

DOCUMENTS COLLECTION  
DO NOT TAKE FROM THIS ROOM

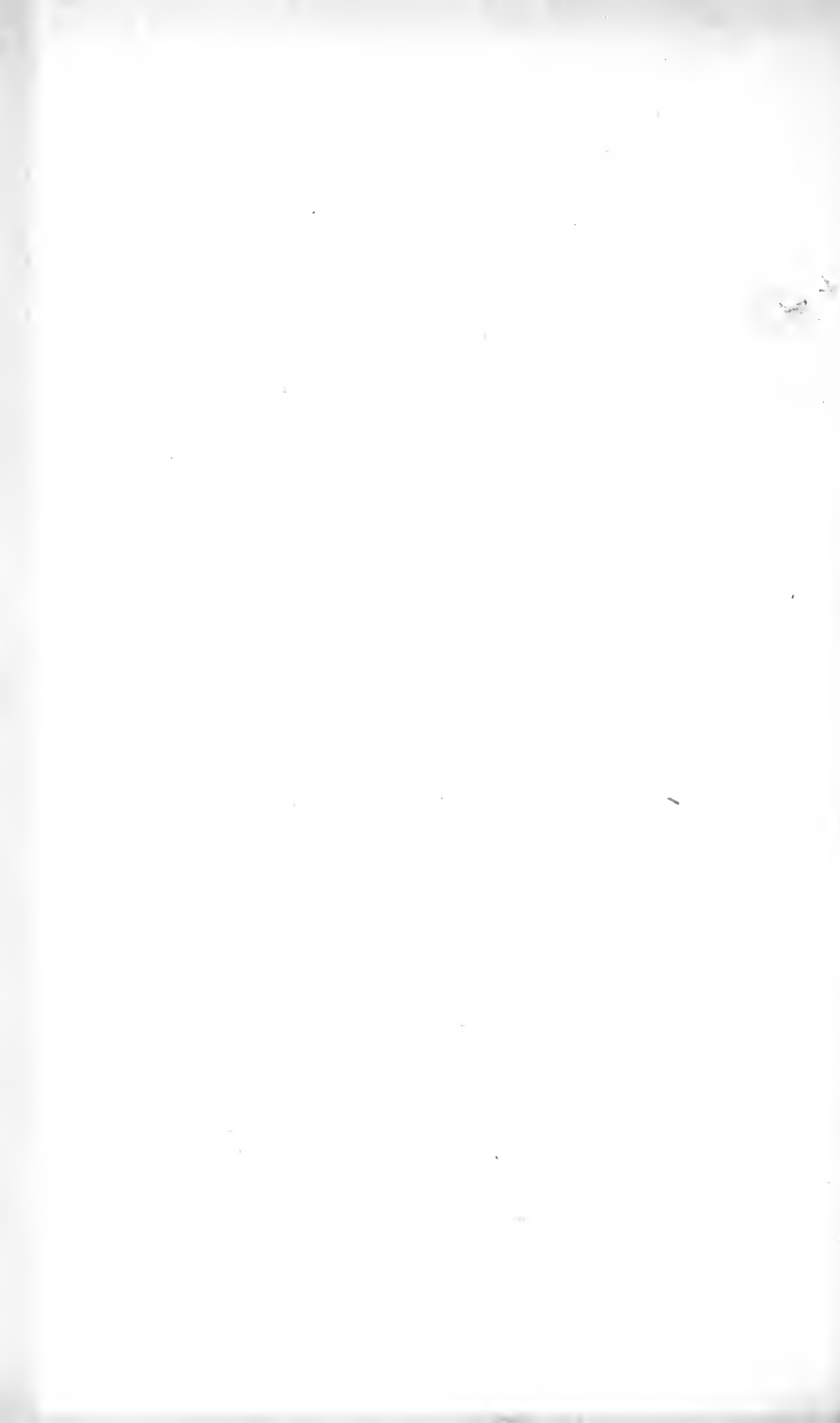
SHELVED IN LAW COLLECTION

WESTERN ILLINOIS UNIVERSITY LIBRARY



3 1711 00611 8074

GOV. PUBLS./LEGAL REF.  
LIBRARY  
WESTERN ILLINOIS UNIV.



Digitized by the Internet Archive  
in 2011 with funding from  
CARLI: Consortium of Academic and Research Libraries in Illinois



# L A W S

OF THE

# STATE OF ILLINOIS:

PASSED BY THE

TWENTY-NINTH GENERAL ASSEMBLY.

CONVENED JANUARY 6, 1875.

---

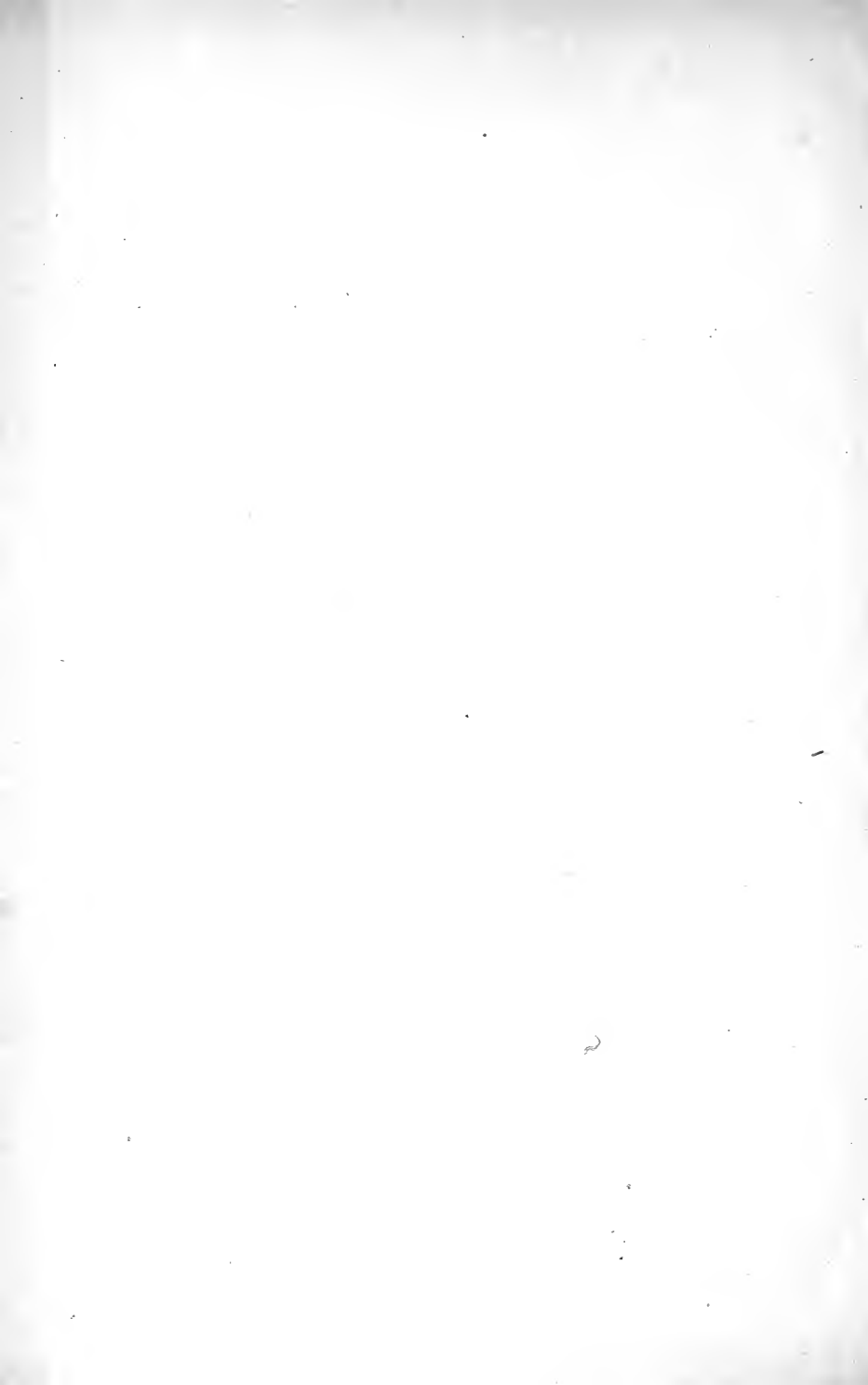
Printed by authority of Law.

---

1875.

---

SPRINGFIELD:  
STATE JOURNAL STEAM PRINT.  
1875.





## TABLE OF CONTENTS.

---

	PAGE
<b>ADMINISTRATION OF ESTATES:</b>	
An act to amend an act entitled "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.....	1
<b>AGRICULTURE AND HORTICULTURE:</b>	
An act to amend sections 1, 6, 8, 10, 11 and 13 of an act entitled "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs," approved March 27, 1874, in force July 1, 1874.....	2
<b>APPROPRIATIONS:</b>	
<b>AGRICULTURAL BOARDS:</b>	
An act making an appropriation for the State Board of Agriculture, and the county and other subordinate boards of agriculture.....	3
<b>BLIND:</b>	
An act making appropriations for the increased ordinary expenses of the Illinois Institution for the Education of the Blind, for the year A. D. 1875.....	4
An act making appropriations for the ordinary expenses of the Illinois Institution for the Education of the Blind, for the years 1875 and 1876 .....	5
An act making appropriations for the Illinois Institution for the Education of the Blind.....	5
<b>CENTENNIAL EXPOSITION:</b>	
An act to appropriate money to defray the expenses of the State Board of Managers to represent Illinois in the Centennial Exposition, at Philadelphia, in 1876, and facilitate a proper representation of the industries of this State in said Exposition.....	6
<b>DAM AND LOCK:</b>	
An act to make further appropriations for the completion of the Copperas Creek Dam and Lock on the Illinois river.....	6
<b>DEAF AND DUMB:</b>	
An act for the support of the Illinois Institution for the Education of the Deaf and Dumb...	7
An act for the completion of the school building of the Illinois Institution for the Education of the Deaf and Dumb, and for heating, lighting and repairs.....	8
<b>EYE AND EAR INFIRMARY:</b>	
An act making appropriations for the Illinois Charitable Eye and Ear Infirmary, at Chicago	9
<b>FEEBLE-MINDED CHILDREN:</b>	
An act making appropriations for the support of the Illinois Institution for the Education of Feeble-Minded Children .....	10
An act making appropriations for land and for the construction of buildings for the Illinois Institution for the Education of Feeble-Minded Children .....	10
<b>HORTICULTURAL:</b>	
An act making an appropriation in aid of the Illinois State Horticultural Society.....	13
<b>INDUSTRIAL UNIVERSITY:</b>	
An act making appropriations for the Industrial University.....	13
<b>INSANE ASYLUM, ANNA:</b>	
An act in relation to the Southern Insane Asylum, at Anna, and making appropriations therefor.....	14
An act making appropriations for the ordinary and other expenses of the Southern Insane Asylum, at Anna.....	17
<b>INSANE ASYLUM, ELGIN:</b>	
An act making appropriations for the support of patients in the south wing of the Northern Illinois Hospital and Asylum for the Insane, at Elgin, and for additional furniture.....	18
An act making appropriations for the ordinary expenses of the Northern Hospital and Asylum for the Insane, at Elgin.....	19

APPROPRIATIONS—CONTINUED.	PAGE
<b>INSANE ASYLUM, JACKSONVILLE:</b>	
An act appropriating money to defray the ordinary expenses of the Illinois State Hospital for the Insane, located at Jacksonville, and for making repairs and improvements to said hospital.....	20
<b>INVESTIGATING COMMITTEE:</b>	
An act to provide for the payment of the expenses of the House Penitentiary Investigating Committee, and the expenses of witnesses, and other necessary expenses incurred.....	21
<b>NORMAL UNIVERSITY, NORMAL:</b>	
An act making an appropriation for the ordinary expenses of the Normal University, at Normal, and for new floors and a new roof.....	21
<b>NORMAL UNIVERSITY—SOUTHERN:</b>	
An act making appropriations to the Southern Normal University, at Carbondale.....	22
<b>REFORM SCHOOL:</b>	
An act making appropriations for the State Reform School, at Pontiac.....	23
<b>SOLDIERS' ORPHANS' HOME:</b>	
An act to make appropriations for the Soldiers' Orphans' Home, and to maintain said institution for the next two years.....	24
<b>STATE GOVERNMENT:</b>	
An act making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State Government.....	25
An act to provide for the necessary expenses of the State Government and the General Assembly, incurred or to be incurred and now unprovided for, until the 30th day of June, 1875.....	25
An act to provide for the ordinary and contingent expenses of the state government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.....	26
<b>STATE INDEBTEDNESS:</b>	
An act making appropriations for the payment of the principal of State Indebtedness.....	31
<b>STATE HOUSE:</b>	
An act to make an appropriation for carrying on the work on the new State House.....	32
<b>FREDERICK WAGNER:</b>	
An act for the relief of Frederick Wagner.....	32
<b>ASSESSMENTS:</b>	
An act to amend an act entitled "An act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State," approved April 15, 1873.....	33
An act to amend section three (3) of an act entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 3, 1872.....	35
An act concerning the apportionment of special assessments payable in installments.....	36
An act to amend sections one hundred and ninety-two (192) and one hundred and ninety-three (193) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872.....	37
An act to legalize the extension, levy and collection of taxes in towns, townships, districts, and incorporated cities, towns and villages in the State of Illinois, and extended on the collector's books of the assessment of the year A. D. 1874.....	38
<b>AUDITOR OF PUBLIC ACCOUNTS:</b>	
An act to amend section six (6) of an act entitled "An act to revise the law in relation to the auditor of public accounts," approved April 25, 1873.....	39
<b>CEMETERIES:</b>	
An act to enable the mayor and aldermen of certain cities to lease or convey real estate.....	40
An act to enable cemetery associations to sell and convey lands not required for burial purposes.....	40
<b>CITIES:</b>	
An act concerning the appointment and removal of city officers in all cities in this State, conferring additional powers and duties upon mayors, and concerning appropriation bills or ordinances that may be passed in such cities.....	41
An act to amend section one of an act entitled "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments that may be killed while on duty," approved March 24, 1874, in force July 1, 1874.....	42
An act to amend section two of an act entitled "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded or disabled in the discharge of their duties and for the relief of the surviving family of any member of said departments that may be killed while on duty," approved March 24, 1874.....	43
An act to provide for the re-organization of cities.....	44
<b>CITIES AND VILLAGES:</b>	
An act to amend section ten (10) of article five (5) of "An act to provide for the incorporation of cities and villages," approved April 10, 1872.....	42
An act to provide additional means for the construction of sidewalks in cities, towns and villages.....	63

## CORPORATIONS:

An act to enable corporations in other states and countries to lend money in Illinois, to enforce their securities and acquire title to real estate as security..... 65

## COUNTIES:

An act entitled "An act concerning sites for county buildings"..... 66

An act to amend an act entitled "An act to enable counties, cities, townships, school districts and other municipal corporations to take up and cancel outstanding bonds and other evidences of indebtedness, and fund the same," approved and in force March 26, 1872..... 68

## COUNTY COURT:

An act providing for the trial of the right of property and claims of exemption in the county court..... 69

## COUNTY COURTS:

An act to amend an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874..... 71

An act to amend an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named"..... 71

An act to amend an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874..... 71

An act to amend sections seventy (70), eighty-six (86), and one hundred and nine (109) of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874..... 72

An act to amend section seventy-four of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix a time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874..... 72

An act to amend section 83 of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874..... 73

An act to amend section ninety-one of act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874..... 73

An act to amend section ninety-one and one-half (91½) of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874..... 73

## COURTS OF RECORD:

An act to amend section twenty-five of an act entitled "An act in regard to practice in courts of record," approved February 22, 1872..... 74

## COURT—SUPERIOR:

An act providing for an increase in the number of judges of the Superior Court of Cook county..... 74

## CRIMINAL CODE:

An act to amend division seven (7) of the act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874..... 75

## DOWER:

An act to amend section forty-four (44) of an act entitled "An act to revise the law in relation to dower," approved March 4, 1874..... 75

## DRAINAGE:

An act to amend sections one (1), two (2), three (3) and five (5) of an act entitled "An act to provide for the construction and protection of drains, ditches, levees and other works," approved April 24, 1871..... 76

## ELEVATED WAYS AND CONVEYORS:

An act in regard to Elevated Ways and Conveyors..... 77

## FEES AND SALARIES:

An act to amend section twelve (12) of an act entitled "An act concerning fees and salaries, and to classify the several counties of the State with reference thereto," approved March 29, 1872, title as amended by act approved March 28, 1874..... 79

## FISCAL YEAR:

An act to change the fiscal year of the State and designate the time reports shall be made to the Governor by the Secretary of State, Auditor of Public Accounts, State Treasurer, Adjutant General, State Entomologist, Commissioners of the Penitentiary, Trustees of the Industrial University, the Trustees of the Normal Universities, the State Board of Agriculture, the Trustees of the Reform School, the Board of Public Charities, and the Trustees of the State Charitable Institutions..... 80

## FRAUDS UPON TRAVELERS:

An act to prevent frauds upon travelers and owner or owners of any railroad, steamboat or other conveyance for the transportation of passengers..... 81

HOSPITAL FOR THE INSANE:	PAGE
An act to secure equality among the counties in the matter of the admission of patients into the State Hospitals for the Insane.....	83
<b>INTEREST:</b>	
An act to amend section eight (8) of an act entitled "An act to revise the law in relation to the rate of interest," approved March 25, A. D. 1874.....	85
<b>JUDGMENTS AND DECREES:</b>	
An act to amend section 39 of an act entitled "An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872.....	86
<b>JUSTICES OF THE PEACE:</b>	
An act to amend section one (1) of an act entitled "An act relating to justices of the peace in the city of Chicago," approved and in force March 30, 1871.....	87
<b>NOTARIES PUBLIC:</b>	
An act to amend section one of an act entitled "An act to provide for the appointment, qualification and duties of notaries public, and certifying their official acts," approved April 5, 1872.....	88
<b>OHIO AND WABASH RIVERS:</b>	
An act granting to the government of the United States the right to enter upon and take possession of such small tracts or parcels of land lying within the State of Illinois, and on the waters of the Ohio and Wabash rivers, as may be necessary to facilitate the improvement of said rivers.....	88
<b>PARKS:</b>	
An act to amend section twelve (12) of an act entitled "An act in regard to the completion of public parks and the management thereof," approved June 16, 1871.....	89
<b>PAUPERS:</b>	
An act to amend section (16) sixteen of an act entitled "An act to revise the law in relation to paupers.".....	90
<b>PENITENTIARY:</b>	
An act to amend section two of "An act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship upon certain conditions," approved March 19, 1872, in force July 1, 1872.....	90
<b>POLICE MAGISTRATES:</b>	
An act to authorize the election of police magistrates in towns, cities and villages where the same are not provided for by law.....	91
<b>REVENUE:</b>	
An act to provide the necessary revenue for State purposes.....	92
<b>ROADS AND BRIDGES:</b>	
An act to amend sections thirty-four (34), thirty-five (35), thirty-eight (38), forty (40), forty-one (41), forty-two (42), forty-three (43), forty-four (44) and forty-six (46), and to repeal section thirty-six (36) of an act entitled "An act in regard to gateways, roads and bridges in counties not under township organization," approved and in force April 18, 1873.....	92
An act to amend section 56 of an act entitled "An act in regard to roads and bridges in counties under township organization," approved and in force April 11, 1873.....	95
An act to amend section 97 of an act entitled "An act in regard to roads and bridges in counties under township organization," approved April 11, 1873.....	95
<b>SCHOOL TRUSTEES:</b>	
An act to empower township trustees to sell and convey right of way and depot grounds for the use of railroads crossing school lands.....	96
<b>RAILROADS:</b>	
An act relating to lessees in this State of railroads in adjoining States.....	96
An act authorizing the formation of union depots and stations for railroads in this State.....	97
<b>REFUNDING FUNDS:</b>	
An act to declare and constitute the State of Illinois sole trustee of that portion of the State tax levied, assessed and collected for the year 1873, in excess of 29-36 thereof; and to provide exclusive remedies for the complete refunding of the same to the tax payers of the State who have paid such excess, and for the protection of the tax payers entitled thereto, and of counties, and of all officers or persons connected with the collection, custody or payment thereof.....	99
<b>SNY CARTER RIVER:</b>	
An act to repeal an act entitled "An act declaring the Sny Carter, in Pike and Adams counties, navigable," and all other laws now in force declaring the same navigable.....	103
<b>STATE INSTITUTIONS:</b>	
An act to regulate the State Charitable Institutions and the State Reform School, and to improve their organization and increase their efficiency.....	104

## TOWNSHIP ORGANIZATION—(ART. XI) :

PAGE

An act to amend section two of article (11) eleven of an act entitled "An act to revise the law in relation to township organization," approved March 4, 1874.....	111
An act to provide for the election of commissioners of highways in counties under township organization, and to legalize the election and official acts of such as were elected in the year 1874 and 1875, and to fix the compensation of the treasurer of such commissioners.....	111

## UNIVERSITIES, COLLEGES, ETC. :

An act to enable non-residents of this State to hold the office of trustee in colleges, universities and other institutions of learning not under the control of officers of this State.....	112
--	-----

## JOINT RESOLUTIONS :

Adjournment .....	113
Adjournment .....	113
Agricultural .....	113
Charitable Institutions, etc.....	113
Election Returns .....	114
Feeble-Minded.....	114
Heating. ....	115
Hennepin Canal.....	115
Mississippi River.....	115
Mississippi River.....	115
Patents.....	116
Pensions 1812.....	116
Pensions 1846-48. ....	116
Pensions in Late War.....	116
Refunding Act.....	117
Rules. ....	117
State Institutions.....	117
Swamp Lands.....	118



# PUBLIC LAWS OF ILLINOIS.

## ADMINISTRATION OF ESTATES.

§ 1. Amend section 109, act approved April 1, 1872, in force July 1st, 1872. Sale—time of—Notice.  
Penalty—Terms—Returns—Confirmation.

AN ACT to amend an act entitled "*An act in regard to the Administration of Estates,*" approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section (109) one hundred and nine of an act entitled "An act in regard to the administration of estates," be and is hereby amended so as to read as follows, to-wit :*

"§ 109. No lands or tenements shall be sold by virtue of any such order of the county court, unless such sale is at public vendue, and between the hours of ten o'clock in the forenoon and five o'clock of the afternoon of the same day, nor unless the time, place and terms of holding such sale were previously published for the space of four weeks, by putting up notices thereof in at least four of the most public places in the county where such real estate shall be sold, and also by causing a similar notice thereof to be published four successive weeks prior to the sale, in some newspaper published in such county ; or if there be no such newspaper, then in such other newspaper in this state as the court shall direct ; nor unless such real estate shall be described with common certainty in such notices. And if any executor or administrator, so ordered to make sale of any real estate, shall sell the same contrary to the provisions of this act, he shall forfeit and pay the sum of five hundred dollars, to be recovered by an action of debt, in the name of the People of the State of Illinois, for the use of any person interested, who may prosecute for the same: *Provided*, that no such offense shall affect the validity of such sale: *And, provided, further*, that such executor or administrator may sell the same on a credit of not less than six, nor more than twelve months, by taking notes, with good personal security and a mortgage, or sale mortgage, on the premises sold, to secure the payment of the purchase money. It shall be the duty of the executor or administrator making such sale, on or before the first day of the next term of the court thereafter, to file in the office of the clerk of said court a complete report of said sale, giving a description of the premises sold, to whom, where, and upon what terms sold, and a general statement of the manner in which the terms of the decree were executed. Any person interested in the premises sold, and any creditor of the estate, may file exceptions to such report, and upon the hearing thereof the court may approve such report and confirm the sale, or disapprove the same and order the premises to be re-sold."

