

Sec 1 Be it enacted by the people of the State of Illinois represented in the General Assembly, That Enoch Long, William Clark Peter H. Randall, Isaac E. Warnick, George Haskell, George Smith, and Benjamin Walker, be, and they are hereby constituted and appointed a body politic and corporate to be known by the name of the President, and Trustees of the Town of Upper Atton, and by that name they, and their successors shall be known in law, have perpetual succession, sue, and be sued, implead and be impleaded, defend, and be defended in courts of law and equity, and in all actions and matters whatsoever, may grant, purchase, receive and hold property, real, and personal within said Town and no other, (Burial grounds excepted) and may lease, sell and dispose of the same for the benefit of the Town, and may have power to lease any of the reserved lands which have been or may hereafter be appropriated to the use of said Town, and may do all other acts as natural persons; may have a common seal, and break, and alter the same at pleasure

Sec 2 That all that district of country contained in section No seven and the south half of Section No six, in Township No five north and range No nine West of the third principal meridian is hereby declared to be within the boundaries of the Town of Upper Atton.

Sec 3 That the corporate powers and duties of said Town shall be vested in seven Trustees, {after the term of the present incumbents has expired} to wit, on the first monday in April,} who shall form a board for the transaction of business.

Sec 4 The members composing the Board of Trustees, shall be elected annually on the first monday in April to serve for one year. They shall be at least twenty one years of age, citizens of the United States, and shall possess a free hold estate within the limits of the corporation. Those persons only shall be qualified to vote for trustees, or in such Town meetings as may be held in conformity with the further provisions of this act; who possess the requisite qualifications to vote for state officers, and have resided within the limits of the corporation six months previous to such elections or Town meetings.

Sec 5 That the board of Trustees shall appoint their President from their own body, shall appoint all their officers of their board and shall be the judges of the qualifications, elections, and returns of their own members, and shall have power to fill all vacancies in the board occasioned by resignation, death, or six months absence of any member thereof. A majority shall constitute a board to do business, but a smaller number may adjourn from day to day, may compell the attendance of absent members in such manner, and under such penalties as the board may provide. They may determine the rule of proceedings, and make

such other rules and regulations, for their own government, as to them may seem proper and expedient.

Sec 6 That the board of trustees shall have power to levy and collect taxes upon all real estate within the town, not exceeding one per cent upon the appraised value thereof, except as may be hereinafter excepted, to make regulations to secure the general health of the inhabitants, to prevent, and remove nuisances, to restrain cattle, horses, sheep, swine, and dogs from running at large to establish night watches, erect lamps in the streets and lighting the same, to erect, and keep in repair bridges - to provide licensing, taxing and regulating merchants, to regulate auctions, taverns, groceries, and pedlars, theatrical and other shows, billiard tables and other amusements, to restrain, and prohibit gaming houses, bawdy houses, and other disorderly houses, to prevent the shooting of fire arms within the limits of the corporation, to provide for the erecting of a house of correction, to establish and regulate markets, to open and keep in repair streets and avenues, lanes, alleys, drains and sewers, to keep the same clean and free from incumbrances, to establish, and regulate a fire department, to provide for the prevention, and extinguishment of fires, to regulate the storage of gun powder, and other combustible materials, to erect pumps and wells in the streets for the convenience of the inhabitants, to regulate the police of the town, to regulate the election of town officers, to fix their compensation, to establish

and enforce quarantine laws, and from time to time to pass such ordinances to carry into effect the ordinances of this act and the powers hereby granted as the good of the inhabitants may require and impose and appropriate fines and forfeitures for the breach of any ordinance, and to provide for the collection thereof and that in all cases arising under this act or growing out of the bye laws and ordinances made in pursuance of this act of incorporation any justice of the peace within said corporation shall have jurisdiction to hear and determine the same and an appeal may be taken and writs of certiorari allowed from any such decisions in the same manner as now is, or hereafter may be provided by law, for appealing from judgments of Justices of the peace.

Sec 4. That the board of Trustees shall have power to levy a tax for the erection of school houses and the support of common schools within said corporation, and to raise money by loan on the credit of the town for commencing and prosecuting works of public improvement. Provided however that the same shall be submitted to a vote of the citizens of the town and approved by a majority thereof.

