

HISTORICAL DATA AND TOWN CHARTER

of the

TOWN OF NORMAL

NORMAL, ILLINOIS

# TOWN OF NORMAL

## HISTORICAL DATA AND TOWN CHARTER

Normal University was founded and opened classes in a new building in 1861 in what was then known as North Bloomington. Shortly thereafter, houses began to be built in its vicinity. By 1865 the population had grown to sufficient numbers to warrant the realization of the dream of its founders who had worked so hard to secure the location of the school...a school Town.

Accordingly in that year steps were taken to organize the Town under the name "Normal". The legislature of the State of Illinois granted a special Town Charter to Normal, Illinois on the 25th day of February, 1867. The Town of Normal operates under its original Charter to this day, subject only to legislative changes as from time to time enacted.

The following compiled lists of Presidents of the Board of Trustees of said Town is believed to be complete to the date of this Code.

Wesley Pearse.....	1865 to 1866	E.J. Metcalf .....	1905 to 1907
L.A. Hovey .....	1866 to 1868	O.L. Manchester.....	1907 to 1917
M.D. Seward.....	1868 to 1869	J.A. Goodwin .....	1917 to 1919
L.A. Hovey .....	1869 to 1870	F.S. Foulk .....	1919 to 1925
Joshua Brown .....	1870 to 1871	W.J. Arbogast.....	1925 to 1927
Thomas Loar.....	1871 to 1872	C.E. Clarke .....	1927 to 1929
W.A. Pennell.....	1872 to 1873	W.A. Newhauser.....	1929 to 1931
J.A. Taylor .....	1873 to 1874	E.L. Beach.....	1931 to 1933
W.A. Pennell.....	1874 to 1875	W.A. Newhauser.....	1933 to 1935
H.G. Fisher.....	1875 to 1878	Grant M. Ridenour .....	1935 to 1940
R.B. Chaplin .....	1878 to 1879	R.D. Marsh .....	1940 to 1944
B.F. Carpenter.....	1879 to 1880	N.W. Cline .....	1944 to 1944
H.G. Fisher.....	1880 to 1882	C.W. Hudelson.....	1944 to 1948
A.C. Taylor .....	1882 to 1883	Charles E. Murray .....	1948 to 1952
P.S. Dodge .....	1883 to 1886	W.E. Raab .....	1952 to 1960
R.J. Merriam .....	1886 to 1889	Robert D. Randall .....	1960 to 1964
Jerrome Chipman.....	1889 to 1891	Charles R. Spear.....	1964 to 1968
Henry G. McCormick.....	1891 to 1892	Charles L. Baugh.....	1968 to 1972
George Champion.....	1892 to 1893	Carol A. Reitan.....	1972 to 1976
George A. Griggs.....	1893 to 1894	Richard T. Godfrey .....	1976 to 1985
J.S. Courtright.....	1894 to 1896	Paul M. Harmon, Jr.....	1985 to 1993
Jerrome Chipman.....	1896 to 1897	Kent M. Karraker .....	1993 to 2003
Otto Siebert.....	1897 to 1905	Christopher Koos .....	2003 to

From the first record the following accounts of the organization of Normal are taken:

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Normal, Illinois, Sept. 9, 1865

Notice is hereby given that on Monday, the 18th day of September, 1865, at the Post Office in the Town of Normal a public meeting will be held to take into consideration and decide by vote the question, "Whether or not it is expedient to incorporate said Town as provided under the General Act authorizing Towns to incorporate?" Said meeting to organize at two o'clock P.M., at which time and place all who are qualified to vote are requested to attend.

For and on behalf of many citizens of the said Town.

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Normal, Illinois, Sept. 18, 1865

The citizens met pursuant to call and proceeded to organize by electing L.A. Hovey, Chairman, and W.G. Parr, Clerk, who were duly sworn by S.J. Reeder, a Notary Public, and the meeting proceeded to business and voted to incorporate said Town under the general act, there being thirty-seven votes in favor of organization and none against it.

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Normal, Illinois, Sept. 19, 1865

Notice is hereby given that there will be a meeting of the legal voters of The Town of Normal at the Post Office in said Town on Saturday, September 30, 1865, at 2 o'clock P.M., for the purpose of electing five trustees for said Town pursuant to an election which was held on Tuesday, the 18th day of September at which time said Town was duly incorporated.

W. G. Parr, Clerk

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Normal, Illinois, Sept. 30, 1865

At an election held at the Post Office in the Town of Normal, County of McLean and State of Illinois, on Saturday the 30th day of September, 1865, the following named persons received the following number of votes for Trustees of said Town.