APPROVED April 7, 1875.

## AGRICULTURE AND HORTICULTURE.

§ 1. Amend sections 1, 6, 8, 10, 11, 13, act approved March 27, 1874; in force July 1, 1874. Amend Sec. 1. State board of agriculture. " " 6. Powers of state, county and district boards. " " 8. Organization of county and district boards—annual reports—premiums.	Amend Sec. 10. Effect of change, etc., on property. " " 11. Power to give notes and mortgages. " " 13. Appropriations—how expended and divided. In force July 1, 1875.
--	---

*AN ACT to amend sections 1, 6, 8, 10, 11 and 13 of an act entitled "An act to revise the law in relation to the Department of Agriculture, County Agricultural Boards and Agricultural Fairs," approved March 27, 1874, in force July 1, 1874.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections one (1), six (6), eight (8), ten (10), eleven (11) and thirteen (13) of an act entitled "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs," approved March 27, 1874, and in force July 1, 1874, be amended so as to read as follows:*

"§ 1. The department of agriculture for the promotion of agriculture and horticulture, manufactures and the domestic arts, shall be continued and shall be managed by a board to be styled 'The State Board of Agriculture,' to consist of a president and one vice-president from each congressional district in this state, and of the last ex-president of the state board of agriculture; said president and vice-president to be elected on the fair grounds on the first Wednesday of the annual state fair in 1876, and every two years thereafter on Wednesday of the week of the state fair, by delegates or alternates, chosen by the several counties, union or district agricultural boards, in counties where such boards exist, and by the board of supervisors, or the county board as the case may be, in counties where no agricultural board exists. Each county to be entitled to three delegates and no more: *Provided*, that whenever an agricultural board is hereinafter organized in pursuance of law and the by-laws of the state board of agriculture, then the delegates or alternates from such county shall thereafter be chosen by such agricultural board as is recognized by the state board of agriculture. The members of the state board of agriculture shall enter upon the duties of their office on the second Tuesday of January succeeding their election, and shall hold their office for two years and until their successors are elected and enter upon their duties."

"§ 6. The State Board of Agriculture, in that name, and the several county, union and district agricultural boards organized as herein provided, in their respective names, may contract and be contracted with, may purchase, hold or sell property, and may sue and be sued in all courts or places; but this state shall never be liable for any debt or contract of any of said boards."

"§ 8. The said board shall provide for the organization of county, union or district agricultural boards, which may be incorporated pursuant to the law for the formation of corporations and associations. Each county, union or district board shall be styled the ..... county, union or district agricultural board, and shall make annual reports of



its proceedings to the state board, on or before the 15th day of November, and shall pay as premiums at its annual fairs not less than three hundred dollars (\$300) before being entitled to the benefits accruing under section 13 of this act."

"§ 10. When any agricultural society or corporation has changed or shall change its name or organization so as to become a county, union or district agricultural board, as authorized by law, the property, both real and personal, of the society or corporation making such change, shall be held, used, sold and conveyed by the new name so adopted, for the like uses and purposes and for the benefit of the original owners or members thereof, and to the same extent as it might have been by the original name if no such change had been made. This section shall also apply to the property of consolidating societies or corporations."

"§ 11. It shall be lawful for the directors of any county, union or district agricultural board, in order to pay or secure to be paid the indebtedness of such board or of its predecessor, an agricultural society, or for the purpose of purchasing real estate for the use of such board, or to procure means to be expended in the improvement of its fair grounds, to make and to execute notes or other legal contracts binding such board, and to secure such notes or contracts by mortgage or deed of trust on the real estate now or hereafter owned by said board, such mortgage or deed of trust to be executed under the seal of the county, union or district agricultural board making the same, and signed by the president and secretary thereof."

"§ 12. Whatever money shall be appropriated to the department of agriculture shall be paid to said state board of agriculture, and may be expended by them as in the opinion of said board will best advance the interest of agriculture and horticulture, manufactures and domestic arts in this state: *Provided*, when any appropriation is made for the benefit of county, union or district agricultural boards, the same shall be divided equally between such county, union and district agricultural boards as shall be entitled to representation in said agricultural board, and shall have given satisfactory evidence to said state board of having held an annual fair, and made their annual report to said state board of agriculture."

APPROVED April 9, 1875.

---

## APPROPRIATIONS.

---

### AGRICULTURAL BOARDS.

- § 1. For payment of premiums, \$3,000 per annum. | § 3. Treasurer of board to report to Governor.  
 § 2. Warrant of Auditor. | In force July 1, 1875.

AN ACT making an appropriation for the State Board of Agriculture, and the County and other subordinate Boards of Agriculture.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and is hereby appropriated*

to the State Board [of] Agriculture the sums following, to-wit: For the payment of premiums at the annual state fair, the sum of three thousand dollars per annum for the years 1875 and 1876, and for the use of county or other subordinate agricultural boards, the sum of one hundred dollars per annum, each, for the years 1875 and 1876.

§ 2. That on the order of the president, countersigned by the secretary of the State Board of Agriculture, and approved by the governor, the state auditor shall draw his warrant upon the treasurer, in favor of the treasurer of the State Board of Agriculture, for the sums herein appropriated: *Provided*, that each warrant shall show the agricultural board for whose benefit the same is drawn, and that no warrant shall be drawn in favor of any agricultural board unless the order aforesaid be accompanied by a certificate of the State Board of Agriculture, showing that such subordinate or county agricultural board have held an agricultural fair during the preceding year, in compliance with the rules and regulations, as provided for by law: *Provided, further*, that no part of the moneys herein provided for shall be drawn from the public treasury prior to the first day of July, A. D. 1875.

§ 3. It shall be the duty of the treasurer of the State Board of Agriculture to pay over to the proper officer of the subordinate or county agricultural board the sum received for its use and benefit, as aforesaid, and to make a biennial report to the governor of all such appropriations received and disbursed by him.

APPROVED April 15, 1875.

---

BLIND.

§ 1. For increased ordinary expenses, \$5,000.

§ 2. Auditor to draw warrants.

Emergency, in force April 8, 1875.

*AN ACT making appropriations for the increased ordinary expenses of the Illinois Institution for the Education of the Blind, for the year A. D. 1875.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of five thousand dollars (\$5,000) is hereby appropriated, payable out of the state treasury, on the first day of April, in the year A. D. 1875, to defray the increased ordinary expenses of the Illinois Institution for the education of the Blind.

§ 2. Inasmuch as the expenses of said institution for the year 1874 were twenty-two thousand, two hundred and eighty-four (\$22,284) dollars, and as the number of pupils has increased from seventy-two (72), the number in attendance during the past year, to one hundred and eleven (111) the number now in attendance, and as the appropriation of seventeen thousand and five hundred (\$17,500) dollars made for the year A. D. 1875, is inadequate to meet the increased expenses of said institution; therefore an emergency exists requiring that this act shall go into effect immediately, and this act shall take effect and be in force from and after its passage; and the auditor of public accounts is hereby authorized and required to draw his warrant on the treasurer for said

sums, upon the orders of the board of trustees, signed by the president and attested by the secretary of the board of trustees, with the seal of the institution.

APPROVED April 8, 1875.

---

§ 1. For ordinary expenses, \$5,000; for improve- | § 2. Auditor to draw warrant.  
ments, \$1,000. | In force July 1, 1875.

*AN ACT making appropriations for the ordinary expenses of the Illinois Institution for the Education of the Blind, for the years 1875 and 1876.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and are hereby appropriated to the Institution for the education of the Blind, for ordinary expenses, the sum of twenty-five thousand dollars per annum, and for repairs and improvements the sum of one thousand dollars per annum; both the foregoing amounts to be payable quarterly, in advance, from the first of July, 1875, to the expiration of the first fiscal quarter after the adjournment of the next general assembly; and for the purchase of books, maps and other appliances, to be gratuitously distributed to such pupils leaving the institution as cannot afford to pay for the same, the sum of five hundred dollars per annum.*

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant on the treasury for said sums upon orders of the board of trustees of said institution, signed by the president and attested by the secretary of said board of trustees, with the seal of the institution: *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution until satisfactory vouchers, in detail, approved by the governor, shall have been filed with the auditor for all expenditures of the preceding quarter.

APPROVED April 8, 1875.

---

§ 1. For engine and boiler house, \$5,000. | § 2. Auditor to draw warrant.  
| In force July 1, 1875.

*AN ACT making appropriations for the Illinois Institution for the education of the Blind.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the sum of five thousand (\$5,000) dollars be and is hereby appropriated, payable out of the state treasury, to the Illinois Institution for the Education of the Blind. For the erection of an engine and boiler house and its connection with the center building, and extension of steam heating to the wing of said building, the sum of five thousand (\$5,000) dollars*

2. The auditor of public accounts is hereby authorized and required to draw his warrant upon the treasurer for said sums, upon

requisition of the board of trustees of the Illinois Institution for the Education of the Blind, signed by the president and attested by the secretary of the board, with the seal of the institution: *Provided*, that the moneys herein appropriated shall be paid directly out of the state treasury to the parties to whom the same may become due and payable.

APPROVED April 9, 1874.

---

CENTENNIAL EXPOSITION.

- § 1. For use of State Board of Managers, \$10,000. | § 2. Auditor to draw warrant.  
In force July 1, 1875.

AN ACT to appropriate money to defray the expenses of the State Board of Managers to represent Illinois in the Centennial Exposition, at Philadelphia, in 1876, and facilitate a proper representation of the industries of this State in said Exposition.

WHEREAS, in accordance with a joint resolution of the 28th general assembly, a state board of managers, to represent the interests of Illinois in the Centennial Exposition, at Philadelphia, in 1876, have been appointed; and whereas, it is necessary to a proper discharge of their duties, that the state should provide the necessary funds to defray the expenses thereof; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, is hereby appropriated to the use of the state board of managers, appointed to represent Illinois in the international exhibition, to be held in Philadelphia, in 1876, under the auspices of the United States Centennial Commission.

§ 2. The auditor is hereby directed to draw his warrant upon the treasurer, upon vouchers approved by the governor, for the expenses incurred by said state board of managers, and certified by the president and secretary of said board: *Provided*, that the members of said board of managers shall receive no compensation for their services.

APPROVED April 8, 1875.

---

DAM AND LOCK.

- § 1. Net earnings appropriated. | § 3. Commissioners to make uniform rates of  
§ 2. Commissioners to pay into state treasury; | toll, when lock and dam is completed.  
Auditor to draw warrant. | In force July 1, 1875.

AN ACT to make further appropriations for the completion of the Copperas Creek Dam and Lock on the Illinois river.

WHEREAS, the legislature of this state, by an act approved April 15, 1873, authorized the construction of a lock and dam on the Illinois river

at Copperas Creek, in the county of Fulton, and for that purpose appropriated the net revenue of the Illinois and Michigan canal and the lock at Henry, in the county of Marshall, until after the first fiscal quarter after the adjournment of this legislature; and, whereas, the completion of said lock and dam will finish and complete one hundred miles of river navigation, and will greatly add to the revenue of said Illinois and Michigan canal; and, whereas, the appropriations made are not sufficient to complete said lock and dam; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated the net earnings of the Illinois and Michigan canal, and the lock and dam at Henry, on the Illinois river, during and until after the first fiscal quarter after the adjournment of the next regular session of the general assembly; and also the unexpended balance of the Illinois river improvement fund that may be in the treasury after the first fiscal quarter after the adjournment of the present general assembly, or so much thereof as may be necessary to complete the lock and dam at Copperas Creek on the Illinois river, during the year A. D. 1875, to be paid out and expended in the manner provided by the act of A. D. 1873.

§ 2. The canal commissioners are hereby directed to pay into the state treasury the net earnings of the Illinois and Michigan canal, and the lock on the Illinois river at Henry, which fund shall be kept and denominated the "Illinois river improvement fund," and no warrant shall be drawn by the auditor upon the treasurer for any portion of the said sum hereby appropriated for said improvement except upon vouchers and estimates made for work actually done, certified to by the engineer superintending said improvement, and attested by at least two of said commissioners, and approved by the governor.

§ 3. Said canal commissioners, as soon as said lock and dam is completed, shall make such uniform rates of toll as they may believe will best serve the public interest, and collect the same in the same manner as they superintend and collect toll from the lock at Henry on the Illinois river.

APPROVED April 8, 1875.

---

#### DEAF AND DUMB.

§ 1. For ordinary expenses, \$75,000; for repairs, {  
etc., \$2,000.

§ 2. Auditor to draw warrant.  
In force July 1, 1875.

#### AN ACT for the support of the Illinois Institution for the Education of the Deaf and Dumb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the purpose of defraying the ordinary expenses of the Illinois Institution for the Education of the Deaf and Dumb, the sum of seventy-five thousand dollars per annum, be and the same is hereby appropriated out of the state treasury, payable quarterly, in advance, from the first day of July, 1875, until the expiration of the first fiscal quarter after the adjournment of the next general assembly; and that there be and are hereby appropriated the

further sums of one thousand five hundred dollars per annum, for repairs and improvements, and five hundred dollars per annum, for the pupils' library, from the first day of July, 1875, till the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly: *Provided*, that after payment for one quarter has been made, no warrant shall be issued in favor of said institution until satisfactory vouchers shall have been filed with the auditor of public accounts by the principal of said institution, approved by the directors and by the governor, showing in detail the amount and nature of each and every expenditure made out of the preceding quarterly installment of said appropriation, verified by the affidavit of the principal.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant on the treasurer for the said sums, upon orders of the board of directors of the Illinois Institution for the Education of the Deaf and Dumb, signed by the president and attested by the secretary of said board, with the seal of the institution.

APPROVED April 8, 1875.



§ 1. For completing school building, \$16,750; for heating, lighting, etc., \$11,000.

§ 2. Auditor to draw warrant.  
In force July 1, 1875.

*AN ACT for the completion of the school building of the Illinois Institution for the Education of the Deaf and Dumb, and for heating, lighting and repairs.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That for the purpose of completing the school building of the Illinois Institution for the Education of the Deaf and Dumb, the sum of sixteen thousand seven hundred and fifty dollars, and all unexpended balances in the hands of the treasurer on the first day of July, 1875, or so much thereof as may be necessary, is hereby appropriated out of the treasury, payable to the person or persons to whom the same is due. And that there be and is hereby appropriated the sum of five thousand dollars for heating and lighting said building, and one thousand dollars for furnishing the same; and for the rebuilding of the rear wall of the main building of said institution, the further sum of five thousand dollars (\$5,000) is appropriated.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant on the treasurer for the said sums, upon the order of the board of directors of the Illinois Institution for the Education of the Deaf and Dumb, signed by the president and attested by the secretary of said board, with the seal of the institution; but no warrant shall issue unless the orders of said board of directors shall be accompanied with satisfactory vouchers approved by the governor.

APPROVED April 9, 1875.

## EYE AND EAR INFIRMARY.

- |  |  |  |  |   |
|--|--|--|--|---|
| § 1. For ordinary expenses, \$5,000; also, \$10,500 per annum. | § 2. For needed repairs and improvements, etc., \$7,800. | § 3. Trustees authorized to use unexpended balances. | § 4. Conditions upon which patients are admitted free. | § 5. Auditor to draw warrant.<br>In force July 1, 1875. |
|--|--|--|--|---|

AN ACT making appropriations for the Illinois Charitable Eye and Ear Infirmary, at Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in addition to the unexpended balance of appropriations for ordinary expenses, there be and hereby is appropriated to the Illinois Charitable Eye and Ear Infirmary, at Chicago, for the year commencing July 1, A. D. 1875, the sum of five thousand dollars (\$5,000), and the sum of ten thousand five hundred dollars (\$10,500) per annum thereafter, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly, payable quarterly in advance: *Provided,* that no second or subsequent warrant shall be drawn until satisfactory vouchers, in detail, approved by the governor, have been filed with the auditor for the expenditures of the last preceding quarter.

§ 2. That for the purpose of making needed repairs and improvements, the sum of one thousand dollars (\$1,000) per annum is hereby appropriated; for furniture, three thousand dollars (\$3,000) payable out of the levy of 1874, and one thousand dollars (\$1,000) out of the levy of 1875; for surgical apparatus, the sum of three hundred dollars (\$300); for a barn, to be erected on the grounds of said infirmary, twenty-five hundred dollars (\$2,500).

§ 3. Authority is hereby given to the trustees of said infirmary to use the unexpended balances of former appropriations, in such manner as may in their judgment best promote the interests of the institution and its beneficiaries.

§ 4. Patients from the state of Illinois who present to the superintendent of the infirmary a written certificate, signed by the supervisor of the town, or by the county judge of the county in which they reside, of their absolute inability to pay charges for board or treatment, shall be admitted and treated free of charge.

§ 5. The auditor of public accounts is hereby authorized and required to draw his warrant on the treasurer for the moneys herein appropriated, on the order of the board of trustees, signed by the president and attested by the secretary, with the corporate seal of the institution attached: *Provided,* that satisfactory vouchers, in detail, approved by the governor, shall be filed quarterly with the auditor, for the expenditure of all moneys heretofore or now appropriated.

APPROVED April 10, 1875.

## FEEBLE-MINDED CHILDREN.

- § 1. For ordinary expenses and insurance, \$24,500. | § 2. Auditor to draw warrants.  
In force July 1, 1875.

*AN ACT making appropriations for the support of the Illinois Institution for the Education of Feeble-Minded Children.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of twenty-four thousand and five hundred dollars (\$24,500) per annum is hereby appropriated, from the first day of July, eighteen hundred and seventy-five (1875), until the expiration of the first fiscal quarter after the adjournment of the next general assembly, for the support, including insurance, of the Illinois Institution for the Education of Feeble-minded Children; and said sum shall be paid in quarterly installments, in advance, from the state treasury.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrants on the treasurer of state for the said sums, upon orders of the board of trustees of the Illinois Institution for the Education of Feeble-minded Children, signed by the president and attested by the secretary of said board, with the seal of the institution: *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution until satisfactory vouchers, in detail, approved by the governor, shall have been filed with the auditor for all previous expenditures on account of appropriations herein or heretofore made.

APPROVED April 8, 1875.

- |  |  |
|--|--|
| § 1. For erection of building, etc., \$185,000.                        | § 7. Contract to be entered on minutes; how executed.                  |
| § 2. Governor to appoint commissioners to select site for building.    | § 8. All bids to be estimated; cost in detail.                         |
| § 3. Commissioners required to have plans and specifications prepared. | § 9. Cost of location not to exceed \$10,000.                          |
| § 4. Trustees to advertise for bids to construct building.             | § 10. Auditor to draw warrant.   |
| § 5. Time for opening bids and letting contract.                       | § 11. No trustee or officer to be interested in any contract; penalty. |
| § 6. Contractors to file bond; who to superintend.                     | In force July 1, 1875.   |

*AN ACT making appropriations for land and for the construction of buildings for the Illinois Institution for the Education of Feeble minded Children.*

WHEREAS, the Institution for the Education of Feeble-minded Children occupies at present leased premises; and whereas, the buildings in use by the said institution are unsuited to the purpose, being too small, inconveniently arranged, out of repair, and insecure against fire, thus exposing the lives of the inmates to constant peril; and whereas, of nearly three thousand idiots in the state of Illinois, the state has made provision for the care of only eighty, although a large proportion are of an age to be benefited by special care and training; and whereas, there are now on file in the office of the said institution six hundred and eighty-one applicants for admission, of which six hundred and twenty-one are from the state of Illinois; therefore,



SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the purpose of purchasing a site and farm for, and constructing a main building with wings, and for plumbing, heating and ventilation of the same, and to fit the same for occupancy and use, by not less than two hundred and fifty pupils, the sum of one hundred and eighty-five thousand dollars (\$185,000) is hereby appropriated, to be paid out of any moneys not otherwise appropriated, as hereinafter provided: *Provided,* that in case the commissioners hereinafter provided for, deem it for the best interests of the state and the institution, that the same be located upon a tract of land upon which there is already erected a building or buildings suitable to be used by such institution, or suitable to be made a part of said main building and wings, and then such amount of the value of such building or buildings already erected, as said commissioners may determine, may be paid for out of the appropriation herein made, over and above the cost of the site, as hereinafter provided.

§ 2. Within ten days after this act takes effect, the governor shall appoint seven commissioners, one from each of the districts in which a judge of the supreme court is required by law to be elected, who shall take and file in the office of the secretary of state an oath of office, in the form prescribed by law, and who, as soon as possible after their appointment, shall proceed to select a site for the said buildings, which, together with a farm for the use of said institution (to be not more than one mile and one-half distant therefrom), shall contain not less than forty acres of land, and at such a place as shall be at the same time most economical to the state and best adapted to the wants of the institution, having regard in the selection to elevation, sewerage and drainage, an abundant and never failing supply of water, facility of access and comparative centrality of location, the quality of the soil and the price asked for the land; but the said commissioners shall neither ask nor accept, on their own account, any gift or gifts in money, freights, lands or other valuable property, as a consideration for the location or choice of site. And a violation of this provision shall be deemed a high misdemeanor, punishable by fine or by imprisonment, or by both, at the discretion of any court in which conviction of the same may be obtained and had.

§ 3. The said commissioners are further directed and required to cause to be prepared suitable plans and specifications, in accordance with the first section of this act, by a competent architect, (for which not more than the usual percentage shall be allowed, payable in installments as the work upon the said building progresses,) which shall be submitted to the governor for his approval before acceptance; and the said plans and specifications shall in no case be accepted by the said commissioners, unless accompanied by a written certificate of the architect, attested upon oath before a notary public, or other officer authorized to administer oaths, that in his professional judgment the said building can be completed in accordance with the plans and specifications, for a sum not exceeding one hundred and seventy-five thousand dollars.

§ 4. Whenever the plans and specifications provided for in this act shall have been approved by the governor and adopted by the commissioners, the trustees of said institution shall cause to be inserted in at least two of the daily or weekly newspapers in each of the following cities, to-wit: in Chicago, St. Louis, Cincinnati, Springfield, Peoria and

Quincy, and the city or town at or near which the said institution shall be permanently located, an advertisement for sealed bids for the construction of the buildings herein authorized; and they shall furnish a printed copy of this act and of the specifications, to all parties applying therefor; and all parties interested, who may desire it, shall have free and full access to the plans, with the privilege of taking notes and making memoranda. And the said trustees shall answer all inquiries addressed to them upon the subject of the proposed building, to the best of their ability and belief.

§ 5. Not less than thirty days after the publication of the said proposals for bids, on a day and at an hour to be specified in the said advertisement, at the place where the said institution shall be located, in the presence of the bidders, or so many of the bidders as may be present, the bids received shall be opened for the first time, and the contract for building shall be let to the lowest and best bidder: *And provided, further*, that no bid shall be accepted which is not accompanied by a good and sufficient bond, in the penal sum of five thousand dollars, signed by at least three sureties of known ability and integrity, as a guaranty for the ability and good faith of the bidder.

