

entitled to exercise and maintain all the powers and privileges therein granted to the trustees of incorporated towns under said act.

SEC. 2. The trustees of said town, and those hereafter to be elected, shall have full power and authority to levy and collect a tax on all the real estate in said town, (valuation of the same being made without regard to the improvements thereon,) not exceeding six per centum per annum, for the purpose of raising the sum of ten thousand dollars directed to be raised by virtue of an act approved March 3, 1837, for the formation of the county of Cass.

SEC. 3. All acts, orders, records, by-laws, and ordinances, made and passed by the trustees of the town of Beardstown, under the provisions of said act of incorporation, shall be considered valid and binding in law until changed by the board of trustees of said town.

APPROVED, 21st July, 1837.

In force 21st
July, 1837.
Residents incor-
porated body
politic and cor-
porate.

AN ACT to incorporate the town of Ottawa, and for other purposes.

Power to lease
lands.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the resident inhabitants of the town of Ottawa, in Lasalle county, are hereby constituted a body politic and corporate, to be known by the name of the President and Trustees of the Town of Ottawa; and by that name shall be known in law, and have perpetual succession, may 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 real and personal property within the limits of said town, and no other, (burial grounds excepted;) may lease, sell, and convey the same for the benefit of said town. They shall have power to lease any lands that now are or which may hereafter be reserved and appropriated to the use of said town, and to do all other lawful acts as natural persons; may have a common seal, and break and alter the same at pleasure.

Boundaries of
the town of Ot-
tawa.

SEC. 2. That all that district of country contained in section eleven, the south half of section two, the north half of section fourteen, the west half of section twelve, the northwest quarter of section thirteen, the southwest quarter of section one, the southeast quarter of section ten, and the west half of the northeast quarter of section twelve, in township thirty-three north, of range three east, of the third principal meridian, together with all additions that are now laid out beyond the above de-

scribed limits, and recorded as additions to said town, is hereby declared to be within the limits or boundaries of the town of Ottawa.

SEC. 3. That this incorporation shall be divided into three wards, to wit: all that part which lies north of the Illinois river, and west of Fox river, shall constitute the first ward; all that part which lies south of the Illinois river, shall constitute the second ward; and all that part which lies north of the Illinois river and east of Fox river, shall constitute the third ward; and the taxes collected for public improvements, within the said respective wards, shall be expended under the direction of the board of trustees for improvements within their respective wards in which they are raised.

Divided into three wards.

First ward.

Second ward.

Third ward.

SEC. 4. The corporate powers and duties of said town shall be vested in seven trustees, who shall form a board for the transaction of business; three of whom shall reside in the first ward, three in the second ward, and one in the third ward, until said third ward shall contain twenty-five voters, from and after which time there shall be elected from the residents of said ward three trustees; and the corporate powers and duties of said town shall then and thereafter be vested in nine trustees instead of seven, but all elections for trustees in said town shall be by general ticket.

Powers vested in seven trustees.

SEC. 5. The trustees shall be elected annually, on the first Monday in September, by the persons residing in said town qualified to vote as hereinafter mentioned, to serve for one year, and until their successors are elected and qualified; they shall be citizens of the United States, twenty-one years of age, shall possess a freehold estate within the limits of said corporation, and shall have resided in said town one year next preceding the election.

Trustees when elected.

SEC. 6. That the board of trustees shall appoint their president from their own body, shall appoint all other officers of their board, and shall be the judges of the qualifications, elections, and returns of their own members; a majority shall constitute a board to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as the board may provide; they may determine the rules of proceeding, punish their members for disorderly conduct, and by a vote of two-thirds of the whole number elected, expel a member; and make such other rules and regulations for their own government as to them may seem proper and expedient.

Power to appoint all officers

SEC. 7. No person shall vote for trustees of said town unless he be qualified to vote for representatives to the General Assembly, and shall moreover (after the first general election) have paid a corporation tax, or shall have

Who shall not vote.

bona fide owned a freehold within the corporate limits of said town for at least three months next preceding the election at which he offers his vote.