D.P. Fyffe, L.A. Hovey, Wesley Pearce, John A. Rockwood, S.J. Reeder; each received 11 votes.

W. G. Parr, Clerk

L.A. Hovey, Judge of Election.

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Normal, Illinois, Oct. 2, 1865

First Meeting of the Board.

The Board of Trustees of said Town met at the Post Office and proceeded to organize by electing Wesley Pearce, President of said Board and S.J. Reeder, Clerk. On motion adjourned to meet on the 7th day of October, 1865.

S.J. Reeder, Clerk

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The first Ordinance was passed March 6, 1866, regulating small pox. It was followed by one on nuisances passed the 7th day of June, 1866.

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In 1867, after operating nearly two years under the general law, the founders of the Town secured our present special charter from the State legislature. It is today one of the few special charters operative in the State.

CODE

The Town of Normal was incorporated and still operates under Special Charter granted by the State of Illinois and that Charter is in words and figures as follows:

AN ACT

TO INCORPORATE THE TOWN OF NORMAL

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**ARTICLE I**

**Section 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 Normal, in the County of McLean, and State of Illinois, are hereby constituted and declared a body corporate and politic, by the name and style of "THE TOWN OF NORMAL," and by that name shall have perpetual succession; and may have and use a common seal, which they may alter at pleasure; have power to sue and be sued, plead and be impleaded in all courts and places where justice is administered, in all actions whatever; to purchase, receive and hold property, both real and personal, within the limits of said Town, and beyond its limits when needed for burial ground and other corporate purposes; to sell, lease and convey property real and personal for the use of said town; to protect and improve any such property, as the public good may require.

**Section 2.** The town limits of said Town of Normal shall be bounded as follows, to-wit: Beginning at a point one mile due west of the central point of section twenty-eight (28), township twenty-four (24) north, range two (2) east in McLean County, Illinois; thence north one mile; thence east two miles; thence south two miles; thence west two miles; thence north one mile to the place of beginning: Provided, that all tracts of land within the town boundaries, which are in extent ten acres or more, and used for agricultural or horticultural purposes only, and not as parts of a residence, nor laid off into town lots, shall be exempt from taxation for town revenue until the same shall be subdivided into town lots; and each lot, when so divided, shall be taxed as other town lots.

**Section 3.** Whenever any tract of land adjoining said town shall be laid off into town lots, platted and duly recorded, as required by law, the same shall be annexed to and form a part of the Town of Normal: Provided, that the town council shall have power to require that all additions and subdivisions hereafter made to said town shall be so laid out and platted as to correspond and conform to the regular blocks, streets and alleys already laid out and established within said town; and no map or plat of any addition or subdivision to said town shall be entitled to record, or be recorded in the office of the recorder of McLean County, until the same shall be approved by the town council of said town; and all such additions shall be null and void until a correct map or plat thereof shall be approved by said town council.

## ARTICLE II

**Section 1.** The legislative powers of the Town of Normal shall be vested in a town council, composed of five trustees, to be elected annually by the qualified voters of said town; and no person shall be a trustee of said town who has not arrived at the age of twenty-one years, and who has not resided in said town one year preceding his election, and who is not a citizen of the United States; and the said trustees shall, at their first meeting, proceed to elect one of their number president, and shall have power to fill all vacancies in said board which may be occasioned by death, resignation, or removal: Provided, the vacancy shall not exceed six months.

**Section 2.** The town council shall determine the qualification returns and election of its own members. A majority shall constitute a quorum, but a smaller number may adjourn from time to time, and compel the attendance of absent members under such penalties as may be prescribed by ordinance; shall have power to determine the rules of its proceedings, punish a member for disorderly conduct, and with a concurrence of three-fifths, expel a member.

**Section 3.** Each member of the town council shall, before entering upon the duties of his office, take an oath to perform the duties of his office to the best of his knowledge and ability; to support the Constitution of the United States and of this state; and there shall be at least one regular meeting of said town council in each month, at such time and place as may be prescribed by ordinance; provided, that the president or any three members of said council, may call special meetings of said council, first giving such notice in writing as shall be provided for by the council.

## ARTICLE III

**Section 1.** There shall be elected in the Town of Normal, by the qualified voters thereof, on the first Monday of March, 1867 and on the first Monday of March every four years thereafter, a police magistrate and a town constable, who shall hold their respective offices for four years, and until their successors shall be elected and qualified.

**Section 2.** No person shall be eligible to the office of police magistrate, or to the office of town constable, who shall not have been a resident of the town one year next preceding his election, or who shall not be a citizen of the United States.