Sec 8 That upon the application of the owners of two thirds of real estate on any street or parts of a street, it shall be lawful for the board of Trustees to levy and collect a special tax on the owners of the lots on the said street or parts of a street

according to their respective fronts for the purpose of grading and paving the side walks on said Street

Sec 9. That the Board of Trustees shall have power to regulate, grade, pave, and improve the streets, avenues, lanes, and alleys within the limits of said Town, and to extend, open, and widen the same, and to set aside, and appropriate sufficient ground for a square, for a market and other public purposes, making the person or persons injured thereby adequate compensation, To ascertain which, the Board shall cause to be summoned twelve good and lawful men freeholders, and inhabitants of said Town not directly interested, who being first duly sworn for that purpose shall enquire into, and take into consideration as well the benefits as well as the injury which may accrue, and estimate and apes the damages which would be sustained by reason of the opening, widening, extension of any street, avenue, lane, or alley, or setting aside and appropriating ground for market square, and other public purposes, and shall moreover estimate the amount which other persons will be benefitted thereby, and shall contribute towards compensating the persons injured, all of which shall be returned to the Board of Trustees under their hands and seals, and the person or persons who shall be benefitted and so apesed shall pay the same in such manner as shall be provided, and the residue, if any, shall be paid out of

The Town Treasury.

Sec 10 That the Trustees shall have power to survey and plat all the grounds within the incorporation and record the same, which when thus surveyed, platted and recorded, shall be a governing plat for town uses, and purposes, provided however that this shall not be so construed as to give the Trustees power so to vary from any present established plat as to thereby affect the rights of private individuals, or lay off the present unplotted grounds otherwise than as out lots.

Sec 11 That whenever the owners of any lot or piece of ground included within the incorporation shall neglect, or refuse to pay the tax or taxes levied on the same when they may become due, it shall be the duty of the Trustees to advertise the same for non-payment either in a news paper printed in said Town or by posting in three of the most public places in said Town, for the space of sixty days and on further failure of payment thereof to sell at public sale so much of said lot, or piece of Ground as will be sufficient to pay said taxes, and defray the expenses of collection.

Sec 12 All ordinances shall within ten days after they are passed be published in a news paper printed in said Town, and posted in three of the most public places thereof.

Sec 13 That when any real estate in said Town shall have been sold by the authority of the corporation thereof, for the non payment of any tax that may have been levied upon the same. The same shall be subject to redemption by the owner or owners thereof, his, hers or their agent or agents within in one year after the same shall have been sold upon paying to the Treasurer of the board of trustees of said Town double the amount of taxes for which the same was sold, together with the cost for the selling of the same. But should the said lots or parts of lots so sold for the non payment of the taxes aforesaid, not be redeemed within the time specified, then in that event it shall be the duty of the President of the Board of trustees of the said Town to execute a deed with a special warranty signed by the president of said Board and sealed with the corporation seal.

Sec 14 The officers of said Town in addition to the Trustees shall consist of one clerk one street commissioner one Treasurer three assessors one town constable and collector one town surveyor two measurers of wood and coal one measurer of lumber one measurer and weigher of grain and such other officers as the trustees of said town may deem necessary for the good of said town.

Sec 15 That the President and Trustees of said Town shall, whenever they ^{may} deem necessary order the formation of five engine companies and five hook and ladder companies. The five engine companies each to contain from twenty five to forty able bodied men between the ages of eighteen and fifty years of age and no more. The five hook and ladder companies to contain each from fifteen to twenty five able bodied men and no more. Which companies shall be officered and governed by their own bye laws. Shall be formed by voluntary enlistment. Every member of each company shall be exempted from Jury and military duty, and whenever a member of each company shall have served twelve years he shall receive a discharge from the incorporation, signed by the President, and shall forever thereafter, be exempt from further jury duty and from further military duty except in case of invasion.

Sec 16 That all lots of land, or parcels of Ground in said Town, or which have been conveyed by the original proprietors thereof, or other persons to the inhabitants of said Town in their aggregate capacity, or to any person, or persons in trust for them, or for their use and benefit, and all funds raised or to be raised by the sale of donation lots or otherwise whether for the erection of school houses academies, or place of public worship are hereby declared to belong to and to be vested in said corporation, and shall be under the management and direction

