of twenty-one years. And on failure thereof such free negroes & Mullattoes being under the age of twenty-one years may by any citizen be carried before the court of common pleas of the county, whose duty it shall be to bind them out until they attain the age of twenty-five years. This act to commence and be in force from and after the passage thereof.

GEO FISHER

Speaker of the House of Representatives

PIERRE MENARD

president of The Council

Approved Dec 8, 1813

NINIAN EDWARDS

AN ACT concerning the Kaskaskia Indians.

Whereas a former law of this Legislature has been found insufficient to prevent evil disposed persons from selling and giving intoxicating drinks to the Kaskaskia Indians or from cheating and defrauding the said indians out of their property by pretended or real purchases and whereas the former practice is productive of disorder, and other pernicious consequences and the latter a violation of moral Justice and good policy. For remedy thereof,

SEC. 1. Be it enacted by the legislative council and house of Representatives and it is hereby enacted by the authority of the same That if any white person or free person of color either male or female shall hereafter without license from the Governor as superintendent of indian affairs within this Territory or from some sub-agent appointed by him either sell to give to any Kaskaskia Indian or any other indian residing with them any quantity of whiskey, gin, brandy, rum, cider or other intoxicating drink such person so offending shall forfeit and pay twenty dollars to be recovered upon warrant before any Justice of the peace who shall upon conviction of such offence issue execution returnable in thirty days against either the body or goods of such offender as may be required of the said Justice of the peace, and upon such execution there shall be no security whatever taken.

SEC. 2. If either of the offences stated in the above section, shall be committed by any negro or mullatto being the slave or servant of any person whatever, It shall be the duty of a Justice of the peace upon application to him made according to law to issue his warrant against such negro, or mullattoe and upon proof of the offences above mentioned or either of them having been committed by said negro or mullattoe, the Justices of the peace before whom such proof may be made shall, order him or her so offending to receive on his or her bare back if for the first offence fifteen lashes and for every subsequent offence of like kind double that number. Provided however that the said corporal punishment shall not be inflicted if the owner or any other person will in behalf of said negro or mullattoe pay the sum of twenty dollars for each offence respectively.

SEC. 3. That it shall not be lawful for any person whatever without license from the Governor or some sub-agent appointed by him to purchase or receive by gift or otherwise of any of the before mentioned indians, any horse mare gun Tommahawk, knife, Blanket Strouding, calico, saddle bridle, or any goods wares or merchandize

whatever, that all such sales and purchases, or gifts shall be considered as fraudulent on the part of the buyer or receiver, and that any white person or free person of colour whatever so buying or receiving any such articles of any one of those Indians shall be liable to pay a fine of twenty dollars to be recovered before a Justice of the peace who shall upon conviction of any such offender issue execution in like manner as is directed in the first section of this act, and the said offender shall restore the article or articles so bought or received & shall moreover be liable to a suit in the supreme court for the fraud of buying or receiving any such article as aforesaid whatever the amount or value thereof may be and in all cases of Judgment against him or her, he or she shall pay the costs.

SEC. 4. If either of the offences stated in the last preceding section of this act shall be committed by any negro or mullatto being the slave or servant of any other person, the said negro or mullatto so offending shall be subject to the same proceedings and punishment under the same conditions as are prescribed in the second section of this act, and the owner shall either cause said negro or mullatto to restore any article or articles so purchased, or received by him or her or said owner shall be liable in default thereof to the same proceedings as if such owner had actually himself or herself bought or received the said article or articles contrary to the intention of this law.

SEC. 5. In all the above cases and in all other cases of injuries done to the said indians it shall be lawful for the Governor of the Territory or any sub-agent appointed by him, to sue or warrant as the case may require in behalf of any such injured indian.

SEC. 6. All fines imposed by this law after deducting thereout all necessary expenses, shall be paid by the Governor or a subagent, to the injured indian or Indians

SEC. 7. It shall be the duty of all Justices of the peace, sheriffs and constables to aid and assist in the execution of this law according to their respective offices.

RISDON MOORE

Speaker of the House of Representatives

PIERRE MENARD

president of the Council

Approved Dec 22. 1814

NINIAN EDWARDS

AN ACT concerning *Indictments and presentments.*

SEC. 1. Be it enacted by the Legislative Council and house of Representatives, and it is hereby enacted by the authority of the same, That where two or more persons shall be indicted for the same trespass or misdemeanor no more costs shall be allowed than if it were against one only.