**Section 3.** For the election of five trustees, a police magistrate and town constable the Town of Normal is hereby declared an elective precinct.

**Section 4.** The police magistrate shall be commissioned by the Governor of the State of Illinois as a justice of the peace, and as such shall give bond and take and subscribe the same oath of office as other justices of peace, and as such shall be a conservator of the peace for said town, and shall have power and authority to administer oaths, issue writs and processes, to take depositions and acknowledgments of deeds, mortgages, and other instruments of writing, and certify the same as other justices of the peace; (and he shall have exclusive jurisdiction of all cases arising under the ordinances of the corporation), and concurrent jurisdiction power and authority arising in all cases whatsoever with other justices of the peace under the laws of this state, and shall be entitled to such

fees for his services as shall be fixed by town ordinance; and when not so fixed, as other justices of the peace in similar cases: Provided, that upon the necessary oath being made by the defendant as required by law governing justices of the peace, a change of venue shall be granted in all cases from the police magistrate of the town to the nearest justice of the peace, who is hereby invested in such cases with all authority of the police magistrate, and he shall proceed to try the same: Provided, also, that in the event of absence, sickness, death or resignation of the police magistrate, the next nearest justice of the peace of McLean County be invested with all the power conferred upon the police magistrate by the provisions of this act.

**Section 5.** The town constable shall have the same power and authority, rights, privileges and qualifications; shall have the same jurisdiction and be entitled to the same fees, and be liable to the same penalties as constables now are or may hereafter be under the laws of this state; and shall be placed under such bond conditioned for the faithful performance of the duties of his office as may be prescribed by ordinance of the corporation hereby created.

**Section 6.** In case the police magistrate shall at any time be guilty of palpable omission of duty, or shall willfully or corruptly be guilty of corruption, of oppression, malconduct, or partiality in the discharge of the duties of his office he shall be liable to be indicted in the circuit court of McLean County, and on conviction shall be fined in any sum not exceeding two hundred dollars, and removed from office.

#### **ARTICLE IV**

**Section 1.** On the first Monday of March, 1867, an election shall be held in said Town of Normal for five trustees, a police magistrate, a town constable; and on the first Monday of March of each year forever thereafter an election shall be held for the election of said trustees, who shall hold their offices for one year, and until their successors shall be elected and qualified; and forever thereafter on the first Monday of March every four years an election of a police magistrate and town constable, who shall hold their offices for four years, and until their successors shall be elected and qualified; which first election shall commence at 10 o'clock a.m., and close at four o'clock p.m. of said day; and for the purposes of said first election the present board of trustees of the Town of Normal are hereby constituted corporate trustees for said town.

**Section 2.** It shall be the duty of said board of trustees hereby constituted, or any two of them, to give at least ten days' notice of the time and place of holding said first election, by posting up notices in at least three of the most public places in said town; to be judges of said election; to appoint their own clerk, receive and canvass the votes, declare the result, furnish to each one of the persons elected a certificate of his election, certify the votes for police magistrate and town constable to clerk of the county court of McLean County and lay the poll books of such election before the board at its first meeting. All subsequent elections shall be held and conducted and return made as may be prescribed by ordinance.

**Section 3.** A failure to hold said first election on the first Monday of March, 1867, shall not work a forfeiture of this charter, but said first election may be held on any day after the first Monday of March, 1867, by giving ten days' notice, and conducting the same as prescribed in Section two of article four of this charter.

**Section 4.** If two or more persons shall receive an equal number of votes for police magistrate or town constable, the board shall proceed to determine the same by lot; and when there shall be a tie in the election of members of the town council, the judges of election shall certify the same to the police magistrate who shall determine the same by lot, in such manner as shall be prescribed by ordinance; and all contested elections shall be determined as prescribed by ordinance.

**Section 5.** All persons who are entitled to vote for state officers, and who shall have been actual residents of said town ninety days next preceding said election, shall be entitled to vote for said officers.

## **ARTICLE V**

### LEGISLATIVE POWERS OF THE COUNCIL

**Section 1.** The town council shall have power and authority to levy and collect taxes upon all property, real and personal, within the limits of the town, not exceeding ten mills on the dollar upon the assessed value thereof, and may enforce the payment of the same in manner to be prescribed by ordinance, not repugnant to the Constitution of the United States or of his state; and the town council is hereby authorized and empowered to provide for the sale of personal property for the taxes due thereon, as also for the sale of real estate for the taxes due thereon, in such manner as shall be prescribed by ordinance: Provided, that such ordinances are not inconsistent with the Constitution of the United States or of this state.

