

SEC. 12. That any member may be expelled from the society by a vote of a majority of all the members of the society, but shall have the right of being heard in his defence. Expulsion of members.

SEC. 13. That the said members, or a majority of them, shall yearly assess the amount of contribution to be paid by every member for said year, and shall appoint a certain day when the said contribution is to be paid to the treasurer; and each new member, upon his admittance, shall pay the sum of three dollars as an initiating fee: *Provided*, That such as were formerly members, and widows of members, shall pay no such fee. Assessment of yearly contribution.

SEC. 14. The members expelled under the twelfth section of this act, or who voluntarily withdraw, or do not pay their contribution money according to the by-laws, rules, and regulations relating thereto, shall forfeit all their right, claim, and title in the said library. Right, how forfeited.

SEC. 15. Theodore Hilgard, senior, is hereby appointed president; and Gustavus P. Koerner, Albrecht H. Trapp, John Sheel, and Theodore Kraft, directors of said corporation; who are authorized to act until successors are appointed under the provisions of this act; and said president and directors are hereby authorized to take all steps and do all acts necessary to organize said society, and carry into effect the provisions of this act. Officers.

APPROVED, February 22, 1839.

AN ACT to incorporate the town of Quincy.

In force, Feb  
21, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the citizens of the town of Quincy, in the county of Adams, and State aforesaid, are hereby made and constituted a body politic and corporate, by the name and style of "The president and trustees of the town of Quincy," and by that name shall have perpetual succession, and may have and use a common seal, which they may change or alter at pleasure; and in whom the government of said corporation shall be vested, and by whom its affairs shall be managed. Name & style.

SEC. 2. All that district of country embraced within the following boundaries, to wit: Beginning on the south side of Jefferson street, where said street strikes the river; thence, up the river with the meanderings thereof, to the northern extremity of Pease's addition to the town of Quincy; thence, due east, to the eastern side of Wood street; thence, due south, along said Wood street, to a point due east from the place of beginning; thence, due west, down the south side of Jefferson street, to the place of beginning, is hereby declared to be within the boundaries of the town of Quincy: *Provided*, That the jurisdiction of the trustees of said town shall Boundaries of town. Proviso.



extend to the middle of the Mississippi river, in front of said town.

Present trustees to continue in office until annual election.

SEC. 3. That the present trustees shall continue in office until the third Monday in April next; and until their successors are duly elected and qualified; at which time, and forever thereafter, an election shall be held on the third Monday in April annually, for seven trustees, who shall hold their offices for one year, and until their successors are elected and qualified. No person shall be a trustee of said town who is not a citizen of the State of Illinois, and of said town; who has not arrived at the age of twenty-one years; who has not resided in said town six months next preceding his election; and who is not, at the time thereof, a *bona fide* freeholder in said town. All free white male inhabitants over twenty-one years of age, who are entitled to vote for State officers, and who shall be an actual resident of said town at the time of said election, shall be entitled to vote for trustees; and the said trustees shall, at their first meeting, proceed to elect one of their body president, and shall have power to fill all vacancies in said board which may be occasioned by death, resignation, or otherwise.

Voters.

President.  
Vacancies.

Officers of town.

Quorum.

SEC. 4. The board of trustees shall have power to appoint a clerk, assessor, treasurer, and supervisors of streets, and all such other officers as may be necessary. They shall be judges of the qualifications, elections, and return of their own members. A majority of the board shall constitute a quorum 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 make such other rules and regulations for their own government as to them may seem fit and expedient.

Powers of trustees.

SEC. 5. The board of trustees shall have exclusive power to levy and collect taxes upon all real estate within the limits of the corporation which has been laid out in town lots, or which may be occupied as town lots, not exceeding one per cent. upon the assessed value thereof; to make regulations to secure the general health of the inhabitants; to prevent and remove nuisances; to regulate and license ferries within the corporation; to provide for licensing and taxing taverns, stores, groceries, auctioneers, theatrical and other shows and amusements within said corporation; to prohibit and restrain gaming, gaming-houses, bawdy-houses, and other disorderly houses; to build market-houses, and regulate the same; to open and keep in repair streets, 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; and, from time to time, to pass such ordinances and by-laws, to carry into effect the provisions of this act and the powers hereby granted, as the good of the inhabitants may require;

Ordinances and by-laws.



and to impose and appropriate fines and forfeitures for the breach of any ordinance, and provide for the collection thereof; and in all cases arising under this act, or growing out of the by-laws and ordinances made in pursuance of this act, 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* prosecuted, 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. Writ of certiorari.