§ 6. The contract to be made with the successful bidder shall be accompanied by a good and sufficient bond, to be approved by the governor before accepted; and the said contract shall provide for the appointment of a superintendent of construction, who shall carefully and accurately measure the work done and the materials upon the ground, at least once in every month, and for the payment of the contractor upon the aforesaid measurement, and for the withholding of fifteen per cent. of the value of the work done and materials on hand until the completion of the building, as a guaranty for its completion; and for a forfeiture of a stipulated sum per diem for every day that the completion of the work shall be delayed after the time specified for its completion in the contract; and for the full protection of sub-contractors, by withholding payment from the contractor, and by paying the sub-contractors directly for all work done by them, in case of failure or refusal on the part of the contractor to fulfill his engagements with them; and for the settlement of all disputed questions as to the value of alterations and extras, by arbitration, as follows: one arbitrator to be chosen by the trustees, one by the contractor, and one by the governor of the state—all three of the said arbitrators to be practical mechanics and builders; and for the power and privilege of the trustees, under the contract, to order changes in the plans, at their discretion, and to refuse to accept any work which may be done and not be fully in accordance with the letter and spirit of the plans and specifications, and all work not accepted shall be replaced at the expense of the contractor; and for a deduction from the contract price of all alterations ordered by the trustees which may and do diminish the cost of the building.

§ 7. The said contract shall be signed by the president of the board of trustees, on behalf of the board, after a vote authorizing him so to sign shall have been entered upon the minutes of the board, and it shall be attested by the counter signature of the secretary of the board, and by the seal of the institution. It shall be drawn in duplicate, and one copy of the same shall be deposited in the office of the secretary of state.

§ 8. All bids shall show the estimated cost of the work to be done of each description, in detail; and the trustees shall have the right and

power, at their discretion, to accept bids for particular portions of the work, if for the advantage of the state, and all measurements and accounts, as the work progresses, shall show in detail the amount and character of the work for which payment is made.

§ 9. The cost of location, including the cost of a suitable site, may be paid out of the appropriation herein made, but shall not exceed ten thousand dollars.

§ 10. The moneys herein appropriated shall be paid to the parties to whom they may become due and payable, directly from the treasury of the state, on the warrant of the auditor of public accounts; and the auditor is hereby authorized and required to draw the said warrants for moneys due under this act, upon the order of the board of trustees, accompanied by vouchers approved by the governor.

§ 11. No trustee or officer of the said institution shall be in any way interested in any contract for the erection of said buildings, or furnishing any material for said buildings; and if any such trustee or officer shall be so interested, he shall be deemed guilty of a high misdemeanor, and on conviction thereof shall be fined in any sum not exceeding ten thousand dollars.

APPROVED April 8, 1875.

---

#### HORTICULTURAL.

§ 1. Appropriation \$2,000 per annum. In force July 1, 1875.

AN ACT making an appropriation in aid of the Illinois State Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be appropriated for the use of the Illinois State Horticultural Society, the sum of two thousand dollars per annum, for the years 1875 and 1876, to be expended by said society for the purpose and in the manner specified in "An act to reorganize the Illinois State Horticultural Society," approved March 24, 1874.*

APPROVED April 8, 1875.

---

#### INDUSTRIAL UNIVERSITY.

§ 1. Appropriation \$4,000 per annum and \$3,500. | § 2. Auditor to draw warrants.  
In force July 1, 1875.

AN ACT making appropriations for the Industrial University.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following sums be and hereby*

are appropriated to the Industrial University, at Urbana, for the purposes hereinafter specified, and for no other:

For the payment of taxes accruing in the years 1874 and 1875, on lands owned by the university in the states of Nebraska and Minnesota, the sum of three thousand dollars per annum, or so much thereof as may be necessary.

For the purchase and manufacture of apparatus for the physical laboratory, one thousand dollars.

For buildings, apparatus and books for the veterinary department, two thousand dollars.

For additional material for the printing office, five hundred dollars.

For repairs on university buildings and improvement of grounds, the sum of one thousand dollars per annum.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant on the treasurer for the sums herein appropriated, payable out of any moneys in the treasury not otherwise appropriated, upon the order of the board of trustees, signed by the president of the board and attested by the secretary, with the corporate seal of the university: *Provided*, that no part of said sums shall be due and payable to the said institution until satisfactory vouchers, in detail, approved by the governor, shall have been filed with the auditor, for all previous expenditures incurred by the institution on account of appropriations heretofore made: *And, provided, further*, that vouchers shall be taken in duplicate, and original or duplicate vouchers shall be forwarded to the auditor of public accounts for the expenditure of the sums appropriated in this act.

APPROVED April 8, 1875.

#### INSANE ASYLUM, ANNA.

- |   |                                     |
|---|-------------------------------------|
| § 1. For completing and heating centre building, \$18,500; for construction and furnishing south wing, \$140,000. | § 7. Execution of contract.         |
| § 2. When payable.  | § 8. Bids—measurement.              |
| § 3. Plan and building of south wing.   | § 9. Compensation of commissioners. |
| § 4. Advertisement for bids.  | § 10. Commissioners to give bond.   |
| § 5. Opening of bids—letting of contracts.  | § 11. Auditor to draw warrant.      |
| § 6. The contract—superintendent of construction.   | In force July 1, 1875.              |

AN ACT in relation to the Southern Insane Asylum, at Anna, and making appropriations therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there be and hereby is appropriated to the Southern Insane Asylum, at Anna, the sum of one hundred and fifty-eight thousand five hundred dollars (\$158,500), for the purposes herein specified and for no other:

For the completion and heating by steam of the centre building, eighteen thousand five hundred dollars (\$18,500).

For the construction, plumbing, heating, ventilation and furnishing of the south wing, one hundred and forty thousand dollars (\$140,000.)

§ 2. Of the amounts herein appropriated, the sum of eighty thousand five hundred dollars (\$80,500) shall be payable out of the levy of eighteen hundred and seventy-four, and the sum of seventy-eight thousand dollars (\$78,000) out of the levy of eighteen hundred and seventy-five.

§ 3. The board of commissioners of the said institution are hereby authorized and required to cause to be prepared suitable plans and specifications for the heating of the centre building, and for the erection, plumbing, heating and ventilation of the south wing, by a competent architect, at a stipulated price, not to exceed two thousand five hundred dollars (\$2,500). Said plans for the south wing shall correspond, as nearly as may be, in exterior appearance, to the wing already erected; but such alterations shall be made, in the internal arrangement, as will secure a proper degree of light and ventilation in the wards, and afford facilities for better classification of patients. But no plans shall be adopted by said board of commissioners which shall not first have been approved by the governor, and by at least two out of the three superintendents of state hospitals for the insane in this state, nor shall any plan be adopted which is not accompanied by a written and signed certificate of the architect, stating that in his professional judgment the erection, completion, plumbing, heating and ventilation of the south wing aforesaid, in accordance with the plan submitted by him, can be fully accomplished for a sum not exceeding one hundred and twenty thousand dollars (\$120,000), and that when completed, it will properly accommodate at least two hundred and twenty-five patients. Said plan shall be accompanied by specifications, and by a detailed estimate of the amount, quality and description of all materials and labor required for the erection of the wing herein provided for.

§ 4. Whenever the plans and specifications provided for in this act shall have been approved by the governor and adopted by the board of commissioners, the board of commissioners shall cause to be inserted in at least five daily newspapers of wide circulation, viz: one at Cairo, one at St. Louis, one at Cincinnati, one at Chicago, and one at Springfield, an advertisement for sealed bids for the furnishing of the heating apparatus and the erection of the wing herein authorized; and they shall furnish a printed copy of this act and of the specifications to all parties interested who may apply therefor. And all parties interested, who may desire it, shall have free and full access to the plans, with the privilege of taking notes and making memoranda; and the board of commissioners shall furnish answers to all inquiries addressed to them on the subject of the proposed building, to the best of their ability and belief.

§ 5. Not less than thirty days after the publication of the said proposals for bids, on a day and at an hour to be specified in the said advertisement, in the city of Springfield, in the office of the governor, in the presence of the board of commissioners and of the bidders, or of so many of them as may be present, the bids received shall be opened for the first time, and the contract for building shall be let to the lowest and best bidder: *Provided*, that with the consent and approval of the governor, any one or all of the bids may be rejected, for sufficient cause: *And, provided, further*, that no bid shall be accepted which is not accompanied by a good and sufficient bond, in the penal sum of one thousand dollars, signed by at least three sureties of known ability and integrity, as a guaranty for the ability and good faith of the bidder.

§ 6. The contract to be made with the successful bidder shall be accompanied by a good and sufficient bond, to be approved by the governor before acceptance, in the penal sum of two hundred thousand dollars (\$200,000); and the said contract shall provide that one of the board of commissioners, to be elected by themselves, shall be a superintendent of construction, and shall remain permanently in or about the building while work thereupon is in progress; who shall carefully and accurately measure the work done and the materials upon the grounds, at least once in every month; and for the payment of the contractor upon the aforesaid measurements; and for the withholding of at least ten per cent. of the value of the work done and materials on hand until the completion of the building, as a guaranty of its completion; and for a forfeiture of a stipulated sum per diem for every day that the completion of the work shall be delayed, after the time specified in the contract for its completion, unless such delay shall be due to the act of the board of commissioners themselves; and for the full protection of sub-contractors, by withholding payment from the contractor, and by paying the sub-contractors directly for all work done by them, in case of failure or refusal on the part of the contractor to fulfill his engagement with them; and for the settlement of all disputes as to the valuation of alterations and extras, or any other disputed questions which may arise under the contract, by arbitration, as follows: one arbitrator to be chosen by the board of commissioners, one by the contractor, and one by the governor, all three of said arbitrators to be practical mechanics and builders; and for the reservation, by and to the board of commissioners, of the right, under the contract, to order changes in the plans and detailed drawings, at their discretion, and the right to order the cessation of work at any time when the funds appropriated for the carrying on of the said work shall have been exhausted, and the right to refuse to accept any work which may be done, and not be fully in accordance with the letter and spirit of the plans, specifications and detailed drawings, and all work not accepted shall be replaced at the expense of the contractor; and for a deduction from the contract price of all alterations ordered by the board of commissioners, which may and do diminish the cost of the building. And it is hereby made the duty of the superintendent to carefully inspect all materials used, and to see to it that no improper or bad material be used in the construction of said south wing, and that all work is properly and well done, in a substantial and good workmanlike manner.

§ 7. The said contract shall be signed by the president of the board of commissioners, in behalf of the board, after a vote authorizing him so to sign shall have been entered upon the minutes of said board; and it shall be attested by the counter signature of the secretary of the board; and by the seal of the board. It shall also be signed by the contractor and by his sureties. It shall be drawn in triplicate, and one copy of the same shall be given to the contractor, one copy shall be retained by the board of commissioners, and one copy shall be filed in the office of the board of public charities at Springfield.

§ 8. All bids shall show the estimated cost of the materials to be furnished, and of the work to be done, of each description, in detail, as in the specifications; and the board of commissioners shall have the right and power, at their discretion, to accept separate bids for the plumbing

and for the steam heating, if for the advantage of the state; and all measurements and accounts, as the work progresses, shall show, in detail, the amount and character of the materials furnished or work done, for which payment is made, and the price allowed for the same.

§ 9. The compensation of the board of commissioners shall be five dollars each per day for every day actually spent in such service, and their necessary traveling expenses in going to and returning from the meetings of the board: *Provided*, that no commissioners shall be allowed to charge or to receive pay for constructive service, that is to say, for any day or days other than those actually employed in the performance of the duties herein required, and the two non-resident commissioners shall only be required to meet with the acting superintendent on the grounds of the institution on each and every estimate day, and shall not be entitled to compensation for any other time.

§ 10. The board of commissioners, and each of them, before entering upon the discharge of the duties imposed upon them by this act, shall give a bond, payable to the People of the State of Illinois, in such amounts and with such securities as may be required by the governor, for the faithful performance of their obligations and duties.

§ 11. The moneys herein appropriated shall be paid to the parties to whom they may become due and payable, directly from the treasury of the state, on warrants of the auditor of public accounts; and the auditor is hereby authorized and directed to draw his warrant for said moneys upon the order of the board of commissioners, signed by the president and attested by the secretary with the corporate seal of the institution: *Provided*, that no warrant shall be issued unless the order of the board of commissioners is accompanied by satisfactory vouchers, approved by the governor, showing in detail the character, amount and price of work done or material furnished, for which payment is made as required by the eighth section of this act.

APPROVED April 10, 1875.

#### INSANE ASYLUM, ANNA.

§ 1. For repairs, \$2,000 per annum. For library, pump, coal and ice-house, etc., \$20,300.	§ 2. Auditor to draw warrant. In force July 1, 1875.
---	--

*AN ACT making appropriations for the ordinary and other expenses of the Southern Insane Asylum, at Anna.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following amounts be and hereby are appropriated to the Southern Insane Asylum, at Anna, for the purposes herein named and for no other:*

For ordinary expenses, the sum of fifty thousand dollars (\$50,000) per annum, payable quarterly, in advance, from the first day of July, 1875, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

For repairs, the sum of two thousand dollars (\$2,000) per annum, payable quarterly, in advance.

For additional furniture for the first floor of the north wing, and for furniture for the entire building, four thousand dollars (\$4,000).

For furniture for the chapel, one thousand five hundred dollars (\$1,500).

For library, musical instruments and amusements for patients, two thousand dollars (\$2,000).

For pump house, one thousand dollars (\$1,000).

For coal house, one thousand dollars (\$1,000).

For ice house and vegetable cellar, two thousand dollars (\$2,000).

For carpenter shop and purchase of tools, one thousand and five hundred dollars (\$1,500).

For tight board fence for patients, one thousand dollars (\$1,000).

For improving grounds, two thousand dollars (\$2,000).

For stock for farm, and carriage, two thousand dollars (\$2,000).

For reservoir or water-tank, one thousand eight hundred dollars (\$1,800).

For road from town of Anna, two thousand dollars (\$2,000).

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant on the treasurer for the moneys herein appropriated, upon order of the board of trustees, signed by the president and attested by the secretary, and verified by their affidavits, with the corporate seal of the institution: *Provided*, that no part of the moneys appropriated in this act shall be due and payable until proper vouchers, in detail, approved by the governor, shall have been filed with the auditor, for the current and other expenditures of the quarter last preceding.

APPROVED April 13, 1875.

#### INSANE ASYLUM, ELGIN.

§ 1. For furniture, \$2,000; for hose and fire apparatus, \$1,000; for ordinary expenses, \$3,750 per month.

§ 2. Auditor to draw warrant.

§ 3. Emergency. In force March 25, 1875.

*AN ACT making appropriations for the support of patients in the south wing of the Northern Illinois Hospital and Asylum for the Insane, at Elgin, and for additional furniture.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there be and hereby is appropriated to the Northern Illinois Hospital and Asylum for the Insane, at Elgin, the sum of two thousand dollars (\$2,000) to provide furniture for fifty additional patients in the north wing of said hospital, and one thousand dollars (\$1,000) for hose and fire apparatus. Also, the sum of three thousand seven hundred and fifty dollars (\$3,750) per month, or so much thereof as shall be necessary, payable monthly in advance, for the ordinary expenses of patients to be admitted and provided for in the south wing of said hospital, from the date of occupancy, to be fixed by proclamation by the governor, to July 1, 1875.*



§ 2. The auditor of public accounts is hereby authorized and required to draw his warrants upon the treasurer for the sum of two thousand dollars (\$2,000) for furnishing, and one thousand dollars (\$1,000) for hose and fire apparatus, as aforesaid, when the trustees shall make requisition for the same, approved by the governor; and also for the sum of thirty-seven hundred and fifty dollars (\$3,750), or so much thereof as shall be necessary, to pay the ordinary expenses as aforesaid, upon the order of the trustees, signed by the president and attested by the secretary of said board, with the corporate seal of said institution attached: *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution until satisfactory vouchers, in detail, approved by the governor, have been filed with the auditor, for the expenditure of the last monthly or other installment of appropriations herein or heretofore made.

§ 3. Whereas the south wing of said hospital is ready for the reception of patients, and can be used as soon as means are provided for their support, therefore an emergency exists, and this act shall be in force from and after its passage.

APPROVED March 25, 1875.

§ 1. For ordinary expenses, \$90,000 per annum.

§ 2. For barn, sheds, piggery, fencing, grading, boiler, etc., \$12,230.

§ 3. Auditor to draw warrant

In force July 1, 1875.

AN ACT making appropriations for the ordinary expenses of the Northern Hospital and Asylum for the Insane, at Elgin.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there be and hereby is appropriated to the Northern Illinois Hospital and Asylum for the Insane, at Elgin, for ordinary expenses, the sum of ninety thousand dollars (\$90,000) per annum, payable quarterly in advance, from the first day of July, A. D. 1875, to and until the expiration of the first fiscal quarter after the adjournment of the next general assembly: *Provided*, that before issuing his warrant for such quarterly payments, there shall be filed in the office of the auditor, satisfactory vouchers in detail, approved by the governor, for the expenditures of the last preceding month.

§ 2. That the following sums are also appropriated to said institution, and for the purposes hereinafter named, out of any money not otherwise appropriated, to-wit:

For stock barn (40x100 feet, and basement), \$3,000.

For sheds for wagons (25x75 feet), \$500.

For piggery and hennery, \$300.

For 1,000 rods of fencing, \$1,000.

For high board fence, \$720.

For grading and shrubbery, \$1,000.

For laundry extension, \$3,500.

For new boiler, \$1,500.

For pump, \$350.

For washing machine, \$360.

In all, the sum of \$12,230.

§ 3. The auditor of public accounts is hereby authorized and required to draw his warrants upon the treasurer for the said sums, upon the order of the trustees, signed by the president and attested by the secretary of said board, with the corporate seal of the institution attached.

APPROVED April 10, 1875.

#### INSANE ASYLUM, JACKSONVILLE.

§ 1. For ordinary expenses, \$90,000 per annum.

§ 2. For repairs and improvements, \$5,000 per annum; and boiler, \$2,500.

§ 3. Auditor to draw warrant.

In force July 1, 1875.

AN ACT *appropriating money to defray the ordinary expenses of the Illinois State Hospital for the Insane, located at Jacksonville, and for making repairs and improvements to said hospital.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That for the purpose of defraying the ordinary expenses of the Illinois State Hospital for the Insane, located at Jacksonville, the sum of ninety thousand dollars (\$90,000) per annum be and is hereby appropriated to said hospital, from July 1, 1875, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly, payable quarterly in advance: Provided, that before issuing his warrant for such quarterly payments the auditor of public accounts shall require that there be filed in his office a statement showing in detail the expenditures during the preceding quarter, with satisfactory vouchers in detail approved by the governor, such statements to be verified by the affidavits of the superintendent, and approved by the governor.*

§ 2. That for the purpose of making needed repairs and improvements to said hospital, the sum of five thousand dollars (\$5,000) per annum, [and] twenty-five hundred dollars (\$2,500) for a boiler, is hereby appropriated for two years, commencing July 1, 1875, payable out of the state treasury, as shall be required for use, certified to by the superintendent in bills of particulars, and approved by the governor.

§ 3. The auditor of public accounts is hereby authorized and required to draw his warrant upon the state treasurer for the said sums, upon order of the board of trustees of the Illinois State Hospital for the Insane, signed by the president and attested by the secretary of said board, with the corporate seal of the institution.

APPROVED April 19, 1875.

INVESTIGATING COMMITTEE.

§ 1. To pay expenses of House penitentiary investigating committee, §249 44. Auditor to draw warrant.

In force July 1, 1875.

AN ACT to provide for the payment of the expenses of the House Penitentiary Investigating Committee, and the expenses of witnesses, and other necessary expenses incurred.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That for the purpose of paying the expenses of the members of the house committee on penitentiary, and of witnesses and other necessary expenses incurred, when engaged in an investigation of the penitentiary, by order of the house of representatives, the following sums are hereby appropriated :

To Phillip Collins and A. C. Neilson, the sum of eleven dollars and fifty cents each (\$11 50), for traveling expenses to and from Joliet.

To Thomas Dempsey, Frank Swan, Henry Benner, W. J. Deeming, and Gallus Miller, witnesses, for expenses incurred in visiting Springfield, on order of the house committee, the sum of fifteen dollars (\$15) each.

To F. E. Nevins, for services reporting testimony in short-hand, while the committee was at Joliet, and traveling expenses, the sum of one hundred and forty six dollars and forty cents (\$146 40).

To C. V. Gorham, witness, for expenses incurred in visiting Joliet, on order of the committee, the sum of two dollars (\$2 00).

To N. L. Wickwire, door keeper of the house of representatives, for traveling expenses to and from Joliet, and serving papers by order of the committee, \$14 54.

The auditor of public accounts is hereby directed to draw his warrant on the state treasurer, for the sums herein specified, to each person above named; and the state treasurer is hereby directed to pay the same out of any funds in the treasury not otherwise appropriated.

APPROVED April 9, 1875.

NORMAL UNIVERSITY, NORMAL.

§ 1. For ordinary expenses, interest, salaries, fuel, repairs, etc., \$11,712 88.  
 § 2. Auditor to draw warrant.

§ 3. For new floors and tin roof. Auditor to draw warrant.  
 § 4. Act in force till, etc.  
 In force July 1, 1875.

AN ACT making an appropriation for the ordinary expenses of the Normal University, at Normal, and for new floors and a new roof.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That there be and hereby is appropriated to the Normal University, at Normal, for ordinary expenses, in addition to the whole of the interest of the college and seminary fund, which is hereby appropriated, the further sum of eleven thousand seven hundred

and twelve dollars and eighty-eight cents (\$11,712 88) per annum, payable quarterly, in advance, for the payment of salaries, for the purchase of fuel, and for necessary repairs and incidental expenses: *Provided*, that the expenses of the model school shall be paid out of the receipts for tuition of pupils in said school.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant upon the treasurer for the aforesaid moneys, upon the order of the state board of education, signed by the president and attested by the secretary of said board, with the corporate seal of the institution: *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution until satisfactory vouchers, in detail, approved by the governor, have been filed with the auditor, for the expenditure of the last quarterly installment of appropriations herein or heretofore made for the defraying of ordinary expenses.

§ 3. There is also appropriated to said institution, for the laying of new floors, the further specific sum of two thousand dollars (\$2,000); and, also, the further specific sum of three thousand dollars (\$3,000), for a new tin roof to the building. And the sums appropriated in this section shall be payable out of any moneys in the treasury not otherwise appropriated, on the warrant of the auditor of public accounts, who is hereby authorized and directed to issue the said warrant on order of the state board of education, signed by the president of said board and attested by the secretary, with the corporate seal of the institution: *Provided*, that duplicate vouchers shall be taken and filed with the auditor of public accounts, for all expenditures on account of the appropriation herein made.

§ 4. This act shall be and continue in force from the first day of July, 1875, until the expiration of the first fiscal quarter after the adjournment of the next general assembly.

APPROVED April 8, 1875.

---

#### NORMAL UNIVERSITY—SOUTHERN.

§ 1. For salaries of principal, teachers and employees, \$14,100 per annum; for fuel and repairs, \$1,500; fencing, \$1,250; library, etc., \$1,500.

§ 2. Auditor to draw warrant.  
In force July 1, 1875.

#### AN ACT making appropriations to the Southern Normal University, at Carbondale.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly, That there be and are hereby appropriated to the Southern Normal University, at Carbondale, the following sums for the purposes hereinafter specified, and for none other:*

For salaries, fourteen thousand one hundred dollars (\$14,100) per annum, namely: for the salary of the principal, three thousand five hundred dollars (\$3,500); for three assistant teachers, one thousand eight hundred dollars (\$1,800) each; for three assistant teachers, one thousand dollars (\$1,000) each; for two assistant teachers, eight hundred dollars (\$800) each; and for the janitor, six hundred dollars

(\$600); and for fuel and repairs one thousand five hundred dollars (\$1,500) per annum; the foregoing sums to be payable quarterly, in advance, from the first of July, 1875, to the expiration of the first fiscal quarter after the adjournment of the next general assembly, out of any moneys in the treasury not otherwise appropriated.