**Section 2.** The town council shall have power to appoint a clerk, treasurer, assessor, supervisor of streets, pound master or masters, town weigher, and all other officers that may be necessary, and prescribe their duties, and to require of all officers appointed in pursuance of this charter, bonds, with such penalties and securities for the faithful performance of their duties as may be deemed expedient; also, to require all officers appointed as aforesaid to take an oath for the faithful performance of the duties of their respective offices before entering upon the discharge of the same.

**Section 3.** To appropriate money and provide for the payment of the expenses of the town.

**Section 4.** To make regulations to secure the general health of the inhabitants of said town, and to prevent the introduction of contagious diseases into the town.

**Section 5.** To provide the town with water, to sink and keep in repair wells and pumps in the streets for the convenience of the inhabitants.

**Section 6.** To open, alter, extend, grade or otherwise improve and keep in repair streets and alleys, and remove obstructions therefrom, and to construct and keep in repair bridges.

**Section 7.** To license, tax, and regulate auctioneers, hucksters, teamsters, brokers, draymen, peddlers, pawn-brokers and money changers and hackmen.

**Section 8.** To license, tax, regulate and suppress theatrical and other exhibitions, shows and amusements.

**Section 9.** To provide for the inspection and weighing of hay and stone coal, measuring of charcoal, wood and other fuel sold in said town.

**Section 10.** To provide for the extinguishment and prevention of fires; to organize and regulate fire companies.

**Section 11.** To regulate the fixing of chimneys and flues thereof.

**Section 12.** To regulate the storage of tar, pitch, rosin, gunpowder and other combustible materials.

**Section 13.** To prevent the running at large of dogs, and to provide for the destruction of the same when running at large contrary to ordinance.

**Section 14.** To prevent the firing of guns and other combustibles or firearms within the limits of said town.

**Section 15.** To restrain, regulate or prohibit the running at large of cattle, horses, sheep, swine, goats and other animals, and to authorize the distraining, impounding and sale of the same, and to prohibit the indecent exhibition of horses and other animals.

**Section 16.** To prevent horse racing, or any immoderate riding or driving within the limits of said town of horses or other animals; to compel persons to secure their horses or other animals attached to vehicles or otherwise while standing or remaining in any street or alley, or public road in said town.

**Section 17.** To establish and maintain a public pound or pounds, and appoint a pound-master or masters, and prescribe his or their duties.

**Section 18.** To define and declare what shall be deemed nuisances; to punish the author thereof; and to authorize and direct the summary abatement of nuisances and the removal of same two miles from the boundaries of said town.

**Section 19.** To erect market-houses; to establish markets and market places and provide for the regulation thereof.

**Section 20.** To provide for inclosing, improving and regulating all public grounds.

**Section 21.** To borrow money on the credit of the town: Provided, that no sum or sums of money shall be borrowed at a greater interest than ten per cent per annum; nor shall the interest on the aggregate of all sums borrowed and outstanding ever exceed one-half of the town revenue arising from taxes assessed on real property within the limits of said corporation.

**Section 22.** To regulate the election of town officers, and to provide for removing from office any person holding office created by ordinance.

**Section 23.** To regulate the police of the town; to impose penalties, fines and forfeitures for the breach of any ordinance, for recovery and appropriation of such fines and forfeitures, and for the enforcement of such penalties: Provided That the right of trial by jury shall in no case be denied to any person charged with a breach of any of the provisions of this act or any ordinance.

**Section 24.** To provide for taking enumerations of inhabitants of the Town.

**Section 25.** To fix the compensation of town officers; to regulate the fees of jurors, witnesses and others for services rendered under this act, or by any ordinance.

**Section 26.** To require railroad companies to construct and keep in repair suitable crossings at the intersection of streets and alleys, where the town council shall deem it necessary; to prohibit and restrain railroad companies from doing storage or warehouse business or collecting pay for storage; to regulate the speed of locomotive engines within the town limits; also to regulate the running of horse railway cars or street cars propelled by steam or otherwise; the laying down of tracks for the same; the transportation of passengers therein and the kind of rail to be used within the town limits.

**Section 27.** The town council shall have power to make and enforce all ordinances necessary and proper for carrying into effect all the powers specified in the is act: Provided, That such ordinances are not repugnant to, nor inconsistent with, the Constitution of the United States or of this state.

**Section 28.** The town council shall have power to provide for the punishment of offenders against the ordinances of said town, by imprisonment in the county jail, not exceeding thirty days for any one offense, in all cases where the offenders shall fail or refuse to pay the fines and forfeitures which may be recovered against them.

**Section 29.** To provide for the erection and improvement of all needful buildings for the use of said town.

**Section 30.** To provide for lighting streets and erecting lampposts; to provide lamps therefor and regulate and control the lighting of the same.

