

In force July
21, 1837.

AN ACT to alter the town plat of Geneva, and for other purposes.

Proprietors of town may vacate plat
Proviso

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the proprietors of the town of Geneva, Kane county, and the owners of lots therein, be, and they are hereby authorized and empowered to alter, change, or vacate the survey and plat of said town; *Provided,* The consent of all the proprietors and owners aforesaid shall be first had in writing, which shall be acknowledged before some justice of the peace of the county, and recorded in the recorder's office of the county of Kane.

May build mill dam
Proviso

SEC. 2. That R. J. Hamilton, James M. Strode, James Herrington, and their associates, be, and they are hereby authorized to construct a mill dam across Fox river at the town of Geneva; *Provided, however,* said grant shall not be so construed as to prevent the state from improving said Fox river by dams and locks, at any time hereafter, for the purpose of slack water navigation.

Name of town of Winchester changed

SEC. 3. That the name of the town of Winchester, in the county of Will, be, and it is hereby changed to the name of Wilmington, and by that name the aforesaid town shall be hereafter known and designated.

All bonds &c. still binding

SEC. 4. All bonds and other contracts made and entered into of and concerning the said town of Winchester, and all muniments of title of and concerning the said town of Winchester, shall apply and be as binding as if the name of the said town had not been changed.

APPROVED, 21st July, 1837.

In force 21st
July, 1837

AN ACT to incorporate the Town of Jerseyville.

Body corporate and politic created

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the inhabitants and residents of the town of Jerseyville, in Greene county, are hereby made a body corporate and politic, in law and in fact, by the name of the President and Trustees of the Town of Jerseyville; and by that name and style shall have perpetual succession, and may have and use a common seal which they may alter or revoke at pleasure, and in whom the government of said corporation shall be vested, and by whom its affairs shall be managed.

Powers vested in five trustees

SEC. 2. The corporate powers and duties of said town shall be vested in five trustees, to be chosen and appoint-

ed as hereafter directed, who shall form a board for the transaction of business.

SEC. 3. John W. Lott, George H. Collins, Samuel L. McGill, Richard Graham, and Edward M. Daley, shall be the first trustees, and shall hold their office until the first Monday in May next; and the members composing the board of trustees thereafter shall be elected by the persons residing within said town and incorporated limits, qualified to vote for representatives to the legislature, on the first Monday in May in each year, to serve for one year, and until their successors are duly elected and qualified. They shall be at least twenty-one years of age, citizens of the United States, and inhabitants of said incorporated limits, and bona fide freeholders in said town; and shall have power to fill all vacancies in their own board, which may be occasioned by death, resignation, or otherwise.

SEC. 4. That the board of trustees shall appoint their president and all other officers of their board, and shall be 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; 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 the concurrence 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.

SEC. 5. That the board of trustees shall have power by ordinance to levy and collect taxes upon all real estate within the town and limits of the incorporation, not exceeding the one half of one per centum upon the assessed value thereof, except as hereafter excepted; to make regulations to secure the general health of the inhabitants; to prevent and remove nuisances; to establish night watches, erect lamps in the streets, and light the same; to provide for licensing, taxing, and regulating auctions, taverns, groceries, and pedlers, theatrical and other shows and amusements; to restrain and prohibit gaming houses, bawdy houses, and other disorderly houses; to establish and regulate markets; to open and keep in repair streets, avenues, lanes, alleys, drains, and sewers, and to keep the same clean; to require bond and security of town officers for the faithful performance of their duties; to provide for the prevention and extinguishment of fires; to dig wells, and erect pumps in the streets for the convenience of the inhabitants; to regulate the police of the town; to

First trustees

First election

Vacancies, how filled

Officers, how appointed

May levy and collect tax

Trustees to license taverns, &c.

Police of town.

regulate the elections of the town officers, and fix their compensation; and from time to time to pass such ordinances as to carry into effect the objects of this act, and the powers hereby granted, as the good of the inhabitants may require; and to impose and appropriate fines and forfeitures for the breach of any ordinance, and provide for the collection thereof; and that in all cases arising under this act, or growing out of the by-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 decision in the same manner as now is, or hereafter may be, provided by law for appealing from judgments of justices of the peace.