For fencing of the university grounds, the sum of one thousand two hundred and fifty dollars, and for grading, the sum of one thousand dollars; and for the purchase of a library and chemical and philosophical apparatus, the sum of one thousand five hundred dollars (\$1,500), both payable out of the levy of 1874.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrants upon the treasurer for the said sums, upon order of the trustees, signed by the president and attested by the secretary, with the corporate seal of the institution attached: *Provided* that satisfactory vouchers, in detail, approved by the governor, shall be filed quarterly with the auditor of public accounts, for all expenditures, ordinary and extraordinary, of the preceding quarter, and that no part of the moneys herein appropriated shall be due and payable until after such vouchers shall have been so filed.

APPROVED April 8, 1875.

#### REFORM SCHOOL.

- |  |  |
|--|--|
| § 1. For ordinary expenses, \$30,000 per annum; for barn, corn crib, sewer, library, roof, heating boiler fixtures, school, additional buildings, etc., and repairs, \$27,000. | § 2. Auditor to draw warrant. In force July 1, 1875. |
|--|--|

AN ACT making appropriations for the State Reform School, at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following sums be and are hereby appropriated to the State Reform School, at Pontiac, for the purposes herein specified, and for no other:

For ordinary expenses, thirty thousand dollars (\$30,000) per annum, payable quarterly in advance, from the first of July, 1875, to the expiration of the first fiscal quarter after the adjournment of the next general assembly.

For the erection of a barn, corn cribs and wagon sheds, one thousand five hundred dollars (\$1,500); for the construction of a sewer, five thousand dollars (\$5,000); for the purchase of a library, five hundred dollars (\$500); for the renewal of the roof, two thousand dollars (\$2,000); for renewal of steam heating apparatus, one thousand dollars (\$1,000); for a new boiler, two thousand dollars (\$2,000); for apparatus and fixtures for the kitchen and laundry, five hundred dollars (\$500); and for the purchase of school furniture, five hundred dollars (\$500); and nine thousand dollars (\$9,000) for an additional building suitable to the purpose of keeping therein such boys as experience has shown should be separated from the remainder of the inmates; plans, specifications and estimates for which shall be submitted to and approved by the governor before any contract shall be entered into or any money

shall be paid out of the treasury thereon, and this appropriation shall be in full for the building and completing thereof.

For general repairs and improvements from the first of July, 1875, to the first of July, 1876, the sum of two thousand dollars; and from the first of July, 1876, to the first of July, 1877, the sum of three thousand dollars, payable quarterly in advance.

§ 2. The auditor of public accounts is hereby authorized and required to draw his warrant upon the treasurer for the moneys herein appropriated, upon the order of the board of trustees, signed by the president and attested by the secretary, with the corporate seal of the institution: *Provided*, that no portion of said moneys shall be due and payable to the said institution until satisfactory vouchers, in detail, approved by the governor, shall have been filed with the auditor, for all previous expenditures incurred by the institution on account of appropriations heretofore made: *And, provided, further*, that vouchers shall be taken in duplicate, and original or duplicate vouchers shall be forwarded to the auditor of public accounts for the expenditure of the sums appropriated in this act.

APPROVED April 10, 1875.

---

#### SOLDIERS' ORPHANS' HOME.

§ 1. For ordinary expenses \$50,000.

§ 2. For improvements, repairs and library \$1,250 per annum.

§ 3. Auditor to draw warrant.

§ 4. Appropriation for library, repairs and cistern—when and how drawn.

In force July 1, 1875.

*AN ACT to make appropriations for the Soldiers' Orphans' Home, and to maintain said institution for the next two years.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That from and after the first day of July, A. D. 1875, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly, there is hereby appropriated to the Soldiers' Orphans' Home the sum of fifty thousand dollars (\$50,000) per annum, payable quarterly in advance, for the support, education, nurture and care of the children of deceased or disabled soldiers.*

§ 2. *And there is further appropriated, for the necessary improvements and repairs during said period, the sum of one thousand dollars (\$1,000) per annum, and for the purpose of increasing the library, and for school books and other reading matter, the sum of two hundred and fifty dollars (\$250) per annum, and for the purpose of constructing cisterns for the storing of water the sum of one thousand dollars (\$1,000.)*

§ 3. *The auditor of public accounts is hereby authorized and directed to draw his warrant upon the state treasurer for the amount appropriated for current expenses, upon the request of the treasurer of the board of trustees, signed by the president and attested by the secretary, with the seal of the institution: Provided, that a second warrant for current expenses shall not be drawn until satisfactory vouchers shall have been approved by the governor and filed with the auditor,*

showing the amount previously drawn to have been properly expended and for the purposes for which the same was appropriated.

§ 4. The amounts appropriated for library, improvements and repairs and constructing of cisterns, shall be paid upon the order of the board of trustees, and vouchers for such expenditures shall be returned, the same as required for current expenses.

APPROVED April 8, 1875.

---

STATE GOVERNMENT.

§ 1. A sum sufficient appropriated. In force July 1, 1875.

AN ACT *making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State Government.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated a sum of money sufficient to pay the officers and members of the next General Assembly, and the salaries of the officers of the state government, at such rates of compensation as is now or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly.

APPROVED March 24, 1875.

---

§ 1. For Board of Equalization—return of fugitives—printing paper—stationery, printing—binding—incidental expenses—\$62,553 60.	§ 2. Auditor to draw warrants. § 3. Emergency. In force April 10, 1875.
---	---

AN ACT *to provide for the necessary expenses of the State Government and the General Assembly, incurred or to be incurred and now unprovided for, until the 30th day of June, 1875.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following appropriations, or so much thereof as may be necessary, be and the same are hereby made, to meet the necessary expenses of the state government and the general assembly, incurred or to be incurred, and now unprovided for, until the 30th day of June, 1875 :

*First*—The sum of three thousand five hundred and fifty-three dollars and sixty cents (\$3,553 60) expenses of the state board of equalization, to be certified by the chairman of said board and approved by the governor.

*Second*—The sum of three thousand dollars (\$3,000) for the apprehension and return of fugitives from justice, to be paid on the evidence required by law, certified to and approved by the governor.

*Third*—The sum of ten thousand dollars (\$10,000) for printing paper, to be certified by the board of commissioners of state contracts and approved by the governor.

*Fourth*—The sum of five thousand (\$5,000) for stationery, to be certified by the board of commissioners of state contracts and approved by the governor.

*Fifth*—The sum of twenty-four thousand dollars (\$24,000) for public printing, to be certified by the board of commissioners of state contracts and approved by the governor.

*Sixth*—The sum of five thousand dollars (\$5,000) for public binding, to be certified by the board of commissioners of state contracts and approved by the governor.

*Seventh*—The sum of twelve thousand (\$12,000) for the payment of the incidental expenses attending this session of the general assembly, including repairs and fitting up both halls, for fuel, gas, ice, labor of engineer, firemen and extra janitors, rent of committee rooms, furniture, etc., and for such other incidental expenses as are not otherwise provided for. All bills incurred by order of the general assembly to be paid on the certificate of the presiding officer of that branch for which the indebtedness was incurred, certified by the secretary of state and approved by the governor. All other bills incurred by the state and payable from this appropriation, shall be certified by the secretary of state and approved by the governor.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrants on the state treasurer for the sums herein specified, upon presentation of the proper vouchers, and the state treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the transaction of the business of the state and general assembly, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED April 10, 1875.

§ 1. Ordinary and contingent expenses until the expiration of the first fiscal quarter after the adjournment of the next regular session.

§ 2. Auditor to draw warrant.  
In force July 1, 1875.

AN ACT to provide for the ordinary and contingent expenses of the State Government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following named sums be and they are hereby appropriated to meet the ordinary and contingent expenses of the state government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the general assembly:

*First*—A sum not exceeding three thousand dollars (\$3,000) per annum shall be subject to the order of the governor for defraying all such public expenses of the state government as are unforeseen by the general assembly, and not otherwise provided for by law, payments to be made from time to time upon bills of particulars, certified by the governor.



*Second*—The sum of two thousand five hundred dollars (\$2,500) per annum for clerk hire, in the governor's office, payable quarterly upon the governor's order, and no more.

*Third*—To the governor's office, for postage, express, telegraphing and other incidental office expenses, a sum not exceeding seven hundred and fifty dollars (\$750) per annum, to be paid on bills of particulars, certified by the governor.

*Fourth*—To the governor's office, for porter, six hundred dollars (\$600) per annum, payable quarterly upon the order of the governor. To the governor, for repairs and care of executive mansion and grounds, and for no other purpose, one thousand dollars (\$1,000) per annum, to be paid on bills of particulars, certified to by the governor.

*Fifth*—To the secretary of state, for clerk hire in his office, the sum of eight thousand dollars (\$8,000) per annum, payable quarterly on his order. To the secretary of state, for repairs, postage, expressage, telegraphing, and other incidental expenses of the office, a sum not exceeding fifteen hundred dollars (\$1,500) per annum, payable upon bills of particulars, certified by the secretary of state and approved by the governor. To the secretary of state, for two porters and messengers, the sum of twelve hundred dollars (\$1,200) per annum, payable quarterly on his order; also, for necessary actual expenses attending the removal of said office from the old to the new state house, including the proper indexing, classification and arrangement of the files and records, the sum of four thousand dollars (\$4,000), or so much thereof as may be necessary, payable on bills of particulars, certified by the secretary of state and approved by the governor. To the secretary of state, for advertising contracts, water rent for new state house, and for all expenses necessarily incurred by the secretary of state in the discharge of the duties imposed upon him by law, and for which no other appropriations have been made, to be paid to the persons entitled to any portion thereof, the sum of one thousand dollars (\$1,000) per annum, upon bills of particulars, certified by said secretary of state and approved by the governor.

*Sixth*—To the auditor of public accounts, for clerk hire, the sum of seven thousand five hundred dollars (\$7,500) per annum, to be paid quarterly. To the auditor of public accounts, for one porter, the sum of six hundred dollars (\$600) per annum after removal to the new state house, and the sum of eight hundred dollars (\$800) for same, while he remains in the old state house, payable quarterly on his order. To the office of the auditor of public accounts, for furniture, repairs, postage, express charges, telegraphing, and other necessary expenses incurred in the discharge of the duties thereof, a sum not exceeding one thousand five hundred dollars (\$1,500) per annum; also, for necessary actual expenses attending the removal of said office from the old to the new state house, including the proper classification and arrangement of the records, the sum of five hundred dollars (\$500), or so much thereof as may be necessary—the two sums last mentioned to be paid on bills of particulars, certified by the auditor and approved by the governor.

*Seventh*—To the state treasurer, for clerk hire, the sum of twenty-five hundred dollars (\$2,500) per annum, payable quarterly on his order. To the office of the state treasurer, for repairs, postage, telegraphing and other necessary office expenses, a sum not exceeding five hundred dollars (\$500) per annum, payable on bills of particulars, certified by him and approved by the governor. To the state treasurer, the sum of

twenty-seven hundred dollars (\$2,700) per annum for two night and one day watchmen, and the sum of eight hundred dollars (\$800) per annum for one porter, payable quarterly on his order. To the office of the state treasurer, a sum not exceeding five thousand dollars (\$5,000) for the purchase of a proper burglar proof safe, to be paid to the person or persons entitled thereto, upon bills of particulars, certified by the treasurer and approved by the governor. The money appropriated in the above item to be paid out of the moneys appropriated by this general assembly for the carrying on the work on the new state house, anything in any other act of this general assembly to the contrary notwithstanding.

*Eighth*—To the superintendent of public instruction, for clerk hire, the sum of two thousand five hundred dollars (\$2,500) per annum, payable quarterly on his order. To the office of the superintendent of public instruction, for repairs, periodical and educational works, and other necessary expenses of said office, a sum not exceeding one thousand five hundred dollars (\$1,500) per annum, payable on bills of particulars certified by him and approved by the governor. Appropriations made by this clause to be paid out of the state school fund.

*Ninth*—To the attorney-general, for clerk hire, the sum of two thousand five hundred dollars (\$2,500) per annum, payable quarterly on his order. To the office of the attorney-general, for telegraphing, postage, and other necessary expenses of the attorney-general incurred in the discharge of the duties of his office, a sum not exceeding one thousand dollars (\$1,000) per annum, payable on bills of particulars certified by him and approved by the governor.

*Tenth*—To the office of the adjutant general, for clerk hire, the sum of eight hundred dollars (\$800) per annum, payable quarterly on his order, and the further sum of five hundred dollars (\$500) per annum, for janitor, to keep the state arms in order, payable on his order. Also for telegraphing, postage and office expenses, the further sum of seven hundred dollars (\$700) per annum.

*Eleventh*—To the secretary of the fund commissioner, twelve hundred dollars (\$1,200) per annum, payable quarterly on the order of the governor.

*Twelfth*—To the custodian of field notes and surveys, for his office expenses, the sum of three hundred dollars (\$300) per annum, payable on bills of particulars certified to by him and approved by the governor. For copying field notes, as provided by law, at the rate of ten dollars (\$10) per township, the sum of five thousand dollars (\$5,000), payable out of the levy of 1874, and three thousand dollars (\$3,000), payable out of the levy of 1875, or so much thereof as may be necessary—to be paid on his certificate of work done on the approval of the governor.

*Thirteenth*—To the board of public charities, for expenses, including the salary of a clerk, a sum not exceeding four thousand five hundred dollars (\$4,500) per annum, payable quarterly on bills of particulars, approved by the governor.

*Fourteenth*—A sum not exceeding two thousand dollars (\$2,000) per annum, for costs and expenses on state suits, to be paid on bills of particulars, certified by the auditor and approved by the governor.

*Fifteenth*—A sum not exceeding five thousand dollars (\$5,000) per annum, or such sum as may be needed for the apprehension and deliv-

ery of fugitives from justice, to be paid on the evidence required by law, certified to and approved by the governor.

*Sixteenth*—The sum of fifteen thousand dollars (\$15,000) per annum, or so much thereof as may be needed, for conveying convicts to the penitentiary, to be paid on the warden's certificate at the compensation fixed by general law, the auditor to compute the distance by the nearest railroad route.

*Seventeenth*—The sum of three thousand dollars (\$3,000) per annum, or so much thereof as may be needed, for conveying juvenile offenders to the reform school at Pontiac, on the certificate of delivery, at the rate of compensation allowed by law, the auditor to compute the distance by the nearest railroad route.

*Eighteenth*—For printing paper and for stationery for the use of the general assembly and executive departments, purchased on contracts as required by law, payable on delivery thereof, on bills of particulars certified to by the board of commissioners of state contracts, and approved by the governor, the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary, payable out of the levy of 1874, and twenty thousand dollars (\$20,000) payable out of the levy of 1875.

*Nineteenth*—There is hereby appropriated to defray the incidental and contingent expenses of the supreme court, to-wit: For stationery, fuel, repairs, lights, furniture, express, books and other expenses deemed necessary by the court, the following sums: To the Northern grand division, the sum of three thousand dollars (\$3,000) per annum; to the Central grand division, the sum of two thousand dollars (\$2,000) per annum; to the Southern grand division, the sum of fifteen hundred dollars (\$1,500) per annum—the same to be paid upon bills of particulars certified to by at least two of the justices of said court. The sum of three hundred dollars (\$300) per annum to each grand division of said court, for salary of librarian and care of library, payable quarterly on the certificate of at least two of the justices of said court. The sum of three hundred dollars (\$300) per annum to each grand division of said court for the pay of janitors, to perform such duties as shall be determined by said justices, to be paid quarterly on the order of at least two of the justices of said court. To the Central grand division, for rent of rooms until said court shall be fully removed to the new state house, the sum of seventeen hundred and fifty dollars (\$1,750) per annum, or so much thereof as may be necessary, payable quarterly on the order of at least two of the justices of said court. To the Central grand division, the sum of two hundred dollars (\$200), or such sum as may be needed, to defray the expenses of removing the records, fixtures and property thereof, and arranging the records and books thereof in the new state house, to be paid on bills of particulars certified to by clerk of said grand division, and approved by at least two of the justices of said court.

*Twentieth*—For public printing, twenty thousand dollars (\$20,000), or as much thereof as may be required. For public binding, five thousand dollars (\$5,000) per annum, or as much thereof as may be required. The public printing and binding to be paid for according to the contract, upon the order of the board of state contracts, approved by the governor.

*Twenty-first*—The sum of fifty-seven thousand dollars (\$57,000), or so much thereof as may be necessary to pay the interest on the school fund distributed annually in pursuance of law, the amount appropri-

ated under this clause, to be paid out of the Illinois Central railroad fund.

*Twenty-second*—The sum of one million dollars (\$1,000,000) annually, out of the state school fund, to pay the amount of the auditor's orders, and for the distribution of said fund to the several counties. The auditor shall issue his warrants on the proper evidence that the amount distributed has been paid to the county school superintendents.

*Twenty-third*—Such sum as may be necessary to refund the taxes on real estate sold or paid in error, and for over-payments on collectors' accounts under laws governing such cases, to be paid out of the proper funds.

*Twenty-fourth*—To the secretary of the board of new state house commissioners, the sum of fifteen hundred dollars (\$1,500) per annum, payable quarterly on a bill certified to by at least two of the commissioners, and approved by the governor.

*Twenty-fifth*—That for four janitors and two watchmen of the new state house, who shall perform such duties as shall be assigned to them respectively, by the governor, secretary of state and auditor, the sum of eight hundred dollars (\$800) per annum each, payable quarterly on the order of said state officers, to take effect upon the removal to the new state house.

*Twenty-sixth*—The sum of eighty-eight thousand dollars (\$88,000) per annum, or so much thereof as may be needed, to pay the interest on the bonded debt of the state, to be paid on the certified account of the state treasurer approved by the governor, the amount appropriated by this clause to be paid out of the Illinois Central railroad fund.

*Twenty-seventh*—To the railroad and warehouse commissioners, for the incidental expenses of their office, including office rent and care, furniture, stationery, fuel, light, postage and telegraph expenses, extra clerk hire, the fees of experts employed, and for the secretary's salary, which shall be fixed by the board, and for all necessary expenditures except those hereinafter provided for, a sum not to exceed four thousand dollars (\$4,000) per annum. For expenses incurred in suits or investigations, commenced by the authority of the state under any laws now in force or hereafter to be enacted empowering or instructing the board of commissioners, the sum of ten thousand dollars (\$10,000) per annum, or such amount as may be needed for such purpose—the appropriations made by this clause to be paid upon detailed statements filed with the auditor, bearing the order of the board and the approval of the governor.

*Twenty-eighth*—To the employees of the next general assembly a sum sufficient to pay the compensation allowed them by law, to be paid on pay rolls certified to by the presiding officer of the respective houses.

*Twenty-ninth*—The sum of three thousand dollars (\$3,000) per annum for rewards for fugitives from justice, to be paid upon bills of particulars having the order of the governor endorsed thereon.

*Thirtieth*—For copying the laws, journals and joint resolutions of the general assembly, as provided by law, one thousand dollars (\$1,000). For distribution of the laws, journals and other state documents, and incidental expenses connected therewith, the sum of five hundred dollars (\$500).

*Thirty-first*—For heating, fuel, engineers and firemen of the new state house, the sum of seven thousand dollars (\$7,000) per annum, or so much thereof as may be necessary. For lighting the new state house

the sum of twenty-five hundred dollars (\$2,500) per annum, or so much thereof as may be necessary; this appropriation to commence after the occupation of the new state house by the state officers, and to be paid upon bills of particulars, certified to by the secretary of state and approved by the governor.

*Thirty-second*—The sum of three thousand dollars (\$3,000), or so much thereof as may be needed, to pay the necessary expenses of the different standing and special committees of the two houses, their experts and clerks, of the twenty-ninth (29th) general assembly, when absent from the capitol on official duty, payable on the pay rolls of the chairmen of the respective committees, and approved by the presiding officer of the respective houses.

*Thirty-third*—To state board of equalization, for pay and expenses, a sum not exceeding eight thousand dollars (\$8,000) per annum, payable in the manner provided by law.

§ 2. The auditor of public accounts is hereby authorized and directed to draw his warrant on the state treasurer for the sums herein specified, upon presentation of the proper vouchers, and the state treasurer shall pay the same out of the proper funds in the treasury not otherwise appropriated. The said warrants shall be drawn in favor of, and payable to the order of the persons entitled thereto.

APPROVED April 10, 1875.

#### STATE INDEBTEDNESS.

§ 1. To pay revenue deficit bonds, \$250,000.

§ 2. To pay State debt already due, \$57,221 76.

§ 3. Emergency.

In force April 8, 1875.

#### AN ACT making appropriations for the payment of the principal of State Indebtedness.

WHEREAS, two hundred and fifty revenue deficit bonds, issued under authority of an act approved October 20, 1871, of one thousand dollars each, amounting to two hundred and fifty thousand dollars, were, by proclamation of the governor, declared due and payable on the fourth day of January last; and, whereas, thirty-five refunded stock coupon bonds of one thousand dollars each will become due and payable on the first day of January, 1877; and, whereas, there is outstanding twenty-two thousand two hundred and twenty one dollars and seventy-six cents of other state debt already past due and called in by proclamation of the governor; and, whereas, there is no act in force making appropriations for the payment of the same, whereby an emergency has arisen rendering it necessary that this act should take effect immediately; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of two hundred and fifty thousand dollars (\$250,000) is hereby appropriated to pay the principal of said revenue deficit bonds, and upon requisition of the governor the auditor shall issue his warrant upon the treasury, payable from the Illinois Central railroad fund, to pay the principal of said bonds as they shall be presented.

§ 2. The sum of fifty-seven thousand two hundred and twenty-one dollars and seventy-six cents (\$57,221 76), or so much thereof as may be necessary, is hereby appropriated to pay the principal of the state debt already due, or which may fall due, or which may be presented by the holders thereof, payable as provided in section one of this act.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED April 8, 1875.

---

STATE HOUSE.

§ 1. For carrying on the work of the new State House, §800, 000.

§ 2. Emergency.  
In force March 24, 1875.

AN ACT to make an appropriation for carrying on the work on the new State House.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That for the purpose of carrying on the work on the new state house, the sum of five hundred thousand dollars be and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated; also, that the further sum of three hundred thousand dollars be and the same is hereby appropriated, to be paid out of the revenue to be collected from the assessment of property for the year 1875 for revenue purposes.*

§ 2. As the state has no apartments adequate or convenient for the transaction of the public business, and that there may be no unnecessary delay in providing for the same, an emergency is hereby declared to exist, requiring this act to go into immediate effect; therefore, this act shall take effect and be in force from and after its passage.

APPROVED March 24, 1875.

---

FREDERICK WAGNER.

§ 1. Auditor to draw warrant on Treasurer for \$500. In force July 1, 1875.

AN ACT for the relief of Frederick Wagner.

WHEREAS, Frederick Wagner, while on duty as a private, in a volunteer company of militia from Springfield, called by and organized under the authority of the governor of the state of Illinois, to do duty in the burnt district of the city of Chicago, on the night of the 12th day of October, A. D. 1871, was entirely disabled for life by the involuntary discharge of a musket in the hands of another volunteer; and, whereas, the appropriation for the relief of the said Frederick Wagner, made by the twenty-eighth general assembly, runs out on the first day of April, 1875, leaving him entirely destitute of all means; and, whereas,

the said Wagner desires to return to his native country where he can enjoy the blessings of a home and the nursing and care by the hands of his parents; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the auditor of public accounts be and is hereby directed to draw his warrant on the state treasurer, in favor of the said Frederick Wagner, for the sum of five hundred dollars (\$500), to be paid out of any money in the state treasury not otherwise appropriated.

APPROVED April 8, 1875.