**Section 31.** To tax, restrain, prohibit and suppress tippling houses, dramshops, gaming-houses, bawdy-houses, and other disorderly or disreputable houses, within said town, but not to license any house or place for the sale of intoxicating drinks of any kind as a beverage.

**Section 32.** To regulate the inspection of butter, lard and other provisions.

**Section 33.** The style of the ordinances of the town shall be, "Be it ordained by the town council of the town of Normal."

**Section 34.** All ordinances passed by the town council shall within one month after they shall have been passed be published in some newspaper, published in the town, or in some other way, to be provided by ordinances, in case no newspaper is published in the town; and shall not be in force until they shall have been published as aforesaid.

**Section 35.** All ordinances of the town may be provided by the seal of the corporation, and where printed or published in book or pamphlet form, and purporting to be printed or published by the authority of the corporation, the same shall be received in evidence in all courts and places without further proof.

## **ARTICLE VI**

### OF THE PRESIDENT

**Section 1.** The president shall preside at all meetings of the town council, and shall have the casting vote and no other, and in case of his non-attendance at any meeting, the council shall appoint one of their number who shall preside at that meeting.

**Section 2.** The president shall be active and vigilant in enforcing the laws and ordinances for the government of the town; he shall inspect and conduct of all the subordinate officers of the town, and cause negligence and positive violation to be prosecuted and punished.

**Section 3.** He shall have power, whenever he may deem it necessary to require of any officer of said town an exhibit of his books and papers, and shall have power to do all other acts required of him by any ordinance made in pursuance of this act.

## **ARTICLE VII**

### OF PROCEEDINGS IN SPECIAL CASES

**Section 1.** Whenever it shall be necessary to take property for opening or altering any public street or alley, the corporation shall make just compensation to the owners of such property, and pay or tender the same before opening such street or alley; and in case the amount of such compensation cannot be agreed upon, the police magistrate shall cause the same to be ascertained by a jury of six disinterested freeholders of the town.

**Section 2.** When all the owners of property on a street or alley proposed to be opened shall petition for the opening of the same, the town council shall provide for the opening or altering of the same; but no compensation shall be allowed to such owners for their property so taken.

**Section 3.** All jurors empaneled to inquire into the amount of benefit or damages which shall happen to the owners of property proposed to be taken for opening any street or alley, shall first be sworn to that effect, and shall return to the police magistrate their inquest in writing, signed by each juror: Provided always, That in the assessment of such damages, the jury shall take into consideration the benefit as well as injury happening to the owner of property proposed to be taken for opening or altering a street or alley by such opening or altering.

**Section 4.** The police magistrate shall have power, for good cause shown within ten days after any inquest shall have been returned to him as aforesaid to set aside the same, and cause a new inquest to be made.

**Section 5.** The town council shall have power, by ordinance, to levy and collect a special tax on holders of lots on any street or alley, or any part of any street or alley, according to the respective fronts owned by them, for the purpose of grading or paving or otherwise improving such street or alley: Provided, That the tax shall in no case exceed one-half of the expense of paving, grading or otherwise improving said street or alley.

**Section 6.** The town council shall have power to cause all owners or occupants of premises to build sidewalks and keep the same in repair in front of said premises, and when not built according to the orders of the town council, to build and repair the same and assess the costs thereof against said premises, and collect the same as other town taxes are collected.

## **ARTICLE VIII**

### SCHOOL AND SCHOOL FUNDS

**Section 1.** The town of Normal, as hereby incorporated and the several additions which may hereafter be made to said town, shall constitute a school district, and be known as "Normal School District".

**Section 2.** The government of said district for school purposes shall be vested in a board of five persons, to be styled the Board of Education of Normal School District.

**Section 3.** There shall be elected by the qualified voters of said district, at the first election for town officers herein provided for, five persons, who shall constitute said board, and hold their offices for one, two, three, four and five years. And thereafter on the first Monday of March annually there shall be an election for the purpose of electing one member of said board, who shall hold his office for five years until his successor is elected and qualified. All vacancies in said board shall be filled at said annual elections; but any vacancy happening between the times of the regular annual elections by death, resignation, or removal from the district, shall be filled by the remaining members of the board, and the person so appointed shall hold the office until the next annual election, and until his successor shall be elected and qualified. The meetings for said election of said member or members of said board shall be notified and called, and the poll book opened and kept, the votes canvassed, and the returns made in the same manner as for the election of other town officers: Provided, That the ballot for a member or for members of the said board of education shall be upon a separate slip of paper, and form no part of a ballot for other town officers. In case of a tie in any election of members of said board, the judges of election shall decide the same by lot on the day of election, or as soon thereafter as may be.