SEC. 2. Be it further enacted that in all cases of Treason, murder or felony no prosecutor shall hereafter be required.

SEC. 3. That in all cases of indictments or presentments for trespass or misdemeanor where the presentment or indictment shall be made from the knowledge of two of the grand Jury, or upon information of a conservator of the peace in the necessary discharge of his duty, it shall be so stated at the foot of the indictment or presentment, and no prosecutor shall be required, but in all other cases there shall be a prosecutor. This act shall take effect from the passage thereof.

RISDON MOORE

Speaker of the House of Representatives

PIERRE MENARD

president of The Council

Approved Dec 22. 1814

NINIAN EDWARDS

AN ACT concerning *negroes and Mullattoes.*

Whereas the erection of mills and other valuable improvements are greatly retarded in this Territory, from the want of Laborers, and whereas also experience has proved that the manufacture of salt in particular, at the United States Saline cannot be successfully carried on by white laborers, and it being the interest of every description of inhabitants to afford every facility to the most extensive manufacture of that article, so necessary to them all, as the most natural means of obtaining a certainty of the necessary supplies thereof at the lowest price.

SEC. 1. Be it enacted by the Legislative Council and house of Representatives of the Illinois Territory, and it is hereby enacted by the authority of the same That if any slave whatsoever, shall voluntarily hire himself or herself, within the Territory, by the consent of his or her master, for any term not exceeding twelve months, his or her continuance in the Terriotry according to such hiring shall not operate in any way whatever to injure the right of property in the master, in and to the services of such slave or slaves, Provided however

that in all such cases such slave or slaves shall be examined privately, separate and apart from his or her owner by a Justice of the peace, or any clerk of a court, as to his or her voluntary consent, and a certificate of such Justice or clerk shall be conclusive evidence of such Voluntary consent, and may be admitted to record, and provided that said slave or slaves, shall for the time being, be considered and treated as indentured servants. This act shall commence and be in force from the passage thereof.

RISDON MOORE

Speaker of the House of Representatives

PIERRE MENARD

president of The Council

Approved Dec 22. 1814

NINIAN EDWARDS

AN ACT to amend an act entitled "An act to amend an act entitled an act to establish and regulate ferries.

SEC. 1. Be it enacted by the Legislative Council and house of Representatives and it is hereby enacted by the authority of the same, That so much of the act entitled an act to amend an act entitled an act to establish and regulate ferries, as declares that no ferry shall be established by the court of common pleas in any county in this Territory across the Ohio and Mississippi Rivers within less than two miles of an established ferry shall be and the same is hereby repealed.

SEC. 2. That in all future cases the county courts may grant any ferry according to law that the respective county courts in their several counties may deem necessary.

RISDON MOORE

Speaker of the House of Representatives

PIERRE MENARD

president of the Council

Approved Dec 22. 1814

NINIAN EDWARDS

AN ACT for levying and collecting a tax on billiard Tables

SEC. 1. Be it enacted by the Legislative Council and house of Representatives and it is hereby enacted by the authority of the same, That all and every person or persons who shall erect or keep a billiard table within this Territory shall annually on the first monday in January, or within one week after erecting such Billiard Table enter

aforesaid, credit for the delinquencies, or for lands he, or they could not sell according to law.

This act to take effect and be in force from and after the first day of June next.

GEORGE FISHER,
Speaker of the House of Representatives.

PIERRE MENARD,
President of the Legislative Council.

Approved—January 6, 1818,

NINIAN EDWARDS.

AN ACT providing for taking the census of the inhabitants of the Illinois territory, and for other purposes.

Be it enacted by the Legislative Council and House of Representatives of the Illinois territory, and it is hereby enacted by the authority of the same, That there shall be appointed by the Governor, some fit person in each county within this territory, whose duty it shall be to take a list of all citizens, of all ages, sexes and colour, within their respective counties, particularly noting whether white or black, and also noting particularly free male inhabitants above the age of twenty-one years.