---

## ASSESSMENTS.

---

### CITIES, VILLAGES AND TOWNS.

§ 1. Amend section 16, act 1873. Proceedings by general officer—Judgment—Appeal—Deposit—Damages. In force July 1, 1875.

AN ACT to amend an act entitled "*An act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,*" approved April 15, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 16 of an act entitled "*An act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this state,*" approved April 15, 1873, be and the same is hereby amended so as to read as follows :

“§ 16. When said general officer shall receive the report or return provided for in the preceding section, he shall proceed to obtain judgment against said lots, parcels of land and property for said general taxes, special taxes and special assessments remaining due and unpaid, in the same manner as may be by law provided for obtaining judgments against lands for taxes due and unpaid the county and state; and shall, in the same manner, proceed to sell the same for said general taxes, special taxes and special assessments remaining due and unpaid: *Provided,* that it shall not be required of said general officer to attach to said list of delinquent lots or lands any affidavit whatever in relation thereto; nor shall it be necessary that his return to the county court, in relation to lots, lands or real estate, for such purpose, shall contain the valuation of such property; but it shall be sufficient that he make an official return stating in substance that the list, in this regard, by him presented, is a correct list of the lands and lots delinquent for taxes, special taxes and special assessments for city purposes, with the amount due on each tract, respectively, for such purposes, according to the return of the city collector of such city, duly made to such officer according to law. In obtaining said judgment and making said sale, the said officer shall be governed by the general revenue laws of this state, except when otherwise provided herein. And the city council may, by ordinance or resolution, fix and determine the term of the county court at which the said general

officer shall apply for judgment against the said lots, parcels of land and property: *Provided*, there shall be but one general sale in any one year for any general taxes, special taxes or special assessments, levied by authority of such city, which sale shall be at the same, or a different time from the sale for state and county taxes, as the city council may by ordinance or resolution provide. Upon any such application for judgment, the county court shall have like jurisdiction and powers, and like proceedings shall be had, as near as may be, as upon application for judgment for state and county taxes; and upon an appeal from the judgment of the county court, the like proceedings shall be had, and the like jurisdiction and like powers shall be exercised by courts and officers, as in case of appeals from county court upon applications for judgments for state and county taxes: *Provided, however*, that no appeal shall be allowed from any judgment of the county court against any property returned as delinquent under this act, except in cases of special assessments, unless the party appealing from such judgment shall first deposit with such general officer an amount of money equal to the amount of the judgment appealed from, embracing accrued costs, and shall also give bond, with security, to be approved by the county court, in an amount to be fixed by the court, within a time to be limited by the court, conditioned that he will prosecute his appeal with effect, and, in case of failure, will pay to said city all damages, interest and costs the city may have sustained by such appeal. Upon the affirmance of said judgment in the supreme court, by dismissal of such appeal (or by dismissal of a writ of error made a supersedeas), or otherwise, judgment shall be rendered in the supreme court against said appellant (for the use of the city) for the costs in the supreme court, and for interest on the original amount of such judgment, and for twenty (20) per cent. upon said judgment as damages, and no writ of error shall be allowed to operate as a supersedeas until the party applying therefor shall first have complied, in substance, with the conditions, as above required in appeals, to be prescribed by the judge or court allowing such supersedeas. If such judgment, so stayed by appeal or supersedeas, be reversed and not remanded, then said officer holding such deposit shall restore the same to the party making such deposit. If such judgment be wholly affirmed, or affirmed in part and reversed in part, and not remanded, then such officer holding such deposit shall first pay out of such deposit the amount necessary to satisfy such judgment as affirmed or modified by the supreme court, together with all costs and interest and damages for which such depositor is liable by the said affirmed or modified judgment, and shall pay the balance, if any, to such depositor, and if not sufficient, execution may issue for the balance from the clerk of the supreme court, or of the county court, as the case may require. If such judgment be reversed and remanded, then such deposit shall await the final judgment of the county court, and be disposed of by the order of said county court, as justice may require: *And it is further provided*, that if, for any cause, by appeal or otherwise, the final judgment in the county court shall not be rendered until it is too late to sell on the day designated for sale in the general revenue laws, then, and in such case, the county court shall, on rendering final judgment against such delinquent lots or parcels of land, by order, fix the time and place of sale under such judgment, and make such order as shall effect the proper collection of such delinquent taxes or assessments."

APPROVED April 7, 1875.



## RULES FOR VALUING PERSONAL PROPERTY.

§ 1. Amend section 3, act 1872. Rules for valuing personal property. In force July 1, 1875.

AN ACT to amend section three (3), of an act entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 3, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section three (3) be amended so as to read as follows :*

"§ 3. Personal property shall be valued as follows—

*First*—All personal property, except as herein otherwise directed, shall be valued at its fair cash value.

*Second*—Every credit for a sum certain, payable either in money or labor, shall be valued at a fair cash value for the sum so payable; if for any article of property, or for labor or services of any kind, it shall be valued at the current price of such property, labor or service.

*Third*—Annuities and royalties shall be valued at their then present total value.

*Fourth*—The capital stock of all companies and associations now or hereafter created under the laws of this state, shall be so valued by the state board of equalization as to ascertain and determine, respectively, the fair cash value of such capital stock, including the franchise, over and above the assessed value of the tangible property of such company or association. Said board shall adopt such rules and principles for ascertaining the fair cash value of such capital stock as to it may seem equitable and just; and such rules and principles, when so adopted, if not inconsistent with this act, shall be as binding and of the same effect as if contained in this act, subject, however to such change, alteration or amendment as may be found, from time to time, to be necessary by said board: *Provided*, that in all cases where the tangible property or capital stock of any company or association is assessed under this act, the shares of capital stock of any such company or association shall not be assessed or taxed in this state. This clause shall not apply to the capital stock or shares of capital stock of banks organized under the general banking laws of this state: *Provided, further*, that in assessing companies and associations organized for purely manufacturing purposes, or for printing, or for publishing of newspapers, or for the improving and breeding of stock, the assessment shall be so made that such companies and associations so organized shall only be assessed as individuals under like circumstances would be assessed, and no more; and such companies and associations shall be allowed the same deducto as are allowed to individuals."

APPROVED April 10, 1875.

APPORTIONMENT OF SPECIAL ASSESSMENTS PAYABLE IN INSTALLMENTS.

§ 1. Apportionment of special assessments payable in installments. In force July 1, 1875.

AN ACT concerning the apportionment of special assessments payable in installments.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases where any special assessment, payable in installments, has been, or hereafter shall be made by any corporate authority, for supplying water, or other corporate purpose, and the owner or owners of any lot, block or parcel of land so assessed, or some of them, shall desire to sub-divide the same, and to apportion such assessment and the several installments thereof in such manner that each parcel of such proposed sub-division shall bear its just and equitable proportion thereof, the same may be done in the manner following, to-wit: The owner or owners of such lot, block or parcel of land shall present to such corporate authority a petition, setting forth—

*First*—The descriptive character of the assessment, and the date of the confirmation of the same.

*Second*—The names of the owners.

*Third*—A description of the land proposed to be sub-divided, together with the amount of each installment thereon, and the year or years for which the same are due.

*Fourth*—A plat showing the proposed sub-division.

*Fifth*—The proposed apportionment of the amount of each installment on each lot or parcel according to such proposed sub-division. Such petition shall be acknowledged in the manner provided for the acknowledgment of deeds, and if such corporate authority shall be satisfied therewith, they shall cause to be indorsed upon or attached to such petition their approval by their clerk or secretary, under their corporate seal, and the same, so approved, shall be filed and recorded in the office of the county clerk in which such land shall be situate, and such apportioned assessment shall stand in place of the original assessment, and the same and the several installments thereof shall be deemed duly apportioned, and the several amounts so apportioned shall be liens upon the several parcels charged, respectively; and for the purpose of collecting the same all proceedings shall be had and taken as if said assessment and installments had been made and apportioned in the first instance according to such apportioned description and amounts, and the respective owners shall be held to have waived every and all objections to such assessment and the apportionment aforesaid: *Provided*, this act shall not apply to any lot, block, or parcel of land on which there shall remain due and unpaid any installment. In case the owners are unable to agree as to such apportionment, or any of them are under legal disability, one or more of them may file a petition with the circuit court of the county in which such land so assessed is situate, substantially in form as hereinbefore provided; and in such case such corporate authority, together with all owners or persons interested, not joined as petitioners and unknown owners, if any, shall be made parties defendant, and all proceedings in relation thereto shall be had as in cases in

chancery. The court may hear and determine the case according to the right of the matter. A copy of the record of the proceedings of the court in the premises in case of an apportionment, duly certified, shall be filed and recorded in the office of such county clerk, and the same shall thereupon, as to the land therein embraced, the owners thereof, the apportionment aforesaid, and the collection of the several amounts apportioned, have the same force and effect as is hereinbefore provided in cases where such corporate authorities shall approve of a petition and file and record the same.

APPROVED April 13, 1875.

### AMEND SECTIONS 192 AND 193, GENERAL ACT.

- |   |   |
|---|---|
| § 1. Amend section 192, act of 1872; condition of bond. | § 2. Amend section 193, act of 1872; proceedings for sale in appeal cases. In force July 1, 1875. |
|---|---|

AN ACT to amend sections one hundred and ninety-two (192) and one hundred and ninety-three (193), of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one hundred and ninety-two (192) of said act be and the same is hereby amended to read as follows:

"§ 192. Appeals from the judgment of the court may be taken during the same term to the supreme court, on the party praying an appeal executing a bond to the People of the State of Illinois, with two or more sureties, to be approved by the court, in double the amount of the judgment, conditional that the appellant will prosecute his said appeal with effect, and will pay the amount of any tax, assessment and cost which may finally be adjudged against the real estate involved in the appeal by any court having jurisdiction of the cause."

§ 2. *Be it further enacted,* That section one hundred and ninety-three (193) of said act be and the same is hereby amended to read as follows:

"§ 193. In all cases of appeal to the supreme court from the judgment of the county court for any taxes or assessments levied upon real estate, the supreme court may render judgment against all the lots and lands, or any particular lot or tract of land embraced in the appeal, for so much or such part of the taxes and assessments, or any particular tax or assessment it may find to be legally charged against the same; and in case it shall find any part of the taxes or assessments, or any particular tax or assessment charged against the same has not been legally charged, it may either remit said taxes or assessments, or particular tax or assessment so found to be illegally charged, or may reverse so much or such part of the judgment of the county court as relates to said taxes or assessments, or particular tax or assessment so illegally charged, and remand the same to said inferior court, that other proceedings may be had thereon. When judgment shall be rendered

by the supreme court against any lot or tract of land embraced in such appeal, it shall be the duty of the clerk of the supreme court to make and deliver to the county clerk of the county from which such appeal is taken, a record of the lauds and lots against which judgment is rendered, which shall set forth the name of the owner, if known, the description of the property, the total amount of the judgment on each tract or lot, and shall attach thereto a copy of the order of the supreme court, and his certificate that such record is correct, which shall be filed in the office of said county clerk, and shall be the process on which such real estate or any interest therein shall be sold for such taxes or assessments, or particular tax or assessment, as well as the record for the sale thereof; and it shall be the duty of the county collector, assisted by the county clerk, to proceed and sell the same for the amount of such judgment and costs, in the manner provided when judgment is rendered by the county court against delinquent real estate. The collector shall publish a general notice of such sale in a newspaper published in his county, if any such there be, and if there be no such paper published in his county, then in the nearest newspaper published in the state to the county seat of such county—said notice to be so published once in such newspaper at least three weeks previous to the day fixed for such sale. Upon the dismissal of any appeal, and upon filing in the office of the county clerk of the county from which the appeal is taken, a certified copy of the order of such dismissal, the county clerk shall make a record of the lands and real estate embraced in such appeal, which shall be the process on which the real estate embraced in such appeal shall be sold; and it shall be the duty of the county collector to proceed and sell the same in the manner provided hereinbefore in cases of judgment rendered against real estate by the supreme court on the hearing of an appeal, and all the provisions of law shall apply to such sale as in other cases."

APPROVED April 15, 1875.

---

#### EXTENDING TAXES—CERTIFICATE.

§ 1. Certificate of rates legalized. In force July 1, 1875.

*AN ACT to legalize the extension, levy and collection of taxes in towns, townships, districts, and incorporated cities, towns and villages in the state of Illinois, and extended on the collector's books of the assessment of the year A. D. 1874.*

WHEREAS, section one hundred and twenty-two (122) of "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, provides that the proper authorities of towns, townships, districts, and incorporated cities, towns and villages shall, annually, on or before the second Tuesday in August, certify to the county clerk the several amounts which they severally require to be raised by taxation; and, whereas, in certain towns, townships, districts, and incorporated cities, towns and villages, the amount of taxes so required to be certified was not certified on or before

the second Tuesday in August, but afterwards, and the county clerk of said counties have extended the amount of said taxes on the collector's book for the assessment of the year 1874; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That in any case where the proper authorities have certified to the county clerk, and said county clerk has computed a rate to produce said amount or amounts on the assessment of property, made under the state revenue laws for the year A. D. 1874, and extended the same on said assessment, the action of said authorities and said county clerk aforesaid is hereby declared legal and valid; and the taxes so extended shall be and remain a lien on the property against which they are extended, to the same extent as if said certificate had been filed as provided by section one hundred and twenty-two (122) of the act aforesaid.*

APPROVED April 15, 1875.

---

## AUDITOR OF PUBLIC ACCOUNTS.

---

### AMEND SECTION 6 OF GENERAL LAW.

§ 1. Amend section 6, act 1873—seal—copies of records—evidence. | § 2. Emergency. In force April 10, 1875.

AN ACT to amend section six (6) of an act entitled "An act to revise the law in relation to the auditor of public accounts," approved April 25, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section six (6) of an act entitled "An act to revise the law in relation to the auditor of public accounts," approved April 25, 1873, be and the same is hereby so amended as to read as follows:*

§ 6. The auditor shall keep an official seal, which shall be used to authenticate all writings, papers, documents and accounts required by law to be certified from his office; and copies of all records, writings, papers and documents legally in his keeping, when certified by him and authenticated by his official seal, shall be received in evidence in the same manner and with like effect as the originals; and all books of accounts with collectors and other officers and persons with whom it is the duty of the auditor to keep accounts, and certified copies thereof, and statements therefrom, authenticated by the auditor under his official seal, shall be *prima facie* evidence of the correctness of such accounts and statements, and of the amount due thereon to the state."

§ 2. Inasmuch as the law now in force as to the mode of proving such accounts is defective, an emergency exists requiring this act to take effect immediately; therefore, this act shall take effect and be in force from and after its passage.

APPROVED April 10, 1875.

## CEMETERIES.

## MAYOR AND ALDERMEN TO DEMISE OR CONVEY.

§ 1. When cemetery land may be leased or sold. In force July 1, 1875.

AN ACT to enable the mayor and aldermen of certain cities to lease or convey real estate.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cities of which the mayor and aldermen have heretofore been incorporated, by any special act, as a cemetery association or body politic, it shall be lawful, a majority of their number assenting thereto, for such association or body politic to demise for a term of years, or to convey in perpetuity, any real estate which it may have acquired by purchase or otherwise; and the real estate so conveyed shall be devoted exclusively for burial or cemetery purposes by the grantee or lessee thereof.

APPROVED April 15, 1875.

## SALE OF LAND AUTHORIZED WHEN NOT SUITABLE.

§ 1. When land may be sold.

§ 2. Notice of meeting.

§ 3. Sale must be public.

§ 4. Notice of sale.

§ 5. Use of proceeds.

In force July 1, 1875.

AN ACT to enable cemetery associations to sell and convey lands not required for burial purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That cemetery associations incorporated by the laws of this state, and owning land in any cemetery located in any county of less than one hundred thousand inhabitants, shall have power to sell such lands so owned by said association, and not suitable or required for burial purposes, and in which no persons shall have been buried: *Provided,* that the trustees, or other officers having control of such cemetery, shall first call a meeting of the lot owners in such cemetery, at which a vote shall be taken in regard to such sale, and if a majority of the votes so cast shall be in favor of such sales, the trustees, or other officers having control of such cemetery, shall have power to sell such lands, as hereinafter provided.

§ 2. Notice of such meeting shall be given by publication in some newspaper published in such county of less than one hundred thousand inhabitants, where such cemetery is located, at least once in each week for three successive weeks previous to such meeting; if no newspaper is published in the county where such cemetery is located, than such notice shall be published in the newspaper nearest to such cemetery.

§ 3. The trustees, or other officers having control of such cemetery, shall sell such lands at public sale, to the highest bidder, upon such terms as they may determine.

§ 4. Notice of the sale of such lands shall be given in the same manner as provided in section 2 of this act.

§ 5. The proceeds of the sale of such lands may be used to pay indebtedness of such association, or for purchasing other lands for burial purposes, or for ornamenting or improving such cemetery, as the trustees, or other officers having control of the same, may determine.

APPROVED April 15, 1875.

---

## CITIES.

---

### APPOINTMENT AND REMOVAL OF CITY OFFICERS.

§ 1. Appointment and removal of city officers.

§ 2. Approval and veto power of mayor.

§ 3. Passage over mayor's veto.

§ 4. Emergency.

In force April 10, 1875.

*AN ACT concerning the appointment and removal of city officers in all cities in this State, conferring additional powers and duties upon mayors, and concerning appropriation bills or ordinances that may be passed in such cities.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* In all cities in this state, the mayors thereof shall have power to appoint all city officers (whose election by the voters of such city is not provided for by law), by and with the consent of the city council, (or in case the legislative authority consists of two houses, then by and with the consent of the board of councilmen,) by a vote of a majority of all its members authorized by law to be elected, to be taken by yeas and nays, and entered upon its records. And the mayor shall also have power to remove any officer so appointed, whenever, in his opinion, the interests of the city requires such removal; he shall report such removal, with his reasons therefor, to the council, (or in case the legislative authority consists of two houses, then to the board of councilmen,) at its next regular meeting; and if the council by a two-thirds vote shall, (or if the board of councilmen shall by a majority vote) of all its members authorized by law to be elected, by yeas and nays to be entered upon its record, disapprove of such removal, such officer shall thereby become restored to the office from which he was so removed; but he shall give new bonds, and take a new oath of office. The mayor may appoint any suitable person to discharge the duties of the office from which he shall have removed any officer, until his successor is appointed and qualified, or such officer restored to office in the manner aforesaid.

§ 2. All ordinances passed by the city council shall, before they take effect, be deposited in the office of the city clerk, and if the mayor approves thereof he shall sign the same, and such as he shall not approve he shall return to the council, with his objections thereto, in writing, at the next regular meeting of the council, occurring not less than five days after the passage thereof. Such veto may extend to any one or more

items or appropriations contained in any ordinance, and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force; but in case the mayor shall fail to return any ordinance, with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

§ 3. Upon the return of any ordinance by the mayor, the vote by which the same was passed shall be reconsidered by the council; and if, after such reconsideration, two-thirds of all the members elected to the city council shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding the mayor may refuse to approve thereof. The vote to pass the same over the mayor's veto shall be taken by yeas and nays, and entered on the journal.

§ 4. Whereas, the legislative authorities in many cities pass their appropriation bills before the first day of July next, and mayors have no power to veto a part of such appropriation or ordinance, wherefore an emergency exists: therefore, this act shall take effect and be in force from and after its passage.

APPROVED April 10, 1875.

---

#### POLICE AND FIREMEN'S RELIEF FUND.

§ 1. Amend section 1, act 1874—how fund created. In force July 1, 1875.

*AN ACT to amend section one of an act entitled "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments that may be killed while on duty," approved March 24, 1874, in force July 1, 1874.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section one of an act entitled "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty," approved March 24, 1874, in force July 1, 1874, be and the same is hereby amended so that hereafter it shall read as follows:*

*"The corporate authorities of all cities in this state may provide, by ordinance, that all moneys received from fines inflicted upon members of the police and fire departments for a violation of the rules or regulations of the service, and all fines recovered because of conviction for a violation of the fire ordinances, and all moneys accruing from the sale of unclaimed stolen property, shall be paid into the treasury of the city where collected, and kept apart as a fund, to be called the 'Police and Firemen's Relief Fund,' for the benefit of the disabled members of the above mentioned departments of such cities."*

APPROVED April 13, 1875.



§ 1. Amend section 2 of act of 1874.

§ 2. To be appropriated for disabled men.  
In force July 1, 1875.

AN ACT to amend section two of an act entitled "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments that may be killed while on duty," approved March 24, 1874

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 2 of an act entitled "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty," approved March 24, 1874, in force July 1, 1874, be and the same is hereby amended so that hereafter it shall read as follows ;

"§ 2. Whenever any member of either of said departments shall, while in the discharge of his duties as a member or officer of such service, suffer wounds, or in any other manner become disabled so as to be unfit for further service, the corporate authorities of such city shall appropriate, out of such fund for his benefit, such an amount or amounts of money as to them may seem just and reasonable: *Provided, however,* in all cities where there does now or may hereafter exist a chartered benevolent society, composed of police or firemen of such city, the corporate authorities may annually appropriate to the treasurer of such society its equitable portion of all moneys that may be in the treasury of such city to the credit of said fund, to be used for the benefit of its members.

APPROVED April 15, 1875.

## RE-ORGANIZATION OF CITIES.

### ARTICLE I.

#### ORGANIZATION.

- § 1. How city may adopt this act—Notice of election.
- § 2. Ballot.
- § 3. Conducting election—canvassing vote—returns—result—when act may be again submitted.
- § 4. City and wards—limits not changed by adoption of act.
- § 5. Court to take notice of re-organization—all laws not inconsistent with this act to continue in force.
- § 6. Corporate name—powers—provisions of old charter saved.
- § 7. Prior ordinances to remain in force until, etc.
- § 8. Rights of old corporation to vest in new.
- § 9. Certificate of re-organization recorded, etc.

### ARTICLE II.

#### THE MUNICIPAL GOVERNMENT.

- § 1. Officers and agents.
- § 2. Common council—how composed.

- § 3. Board of councilors—board of aldermen—eligibility.
- § 4. Eligibility to office.
- § 5. Oath of office.
- § 6. Bond of comptroller.
- § 7. Penalty for not qualifying as councilor or alderman.
- § 8. Mayor's cabinet.
- § 9. Duties of members of cabinet.
- § 10. Letting contracts.
- § 11. Limitation on making contracts, sales, etc.
- § 12. Calling a cabinet meeting.

### ARTICLE III.

#### OFFICERS—THEIR ELECTION AND APPOINTMENT.

- § 1. Elections.
- § 2. Appointment of officers.
- § 3. General ticket—term of office—eligibility.
- § 4. Term of office of councilors.
- § 5. Aldermen elected by wards.
- § 6. Minority representation.

- § 7. Vacancy in office of councilman or alderman.
- § 8. Tie vote.
- § 9. Qualification of voters.
- § 10. Notice of election—voting—canvass of votes—contesting election.
- § 11. How election to fill vacancy conducted—city to pay expenses.
- § 12. Elected for unexpired term.

#### ARTICLE IV.

##### COMMON COUNCIL.

- § 1. Two houses.
- § 2. President—clerk.
- § 3. Rules—expulsion—quorum.
- § 4. Journal.
- § 5. Meetings.
- § 6. No compensation.
- § 7. Ordinance, etc.—how passed—veto.
- § 8. Where ordinance, etc. must originate—vote required.
- § 9. General powers of council.
- § 10. Open doors
- § 11. Yeas and nays—record—vote required.
- § 12. Reconsideration of vote.
- § 13. Salaries of officers and employees—removal of employees, etc.
- § 14. Council may prescribe other duties—require bonds—police courts.
- § 15. Limitation of taxing power.
- § 16. Finance committee—powers transferred.