**Section 4.** The said board of education shall be a body corporate and politic by the name and style of "The Board of Education of Normal School District"; may have a common seal and

change the same at pleasure, and as such may contract and be contracted with, sue and be sued, plead and be impleaded in and before any tribunal having competent jurisdiction.

**Section 5.** It shall be the duty of said board to hold quarterly sessions on the second Monday in March, June, September, and December of each year, and they shall meet by adjournment at such times as they may think proper; and the president of the board, or any two members thereof, may call a special meeting of the board by giving a verbal notice of the time and place and object thereof, or by leaving a written notice thereof at the residence of each member of the board; and at all meetings a majority may constitute a quorum for the transaction of business. Said board shall organize by appointing one of their own number president; they shall also elect a clerk, who may be a member of the board, and treasurer, who shall not be a member of the board, who shall hold their respective offices during the pleasure of the board, and until their successors shall be elected and qualified. The president shall preside at all meetings of the board at which he shall be present; and it shall be the duty of the clerk to be present at said meetings, and to record in a book to be provided for that purpose all the official proceedings of said board, which record shall be public and open to the inspection of any person interested; and all said proceedings when recorded, shall be signed by the president and the clerk, and a copy certified by the clerk shall be prima facie evidence of such proceedings in all courts and other places. If the president or clerk shall be absent, the board may appoint a president or clerk pro tem. The treasurer shall execute to said board an official bond with good and sufficient securities, such bond to be approved by the board, in such sums as the board shall determine, but to be as nearly as can be ascertained in double the amount of all moneys that will be likely to be at any one time in his hands, and conditioned for the faithful performance of his duties as treasurer in safely keeping and promptly paying over all moneys which he shall receive as such treasurer as he shall from time to time be directed and order of the board, or required by law to do so. He shall keep a true and accurate record, in proper books for that purpose, of all moneys received and paid out. for what purpose, and upon what and whose account; but he shall pay out no money except upon order of the board; and for all moneys paid out he shall take and file with the papers of his office proper vouchers; and he shall settle his accounts with the board at least once a year, and oftener if the board shall so require.

**Section 6.** No member of he board shall receive any compensation for his attendance at the meetings of the board, nor for the performance of its ordinary duties; but for extraordinary services reasonable compensation may be allowed -- the board to determine what are extraordinary services and the compensation therefor. The clerk and treasurer shall receive such compensation as the board shall prescribe.

**Section 7.** The treasurer shall, under the direction of the board, demand and receive from the officer or officers having the custody thereof, any interest or other money from any school fund or other source to which the Normal school district, or any part thereof, or the schools or the teachers therein would be entitled if this act had not been passed; and the money so received from such funds or sources shall be placed in the treasury, to be used and expended under the order and direction of the board for the support of schools and for school purposes, in the same manner as other funds that come into the treasury by taxation or otherwise.

**Section 8.** The said Normal school district shall be exempt from the jurisdiction of trustees of schools in the township in which said Normal school district is located, so far as common schools

are concerned; and the school commissioner of McLean County shall, in the distribution of the school funds that may come into his hands, apportion so much of the school fund as said Normal school district may be entitled to upon the pro rata distribution of said funds among the several townships of said county to the said Normal school district; and upon the filing of the bond of the treasurer of the said board of education, the said school commissioners shall pay over to the said treasurer the amount due said district. All taxes levied in accordance with the provisions of this act for school purposes shall be paid over by the officers collecting the same to the treasurer of the board of education; and said board shall have the entire and exclusive control of all school funds of said Normal school district or any part thereof, whether consisting of the portion of the school, college, seminary, or township fund belonging and to belong to said district, or any part thereof, or derived from taxations, loans or otherwise, to be used by them as provided by this act; and they may receive by gift, grant, donation, devise, bequest or legacy made for the use of any school or schools, or library, or other school purposes within their jurisdiction; and they shall be, and are hereby invested in their corporate capacity, with the title, care and custody of all lots, lands, school houses, school libraries, apparatus, and other property belonging or appertaining to the common schools of the said district or any of them, with full power to control the same in such manner as they may think will promote the interests of schools or the cause of education, and not inconsistent with the provisions of this act; and when, in their opinion, it may be for the interest of said district to sell any lot, or tract of land, or building belonging to said district, or any part thereof, said board may sell and convey the same in the name of the board; and all such conveyances, as well as all other conveyances, contracts and assignments of the board, shall be executed by the president of the said board, and all conveyances of real and personal estate and assignments of choses in action which shall be made to said board, shall be made to said board in its corporate name; and said board may purchase and hold such real estate and personal property as may be necessary for the establishment and support of schools, and such real estate as may be purchased under any sale upon execution or decree in favor of said board, or in satisfaction of any debts due said board, and at any time thereafter may sell and convey the same.