Power to collect taxes.

Night watches.

Storage of gun powder.

To fix compensation of officers

Special tax how collected.

Persons injured how compensated.

SEC. 8. That the board of trustees shall have power to levy and collect taxes upon all real estate and personal property within the town, not exceeding one per centum upon the assessed value thereof; to make regulations to secure the general health of the inhabitants; to prevent and remove nuisances; to establish night watches; to erect lamps in the streets and light the same; to regulate and license ferries, and erect and keep in repair bridges, and regulate the tolls thereof within the limits of said town; to improve and preserve the navigation of the Illinois and Fox rivers below and within the limits of the corporation; to restrain and prohibit shooting, horse-racing, houses of ill fame, gaming and other disorderly houses; to provide for licensing, taxing, and regulating or prohibiting billiard tables, theatrical and other shows, or other amusements; to regulate and license merchants, inn keepers, groceries, auctions and pedlers; to establish and regulate markets, and erect market houses; to borrow money; to regulate, grade, pave, improve, open, extend, widen, and keep in repair streets, side walks, avenues, lanes, alleys, drains, and sewers, to keep the same clean and free from incumbrances; to provide for the preservation and extinguishment of fires, by establishing and regulating a fire department; to dig wells and erect pumps on the streets for the convenience of the inhabitants, or construct aqueducts; to supply the town with water; to regulate the storage of gunpowder, and all other combustible materials; to establish and enforce quarantine law; to regulate the police of the town; to regulate the election of the town officers, and to fix their compensation; 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 citizens may require; and to impose fines and forfeitures for the breach of any ordinance, and to provide for the collection of the same.

SEC. 9. That upon the application of the resident owners of two-thirds of the real estate belonging to the residents 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 all the lots on said street, or parts of a street, according to their respective fronts, for the purpose of grading or paving the side walks on said street or parts of a street.

SEC. 10. That the board of trustees shall make adequate compensation to any person or persons who may be injured by opening, widening, extending or improving, any street, lane, alley, avenue, or side walk, within the limits of the town, under the provisions of this act; 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, after being duly sworn for that purpose, shall enquire into and take into consideration as well the benefits as the injury which may accrue to the party, and estimate and assess the damages which would be sustained by reason of the opening, extension, widening, grading or improving of any street, avenue, lane, alley or sidewalk; and shall, moreover, estimate the amount which other persons will be benefitted thereby, and shall contribute towards compensating the persons injured; all of which they shall return to the board of trustees, under their hands and seals, and the person or persons who shall be benefitted and so assessed 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. 11. All ordinances shall be published, and posted in three of the most public places in said town, within ten days after they are passed, and if there be a newspaper in the town shall also be published therein, within said ten days. Ordinances to be published.

SEC. 12. That when any real estate in said town shall have been sold by the authority of the corporation, for 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, her or their agent or agents, within one year after the same shall have been sold, on paying to the treasurer of the board of trustees of said town, for the use of the purchaser or purchasers, double the amount of taxes for which the same was sold, together with cost for selling the same; and if not redeemed by the owner or owners, then the same shall be subject to redemption by any judgment creditor, his, her or their agent, within fifteen months after the same shall have been sold, on paying as above specified; but, should the said lots or part of lots, or real estate, so sold for the non payment of taxes as aforesaid, not be redeemed within the time specified, then, and in that event, it shall be the duty of the president of the board of trustees of said town, to execute a deed with special warranty, signed by the president and countersigned by the clerk thereof. Lots sold may be redeemed.

