

SEC. 7. This act is hereby declared to be a public act, and shall take effect and be in force from and after its passage.
Approved, February 20, 1811.

An ACT to incorporate the town of Petersburg.

- In force, Feb. 23, 1841.** 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 Petersburg, in the county of Menard, 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 Petersburg," and by such name and style shall be forever able and capable in law and equity, to sue and be sued, to plead and be impleaded, to answer and be answered unto, to defend and be defended, in all manner of suits, actions, complaints, pleas, causes, matters and demands of whatever kind or nature they may be, in as full and effectual a manner as any person or persons, bodies corporate or politic, can or may do, and by the name and style aforesaid, shall have perpetual succession, and may have and use a common seal, which they may alter or revoke at pleasure.
- Name & style.**
- Powers of corporation.** SEC. 2. That the corporate powers or duties of said town shall be vested in and exercised by five trustees, to be chosen and appointed as hereinafter directed, who shall form a board for the transaction of business.
- Powers vested in trustees.** SEC. 3. That James Hocy, John McNeal, William G. Spears, James Colbey and George D. Adams, trustees of said town as at present incorporated under the general act of incorporation, are hereby appointed trustees of said town under this act, and shall hold their offices until the first Monday in the month of April next, and until their successors are duly qualified; and on the first Monday of the month of April next, and on the first Monday in the month of April in each year thereafter, an election shall be held for five trustees of said town, who shall serve for one year, and until their successors are duly elected and qualified. The members composing the board of trustees shall be at least twenty-one years of age, inhabitants of said incorporated limits, and *bona fide* freeholders in said town, and they shall have power to fill all vacancies in their board, which may be occasioned by death, resignation or otherwise.
- Present trustees.**
- Term of office** SEC. 4. That in all elections for trustees every white male resident within the incorporated limits of said town, over the age of twenty-one years who shall have resided therein six months, or who shall be the *bona fide* owner of any freehold property therein, shall enjoy the right of an elector.
- Vacancies how filled.**
- Qualifications of electors.**
- Officers how appointed.** SEC. 5. That the board of trustees shall appoint their president, and all other officers of their board, and shall be the judges of the qualifications, elections and returns of their own members, a majority of whom shall constitute a board to

transact 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 proceedings, Trustees may punish their members for disorderly conduct, and by the concurrence of three-fifths of the whole number elected may expel a member, and make such other rules and regulations for their government as to them may seem proper and expedient. be expelled.

SEC. 6. 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 hereinafter excepted. To declare what shall be considered nuisances within said incorporated limits, and to prevent and remove the same; to provide for licensing, taxing and regulating auctions, taverns, groceries, theatrical and other shows and exhibitions: to restrain and prohibit all disorderly houses; to prevent the running and indecent exhibition of horses and jacks; to establish and regulate markets; to open, grade, pave, and keep in repair, streets, avenues, lanes, alleys, drains and sewers, and keep the same clean; to regulate the police of the 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; to regulate the election of town officers, and fix their compensation; to require bond and security of town officers for the faithful performance of their duties; and from time to time to pass such ordinances to carry into effect the objects of this act, and the powers hereby granted, as the good of the citizens of said town may require. Tax to be levied. Nuisances. To license auctions, &c. To establish markets. Punishment of offenders. Bond of officers.

SEC. 7. That the board of trustees of said town shall have power to impose fines and forfeitures for the breach of any ordinance, and provide for the collection thereof; and to direct by ordinance, such punishments to be inflicted for any offence against the laws of the corporation, as it 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 laws of the State. Power to impose fines. Proviso.

SEC. 8. 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 nothing herein shall be so construed as to prohibit persons from availing themselves of the benefit of any insolvent law which now is or hereafter may be passed by the Legislature of this State, if such person would be entitled to such discharge for a like offence against the laws of the State: *And provided*, also, That no person shall be imprisoned under the provisions Offenders may be imprisoned. Proviso. Further proviso.

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
for breach of
peace.

SEC. 9. That the board of trustees shall have power to provide for the punishment of any persons who may at any time disturb the peace of the inhabitants of the town, or of any worshipping congregation, or the deliberations and proceedings of any public meeting assembled therein, or of the board of trustees when in session.

Jurisdiction.

SEC. 10. That in all cases arising under this act or growing out of the by-laws or ordinances made in pursuance thereof, any justice of the peace within the county of Menard shall have jurisdiction to hear and determine the same, and appeals may be taken, and writs of *certiorari* allowed in all such cases in the same manner as now is, or hereafter may be provided by law for appealing from judgments of justices of the peace.

Ordinances
how published

SEC. 11. That all ordinances of said trustees, made in pursuance of this act, shall be fairly written out, signed by the clerk, and the same, or a printed copy thereof, shall be posted up at three of the most public places in said town, or published in some newspaper printed in said town, and no ordinance shall be in force until posted up or published as aforesaid at least ten days.