**Section 9.** For the purpose of erecting school houses and purchasing school sites, it shall be lawful for said board to borrow, at a rate of interest not exceeding ten per cent per annum and issue bonds therefor in sums not less than one hundred dollars, which bonds shall be executed by the president and clerk of said board in the name of the board, and countersigned by the treasurer of the board; and to secure the payment of said bonds, said board may mortgage any part or the whole property belonging to said board.

**Section 10.** The said board shall, on or before the first Monday of April in each year, report to the town council of said Town of Normal in writing respecting all moneys received, how and for what purpose expended, with the proper vouchers therefor, and give such other information in regard to said schools as they may deem important, specifying in said annual report the amount of money necessary to be raised by taxation for school purposes for the ensuing school year; and the said town council shall annually, upon the coming in of such report or within thirty days thereafter, proceed to levy a tax sufficient to meet such expenses, according to the estimate of said board; said tax to be levied and collected as other town taxes are levied and collected--upon all the taxable property in said town: Provided, said tax shall not for any one year exceed two per cent of the taxable property of said town according to its assessed value.

**Section 11.** The said board of education shall have the entire management and control of all the common schools and transact all business which may be necessary in relation to said common schools in said district, and shall have the rights, powers and authority necessary for the proper management of the schools and school funds, with the power to make all such rules, orders and requirements as they may deem necessary to carry their powers and duties into effect and perfect a good system of public instruction and common schools in said district.

**Section 12.** Said board, at the end of each year of their term of office, shall cause to be prepared and published a statement exhibiting the conditions of schools for the preceding year, which statements shall be substantially as follows, viz:

First--The whole number of schools which have been taught in said year.

Second--What number of teachers have been employed in each school, stating the name of each teacher, the time employed, and the compensation paid.

Third--The whole number of scholars in all the schools, giving the number of males and females in each school separately, and the average number in attendance during the year.

Fourth--The amount of all funds received into the treasury of the board during the year, and the sources whence derived, stating the amount received from each source.

Fifth--The amount paid out for salaries, rent, fuel, furniture, etc.

Sixth--The amount and kind of unexpended funds on hand at the end of the year.

Seventh--A statement of the total amount received and the total amount paid out for school purposes during the year.

**Section 13.** Said board shall have power and authority to divide said school district into two or more school districts, when, in the opinion of the board, it shall seem advisable.

## **ARTICLE IX**

### MISCELLANEOUS PROVISIONS

**Section 1.** The inhabitants of the town of Normal are hereby exempted from working on any road beyond the limits of the town, and from paying any tax to procure laborers to work on the same.

**Section 2.** The town council shall have the power, and it is hereby made its duty, when it may be necessary for the purpose of keeping in repair the streets and alleys of the town, to require every able-bodied male inhabitant of said town over twenty-one years of age and under fifty, to labor on said streets and alleys not exceeding three days in each year; and any person failing to perform such labor when duly notified by the supervisors of streets of said town, shall forfeit and

pay the sum of one dollar and fifty cents to said town for each and every day so refused and neglected.

**Section 3.** The town council shall cause to be published annually a full and complete statement of all moneys received and expended during the preceding year, and on what account received and expended.

**Section 4.** All ordinances and resolutions passed by the president and trustees of the town of Normal shall remain in force until the same shall have been repealed by the town council hereby created.

**Section 5.** All suits, actions and prosecutions instituted, commenced or brought by the corporation hereby created, shall be instituted, commenced and prosecuted in the name of the town of Normal.

**Section 6.** All actions, fines, penalties and forfeitures which accrue to the president and trustees of the town of Normal shall be vested in and be prosecuted by the corporation hereby created.

**Section 7.** All property, real and personal, belonging to the president and trustees of the town of Normal for the use of the inhabitants of said town shall be, and is hereby declared to be vested in the corporation hereby created.

**Section 8.** This act shall not invalidate any act done by the president and trustees of the town of Normal, nor divest them of any rights which have accrued to them prior to the passage of this act.

**Section 9.** The president and trustees of the town of Normal shall as soon as may be after the passage of this act, take measures to promulgate this law within the limits of the town of Normal, and issue their proclamation for the election of officers, and cause the same to be published by written or printed notices at least ten days before the election of said town officers.