#### ARTICLE V.

##### OFFICERS—MAYOR.

- § 1. Mayor—term of office.
- § 2. Who eligible to office of mayor.
- § 3. Mayor to advise council—duties.
- § 4. To approve ordinance, etc.—veto.
- § 5. Special meetings of common council.
- § 6. Vacancy in office of mayor.
- § 7. Veto of whole or part of appropriation bill.
- § 8. Appointment of officers.
- § 9. Appointment of officers—filling vacancy.
- § 10. Removal of officer.
- § 11. Pardon by mayor.
- § 12. Policemen to attend council meetings.

##### CITY COMPTROLLER.

- § 13. Annual report and estimate.
- § 14. Monthly statements.
- § 15. To examine reports, etc.
- § 16. To audit accounts.
- § 17. May administer oaths—further duties in auditing accounts.

- § 18. To keep record.
- § 19. To keep money—office—account book.
- § 20. Warrants—how made.
- § 21. Separate accounts.
- § 22. Reports.
- § 23. Monthly statements—settlements.
- § 24. Treasurer to give bond.

##### THE CITY CLERK.

- § 25. Duties and powers.
- § 26. Deputies.
- § 27. Clerk to keep record, etc.

##### THE COUNSEL TO THE CORPORATION AND CITY ATTORNEY.

- § 28. Duties of corporation.
- § 29. Further duties.

##### THE COMMISSIONER OF PUBLIC WORKS.

- § 30. Duties.
- § 31. Deputies.
- § 32. Bond of commissioners.

##### THE COMMISSIONER OF HEALTH.

- § 33. Powers.
- § 34. Deputies.
- § 35. Oaths.

##### COMMISSIONER OF POLICE.

- § 36. Duties and powers.
- § 37. To have control of police force—how police force constituted—removals.
- § 38. Recommendations.
- § 39. Increase of police force.
- § 40. Deputy.
- § 41. Oath and bond of police commissioner.

##### POLICE CLERKS.

- § 42. Mayor to appoint.
- § 43. Duties.
- § 44. Daily reports—pay over money.
- § 45. Penalty.

##### FIRE COMMISSIONER.

- § 46. Duties and powers.
- § 47. Fire marshals—officers to obey commissioner.
- § 48. Commissioner may make rules—removals.

#### ARTICLE VI.

##### MISCELLANEOUS PROVISIONS.

- § 1. Duties of officers under old charter continued, etc.
- § 2. Act of 1872 rejected, election under this act.
- § 3. Act of 1872 not repealed.  
In force July 1, 1875.

### *AN ACT to provide for the re-organization of cities.*

#### ARTICLE I.

##### ORGANIZATION.

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That any city in this state may re-organize under this act, in manner following: Whenever one-eighth of the legal voters of any such city shall petition the mayor thereof to submit*

the question as to whether such city shall become re-organized under this act to a vote of the electors in such city, it shall be the duty of such mayor to present such petition to the common council of such city, at its next regular meeting; and such petition shall contain, opposite the signature of each and every signer thereto, his place of residence. And it shall be the duty of such common council, within twenty days after such petition shall have been presented to its body, to submit, by ordinance or resolution, the question as to whether such city shall become re-organized under this act, to a vote of the electors of such city; and said common council shall also, at the same meeting, appoint a time, not less than twenty nor more than thirty days after the passage of such ordinance or resolution, when such vote shall be taken; and it shall be the duty of the clerk of such city to forthwith certify and deliver a copy of such ordinance or resolution to the county board of the county in which such city is situated, whereupon it shall be the duty of said county board to define the election precincts, to designate the place or places at which such vote may be taken, and to appoint as many judges of such election for each voting place as they may deem necessary. And it shall be the duty of the county clerk of such county to give at least ten days' notice of such election, by publishing a notice thereof in one or more newspapers within such city; but if no newspaper is published therein, then by posting at least five copies of such notice in each ward. The notices may be substantially as follows:

"Notice is hereby given that on (here give the date), at (here give the place or places at which the vote will be taken), in the city of (give name of city), an election will be held, for the purpose of submitting to the voters of said city the question as to whether said city shall become re-organized under an act of the general assembly, entitled (here give the title of the act), passed (give date of passage), and approved (give date of approval), and whether said city will or not adopt a minority representation in the common council, which said election will be opened at eight o'clock in the morning, and continue open until seven o'clock in the evening of that day."

§ 2. The manner of voting at such election shall be by ballot, and the ballots to be used at such election shall be in the following form: "For re-organization under the general law of 1875," and "Against re-organization under the general law of 1875." And every such ballot shall be printed or written, or partly printed and partly written, upon plain white paper.

§ 3. The manner of conducting and voting at elections held for the purpose of determining the question as to whether any city shall re-organize under this act, and of canvassing the votes, shall be the same as required in an election for county officers; and also, that the judges of such election shall make a return of the votes to the common council, whose duty it shall be to canvass such returns, and cause the result of such canvass to be entered upon the record of such city. If a majority of the votes cast at such election shall be for re-organization under this act, this act shall take effect and be in force in such city, so far as to authorize the election of officers hereunder, as provided for in section 1, article 3, of this act. But the city officers in office at the time of the adoption of this act, shall continue to exercise and discharge the duties of their respective offices under the charter of such city in force prior to such adoption; and such charter shall remain in force, except

as above provided, until the newly elected officers under this act shall have qualified and entered upon their respective duties. If a majority of the votes cast at such election shall be against re-organization, then and in such case the question may again be submitted, in pursuance of the provisions of this act; but such questions shall not be submitted oftener than once in two years.

§ 4. That the corporate limits and jurisdiction of any city which shall be organized under this act, and the ward boundaries thereof, as established by law, at the time of the adoption of this act, shall not in anywise be affected or changed in consequence of such city re-organizing under this act; but such limits, jurisdiction and ward boundaries shall remain after such change of organization the same as at the time of such re-organization under this act, and until changed by lawful authority.

§ 5. All courts in this state shall take judicial notice of the re-organization of any city under this act, and from the time of such re-organization, the provisions of this act shall govern such city; but all laws or parts of laws not inconsistent with the provisions of this act, and which were operative in such city prior to the adoption of this act, shall continue in force and be applicable to any such city, the same as if such change of organization had not taken place.

§ 6. Any city re-organizing under this act shall be a body politic and corporate, under the name and style of "City of (name)," and under such name may sue and be sued, contract and be contracted with, acquire and hold real and personal property for corporate purposes, have a common seal and change the same at pleasure, and exercise all powers herein conferred; and shall not, by such re-organization, be deprived of any of its former corporate powers, functions or rights, nor shall any provisions of its charter be thereby repealed or changed, excepting so far as the same may be modified by or are inconsistent with the provisions of this act.

§ 7. All ordinances, resolutions and by-laws, in force in any city re-organizing under this act, shall continue in full force and effect until repealed or amended, notwithstanding such change of organization; and such re-organization shall not be construed to effect a change in the legal identity, as a corporation, of such city.

§ 8. All rights and property of every kind and description which were vested in any city under its former organization, shall be deemed and held to be vested in such city upon its becoming re-organized under the provisions of this act; but no rights or liabilities, either in favor of or against such city, existing at the time of so becoming re-organized under this act, and no suit or prosecution of any kind, shall be affected by such change, but the same shall stand and progress as if no change had been made: *Provided*, that when a different remedy is given by this act, which may properly be made applicable to any right existing at the time of such re-organization under this act, the same shall be deemed cumulative as to the remedies before provided, and used accordingly.

§ 9. The mayor of any city which may re-organize under this act shall, within three months after the election of officers under this act, cause to be filed in the office of the recorder of deeds, in the county in which such city is located, a certified copy of the entry made upon the records of the city of the canvass of the votes, showing the result of such election, whereby such city became so organized, and such recorder of deeds shall record the same. And such mayor shall also cause a like certifi-

cate to be filed in the office of the secretary of state, who shall file the same, and keep a registry of cities re-organized under this act.

## ARTICLE II.

### THE MUNICIPAL GOVERNMENT.

SECTION 1. Such city shall have a mayor and a common council, a comptroller, a council [counsel] to the corporation, a city attorney, a city treasurer, a city clerk, a commissioner of public works, a commissioner of police, a fire commissioner, a commissioner of health, one or more police clerks, and such other officers or agents as may be provided for in this act, or the common council of said city may, from time to time, by ordinance, provide for.

§ 2. The common council shall consist of two separate and distinct branches, one of which shall be denominated "the board of councilors," and the other "the board of alderman [aldermen.]"

§ 3. The board of councilors shall consist of fifteen members, who shall be elected from the city at large, irrespective of their places of residence within said city. The board of aldermen shall consist of three members from each and every ward in the city. No person shall be eligible to the common council unless he shall be a qualified elector, nor if, at the time of his qualification, he shall hold any other city, county, state or national office except that of notary public or commissioner of deeds; nor if he shall have been convicted of bribery or other corrupt practices or crimes; and if, after his election, he shall be convicted of any crime, or be appointed or elected to any other city, county, state or national office, except that of notary public or commissioner of deeds, his office shall be thereby vacated; and no person shall be eligible to the board of alderman [aldermen] unless he shall have resided in the ward for which he is elected at least six months prior to his election.

§ 4. No person shall be elected or appointed to any office in such city who is not a citizen of the United States and who shall not have resided in this state one year next preceding such election or appointment; and no person shall be eligible to any office or place under this or any other act in relation to the city, who is now, or may hereafter be, a defaulter to the city, or to the state of Illinois, or any county thereof; and any person shall be considered a defaulter who has refused or neglected, or who may hereafter refuse or neglect, for thirty days after demand made, to account for and pay over to the party authorized to receive the same, any public money which may have come into his possession. And if any person holding any such office or place shall become a defaulter as above defined, whilst in office, the office or place shall thereupon become vacant.

§ 5. Every officer elected or appointed to any office under this act, or which may hereafter be created, by ordinance or otherwise, shall, before he enters upon the discharge of his duties, take and subscribe an oath or affirmation that he will support the constitution of the United States and the state of Illinois, and will faithfully discharge the duties of his office according to the best of his abilities; which oath or affirmation shall be filed in the office of the city clerk, excepting the oath or affirmation taken by such clerk, which shall be filed in the office of the mayor.

§ 6. The comptroller shall, before he enters on the duties of his office, execute a bond to the city, in such sum and with such sureties as

the board of councilors shall approve, conditioned that he will faithfully execute the duties of his office, and account for and pay over all moneys and other property received by him; which bond, with the approval of said board certified thereon by the clerk, shall be filed with the clerk.

§ 7. Any person elected to the office of councilor or alderman who shall neglect or refuse to qualify within ten days after he shall have received notice of his election, shall forfeit and pay to the city where he is so elected the sum of one hundred dollars, to be recovered by a proper action against him in the name of such city, before any court having jurisdiction of such action: *Provided, however,* that physical disability, or the fact that such person, at the time of his election, shall be necessarily absent from the city, in consequence of sickness or business engagements, or shall hold a city, state or federal office, or is incapacitated from holding such office, under section three (3) of article two (2) of this act, shall be a sufficient excuse for refusing to qualify as such officer.

§ 8. That the mayor, together with the following named officers: the comptroller, the counsel to the corporation, city attorney, the commissioner of public works, the commissioner of health, the fire commissioner and the commissioner of police, shall, for the purpose hereinafter named, meet once in each and every week, and shall be known and styled "the mayor's cabinet."

§ 9. It shall be the duty of these officers, at such meetings, to consult and advise together concerning the affairs of the city, and to offer and suggest such measures as, in their opinion, will best promote and advance the interests of the city.

§ 10. Whenever any city officer shall advertise for sealed proposals for any public work or contract of any kind whatsoever, it shall be the duty of such officer to take and lay the sealed proposals, as received by him, before the mayor's cabinet, for their consideration and approval; and such proposals shall then and there be opened and a public record made thereof, and the award, if any be made, shall be made by such officer, and shall, in all cases, be made to the lowest responsible bidder, whose security for the performance of the contract, in the judgment of such officer and a majority of the mayor's cabinet, shall be sufficient to insure the performance of the work or contract, according to the stipulation thereof, respectively: *Provided,* that no award nor the letting of any public work or contract shall be valid unless such award shall be approved by a majority of the mayor's cabinet by a vote taken by yeas and nays, of which a public record shall be made: *Provided,* that no bid shall be considered from any person who has heretofore failed in the performance or due execution of any contract he may have been engaged in with the city.

§ 11. No officer shall make any contract or agreement of any kind whatsoever, in behalf of the city, exceeding the sum or value of five hundred dollars, without first having obtained the approval of a majority of the officers composing such cabinet; and no sale, purchase, contract or agreement shall be made without public advertisement and letting, unless specifically directed by the common council; and the common council shall, by general ordinance, prescribe the mode of such advertisement.

§ 12. The mayor, or any two members of said cabinet, shall have the power to call sessions of said cabinet as often as he or they may deem it necessary, at which said meetings the mayor shall preside.

## ARTICLE III.

## OFFICERS—THEIR ELECTION AND APPOINTMENT.

SECTION 1. The election of city officers, under this act, shall be held on the first Tuesday next after the first Monday in November succeeding the adoption of this act, and biennially thereafter, and the officers to be voted for and chosen at such election shall be as follows: a mayor, a city treasurer, city attorney, commissioner of health, fifteen members of the board of councilors, (except as herein provided), elected from the city at large, and three members of the board of aldermen from each ward in such city; and the officers so chosen shall enter upon the duties of their respective offices on the first Monday of December succeeding their election.

§ 2. All officers of the municipal government of the city, other than those named in the first section of this article, or who may hereafter be provided for by ordinance or otherwise, shall be appointed in the manner hereinafter directed.

§ 3. The mayor, city treasurer, city attorney, commissioner of health and members of the board of councilors shall be elected by the qualified voters of the city, upon a general ticket, and the mayor, city attorney, commissioner of health and city treasurer shall hold their respective offices for the term of two years, beginning on the first Monday of December next succeeding their election, and until their successors are elected and qualified: *Provided*, that no person shall be eligible to the office of mayor or city treasurer more than once in four years: *And, provided, further*, that no member of the mayor's cabinet shall be eligible to the office of mayor until two years after he shall have ceased to be a member of such mayor's cabinet.

§ 4. The members of the board of councilors shall, except as hereinafter provided, hold their office for the term of four years, beginning on the first Monday of December next succeeding their election, and until their successors are elected and qualified: *Provided, however*, that at the first meeting of said board its members shall be divided by lot in two classes, in such manner as shall be directed by said board, and the first class shall be composed of seven members, and the second class of eight members; and those members elected at the first election under this act, composing the first class, shall hold their offices for a term of two years, beginning on said first Monday of December succeeding their election, and until their successors are elected and qualified; and those members composing the second class, shall hold their offices for a term of four years, beginning as aforesaid, and until their successors are elected and qualified, and thereafter at each biennial election those members of the board of councilors shall be elected whose terms of office in pursuance of the above classification expire at the time of such election.

§ 5. The members of the board of alderman shall be elected by wards, and each of the several wards in the city shall be represented by three aldermen in such board, who shall hold their offices for a term of two years, beginning on the first Monday of December, next succeeding their election, and until their successors are elected and qualified.

§ 6. Whenever this act shall be submitted to the lawful electors of any city for adoption, there shall be separately submitted at the same time, for adoption or rejection, the question of minority representation in the common council or legislative authority of such city. At the

said election the ballots shall be in the following form: "For minority representation," or "Against minority representation." The judges of such election shall make returns thereof to the common council, whose duty it shall be to canvass such returns, and cause the result of such election to be entered on the records of such city. If a majority of the votes cast at such election shall be "For minority representation in the common council," then, in all elections of members of the common council, such members shall be elected on the minority plan; that is, in voting for members of the board of councilors, each voter may cast as many votes as there are members of such board to be elected at such election, and may cast such votes all for one candidate, or distribute such votes among the several candidates, as he may choose. And in voting for members of the board of aldermen, each voter may cast as many votes as there are members of the board of aldermen to be elected at that election from his ward, and may distribute such votes among the several candidates. And the intention of such voter, in voting, may be expressed on the face of his ballot in the manner provided in section 54, chapter 46, entitled "Elections," of the Revised Statutes of 1874, for the election of representatives to the general assembly, except that in voting for members of the board of councilors, no fractional votes shall be cast. But if at the election for the adoption of this act, a majority of the votes cast on the subject shall be "Against minority representation in the common council," then said members of the board of councilors shall be elected upon a general ticket from the city at large, by a plurality vote. And the aldermen in each ward shall be elected in each ward by a plurality vote.

§ 7. If any councilor shall remove from the city, or if any alderman shall remove from the ward represented by him, or if any member of the common council shall engage or continue in any service, business or employment causing a continuous absence from the city for more than four months, his office shall thereby become vacant, and whenever any vacancy from any cause shall occur in the common council, the common council shall, within ten days after such vacancy, order a new election: *Provided*, that more than six months of the term shall then remain unexpired.

§ 8. Whenever there shall fail to be an election of any officer voted for by the people, in consequence of two or more candidates receiving an equal number of votes for the same office, the election shall be determined by the casting of lots under the direction of and in the presence of the board of councilors, and the result shall be entered upon the records of said board.

§ 9. The qualification of all voters under this act shall be the same as now required by law at general elections.

§ 10. At least five days before the county clerk is or may be required by law to give notice of election, the city clerk shall notify the county clerk of the county in which such city is situated, [of] the officers to be elected for such city at the ensuing election, and upon receiving such notice such county clerk shall include the same in the notice required to be given under the election laws of the state, and such city officers shall be voted for on the same ballots with the county officers then to be elected, and the returns of such election shall be made to the county clerk with other county officers, and the votes shall be canvassed as is provided by law for county elections: *Provided*, that before proceeding to canvass such votes, the county clerk shall notify the city clerk to be



present at such canvass; the result of which election, so far as the city officers are concerned, shall, within five days after such canvass, be certified to the city clerk, the form of such certificate to be, as nearly as may be, as required by law when such county clerk certifies the result of elections for state officers. Any person so shown to be elected shall, on such certificate, receive from the city clerk a certificate of his election: *Provided*, that the election of any such person may be contested in the mode and manner provided by the general laws of the state for contesting elections, as nearly as may be.

§ 11. In case of a vacancy in any office, to fill which, under this act, an election is to be held, the city clerk shall notify such vacancy to the county clerk, and the officer to be elected, and the time fixed for such special election, whereupon the county clerk shall call a special election to fill such vacancy, which such special election shall be held and the return made and the votes canvassed as nearly as may be, as in the case of an election to fill a vacancy in a county office, except that the city clerk shall be notified to be present at such canvass as provided in the next preceding section of this act. The result of such election shall be certified to the city clerk and the certificate issued, and the election contested (if contested) as provided in the next preceding section of this act. The expenses of such special election shall be paid by said city.

§ 12. Every person elected or appointed to fill a vacancy, shall hold his office and discharge the duties thereof for the unexpired term, with the same right and subject to the same liabilities as the person whose office he may be elected or appointed to fill.

## ARTICLE IV.

### COMMON COUNCIL.

SECTION 1. The legislative powers of any city reorganizing under this act shall be vested in a common council, consisting of a board of councilors and a board of aldermen.

§ 2. Each branch of the common council shall elect, annually, from among its members, a president of the board, who shall preside over their deliberations and appoint all standing committees; and in the absence of the president, a president *pro tem.* shall preside. The city clerk shall act as clerk for each board, and shall have such assistance as shall be furnished.

§ 3. Each board may determine its own rules of proceeding, and prescribe the punishment of its members for non-attendance or disorderly conduct, and enforce the same; two-thirds of its members concurring may expel a member for improper conduct while in office. It shall require a majority of all the members elect to constitute a quorum for the transaction of business; but a smaller number may adjourn, from time to time, and may compel the attendance of absent members.

§ 4. Each board shall keep a correct journal of its proceedings, and publish the same as may be prescribed by ordinance; and all the city printing shall be done in conformity with such ordinances as the common council shall enact.

§ 5. The two branches of the common council shall hold their meetings in separate rooms. They shall assemble on the first Monday in

December next after their election, and shall meet regularly thereafter, at least once in each week, unless otherwise ordered by ordinance.

§ 6. No member of either branch of the common council shall receive any compensation whatsoever for his services as such officer.

§ 7. All legislative powers of any such city shall be vested in the common council composed of the board of councilors and board of aldermen, to be exercised by concurrent action, each board as hereby constituted having a negative vote upon the proceedings of the other, and the mayor having a veto power as herein provided; but no ordinance, resolution or vote to which the concurrence of said boards is necessary, having passed one board, shall be finally acted upon by the other board until after a lapse of at least three days from such passage, unless by the unanimous vote of the members of such other board, to be taken by yeas and nays and entered upon the record.

§ 8. All appropriation bills or ordinances, and all ordinances or resolutions imposing taxes or certifying amounts to be raised by taxation, shall originate in the board of aldermen, but the board of councilors may propose or concur with amendments as on other bills or ordinances. All other ordinances, orders or resolutions may originate in either branch; and a majority of all the members in each branch, authorized by law to be elected, shall be necessary to pass such other ordinances, order or resolution, unless otherwise herein provided.

§ 9. The common council shall have power to pass all ordinances, orders and resolutions necessary and proper to carry out the provisions of this act, or any law of the state, special or general, relating to such city.

§ 10. Both branches of the common council shall at all their meetings sit with open doors.

§ 11. The yeas and nays shall be taken upon the passage of all ordinances, joint resolutions and propositions to create any liability against the city, or for the expenditure or appropriation of its money and for the sale of any city or school property, (and in all other cases at the request of any two members), and shall be entered on the record; and a majority of all the members elected in each branch shall be necessary to the passage of any such ordinance or proposition.

§ 12. No vote of either branch of the common council shall be reconsidered after the adjournment of the session at which such vote was taken, except at the next regular meeting.

§ 13. The common council shall have the power to fix and establish the amount of salary to be paid to any and all city officers, (except members of the common council,) and also to firemen and policemen, in the annual appropriation ordinance, or by some ordinance passed prior to the passage of such annual appropriation ordinance; and the salaries or compensation thus fixed and established or allowed, and the payment of which is so provided for, shall neither be increased nor diminished during the term of such officer, except in the case of those firemen and policemen who are appointed during good behavior, and whose compensation having been at any time fixed, shall not, during the period of one year thereafter, be increased or diminished: *Provided, however*, that the salaries of the employees shall be fixed by the officers or commissioners by whom they are employed, except as herein otherwise provided: *And, provided, further*, that the aggregate salaries of the employees shall not exceed the aggregate amount appropriated by the common council for

such purpose: *And, provided, further*, that no officer elected or appointed shall receive, as salary or compensation, a greater sum than \$5,000 per year. And such officers or commissioners, except where herein otherwise specifically provided, shall have power to appoint and remove, at their pleasure, all the employees and appointees of their respective departments.

§ 14. The common council shall have power by ordinance, from time to time, to require other and further duties to be performed by any officer of the city than those herein prescribed, not inconsistent with this act; and to provide for the giving of a bond by any person appointed to any office in such city (whose bond is not herein specifically provided for), for the faithful performance of the duties of such office: such bonds to be in such amount and to be approved in such manner as such ordinance shall prescribe. The common council shall have power to provide for and to fix places for the holding of one or more police courts in the city; and the mayor may, with the approval of the board of councilors, designate from among the justices of the peace in such city one or more to act as police justices to hold court at such designated places.

