treasurer, who shall give bond to such amount and in such manner as the said president and directors shall direct; and the board shall appoint all other officers and agents as to them shall seem necessary.

SEC. 7. Said president and directors shall have power to make and establish all such by-laws, rules, and regulations as shall be necessary, and not inconsistent with the laws of this State and the provisions of this act, for the payment or collection of the subscriptions to its stock, and the transfer of the same, or of property, or that in any other way may concern the management or direction of the affairs of said company.

Transfer of stock.

SEC. 8. If it should happen that any election should not be made on the day when by the provisions of this act it should be made, the corporation shall not for that reason be dissolved; but such election may be held on any other day within thirty days thereafter, public notice being given by directors thereof.

Act deemed public.

SEC. 9. This act shall be deemed a public act, and shall be construed favorably, for the purposes therein expressed and declared, in all courts and places whatsoever.

APPROVED, February 23, 1839.

In force,

AN ACT to incorporate the town of Bloomington.

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 Bloomington, in the county of McLean, and State aforesaid, are hereby made and constituted a body corporate and politic, by the name and style of "The president and trustees of the town of Bloomington," and by that name shall 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.

Body politic.

Name & style.

Boundaries of town.

SEC. 2. All that district of country embraced within the following boundaries, to wit: Beginning at the northeast corner of the west half of the northwest quarter of section three, in township twenty-three north, of range two, east of the third principal meridian; thence, south, one and a half miles; thence, west, one and a half miles; thence, north, one and a half miles; and thence, east, one and a half miles, to the place of beginning, is hereby declared to be within the boundaries of the town of Bloomington.

Term of service of corporation officers.

SEC. 3. That the present president and trustees of said town shall continue in office until the second Monday in April next, and until their successors are duly elected and qualified; and forever thereafter an election shall be held, on the second Monday in April, anuually, for five trustees, who shall hold their offices for one year, and until others are duly 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, and who has not arrived at the age of twenty-one years, and who has not resided in said town at least six months next preceding his election, and who shall not be at the time a *bona fide* freeholder in said town. All persons who are entitled to vote for representatives to the General Assembly, and shall have resided in said town three months next preceding an election, 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 they shall have power to fill all vacancies in said board occasioned by death, resignation, or otherwise. Qualification of voters.

SEC. 4. The board of trustees shall have power to appoint a clerk, assessors, treasurer, supervisor of streets, and all such other officers as may be necessary. They shall be judges of the qualifications, elections, and returns of their own members. A majority of their board shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, under such penalties as the board may provide. They may determine the rules of proceedings, 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 a tax on all real and personal estate within the limits of said corporation, *Provided*, That the per cent. on the assessed value thereof shall not exceed the per cent. authorized by the revenue laws of this State. They shall have power to make regulations to secure the general health of the inhabitants; to prevent and remove nuisances; 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 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 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; 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 may be hereafter Further powers. Proviso.

provided by law for appealing from judgments of justices of the peace.

Lots may be taxed.

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 purpose of grading and paving the side-walks on said street: *Provided*, That two-thirds of the property-holders on such street shall first petition for the same.

Proviso.

Powers of trustees.

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 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.

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 such manner as the board may direct.

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 of this 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 jury for a like offence against the laws of this State.

Proviso.

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 recoverable.

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 shall have been given, for at least four weeks successively previous to the day of sale, by advertisement in a newspaper published in said town, or by posting up written notices thereof, in at least three of the most public places in said town, one of which shall be on the court house door.

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 or her heirs or assigns, agents, administrators, or executors, 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.

SEC. 13. 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 himself in office.

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.

Three days' labor may be required of persons on streets, &c.

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 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 districts is hereby authorized to prosecute such delinquent persons, in the name of the president and trustees of the town of Bloomington, 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, 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 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.

President, &c. may hold lands, rents, &c. for certain purposes.

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-houses, 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 unto, 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 Bloomington."

Compensation.

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 may be hereafter provided by law for other justices of the peace and constables.

Limits of tax.

SEC. 19. Lands embraced within the limits of the corporation of said town of Bloomington 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.

Act not forfeited for failure to hold election.

SEC. 20. This act shall not become forfeited by the failure of the inhabitants to hold an election for president and trustees or other officers as herein before provided; but when such failure shall have occurred, it shall be the duty of the president and trustees to order another day of election to take place within thirty days after such failure, by posting notices thereof, at least ten days previous to holding the same, in three of the most public places in said town; and if they shall fail to give such notices, it shall be lawful for any three freeholders to give such notices; and the officers elected at such election, when duly qualified, shall have the same powers as if elected at the regular election; and they shall hold their offices until the next regular elections, and until their successors are duly qualified.

Voters to vote for or against being incorporated.

SEC. 21. The qualified voters within the corporation shall, at the first annual election for president and trustees, vote for or against becoming incorporated under the provisions of this act; and, if a majority of all the votes given shall be against the provisions of this act, the provisions contained herein shall be null and void.

APPROVED, March 2, 1839.