SEC. 6. It shall be lawful for the board of trustees to levy and collect a special tax on the owners of lots on any street or parts of a street, for the purposes of grading and paving the side-walks on said street: *Provided*, That a majority of the owners of the real estate upon any such streets or parts of a street shall first consent thereto. Special tax.  
Proviso.

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 corporation, and to extend, open, and widen the same, making the person or persons injured thereby adequate compensation; to ascertain which the said board shall cause to be summoned six good and lawful men, freeholders and citizens of said town, not directly interested, who, being first duly sworn for that purpose, shall inquire 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, or widening of any street, avenue, lane, or alley, and shall report their proceedings, under their hands and seals, to the board of trustees; and the board of trustees shall thereupon pay, out of the treasury of the corporation, to the person to be injured, the amount of damages assessed in his favor. Improvement  
of streets, &c.

SEC. 8. The board of trustees shall have power, from time to time, to pass such by-laws and ordinances as to them may seem expedient, not inconsistent with the constitution or laws of this State; and all ordinances of said trustees shall be fairly written out and recorded by the clerk, and published in a newspaper printed in said town; and no ordinance shall be in force until published as aforesaid.

SEC. 9. The board of trustees are also vested with power to declare what shall be considered a nuisance within said town; to prevent the running and indecent exhibition of horses; to provide for the trial and punishment of persons who may be engaged in assaults, assaults and batteries, affrays, riots, or other disorderly conduct in said town; 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 this State: *Provided*, That no person shall be deprived of the Proviso.



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 laws of this State.

Fines and  
forfeitures.

SEC. 10. 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 refuse or fail to pay fines which may be assessed, or forfeitures or penalties which may be recovered.

Proviso.

SEC. 11. 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 are not paid: *Provided, however,* That no sale of any town lots or other real estate shall be made until public notice of the time and place of such sale shall be given, for four weeks successively, by advertisement in a newspaper published in said town.

Redemption  
of lots sold for  
taxes.

SEC. 12. 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 such property, his heirs or assigns, agents, administrator, or executor, paying to the treasurer of said town, for the use of the purchaser of said property, the full amount of the purchase money and costs, with such interest as said corporation may, by ordinance, require.

All officers to  
take oath.

SEC. 13. The members of the board of trustees, and every other officer of said corporation, shall, before entering on the duties of their offices, 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 constables.

SEC. 14. 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 shall 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.

Labor on road

SEC. 15. The board of trustees, for the purpose of keeping the streets and alleys in said town in good order and repair, are hereby authorized to require every male resident of said town, over the age of twenty-one years, to labor on said streets, alleys, and roads, three days in each and every year; and any person, who shall be notified by the supervisor of streets 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 supervisor of streets in the proper district is hereby authorized to prosecute such delinquent persons, in the name of the president and trustees of the town of Quincy, before any justice of the peace in said town, and said supervisor 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.

SEC. 16. It shall be the duty of any justice of the peace residing in said town, on complaint being made to him, on oath, of the violation of any law or ordinance of the corporation, or upon view, or upon the request of any town constable, to issue his warrant directed to the town constable, or any other officer authorized 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 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. Duty of justice of peace.

SEC. 17. The said president and trustees are hereby made capable, in law, to take and hold to themselves and 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, 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 carried on in the name and style of "The president and trustees of the town of Quincy." Market-house

SEC. 18. The 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 for other justices of the peace and constables. Fees of officers.

SEC. 19. Lands embraced within the limits of the corporation of said town of Quincy shall not be taxed by the president and trustees of said town at any higher or greater rate than said lands would be taxed by the laws of the State, unless the same are laid out into town lots, or occupied as town lots.

APPROVED, February 21, 1839.