Lots to be
taxed.

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

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 tax on the same is not paid: *Provided*, That no sale of any town lot or other real estate, shall be made until public notice of the time and place of sale shall be given by advertisement in a newspaper published in said town, or by posting up written or printed notices thereof in three of the most public places in said town, at least fifteen days previous thereto.

Lots sold may
be redeemed.

SEC. 14. That where any town lot or lots, or other real estate shall be sold for tax, by virtue of any ordinance made in pursuance 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 centum per annum together with the costs accrued thereon.

Officers to
take oath.

SEC. 15. That the members of the board of trustees and all other officers of said corporation shall before entering upon the duties of their respective offices, take an oath or affirmation

before some officer authorized by the laws of the State to administer oaths, to support the Constitution of the United States and of this State, and faithfully to discharge the duties of their respective offices.

SEC. 16. That the board of trustees shall have power to appoint a town constable, who shall hold his office during the pleasure of said board of trustees, and to require of him bond and security in such sum as they may think proper, whose duty it shall be to arrest on view all persons, who shall violate the laws and ordinances of said town; to collect all fines, forfeitures and penalties which may be assessed or recovered for the use of the corporation; and to execute all writs, process and precepts which may be issued against any person or persons for a violation of said laws or ordinances, and for this purpose it shall be lawful for him to go into any part of the county of Menard to serve or execute any such writs, process or precepts as aforesaid.

Constable to give bond.

Duties of constable.

SEC. 17. That the board of trustees for the purpose of keeping the streets and alleys in said town and the public roads passing through the same in good repair, shall have power, and to this end, they are authorized to require every male resident within the limits of said corporation, over the age of twenty-one years, to labor on said streets, alleys and roads, not less than two nor more than four 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 seventy-five cents 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 Petersburg," before any justice of the peace in the county of Menard; and said street commissioner shall be a competent witness against said delinquent.

Labor to be required.

Prosecutions in name of trustees.

SEC. 18. That all fines, forfeitures and penalties authorized to be assessed by this act, may be recovered in an action of debt in the name of "The President and Trustees of the town of Petersburg," before any justice of the peace in said county: *Provided*, That no such fine, forfeiture or penalty, shall exceed fifty dollars, and all sums of money which may be received for licenses granted to groceries, taverns, auctions, theatrical and other shows and exhibitions, and all fines, forfeitures, and penalties imposed for a violation of any of the by-laws or ordinances of said corporation, shall when collected, be paid into the town treasury for the use and benefit of said town.

Fines & forfeitures how collected.

Proviso

SEC. 19. That for the purpose of carrying into effect the aforesaid powers, the said trustees are hereby authorized to define the boundaries of said corporation: *Provided*, That the same shall not exceed one mile square.

Boundaries of town.

Proviso.

Fees of officers.

SEC. 20. 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 in other cases.

All acts declared valid.

SEC. 21. That all the proceedings of the inhabitants of said town of Petersburg in the month of July, one thousand eight hundred and thirty-eight, for the purpose of incorporating themselves under the general act of incorporation, as a body politic and corporate, by the name and style of "The President and Trustees of the town of Petersburg," and all contracts and agreements made with the trustees of said town thus incorporated, or liabilities incurred for the purpose of building a bridge over the Sangamon river near said town, are hereby ratified, approved, confirmed and rendered legal and of full force in law and equality, [equity,] and [any] informality in said proceedings, or omission in the records of said corporation to the contrary notwithstanding; and that this act shall be considered sufficient evidence in any court of law or equity in this State to establish the fact of the legal incorporation of said town at the period aforesaid.

SEC. 22. That this act shall take effect and be in full force from and after its passage.

Approved, February 23, 1841.

In force, Feb. 23, 1841.

An ACT to amend "An act incorporating the town of Belleville."

Part of act repealed.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the act authorizing the incorporation of the town of Belleville, in St. Clair county, as requires two-thirds of the legal voters of said incorporation to decide upon the repeal of said incorporation, be, and the same is hereby repealed, and that hereafter, at any election to be held for trustees of said town of Belleville, a majority of said voters shall be sufficient to decide whether the said town shall continue incorporated or not, and should a majority of the voters decide against continuing the said charter or incorporation, it shall from thenceforth cease and be null and void.

Approved, February 23, 1841.

In force, Feb. 24, 1841.

An ACT to incorporate the town of Marion.

Name & style.

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 Marion, in the county of Williamson, are hereby made a body corporate and politic in law and fact, by the name and style of the "President and Board of Trustees of the town of Marion," and by that name shall have perpetual succession and a common seal, which they may