SEC. 2. Be it further enacted, That each commissioner before he enters on the duties of his office, shall take and subscribe, before some justice of of the peace, or judge of the county court, the following oath, or affirmation, viz: "I, A B, of the county of—— do solemnly swear, or affirm as the case may be, that I will well and truly make a just and perfect enumeration of all persons residents within the county of—— to the best of my ability, and return the same to the Secretary of the territory according to law."

SEC. 3. Be it further enacted, That the said commissioners so appointed, shall commence on the first day of April, and shall finish and make return to the secretary's office on or before the first day of June next; and it shall be the duty of said commissioners to make the said enumeration, by actual enquiry at the dwelling house, or of the head of every family in their respective counties, and not otherwise.

SEC. 4. Be it further enacted, That the said commissioners shall each receive as a full compensation for the above services, and for services hereinafter mentioned the following sums to-wit: the commissioner for the county of Bond, \$40; St. Clair, \$70; Madison, \$70;

Washington, \$45; Monroe, \$45; Randolph, \$60; Jackson, \$40; Johnson, \$70; Union, \$70; Gallatin, \$70; White, \$70; Edwards, \$70; Crawford, \$80; Franklin, \$40; Pope, \$40; to be paid out of their respective county treasuries.

SEC. 5. Be it further enacted, That the said commissioners shall observe the following form in taking the enumeration, viz.

Names of heads of families,

Free white males, twenty-one years and upwards,

All other white inhabitants,

Free people of colour,

Servants or slaves.

SEC. 6. Be it further enacted, That every person whose usual place of abode shall be in any family on the aforesaid first day of April, shall be returned as of such family.

SEC. 7. Be it further enacted, That each and every free person more than sixteen years of age, whether heads of families or not, belonging to any family within any of the counties in this territory, shall be and are hereby required to render to the said commissioners, if required, a true account, to the best of his or her knowledge, of all and every person belonging to said family respectively, on pain of forfeiting twenty dollars, to be sued for and recovered before any justice of the peace of the county, one half for the person suing for the same, the other half to the territory.

SEC. 8. Be it further enacted, That if any commissioner having been appointed and qualified as such shall fail or refuse to perform the several duties required by this act, he so offending shall forfeit and pay the sum of two hundred dollars, one half to the use of the person suing for the same, and the other half to the use of the territory.

SEC. 9. Be it further enacted, That the commissioners to be appointed by virtue of this act, to take the census, in the several counties in this territory, shall at the same time take in a list of county and territorial taxes, from each and every person subject to taxation; and do and perform all the duties heretofore required of county commissioners, in taking in a list of taxable property, and return a list of said taxable property so taken in, into the clerk's office of their respective counties according to law; any thing in any former law to the contrary notwithstanding.

This act to take effect and be in force from and after the passage thereof.

GEORGE FISHER,
Speaker of the House of Representatives.

PIERRE MENARD,
President of the Legislative Council.

Approved—January 7, 1818,

NINIAN EDWARDS.

AN ACT *supplemental to an act entitled, an act for taking the census of the inhabitants of this territory.*

WHEREAS, it is doubtful whether the prayer of this general assembly to congress, requesting that the citizens of this territory may be permitted to form a state government will be granted, before a census of the inhabitants of this territory shall be taken, and exhibited to that honorable body: And whereas, a great increase of population may be expected between the first day of next June and December following: Therefore,

Be it enacted by the Legislative Council and House of Representatives of the Illinois territory, and it is hereby enacted by the authority of the same, That the commissioners to be appointed to take the census of the inhabitants of their respective counties according to the law to which this is a supplement, shall continue to take the census of all persons who may remove into their respective counties between the first day of June and the first day of December next, succeeding; of which additional returns shall be made to the secretary's office, within the first week in December next, and for which additional service, compensation shall be made at the next session of the general assembly: *Provided, however,* that no such additional service shall be performed if congress should authorise the citizens of this territory to form a state government without it; and notice thereof be given by the governor of the territory, in the newspaper printed at the seat of government, by the public printers; which notice it shall be the duty of the governor to give if the fact should exist.

This act to take effect from and after its passage.

GEORGE FISHER,
Speaker of the House of Representatives.

PIERRE MENARD,
President of the Legislative Council.

Approved—January 10, 1818.

NINIAN EDWARDS.