Special tax,
how levied

SEC. 6. That on the application of the owners of two-thirds of the front of the lots on any street, or part 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 said street, or part of a street, according to their respective fronts, for the purpose of grading and paving the side walks on said street.

SEC. 7. 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 corporation, and to extend, open, and widen the same, making the person or persons injured thereby adequate compensation, to ascertain which the board shall cause to be summoned six 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 the injury which may accrue, and estimate and assess the damages which would be sustained by reason of the opening, extending, widening of any street, avenue, lane, or alley, and shall moreover estimate the amount which other persons will be benefitted thereby, and shall contribute towards compensating the person injured, all of which shall be returned to the board of trustees under their hands and seals; and the persons which shall be benefitted and so assessed, shall pay the same in such manner as shall be provided by the board of trustees; and the residue, if any, shall be paid out of the town treasury. The board of trustees shall have power to close any lane or alley in said town, whenever they may judge it expedient, and to make such disposition of the ground amongst the owners of the adjoining lots as the circumstances of the case may require, so as to fully vest in them the fee simple of such ground; also the board of trustees shall

have power to pass such by-laws or ordinances, from time to time, as to them may seem expedient and not inconsistent with any public law of this state, as the good of the citizens of said town may require.

SEC. 8. That all ordinances of said trustees shall be fairly written out, signed by the clerk, and published in a newspaper printed in the town, or posted up at three of the most public places in said town, and no ordinance shall be in force until published as aforesaid. Ordinances to be made public

SEC. 9. That the board of trustees are also vested with power to declare what shall be considered a nuisance within said town and incorporated limits; to prevent the running and indecent exhibition of horses within the bounds of said town; to provide for the trial and punishment of persons who may be engaged in assaults, assaults and batteries, and affrays, within the limits of said incorporation; and to provide that such punishment may be inflicted for any offence against the laws or ordinances of the corporation, as is or may be provided by law for like offences against the laws of the state: *Provided*, That no person shall be deprived of the right of trial by jury in any case where such person would be entitled to a trial by a jury for a like offence against the law of the state. Nuisance
Proviso

SEC. 10. That the board of trustees shall have power to provide for the punishment of offenders by imprisonment in the county jail, in all cases where such offenders shall fail or refuse to pay fines which may be assessed, or for forfeitures or penalties which may be recovered: *Provided*, That no person shall be imprisoned under the provisions of this act for a longer period than twenty-four hours for every five dollars of any fine assessed, or forfeiture or penalty recovered. Punishment of offenders
Proviso

SEC. 11. That the board of trustees shall have power to provide for the punishment of persons who may at any time disturb the peace of the inhabitants of the town or incorporated limits, or the deliberations or proceedings of any public meeting of such inhabitants, or of the board of trustees when in session.

SEC. 12. That the lot, in front of which any side walk is made, shall be taxed to pay at least one half of the expenses of making such side walk, in addition to the regular tax which shall be assessed, and collected in the same manner as other taxes are. Lots to be taxed for side walks

SEC. 13. That the board of trustees shall have power to adopt such modes and means, for the assessment and collection of taxes, as they may from time to time fix upon and determine, and to prescribe the manner of selling property when the taxes levied upon it is not paid: *Provided, however*, That no sale of any town lots, or other Assessment & collection of taxes
Proviso

Notice to be given

real estate, shall be made until public notice of the time and place shall be given by advertisement in a newspaper, or by posting up written notices in three of the most public places in said town at least fifteen days previous thereto.

Lots sold may be redeemed in two years

SEC. 14. That when any town lot or lots, or real estate, shall be sold for taxes by virtue of this act, the same may be redeemed at any time within two years from the date of such sale, by the owner of said property, or his or her agent, executor, or administrator, paying to the treasurer of said town, for the use of the purchaser of said property, the full amount of the purchase money, with interest at the rate of fifty per cent. per annum, together with the costs accruing thereon.