SEC. 13. It shall be the duty of the board of trustees to cause to be paid to the owner or owners of lots or real estate all moneys which may have been paid to the treasurer by them, over and above the amount of the taxes for which they were sold, and the cost of selling the same. Duty of trustees

SEC. 14. The officers of said board of trustees, (in addition to the president,) shall consist of one clerk, one treasurer, one assessor and collector of taxes, one surveyor, Officers of board.

two street commissioners, two measurers of wood and weighers of grain, and such other officers as the trustees may deem necessary for the good of said town.

Fire companies

SEC. 15. That the president and trustees of said town shall, whenever they may deem it necessary, order the formation of fire engine companies, and fire hook and ladder companies. The fire engine companies to contain each, from fifteen to thirty able bodied men of between the ages of eighteen and fifty years, and no more. The fire hook and ladder companies, to contain each from ten to twenty able bodied men and no more; which companies shall be formed by voluntary enlistment, and shall be officered and governed by their own by-laws; every member of said companies shall be exempt from military duty, and from serving as jurors; and whenever a member of said companies shall have served twelve years he shall receive a discharge from the incorporation, signed by the president, and shall forever thereafter be exempted from further jury or military duty, except in case of insurrection or invasion.

Officers to take oath.

SEC. 16. That every officer of said corporation shall, before entering upon the duty 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 his office.

SEC. 17. That the foregoing provisions of this act shall take effect so soon as they shall have been accepted by the inhabitants of said town, and not before, in manner following, to wit: an election shall be held at the court house in said town, on the first Monday in September next, to be conducted by any two or more of the then resident justices of said town, or judges of the election, (and it is hereby made the duty of said justices either to serve as judges at said election, or to appoint three competent persons residents of said town to serve in their stead,) at which all persons qualified to vote for representatives to the General Assembly, shall be entitled to vote either for or against this charter, and if a majority of all the votes given be for the charter, then the said judges shall determine the time and place of holding the first general election, which shall not be more than fourteen days, nor less than seven, after the acceptance of the charter, and shall publish notice thereof for at least four days before the day appointed for such election; at which election it shall be the duty of two or more of said justices to serve as judges or to appoint others to serve in their stead, as herein before directed; but if the charter shall not be accepted as aforesaid, then any two of the resident justices of the peace in said town may, from time to time, whenever they shall be petitioned to that effect by a majority of the householders residing in said town and corporation,

cause an election to be held as aforesaid, until the charter shall be accepted as aforesaid; they shall then proceed as hereinbefore provided; and the trustees who shall be elected at the first general election, shall continue in office till the day hereinbefore designated for the annual election of trustees and until their successors are elected and qualified.

APPROVED, July 21st, 1837.

AN ACT to amend an act, entitled an Act to incorporate the Town of Carlinville, approved March 4, 1837. In force, 21st July, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That so much of an act, entitled "An act to incorporate the town of Carlinville," approved March 4, 1837, as declares that the corporate limits of said town shall extend a half mile north, east, west from the centre of the public square, and south to the prescribed limits of the town plat, as recorded in the county of Macoupin, be, and the same is hereby repealed. Part of act repealed

SEC. 2. The corporate limits of the town of Carlinville shall hereafter be prescribed and fixed by the trustees of said town, in such manner as to include the original plat of said town and such additions thereto as have or shall be made hereafter to the same, but shall not include any lands not laid off into town lots. Corporate limits to be limited by trustees of town:

SEC. 3. That the inhabitants of the town of Franklin, in the county of Morgan, are hereby authorized and empowered to become incorporated in the manner and upon the terms prescribed in the act entitled "an act to incorporate the inhabitants of such towns as may wish to be incorporated," approved February 12, 1831, notwithstanding there may not be one hundred and fifty inhabitants in said town; and upon complying with the provisions of the act aforesaid the inhabitants of the said town, and the president and trustees thereof when elected, shall have, exercise, and enjoy all the rights, privileges, and powers granted and conferred by the act above recited, and the several acts amendatory of the act aforesaid. Town of Franklin may be incorporated

This act to be in force from and after its passage.

APPROVED, 21st July, 1837. May have all privileges of act