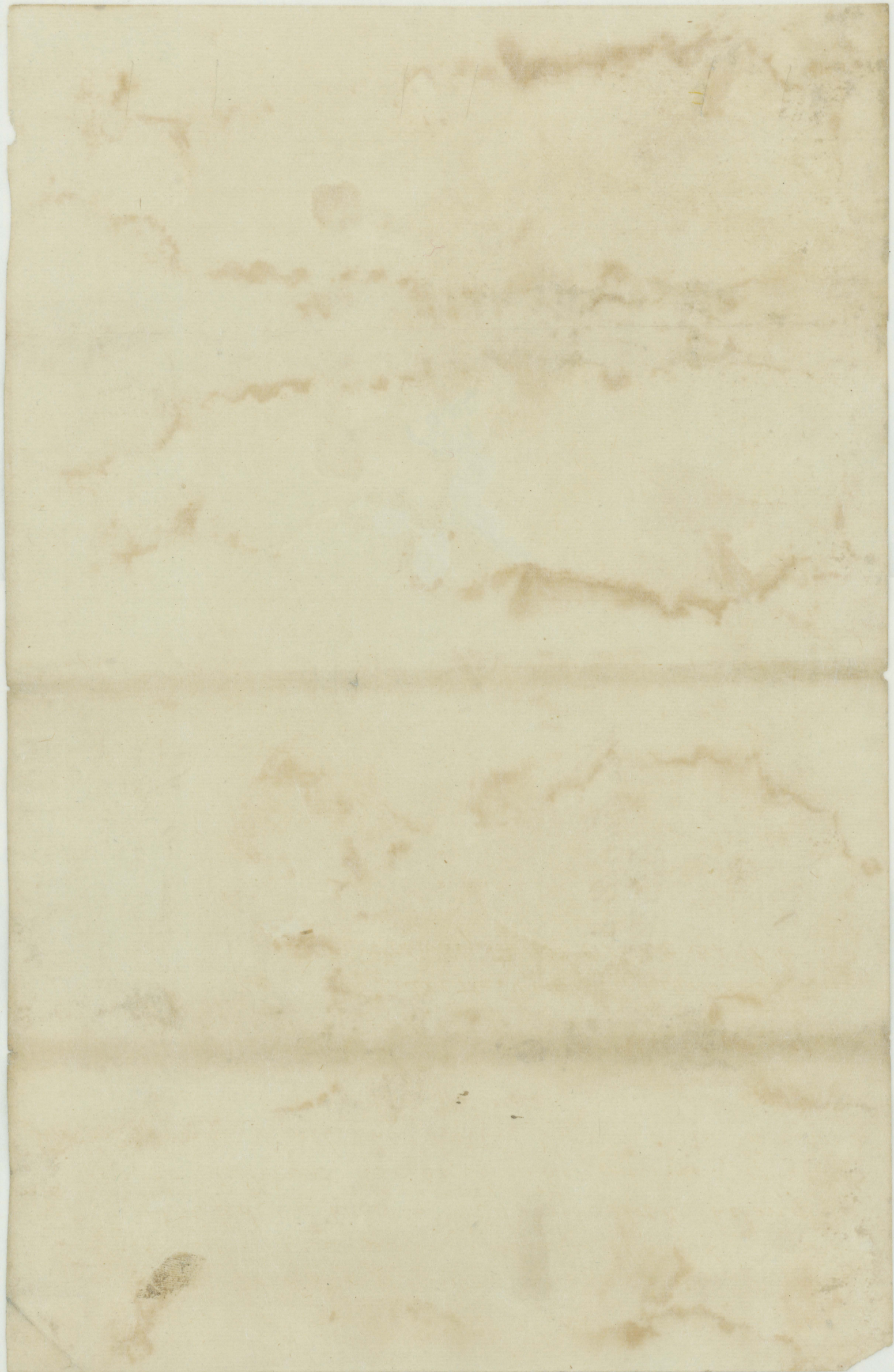
of the Trustees aforesaid and their successors, and applied in furtherance of the objects intended by the proprietors or donors thereof and the said Trustees shall have power to institute suits for the recovery of any or any such lots or parcels of Ground, should it be necessary and to perfect in them and their successors the title thereof or to make such other adjustment relative thereto as to them shall seem expedient and proper.

Sec 17 That it shall be the duty of the Board of Trustees in such manner as they may hereafter provide to give notice of all Town meetings to be held whether for the election of Trustees, or any other purpose arising under the provisions of this act by posting the same in three of the most Public places in said Town, and stating therein the object of such meeting provided however that not less than three days notice of any such meeting shall in any case be given except in cases of emergency.

Sec 18 That the members of the Board of Trustees, and every officer of said corporation, shall, before entering on the duties of his office, take an oath or affirmation before some judge or Justice of the peace to support the constitution of the United States, and of this State, and faithfully to discharge the duties of their several offices.

Sec 11 That the Trustees may have power to divide said Town into such number of wards as to them seem expedient and proper. Provided however that no stock belonging to Citizens without the bounds of said town shall be hurt by the authority of said Corporation.

Passed the House of Representatives
February 8th 1837. D. Puckitt clk H R



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W. H. H. H. H. H.

1831

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