Redemption money

All officers to be sworn

SEC. 15. That the members of the board of trustees, and every other 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 demean themselves in office.

Town constable to be appointed

SEC. 16. That the board of trustees shall have power to appoint a town constable or constables, and authorize him to execute all writs, process, and precepts which may be issued against persons for the violation of the laws or ordinances of the corporation, and to arrest on view all persons who may violate such laws or ordinances; to collect all fines, forfeitures, and penalties which may be assessed or recovered for the use of the corporation; and to require bond and security of said constable, in such sum as they may think proper: said constable or constables to hold their office during the pleasure of the board of trustees; and shall have and possess the same powers, and perform the same duties in other respects, as the constables in the different districts in the county possess.

Bond and security required of constables

SEC. 17. That all that district of country included within the corporate limits of said town, be, and the same is hereby constituted into a district for the election of a justice of the peace.

Duty of county commissioner of Greene to cause election for justice of the peace

SEC. 18. That the county commissioners' court of the county of Greene are hereby authorized and required to cause an election to be held hereafter, as soon as practicable, and at each quadrennial election thereafter, for one justice of the peace in said district. The justice of the peace elected shall hold his office until the next general election for justices of the peace, at which time his successor shall be elected as in other cases; and the person thus elected shall have and exercise the same jurisdiction, hold his office by the same tenure, and be under

Jurisdiction of

the regulations in all respects as other justices of the peace of this state.

SEC. 19. That the board of trustees, for the purpose of keeping the streets and alleys in said town and incorporated limits, and the public roads passing from and through the centre of said town, in good repair, and to this end they are authorized to require every male resident of said town and incorporate limits, over the age of twenty-one years, to labor in said streets, alleys, and roads, least three days in each year; and any person who shall be notified by the street commissioner to perform such labor, so assessed, as herein provided, and shall fail or neglect to perform the same, shall forfeit and pay the sum of one dollar for each day's labor neglected to be performed; and the street commissioner in said town is hereby authorized to prosecute such delinquent person in the name of "The President and Trustees of the Town of Jerseyville," before any justice of the peace in said town; and said street commissioner shall be a competent witness against said delinquent; and in case of default as aforesaid, the justice of the peace shall enter up judgment against said delinquent for the amount so forfeited, with costs of suit, and issue execution forthwith.

All males to work three days on streets

In case of neglect or refusal

Fine

SEC. 20. That it shall be the duty of any justice of the peace residing in said town, and he is hereby authorized and empowered, on complaint being made to him, on oath, of the violation of any law or ordinance of the corporation, to issue his warrant, directed to the town constable or any other authorized officer, to apprehend the offender or offenders, and bring him or them forthwith before him, and after hearing the evidence, if it shall appear that the said accused has been guilty of the violation of any such law or ordinance of the corporation, to impose such fine or imprisonment as shall be provided in such law or ordinance: *Provided*, Such fine shall not exceed fifty dollars.

Duty of justice when laws are violated

Proviso

SEC. 21. That the said corporation is hereby made capable in law to take and hold to themselves and their successors any lands, tenements, hereditaments, and the rents, issues, and profits thereof, which may be necessary for the erection of any market house and other public buildings, to promote the interest and public good of the citizens of said town, and the same to sell, grant, and dispose of, if necessary, and to sue and be sued, plead and be impleaded, answer and be answered in any court or place whatever; and all suits and judicial proceedings under this act shall be brought in the name and style of "The President and Trustees of the Town of Jerseyville."

Property of town

Proviso SEC. 22. That for the purpose of carrying the afore-said powers into effect, the said trustees shall have power to define the boundaries of such town: *Provided*, That the same shall not exceed one mile square.

Fees of officers SEC. 23. That justices of the peace and constables, who are required to render services under this act, shall be entitled to the same fees, and collect them in the same manner as now is, or hereafter may be provided by law.

SEC. 24. This act shall take effect and be in force from and after its passage, any law to the contrary notwithstanding.

Right to repeal SEC. 25. The General Assembly reserves the right to alter, amend, or repeal this act, whenever the public good may require the same.

APPROVED, 21st July, 1837.