**Section 10.** Appeals shall be allowed in all cases arising under the provisions of this act, or of any ordinance passed in pursuance of this act, to the circuit court of McLean County; and every such appeal shall be taken and granted in the same manner and with like effect as appeals are taken from and granted by justices of the peace to the circuit court in similar cases under the laws of this state:

Provided, That when the town shall appear, a bond filed by the clerk of the council, in the name of the town, shall be deemed sufficient to obtain an appeal.

**Section 11.** Whenever the police magistrate or town constable shall remove from the town, resign or die, and his office shall be otherwise vacated, the town council shall immediately provide for filling such vacancy by election; Provided, That if such vacancy occur within three months of the next regular election of such officers, the town council shall fill such vacancy.

**Section 12.** The town constable, or any other officer authorized to execute writs or other process issued by the police magistrate, shall have the power to execute the same anywhere within the limits of McLean County, and shall be entitled to the same fees as other constables in like cases.

**Section 13.** All fines and penalties recoverable by indictment or action for any offense committed within the limits of said town, and which are now required by law to be paid to the county treasury or to the school commissioners of said county, shall hereafter be paid into the town treasury for the use of said town.

**Section 14.** Deeds of land sold for taxes heretofore made or hereafter to be made under any ordinance of said town, may be executed by the president of the corporation hereby created, and shall be acknowledged as other conveyances, and when executed and acknowledged as aforesaid, they shall be deemed and taken in all courts and places as prima facie evidence of the existence and regularity of all such prior proceedings as might otherwise be required to be proved in order to establish the title to the purchase and such deed shall be evidence as aforesaid, without any proof of any proceeding prior to the issuing thereof.

**Section 15.** The Town Council are hereby expressly and forever prohibited from granting license to any person or persons in said Town of Normal, to sell, traffic, exchange, barter, or give away any strong beer, wine, rum, gin, brandy, whisky or intoxicating liquors, drinks or beverages of any kind whatever, including Hostetter's stomach bitters, Plantation bitters, Roback's bitters, Red Jacket bitters, Swain's bourbon bitters, or any other bitters of whatever kind or name containing intoxicating liquors; and no person shall be permitted to bring into the Town or keep about his, her or their premises, saloon, cellar, dwelling, outhouse, or in any other place in said Town, any of the above named drinks or intoxicating beverages for the purpose of trafficking therein in any way whatever: Provided the Town Council may grant license to two discreet persons, and no more in said Town, to sell wine or other spirituous liquors for mechanical, medicinal and sacramental purposes only; and the said council shall have power, at any regular meeting, to revoke this license. Any person violating any of the provisions of this section shall forfeit and pay into the treasury of the corporation not less than twenty-five dollars, nor more than one hundred dollars for each and every offense, to be recovered by action of debts before the police magistrate or other justice of the peace in said Town; and in case any offender shall refuse or fail to pay such fine or fines and costs as may be adjudged against him, her or them, by said police magistrate or other justice of the peace, then said offender shall forthwith be committed to the county jail for a term of not less than thirty days, unless said fine or fines and costs be sooner paid.

**Section 16.** This act is hereby declared public, and may be read in evidence in all courts of law and equity in this State without proof.

**Section 17.** All acts or parts of act coming within the provisions of this Charter, or contrary to or inconsistent with its provisions are hereby repealed.

**Section 18.** This act to take effect and be in force from and after its passage.



shall hold their offices for terms of one year each. In the next succeeding year, and in each year thereafter, 3 trustees shall be elected in the adopting village or incorporated town, and they shall hold their offices for terms of 2 years each.

Any such village or incorporated town, which before January 1, 1942, has adopted a 2-year term for its trustees and is now electing 3 trustees each year, shall continue to elect 3 trustees each year for a term of 2 years each. Any such village or incorporated town which before January 1, 1942, had adopted a 2-year term for its trustees but is not now electing 3 trustees each year, shall elect 3 trustees at the next general municipal election in that municipality, and they shall hold their offices for terms of one year each. In the next succeeding year, and in each year thereafter, 3 trustees shall be elected, and they shall hold their offices for terms of 2 years each.

This section shall not apply to or change the method of election of the members of the legislative body of incorporated towns which have superseded civil townships.

I.R.S. (1967) Ch. 24 Sec. 3-8-2. The corporate authorities of villages incorporated and existing under special acts which now provide for or require the election of one or more of the following municipal offices, a treasurer, a clerk, a marshal, or a collector, may adopt this section by resolution and may, in lieu of such provisions or requirements, provide by ordinance for the appointment of such officers by the corporate authorities, prescribe their terms, duties, compensation and the amount of any bond required.