

AN ORDINANCE relating to the Public Burying Ground.

Sect. 1. Be it ordained by the Trustees of the town of Peoria, that the survey of the burial ground of the town of Peoria, made by George C. McFadden in the year 1841, a plat of which is on file with the records of said town, be adopted, and the same is hereby declared to be the plan of said burial ground; and that a plat of the same be recorded as such in the office of the Recorder of the county of Peoria.

Sect. 2. Be it further ordained by the authority aforesaid, that so much of said ground on the east and south sides thereof, as it is laid out in ranges, shall be reserved for and appropriated to the burial of poor persons and strangers, who may not have other ground provided for them; and that the block or square which lies immediately on the left of the principal entrance to said burial ground shall not be used for graves; but the same shall be reserved for a yard and building lot, on which may be placed a house for the sexton or other keeper of the said burial ground, and, such other buildings and conveniences as may hereafter be needed or required; and that all such parts of said burial ground as are laid off in blocks or squares, and subdivided into lots, except the corner lots of such blocks and squares, shall be reserved for the use and possession of such families and persons, and such only, as shall become lessees of the same according to the provisions of this ordinance, to be used and possessed by them and their descendants as places for the burial of their dead forever; and that all the corner lots of said blocks or squares shall be reserved for plants, shrubs, trees, and for other ornamental uses.

Sect. 3. Be it further ordained, that from time to time there shall be appointed by the aforesaid trustees a committee of their body, whose duty it shall be to have a general superintendence of said burial ground, to report from time to time the condition of the same, together with other matters and things in relation thereto; to recommend such improvements and regulations as may be deemed expedient and necessary; to procure or engage from time to time a suitable person to act as sexton or grave digger, and to see that he performs his duties in a proper manner, also to protect, improve and ornament said ground, and to carry into effect such other measures in relation thereto as may be authorized from time to time by said trustees.

Sect. 4. Be it further ordained, that it shall be the duty of the committee to be appointed according to the provisions of the last section of this ordinance, to appraise or assess the relative value of the several burial lots according to size, situation and other advantages, subject however to approval or amendment by the trustees; and the clerk of the trustees, whenever directed by them so to do, shall advertise and offer at public auction any number or all of said lots on such terms of payment as shall be directed by the trustees; and any person bidding for any such lot so offered the highest sum, not less than the appraised value thereof and making payment of the same, shall be entitled to the use and possession of such lot according to the provisions of this ordinance; and any lot thus offered and not disposed of by public auction shall thereafter be subject to private entry at the appraised value of the same; provided that no person having been

the highest bidder for any lot shall afterwards enter or have the same for any less than the highest bidder therefor.

Sect. 5. Be it further ordained, that it shall be the duty of the clerk of the trustees to keep a book of entry, showing what lots are disposed of, the sum for which, the time when, and the persons for whom which lot is taken; and to give certificates of the same stating also how much is paid, how much remains to be paid, if any, and when payable; and when any lot shall be fully paid for, the person or family for whom such entry is made shall be entitled to receive from the trustees of the town of Peoria a perpetual lease of such lot to him or them and his or their descendants forever, for the uses and purposes intended by this ordinance, such lease to be signed by the president and countersigned by the clerk of said trustees.

Sect. 6. Be it further ordained, that no lot, after being leased according to the provisions of this ordinance shall never be alienated, nor the lessees thereof be dispossessed of the same for the nonpayment of any taxes, fines or penalties, that may be imposed by said trustees or any succeeding corporate authorities; nor shall any lot be transferred except with the consent and by authority of said trustees, and by a new lease for the same.

Sect. 7. Be it further ordained, that the clerk shall pay over all sums received for burial lots to the town treasurer and take his receipt for the same; and that all the proceeds from the disposal of burial lots, or the amount thereof in money when paid in treasury orders, shall be reserved as a fund to be appropriated exclusively to the fencing and ornamenting of said burial ground, and in making such other improvements as may become necessary, and it shall be the duty of the town Treasurer to keep a special account of the receipts and expenditures of such fund.

Sect. 8. Be it further ordained that no graves shall hereafter be made in any of the walks or avenues of said burial ground and that all graves or monuments heretofore made or now remaining in any of said walks or avenues shall be removed or leveled to the surface of the ground, allowing a reasonable time for the friends of the interred to remove their remains.

Sect. 9. Be it further ordained that any person or persons who shall dig or make any grave, or inter any dead body in said burial ground, without permission or direction from said trustees or their authorized agents, shall be deemed guilty of trespass, and shall be prosecuted therefor by the town constable in the name of the trustees of the town of Peoria; Provided that nothing herein contained shall prevent any of the lessees or possessors of lots from bringing suit in his or their own name for any trespass on any lot of such lessees.

Passed Feb. 7, 1842.

PETER SWEAT, Pres.

A. P. BARTLETT, Clerk.

Feb. 16, 1842

Peoria Democratic Press, February 16, 1842, pg. 3, col. 2.

Peoria Democratic Press, March 9, 1842, pg. 1, col. 1.