§ 15. The common council of any city organized under this act shall not have power to levy a tax exceeding one and one-half ( $1\frac{1}{2}$ ) per cent. per annum upon the assessed value of the property in said city, for all purposes: *Provided, however*, that this restriction shall not be construed to prevent the levying of special assessments, or to take away any powers vested in such city, by its former charter, to provide for special and unforeseen emergencies.

§ 16. That whenever, by the charter of any city which may be organized under this act, in force at the time of such organization, any special powers are conferred upon the finance committee of the common council or city council of such city, or any duties are imposed upon such committee, in such case all such powers and duties shall devolve upon the finance committee of the board of aldermen under this act; and whenever by such former charter the examination of reports, the adjustment of accounts and approval, sanction of or consent to loans, and the signing of certificates or other evidence of indebtedness, are provided to be done by the finance committee of the common council, the same shall, under this act, be done by the finance committee of the board of aldermen.

## ARTICLE V.

### OFFICERS—MAYOR.

SECTION 1. The chief executive officer of any city re-organizing under this act, shall be styled the mayor, who shall be elected for two years and until his successor has been elected and qualified, as herein-before provided.

§ 2. No person shall be eligible to the office of mayor who is not at least thirty years of age, and who has not been a *bona fide* resident of the city at least three years preceding his election, or who at the time of his qualification holds any other public office.

§ 3. The mayor shall, at least once in each year, give to the common council information, in writing, of the state of the corporation, and such other information as the said council may need; and may recommend to the council such measures as he may deem expedient. He shall have

a general supervision of all the officers of the city, and see that the provisions of this act and all laws and ordinances relating to such city are enforced.

§ 4. Every order, ordinance, or resolution, passed by the common council, shall be approved by the mayor before it shall take effect; and every vote for the payment of money or creating or affecting any liability for or against such city before it shall take effect shall also be approved by the mayor. If he disapprove it, he shall, with his objections in writing, return the ordinance, resolution, order or vote, vetoed, within five days after its passage, to the city clerk, who shall present it to the board in which it originated, at its next regular meeting, and if passed by that board over the mayor's veto, it shall be sent to the other board for its action thereon; but each board concurring, by a two-thirds majority vote of all its members authorized to be elected, shall be necessary to pass the same over the mayor's veto: *Provided, however*, if the mayor fails to return any order, ordinance or resolution, as aforesaid, he shall be deemed to have approved the same, and it shall take effect and become a law without further action of the council.

§ 5. The mayor alone shall have power to call special sessions of the common council, whenever in his judgment he may deem it necessary; and such meeting shall be called by a notice to each of the members of said council, served personally, or left at his usual place of abode, and when so called he shall state in the call the object for which they are to be convened, but no business shall be transacted at such special meeting other than that for which such meeting was called.

§ 6. When any vacancy shall occur in the office of mayor, from any cause whatsoever, such vacancy shall be filled by a new election, to be called by order of the common council, within ten days after the happening of such vacancy: *Provided*, six months or more of the term of office shall then remain unexpired; if less than six months of the term shall remain unexpired, the president of the board of councilors shall thereupon become acting mayor for the unexpired portion of said term.

§ 7. In case the mayor shall be unable to perform the duties of his office by reason of absence or sickness, he may, by writing signed by him and filed with the city clerk, appoint the president of the board of councilors to discharge the duties of mayor, and upon such appointment, the said president of the board of councilors shall be vested with all the powers and perform all the duties of mayor until the mayor shall resume his office, or until the vacancy shall be filled by a new election.

§ 8. It shall and may be lawful for the mayor of the city, whenever any annual appropriation bill or ordinance providing for the municipal expenditures is submitted to him for approval or disapproval, to veto any one or more items or appropriations contained in such bill or ordinance, or to veto or approve the entire bill or ordinance. If he shall veto only a part of such bill or ordinance and approve the remainder, the part approved shall be as valid as if the whole ordinance had been approved; and he shall report to such legislative authority his reasons for vetoing the part of the ordinance vetoed, and the same proceedings shall be had, as to the items or parts vetoed, as is by law provided to be had when there is a veto of the bill or ordinance as a whole.

§ 9. All officers of the city who are not herein required to be elected by the people, or whose appointment is not herein otherwise provided

for, shall be nominated, and by and with the consent of a majority of the board of councilors, appointed by the mayor at the first meeting of said board succeeding each biennial election, or as soon thereafter as may be, and the officers so appointed shall hold their offices for two years, unless sooner removed, and until their successors are appointed and qualified; and in case of a vacancy occurring in any such office, then an appointment may, in like manner, be made by the mayor to fill such vacancy, and the person so appointed shall hold the office until the expiration of the original term.

§ 10. The mayor shall have power to remove (subject to the disapproval thereof by the board of councilors, as herein provided,) any officer of the city appointed by himself, or by any prior mayor thereof, whenever he shall be of opinion that the interests of the city demand such removal; but when he shall so remove any such officer, he shall communicate in writing his reasons for such removal to the board of councilors at their next regular meeting following such removal; and if two-thirds of all the members elected to said board shall, at that meeting or at the next regular meeting, by a vote taken by yeas and nays and entered on the record, disapprove of such removal, then such removal shall be of no force and effect; but it is hereby provided, that such removal, until disapproved by the said board of councilors, shall work a suspension from office of the officer so removed, and the mayor may appoint a suitable person to perform the duties of the officer removed, during such suspension, and may take bonds from said appointee for the faithful performance of his duties while holding such office.

§ 11. The mayor shall have power to release or pardon any person convicted of any violation of any city ordinance, and in cases where a fine is imposed and has not been paid, he may remit the whole or any part thereof.

§ 12. The mayor shall order a detail of one or more policemen to attend upon each board of common council, when in session, and execute their lawful orders.

#### CITY COMPTROLLER.

§ 13. The city comptroller shall exercise all powers and perform all the duties conferred and prescribed in the charter of any city re-organized under this act at the time of the adoption of this act by such city, and shall report annually, on or about the first day of April, to the common council, a statement, in detail, of the expenses of the city during the preceding year, and likewise a detailed estimate of the revenue necessary to be raised for the ensuing year; and the fiscal year of the city shall commence on the first day of April. He shall, in said report, class the different objects and branches of said city expenditure, giving, as nearly as may be, the amount required for each; and for this purpose he is authorized to require of all city officers and heads of departments their statements of the condition and expenses of their respective departments and offices, with any proposed improvement and the probable expense thereof, of contracts already made and unfinished, and the amount of any unexpended appropriations of the preceding year. He shall also, in such report, show the aggregate income of the preceding fiscal year from all sources; the amount of liabilities outstanding upon which interest is to be paid, and of bonds and city debts payable during the year, when due and where payable, so that the common council may

fully understand the money exigencies and demands of the city for the current year.

§ 14. In addition to the other duties of the comptroller of said city, it is hereby made his duty, on or before the tenth day of each and every month, to make out a monthly statement, giving a full and detailed statement of all moneys received and from what sources, and on what account received, and of all moneys ordered to be paid or drawn for by warrant by him, and on what account the same have been paid, for the month preceding that in which such statement is made; and the said comptroller shall cause the said monthly statement to be delivered to each branch of the common council at their next regular meeting, and to be printed and published in such manner as the common council shall direct.

§ 15. He shall examine the reports, books, papers, vouchers and accounts of the treasurer, and shall perform such other duties as are prescribed in this act, and as the common council may, from time to time, direct.

§ 16. All claims and demands against the city, before they are allowed by the common council, shall be audited and adjusted by the comptroller, and immediately after the allowance by the common council of any claim or account, it shall be the duty of the clerk to furnish to the comptroller a complete list of the same, and, before any warrants shall be issued therefor, it shall be the duty of the comptroller to countersign the same.

§ 17. The comptroller shall be authorized to administer oaths and affirmations in all matters arising under the laws and ordinances of the city; and he may require all parties having claims or accounts against the city or either of the wards, to verify the same by affidavit. In all cases of doubt arising under any claim or contract against or with the city, he shall inquire into the same; and for this purpose he may examine parties and others under oath. And if any person shall swear or affirm falsely, touching the expenditure of any of the money of the city, or in support of any claim against the said city, such person shall be subject to indictment on information, and on conviction thereof shall be punished as for willful and corrupt perjury.

§ 18. The comptroller shall keep a record of all his acts and doings, which record shall be open to the inspection of all parties interested. He shall not be directly or indirectly interested in any contract or job to which the city is a party.

#### THE CITY TREASURER.

§ 19. The city treasurer shall receive all moneys belonging to the city, and shall keep his office in some place, to be designated by the common council, appropriated to the keeping of such office, in the treasury department. He shall keep his books and accounts in such manner as the city comptroller or common council may prescribe, and such books and accounts shall be always subject to the inspection of said comptroller and the finance committee.

§ 20. All warrants drawn upon the treasurer must be signed by the comptroller and countersigned by the mayor, stating therein the particular fund or appropriation to which the same is chargeable and the person to whom payable; and no money shall be otherwise paid than upon such warrants so drawn.

§ 21. He shall keep a separate account of each fund or appropriation, and the debts and credits belonging thereto.

§ 22. He shall give every person paying money into the city treasury a duplicate receipt therefor, specifying the date of payment, upon what account paid; and he shall also file copies of such receipts with the city comptroller at the date of his monthly reports.

§ 23. The treasurer shall, at the end of each and every month, and oftener if required, render an account to the comptroller, under oath, showing the state of the treasury at the date of such account, and the balance of moneys in the treasury, and where such moneys are kept. He shall also accompany such sworn account with a statement of all moneys received into the treasury and on what account, together with all warrants redeemed and paid by him, which said warrants, with any and all other vouchers held by him, shall be delivered over to the comptroller and filed with his said account in the comptroller's office upon every day of such settlement. He shall return all warrants paid by him stamped or marked "paid," and shall give a list of said warrants, stating the number and amount of each.

§ 24. The treasurer, before entering upon the duties of such office, shall give bond with sureties to the amount of not less than two hundred thousand dollars, and the amount of his bond may be increased to such sum as may be fixed by the common council; said bond to be approved by the common council and filed in the clerk's office, and entered on record. He shall also be sworn the same as other officers, to the faithful discharge of the duties of his office.

#### THE CITY CLERK.

§ 25. The clerk shall keep the corporate seal, and make a record of the proceedings of the common council, at whose meetings it shall be his duty to attend; and copies of all papers duly filed in his office, and transcripts from the records of the proceedings of the common council, certified by him under the corporate seal, shall be evidence in all courts, in like manner as if the originals were produced. He shall also have power to administer any oath authorized to be taken by the laws of this state.

§ 26. The city clerk shall be authorized to appoint one or more deputies, subject, however, to the approval of the common council. Such deputies, after confirmation by the council, and after taking the oath required to be taken by the clerk, may, in case of the sickness or absence of the clerk, perform all the duties imposed by law, or any ordinance of the city, on said clerk, and shall likewise be subject to the same liabilities and penalties.

§ 27. The clerk shall record all orders and ordinances passed by the common council, in a proper book or books, with proper indexes; and transcripts from such books, certified by him under the corporate seal, shall be evidence in all courts and places, in like manner as if the originals were produced.

#### THE COUNSEL TO THE CORPORATION, AND CITY ATTORNEY.

§ 28. The counsel to the corporation, and the city attorney, shall devote themselves exclusively to the duties of their respective offices, and shall have their offices in such place as shall be provided by the common council. Neither of said officers shall be employed in any other

business than that which relates to the duties of their offices respectively, during the term for which they were chosen.

§ 29. The counsel to the corporation shall be the chief officer of the law department of the city. He shall, with the city attorney, conduct all the law business of the corporation and of the departments thereof, and all other law business in which the city shall be interested, when so ordered by the corporation. Said officers shall hold their office in such place as the city shall provide, and, when required, shall furnish written opinions upon subjects submitted to them by the mayor or common council, or any other department of the municipal government. They shall keep a docket of all the cases to which the city may be a party in any court of record, in which shall be briefly entered all steps taken in each cause, and which shall, at all times, be open to the inspection of the mayor, comptroller, or any committee of the common council.

#### THE COMMISSIONER OF PUBLIC WORKS.

§ 30. It shall be the duty of the commissioner of public works to take the special charge and superintendence, subject to such general ordinances as may be lawfully established by the common council, of all streets, alleys, lanes or highways in the city, and of all walks and cross-walks in the same, and of all bridges, docks, wharves, public places, public landings and public grounds and parks in said city, and of all markets, market places and market houses, engine houses, hospitals, armories and other public buildings in the city, belonging to the city, except school houses, and of the erection of all public buildings; to procure the necessary plans and specifications for the same, and of all lamps and lights for the lighting of the streets, alleys, lanes, highways, bridges, parks, public places and public buildings of the city, and of the erection and repair of such lamps and lights; of all works for the widening, deepening or dredging of any river in such city, or of its branches; of all sewers and the works pertaining thereto; of the water works of said city; of all public improvements hereafter to be commenced by the city; and he shall perform all the duties by this act prescribed, and such other duties as the common council may prescribe by ordinance: *Provided, however,* that nothing herein contained shall be construed to confer any power or control upon such commissioner over any public park or parks, the government and control whereof is vested by law in any board or boards of park commissioners.

§ 31. The commissioner of public works may appoint one or more deputies, for whose acts he shall be responsible; and such other assistants as may be provided by law.

§ 32. Said commissioner shall, before entering upon the discharge of his duties, give bond to the city in such sum as the common council shall prescribe, with sureties to the satisfaction of the mayor and board of concilors, which bond shall be conditioned for the faithful discharge of his duties as such commissioner, and that he will well and truly pay over any and all money, and surrender any and all property, books and papers which may come into his hands as such commissioner, on the expiration of his term of office, or when required to do so by the common council.



## THE COMMISSIONER OF HEALTH.

§ 33. Said commissioner of health may, subject to all general ordinances of such city, make such rules and regulations as he may deem advisable, in harmony with the provisions and objects of this act, and all acts, (the object of which is to promote and preserve the health, safety and sanitary condition of the city,) now existing or that may hereafter be passed, not inconsistent with the constitution or laws of this state, and enforce the same.

§ 34. Said commissioner may appoint one or more deputies, for whose acts he shall be responsible, and such other assistants as may be provided by law.

§ 35. Said commissioner, before entering upon the duties of his office, shall take the oath prescribed herein, and shall also give a bond to the said city, in such sum as the common council shall prescribe, conditioned for the faithful performance of his duties as such commissioner of health under the provisions of this act, said bond to be approved by the board of councilors, and filed with his oath of office in the office of the city clerk.

## COMMISSIONER OF POLICE.

§ 36. It shall be the duty of the commissioner of police to assume and exercise the entire control of the police force of such city; and he is hereby invested with full power and authority over the police organization, government, appointment and discipline within such city.

§ 37. The duties of the police force shall be executed under the direction and control of said commissioner, and according to rules and regulations, which he is hereby authorized to make from time to time, for the more proper government and discipline of his subordinate officers and the police force of said city. The said force shall consist of said commissioner of police, one deputy commissioner of police, three or more captains of police, sergeants of police, and as many police patrolmen as may be authorized by the common council, on the application of the police commissioner, and each patrolman so appointed shall hold office only during such time as he shall faithfully observe and execute all the rules and regulations of said commissioner and the laws of the state, and the ordinances of the city: *Provided*, that the said commissioner may at any time remove said deputy, or any other member of the police force, and make the necessary appointments to fill such vacancy; but such commissioner shall not remove any such deputy or other member of such police force, except for incompetency, neglect of duty, or other cause affecting his fitness to discharge the duties of such office, and such commissioner shall, within ten days after such removal, report in writing to the common council the name or names of the person or persons so removed, and the reason for such removal.

§ 38. The commissioner of police, in his annual estimate of police expenses made to the city comptroller, shall, if in his judgment the public weal requires it, recommend to the common council such additional police patrolmen, and also such additional sergeants as may be necessary.

§ 39. The common council may, on such recommendation of said commissioner, provide by ordinance for such increase of patrol force: *Provided, however*, it shall require three-fourths of all the members

elect of each branch of the council authorized by law to be elected, to pass such ordinance.

§ 40. Said commissioner of police may appoint a deputy, for whose acts he shall be responsible, and such other assistants as may be provided by law.

§ 41. Before entering upon the duties of his office, said commissioner shall take an oath as prescribed herein, shall also give a bond to said city in such sum as the common council shall prescribe, with sureties to the satisfaction of the board of councilors, conditioned for the faithful discharge and performance of his duties as such commissioner, and that he will well and truly account for, and pay over, any and all moneys, and surrender any and all property, books and papers, which may come into his hands as such commissioner, on the expiration or other termination of his term of office.

#### POLICE CLERKS.

§ 42. It shall be the duty of the mayor to appoint, as hereinbefore provided, one or more police clerks.

§ 43. Such clerk shall attend the police court to which he is assigned by such appointment, and he shall keep a full, detailed and complete account, on his docket, of all cases and persons arrested and brought before such police court; how tried and disposed of; the number of cases disposed of; the cases in which moneys have been collected, and the cases in which money is to be collected; the amount of all forfeitures, penalties and fines assessed, or the punishment fixed in each case, with the fees and costs accrued and accruing thereon; and on behalf of said city to collect and receive from the justices of such police court all such fees, fines, penalties and forfeitures, and the proceeds of all judgments and executions, and all moneys whatever accruing, or to be paid in for the use of the city, from the enforcement of any of the laws thereof, and forthwith to pay over the same to the treasurer of the city.

§ 44. The said police clerk shall, at the close of every day, make a written report to the comptroller, containing the name and number of each case disposed of during the day, in which the city is a party, and its final disposition; the names of all witnesses in each case to whom certificates for witness fees have been issued, with the amount of each fee; and also the amount of all such fines, penalties and forfeitures as he may have collected during said day. He shall also specify in his said report the number of cases pending, the number of cases in which any fine, forfeiture or penalty has been inflicted, and the amount thereof, and also the amount of moneys outstanding to be collected in such cases, and the state of each case respectively, and, upon making each and every statement, he shall verify the same by oath taken before some competent officer, that such statement is a full, fair and complete statement of all the moneys received and collected by him during said day, and of all matter required by law to be embraced in said report. He shall also pay over to the city treasurer, at the close of every day, all moneys received and collected by him as such clerk, and shall file his receipt therefor with the said comptroller.

§ 45. In case of the failure of such clerk to make such report and pay over said moneys daily, as herein required, a notice shall be served on him by the comptroller that within three days he is required to make such returns and pay over all moneys received, and in case of the failure

of said clerk to pay over said moneys and make such report to the satisfaction of said comptroller, he shall be suspended and removed from office by the mayor, with the concurrence of the board of councilors, as hereinbefore provided for the removal of officers.

#### FIRE COMMISSIONER.

§ 46. It shall be the duty of the fire commissioner, subject to all general ordinances of such city, to assume and exercise the entire control of the fire department of the city, and he shall possess full power and authority over its property and equipments, organization, government, appointments and discipline within the city.

§ 47. He shall have power to appoint one or more fire marshals and assistant fire marshals, and as many competent and respectable citizens, to be known as the fire police, as may be authorized by the common council. He shall promulgate all regulations and orders relating to the fire department, and it shall be the duty of all subordinate officers and the fire police to respect and obey said commissioner as the head and chief of the department.

§ 48. Said commissioner shall have power to make all the rules and regulations necessary for the government and discipline of said fire department, and to remove or suspend at will any member of said department whenever in his judgment the interests of the department requires such suspension or removal, and every such order of suspension or removal shall be final and conclusive. But such commissioner shall not remove any member of said department except for incompetency, neglect of duty or other cause affecting his fitness to perform the duties of such office; and such commissioner shall, within ten days after such removal, report in writing to the common council the name or names of the person or persons so removed and the reasons for such removal.

### ARTICLE VI.

#### MISCELLANEOUS PROVISIONS.

SECTION 1. Whenever any city in the state shall re-organize under this act, in the manner and form as herein provided, and whenever, by the former charter or ordinances of such city, or both, the duties of any officer named in this act shall have been prescribed and defined, every such officer shall do and perform all and singular the duties as prescribed and defined in such former charter and ordinances of such city except as otherwise provided in this act, and subject to the limitations and restrictions contained in such charter or ordinances; and whenever, under the old organization of such city, any duties were to be performed, or any powers were to be exercised by any board or officers of such city, not inconsistent with the provisions of this act, and provision is not fully made in this act for some officer or officers to discharge such duties and exercise such powers, the mayor may designate what officer or officers respectively provided for in this act, shall perform such duties, or exercise such powers, until such duties and powers respectively shall be assigned by ordinance to some officer or officers under the new organization.

§ 2. When the legislative authority of any city, prior to the passage of this act, has appointed a time after April 1, 1875, and prior to the

taking effect of this act, for holding an election to determine the question as to whether such city shall become organized under the act of the general assembly, entitled "An act for the incorporation of cities and villages," and approved April 10, 1872, and when at such election such question shall have been determined against such organization, there shall be held in such city on the tenth day of August, A. D. 1875, an election, at which shall be submitted to the voters of said city the question whether such city shall re-organize under this act, and that without further petition from the voters.

§ 3. Nothing in this act contained shall repeal or in anywise modify the provisions of an act approved April 10, 1872, entitled "An act to provide for the incorporation of cities and villages," but this and that act shall each be in force as a general law, and any city may organize or re-organize, as provided in either, at the will of the voters.

APPROVED April 8, 1875.

---

## CITIES AND VILLAGES.

---

§ 1. Amend section 10 article 5, general act—Jurisdiction over waters—Street labor. In force July 1, 1875.

AN ACT to amend section ten (10), of article five (5), of "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 10, of article 5, of said act, be amended so as to read as follows, viz :*

"§ 10. The city or village government shall have jurisdiction upon all waters within or bordering on the same, to the extent of three miles beyond the limits of the city or village, but not to exceed the limits of the state; and may, by ordinance, require every able bodied male inhabitant of such city or village, above the age of twenty-one years and under the age of fifty years, (excepting paupers, idiots, lunatics, and such others as are exempt by law,) to labor on the streets and alleys of such city or village, not more than three days in each year, but such ordinance shall provide for commutation of such labor at not more than one dollar and fifty cents per day."

APPROVED April 10, 1875.

## SIDEWALKS.

- |   |  |  |
|---|--|--|
| § 1. Sidewalks by taxation.<br>§ 2. What ordinance may provide.<br>§ 3. In case of default to construct sidewalk.<br>§ 4. Special tax—duty of clerk—report. |  | § 5. General officer to obtain judgment—by what law governed.<br>§ 6. When constructed by owner, may obtain order.<br>In force July 1, 1875. |
|---|--|--|

AN ACT to provide additional means for the construction of sidewalks in cities, towns and villages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* in addition to the mode now authorized by law, any city or incorporated town or village may by ordinance provide for the construction of sidewalks therein, or along or upon any street or part of street therein, and may, by such ordinance, provide for the payment of the whole or any part of the cost thereof by special taxation of the lot, lots or parcels of land touching upon the line where any such sidewalk is ordered, and such special taxation may be either by a levy on any lot of the whole, or any part of the cost of making any such sidewalk in front of such lot or parcel of land, or by levying the whole or any part of the cost upon each of the lots or parcels of land touching upon the line of such sidewalk, *pro rata*, upon each of said lots or parcels, according to their respective values—the values to be determined by the last preceding assessment thereof for the purpose of state and county taxation; or the whole or any part of the cost thereof may be levied upon such lots or parcels of land in proportion to their frontage upon such sidewalks, or in proportion to their superficial area, as may be provided by the ordinance ordering the laying down of such sidewalk; and in case such ordinance shall only require the payment of a part of the cost of such sidewalk to be paid by a special tax as aforesaid, then the residue of such cost shall be paid out of any fund of such city, town or village raised by general taxation upon the property thereof, and not otherwise appropriated.

§ 2. Said ordinance shall define the location of such proposed sidewalk with reasonable certainty, shall prescribe its width, the materials of which it shall be constructed, and the manner of its construction, and may provide that the materials and construction shall be under the supervision of, and subject to the approval of some officer or board of officers of such city, town or village, to be designated in said ordinance. Said ordinance shall be published as required by law for other ordinances of said city, town or village, and may require all owners of lots or parcels of land touching the line of said proposed sidewalk, to construct a sidewalk in front of their respective lots or parcels in accordance with the specifications of said ordinance, within thirty days after such publication, and in default thereof, said materials to be furnished and sidewalk to be constructed by said city, town or village, and the cost, or such part thereof as may be fixed in said ordinance, may be collected from the respective owners of said lots or parcels of land as hereinafter provided.

§ 3. In case of the default of any lot owner or owners to construct the sidewalks, as required by ordinance, and the same shall be constructed by the city, town or village, the cost thereof, or such part of the cost thereof as may have been fixed by said ordinance, may be recovered of

the owners so in default, by an action of debt in the name of the city, town or village, against such owners respectively, in any court of competent jurisdiction, or upon the completion of the work by such city, town or village. Such ordinance may provide that a bill of the cost of such sidewalk, showing in separate items the cost of grading, materials, laying down and supervision, shall be filed in the office of the clerk of such city, town or village, certified to by the officer or board designated by said ordinance to take charge of the construction of such sidewalk, together with a list of the lots or parcels of land touching upon the line of said sidewalk, the names of the owners thereof, and the frontage, superficial area, or assessed value as aforesaid, according as said ordinance may provide for the levy of said cost by frontage, superficial area or assessed value; whereupon said clerk shall proceed to prepare a special tax list against said lots or parcels, and the owners thereof, ascertaining by computation the amount of special tax to be charged against each of said lots or parcels and the owners thereof, on account of the construction of said sidewalk, according to the rule fixed for the levy of such special tax by said ordinance, which special tax list shall be filed in the office of said clerk; and said clerk shall thereupon issue warrants directed to such officer as may be designated in such ordinance, for the collection of the amount of special tax so ascertained and appearing from said special tax list to be due from the respective owners of the lots or parcels of land touching upon the line of said sidewalk; and such officer shall proceed to collect such warrants in the same manner as constables are authorized to collect executions, and make return thereof, together with the moneys collected, to the clerk of such city, town or village, within sixty days from the date of their issue; and in case any such warrant shall be returned, as to the whole or any part thereof, "no property found," other warrants may issue, and proceedings by garnishment may be resorted to as in cases of garnishment in aid of collection of judgments at law, and all moneys so collected and paid over to said clerk, shall be, by him, immediately paid over to the treasurer of said city, town or village.

§ 4. Upon the failure to collect such special tax as heretofore provided in this act, it shall be the duty of said clerk, within such time as said ordinance may provide, to make report of all such special tax, in writing, to such general officer of the county as may be authorized by law to apply for judgment against, and sell lands for taxes due the county or state, of all the lots or parcels of land upon which such special tax shall be so unpaid, with the names of the respective owners thereof, so far as the same are known to said clerk, and the amount due and unpaid upon each tract, together with a copy of the ordinance ordering the construction of said sidewalk, which report shall be accompanied by the oath of the clerk that the list is a correct return of the lots and parcels of land on which the special tax levied by authority of said city, town or village, for the cost or partial cost (as the case may be) of the sidewalk in said ordinance specified, remains due and unpaid, and that the amounts therein stated as due and unpaid have not been collected, nor any part thereof. Said reports, when so made, shall be *prima facie* evidence that all the forms and requirements of the law in relation to making such return have been complied with, and that the special tax as mentioned in said report, is due and unpaid.

§ 5. When said general officer shall receive the aforesaid report, he shall at once proceed to obtain judgment against said lots or parcels of

land for said special tax remaining due and unpaid, in the same manner as may be provided by law for obtaining judgment against lands for taxes due and unpaid the county and state, and shall in the same manner proceed to sell the same for the said special tax due and unpaid. In obtaining said judgment and making said sale, the said officer shall be governed by the general revenue laws of the state, except when otherwise provided herein, and said general laws shall also be applicable to the execution of certificates of sale, and deeds thereon, and the force and effect of such sales and deeds; and all other laws in relation to the enforcement and collection of taxes, and redemption from tax sales, shall be applicable to proceedings to collect such special tax, except as herein otherwise provided.

§ 6. Whenever payment of the costs of any such sidewalk is required to be made in part by special tax, and in part out of the general fund of such city, town or village, and the owner of any such lot or parcel of land shall construct such sidewalk in accordance with the ordinance providing for its construction, such owner shall file with the clerk of such city, town or village, an itemized statement of the cost of such sidewalk so constructed by him, verified by affidavit, together with a certificate of the officer or board directed by such ordinance to superintend the construction thereof, that such sidewalk has been constructed and fully completed by such owner in accordance with such ordinance, and the council of such city, town or village shall thereupon, at its first meeting thereafter, allow and order to be issued to such owner an order on the treasurer of such city, town or village, for the cost of the construction of such sidewalk, less the amount of special tax chargeable to the lot or parcel of land of such owner on the line of which such sidewalk has been so constructed.

APPROVED April 15, 1875.

---

## CORPORATIONS.

---

### FOREIGN CORPORATIONS.

§ 1. May loan money—take security on real estate in Illinois, and acquire title thereto. |

In force July 1, 1875

*AN ACT to enable corporations in other states and countries to lend money in Illinois, to enforce their securities and acquire title to real estate as security.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That any corporation formed under the laws of any other state or country, and authorized by its charter to invest or loan money, may invest or loan money in this state. And any such corporation that may have invested or lent money, as aforesaid, may have the same rights and powers for the recovery thereof, subject to the same penalties for usury, as private persons, citizens of this state;*

and when a sale is made under any judgment, decree or power in a mortgage or deed, such corporation may purchase, in its corporate name, the property offered for sale, and become vested with the title wherever a natural person might do so in like cases: *Provided, however,* that all real estate so purchased by any such corporation, in satisfaction of any such liability or indebtedness, shall be offered at public auction, at least once every year, at the door of the court house of the county wherein the same may be situated, or on the premises so to be sold, after giving notice thereof for at least four consecutive weeks, in some newspaper of general circulation, published in said county; and if there be no such newspaper published therein, then in the nearest adjacent county where such newspaper is published; and said real estate shall be sold whenever the price offered for it is not less than the claim of such corporation, including all interest, cost and other expenses: *And, provided, further,* that in case such corporation shall not, within such period of five years, sell such lands, either at public or private sale, as aforesaid, it shall be the duty of the state's attorney to proceed by information in the name of the People of the State of Illinois, against such corporation, in the circuit court of the county within which such land, so neglected to be sold, shall be situated, and such court shall have jurisdiction to hear and determine the fact, and to order the sale of such land or real estate, at such time and place, subject to such rules as the court shall establish. The court shall tax, as the fees of the state's attorney, such sum as shall be reasonable; and the proceeds of such sale, after deducting the said fees and costs of proceedings, shall be paid over to such corporation: *And, provided, further,* that nothing in this act contained shall be so construed as to confer banking powers or privileges upon any such corporation.

APPROVED April 9, 1875.

## COUNTIES.

### SITES FOR COUNTY BUILDINGS.

§ 1. Purchase a site for court house.

§ 2. When land owned by board of education.

§ 3. Condemnation—damages, to whom paid.

§ 4. Emergency. In force March 2, 1875.

AN ACT entitled "*An act concerning sites for county buildings.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* In all cases where property, sought by the county board of any county in this state to be appropriated for ground whereon to erect a court house or other county building or buildings, or to be used in connection therewith, shall consist of land which has been conveyed by the county to any city, and is owned or held by any city for the use of the inhabitants thereof for a public square, such city may, for such consideration as may be agreed upon between such city and county board, convey such land to such county in fee, and thereby



the entire interest of such city and the inhabitants thereof, in the premises so conveyed, shall be divested out of such city and the inhabitants thereof, and shall become the absolute property of such county, and the consideration therefor shall be paid by such county board to such city, to be used and applied by the city to the purchase or improvement, or both, of a public square or squares, or like public grounds for the use of the inhabitants of such city.

§ 2. That in all cases where land, being a part of land granted by the United States to any county, for the establishment of a seat of justice, is sought by the county board to be appropriated for any such county purposes as mentioned in the preceding section, and is owned by any board of education for public school purposes, such board of education may, for such consideration as may be agreed upon between such board of education and county board, convey such land to such county, and the consideration shall be paid by the county board to the board of education, and shall become a part of the public school funds thereof.

§ 3. In all cases where any land held or owned by any city for the use of the inhabitants thereof, for a public square, shall be condemned, under the laws of this state relating to eminent domain, to be used for ground whereon to erect any court house or other county building or buildings, or to be used in connection therewith, the damages assessed therefor shall be paid to such city, to be used and applied for the purchase or improvement, or both, of a public square or squares, or like public grounds in such city for the use of the inhabitants thereof; and if land so condemned shall be the property of any board of education for public school purposes, the damages assessed therefor shall be paid to such board of education and become a part of the public school fund thereof: *Provided, however*, that none of the provisions of this act shall apply to counties or cities having more than one hundred thousand inhabitants, or to counties of less than fifty thousand inhabitants: *And, provided, further*, that nothing in this act contained shall in any wise operate to affect or repeal an act entitled "An act to create and organize the counties therein named," approved January 15, 1831; or authorize a change of site or location of the public buildings as fixed or located by or under the last named act.

§ 4. Whereas, the court house of Adams county has been recently destroyed by fire, and it is necessary that the county board of said county shall proceed without delay to procure a proper site for the erection of a new court house; and whereas, the provisions of this act are necessary to enable said county board to act to the best advantage in selecting and procuring a site for said new court house, whereby an emergency exists that this act shall take effect without delay, therefore this act shall take effect and be in force from and after its passage.

APPROVED March 2, 1875.

COUNTY, CITY, TOWNSHIP, ETC., IMPROVEMENT AID BONDS.

§ 1. Amend sec. 1, act 1872—new bonds for old indebtedness. In force July 1, 1875.

AN ACT to amend an act entitled "*An act to enable counties, cities, townships, school districts and other municipal corporations to take up and cancel outstanding bonds and other evidences of indebtedness, and fund the same,*" approved and in force March 26, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 1 of the aforesaid act be amended so as to read as follows :

"§ 1. That in all cases where any county, city, town, township school district, or other municipal corporation, have issued bonds or other evidences of indebtedness for money, on account of any subscription to the capital stock of any railroad company, or on account of, or in aid of any public buildings or other public improvement, or for any other purposes which are now binding or subsisting legal obligations against any county, city, town, township, school district or other municipal corporations, and remaining outstanding, and which are properly authorized by law, the proper authorities of any such county, city, town, township, school district or other municipal corporations may, upon the surrender of any such bonds, or other evidences of indebtedness, or any number thereof, issue in place or in lieu thereof to the holders or owners of the same, new bonds or other evidences of indebtedness, in such form, for such amount, upon such time, not exceeding the term of twenty years, and drawing such rate of interest, *not exceeding ten per cent.*, as may be agreed upon with such holders or owners; and such new bonds or other evidences of indebtedness, so issued, shall show on their face that they are issued under this act: *Provided*, that the issue of such new bonds in lieu of such indebtedness shall first be authorized by a vote of a majority of the legal voters of such county, city, town, township, school district or other municipal corporation, voting either at some annual or special election of such municipal corporation: *And, provided, further*, that such bonds, or other evidences of indebtedness, shall not be issued so as to increase the aggregate indebtedness of such municipal corporation beyond five per centum on the value of the taxable property therein—to be ascertained by the last assessment for state and county taxes, prior to the issuing of such bonds or other evidences of indebtedness. Nothing contained in this act, or in the act to which this is an amendment, shall be held to repeal or in anywise affect the power of the city of Chicago to issue new bonds to an amount sufficient to retire and satisfy maturing bonds of said city, conferred by section 38 of an act of the general assembly, approved February 13, 1863, amending the charter of said city."

APPROVED April 14, 1875.

## COUNTY COURT.

## TRIAL OF RIGHT OF PROPERTY.

- |                                     |  |
|-------------------------------------|--|
| § 1. Proceedings for.               | § 8. Trial by jury.                      |
| § 2. Trial in county court.         | § 9. Subpoenas for witnesses.            |
| § 3. Notice.                        | § 10. Judgment—exempt property—costs.    |
| § 4. Service of notice—continuance. | § 11. Appeal—bond—trial <i>de novo</i> . |
| § 5. Notice by publication.         | § 12. Judgment—indemnity.                |
| § 6. Entering appearance.           | § 13. Apportionment of costs—fees.       |
| § 7. Trial—pleadings—jury.          | In force July 1, 1875.                   |

AN ACT providing for the trial of the right of property and claims of exemption in the county court.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That whenever an execution or writ of attachment, issued from any court of record, shall be levied by any sheriff or coroner upon any personal property, and such property shall be claimed by any person other than the defendant in such execution or attachment, or shall be claimed by the defendant in execution or attachment as exempt from execution or attachment by virtue of the exemption laws of the state, by giving to the sheriff or coroner notice, in writing, of his claim, and intention to prosecute the same, it shall be the duty of such sheriff or coroner to notify the judge of the county court of such claim.*

§ 2. The judge of the county court shall thereupon cause the proceeding to be entered on the docket of the county court, and the claimant shall be made plaintiff in the proceeding before the county court, and the plaintiff in the execution or attachment shall be made defendant in such proceedings.

§ 3. The clerk of the county court shall thereupon issue a notice, directed to the plaintiff in the execution or attachment, notifying him of such claim, and of the time and place of trial, which time shall be not more than ten days nor less than five days from the date of such notice.

§ 4. Such notice shall be served by the sheriff or coroner of any county where the plaintiff in execution or attachment may be found, in like manner as summonses in chancery are served, at least five days before the day of trial; and if such notice shall be served less than five days before the day of trial, the trial shall, on demand of either party, be continued for a period not exceeding ten days.

§ 5. In case the sheriff or coroner shall make return on such notice that the plaintiff in the execution or attachment cannot be found, the proceeding shall be continued for a period not exceeding ninety days, and the plaintiff in the execution or attachment shall be notified of such proceeding by publication, in like manner as non-resident defendants are notified in chancery cases.

§ 6. If the plaintiff in the execution or attachment, or his attorney, shall, at least five days before the day of trial, file with the clerk of the county court a paper, entering his appearance in such proceeding, then it shall not be necessary to notify such plaintiff as above provided.

§ 7. The trial shall be had without written pleadings, before the county judge, in the same manner as other trials before the county court, and may be by a jury if either party demand one.

§ 8. If a jury shall be demanded by either party, the judge shall direct the county clerk to issue a *venire* for twelve competent jurors, unless the parties to such proceeding shall elect to have the same tried by six jurors, and deliver the same to the sheriff or coroner, who shall summon such jurors from the body of the county, to be and appear before such court at the time set for the return of such *venire*; and if, by reason of non-attendance, challenge or otherwise, said jury shall not be full, the panel may be filled by talesmen. Said court shall have the same power to compel the attendance of jurors and witnesses as the circuit court has, and shall be governed by the same rules in impaneling a jury.

§ 9. The county clerk shall issue subpoenas for witnesses on the demand of either party.

§ 10. In case the property shall appear to belong to the claimant, when the claimant is any person other than the defendant in execution or attachment, or in case the property shall be found to be exempt from execution or attachment, when the claimant is the defendant in the execution or attachment, judgment shall be entered against the plaintiff in the execution or attachment for the costs, and the property levied on shall be released. If it shall appear that the property does not belong to the claimant, or is not exempt from execution or attachment, as the case may be, judgment shall be entered against the claimant for costs, and on [an] order shall be made that the sheriff or coroner proceed to sell the property levied on.

§ 11. An appeal may be taken to the circuit court, as in other cases: *Provided*, the same is prayed on the day of the entering of judgment, and the bond shall be given within five days from the time of entering judgment, and the trial in the circuit court shall be *de novo*.

§ 12. The judgment in such cases shall be a complete indemnity to the sheriff or coroner in selling or restoring any such property, as the case may be.

§ 13. If the judgment shall be for the claimant as to part of the property, and for the plaintiff in execution or attachment as to part, then the court shall apportion the costs in his discretion; and the sheriff, coroner and county clerk shall have the same fees as are allowed by law for similar services.

APPROVED April 9, 1875.

## COUNTY COURTS.

## LAW TERMS.

§ 1. Amend section 37, 39, 92, act of 1874. In force July 1, 1875.

AN ACT to amend an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections 37, 39 and 92 of said act be amended so as to read as follows :

§ 37. Fulton in October.

§ 39. Greene in December and June.

§ 92. Schuyler in February.

APPROVED March 25, 1875.

§ 1. Amend section 38, act of 1874. In force July 1, 1875.

AN ACT to amend an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named."

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section (38) thirty-eight of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," be and the same is hereby so amended as to read as follows :

"§ 38. Gallatin in January, March and September."

APPROVED April 15, 1875.

§ 1. Amend section 63, act of 1874.

§ 2. Emergency. In force March 27, 1875.

AN ACT to amend an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section sixty-three (63) of "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," be and the same is hereby amended so as to read as follows :

"§ 63. McDonough, in June and December."

§ 2. In consequence of the inconvenience to the inhabitants of said county, and the parties litigant in said court, in having the September term of said county court, as heretofore fixed by law, commencing only two weeks before the September term of the circuit court in said county, an emergency and necessity exists for this act to take effect and be in force before the first day of July next, therefore this act shall take effect and be in force from and after its passage.

APPROVED March 27, 1875.

---

§ 1. Amend sections 70, 86, 109, act of 1874. In force July 1, 1875.

AN ACT to amend sections seventy (70), eighty-six (86), and one hundred and nine (109) of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section seventy (70), eighty-six (86) and one hundred and nine (109) of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time of holding the same, and to appeal an act therein named," approved March 26, 1874, be amended so as to read as follows:

"§ 70. Marshall, in January."

"§ 86. Putnam, in October."

"§ 109. Woodford, in August."

APPROVED April 13, 1875.

---

§ 1. Amend section 74, act of 1874. In force July 1, 1875.

AN ACT to amend section seventy four of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix a time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section seventy-four of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be and the same is amended so as to read as follows, to-wit:

"§ 74. Mercer, in January and July."

APPROVED March 25, 1875.

§ 1. Amend section 83, act of 1874. In force July 1, 1875.

AN ACT to amend section 83 of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 83 of "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, be and the same is hereby amended so as to read as follows:

"§ 83. Pike, in January and August."

APPROVED March 29, 1875.

---

§ 1. Amend section 91, act of 1874. In force July 1, 1875.

AN ACT to amend section ninety-one of an act entitled "An act to extend the jurisdiction of county courts, and provide to for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section ninety-one of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be amended so as to read as follows, to-wit:

"The law terms of the county court of Saline county shall commence on the second Mondays in the months of February and August."

APPROVED March 29, 1875.

---

§ 1. Amend section 91½, act of 1874. In force July 1, 1875.

AN ACT to amend section ninety one and one-half (91½), of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section ninety-one and one-half (91½), of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, be amended so as to read as follows:

"Sangamon in April, July and December."

APPROVED April 6, 1875.

## COURTS OF RECORD.

### PRACTICE IN COURTS OF RECORD.

§ 1. Amend section 25, act of 1872—Continuance or amendment. In force July 1, 1875.

*AN ACT to amend section twenty-five of an act entitled "An act in regard to practice in courts of record," approved February 22, 1872.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section twenty-five of the above entitled act be amended so as to read as follows, to-wit:*

*"No amendment shall be cause for continuance unless the party affected thereby, or his agent or attorney, shall make affidavit that in consequence thereof he is unprepared to proceed to or with the trial of the cause at that term, stating in such affidavit what particular fact or facts the party expects to prove by such evidence, and that he verily believes that if the cause is continued he will be able to procure the same by the next term of the court: Provided, that if the court is satisfied that such evidence would not be material on the trial of the cause, or if the other party will admit the affidavit in evidence, subject to the effect given to affidavits for a continuance in this chapter, the cause shall not be continued."*

APPROVED April 15, 1875.

## COURT—SUPERIOR.

### SUPERIOR COURT OF COOK COUNTY.

§ 1. Additional judges.

§ 2. Election—when to be held.  
In force July 1, 1875.

*AN ACT providing for an increase in the number of judges of the Superior Court of Cook county.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That for every fifty thousand inhabitants over and above a population of four hundred thousand in the county of Cook, there shall be added one judge to the superior court of Cook county, until said court shall be composed of nine judges.*

§ 2. It shall be the duty of the governor of this state, whenever he ascertains from the census of this state, or of the United States, that the county of Cook is entitled to one or more additional judges, as provided in section twenty-three, article VI, of the constitution of this state, to issue a writ for the election of one judge for every fifty thousand inhabitants above a population of four hundred thousand in said county; and such election shall take place on Tuesday next after the first Monday of November, A. D. 1875, unless the said writ of election is issued after that date, in which event the governor shall designate the day when such election shall be held.

APPROVED April 15, 1875.



## CRIMINAL CODE.

## CHANGE OF VENUE.

§ 1. Amend division 7, act of 1874, by adding section 12½. In force July 1, 1875.

AN ACT to amend division seven (7) of the act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* division seven (7) of said act be amended, by inserting in said division, after section 12, an additional section, to be numbered section 12½, as follows, to-wit:

"§ 12½. Any person arrested on any criminal charge, and taken before any justice of the peace for examination, may, previous to the commencement of any such examination, make oath that it is his belief that said justice is so prejudiced against him that he cannot have a fair and impartial investigation before said justice, whereupon it shall be the duty of the justice immediately to transmit all the papers connected with or belonging to such examination to the nearest justice of the peace in the same county, who is not of kin to the defendant, sick, absent from town, or interested in the event of the investigation, as counsel or otherwise, who shall proceed as if the suit had been instituted before him: *Provided*, that the officer having the defendant in charge shall hold him in his custody until the complaint shall be heard and disposed of by the justice to whom the papers shall be sent as aforesaid: *And, provided, further*, that distance, as contemplated in this section, shall mean to be by the nearest traveled route."

APPROVED April 2, 1875.

## DOWER.

## ASSIGNMENT OF AND HOMESTEAD.

§ 1. Amend section 44, act of 1874, entitled Dower. In force July 1, 1875.

AN ACT to amend section forty-four (44) of an act entitled "An act to revise the law in relation to dower," approved March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* section forty-four (44) of an act entitled "An act to revise the law in relation to dower," approved March 4, 1874, be amended to read as follows:

"§ 44. Whenever application is made to a county court for leave to sell real estate of a deceased person for the payment of debts, or for the sale of real estate of any ward, as authorized by law, and it appears that there is a dower and homestead, or either, interest in the land sought to be sold, such court may in the same proceeding, on the peti-

tion of the executor, administrator, guardian or conservator, or of the person entitled to dower and homestead, or either, therein, cause the dower and homestead, or either, to be assigned, and shall have the same power and may take like proceedings therefor as hereinbefore provided for assignment of dower."

APPROVED March 29, 1875.

## DRAINAGE.

### DRAINS, DITCHES, LEVEES, ETC.

§ 1. Amend section 1, 2, 3, 5, act of 1871.

Sec. 1. Petition.

" 2. Notice of application.

" 3. Proceedings on receipt of petition.

Sec. 5. Contesting petition—Appointment of Commissioners—Costs.

In force July 1, 1875.

AN ACT to amend sections one (1), two (2), three (3) and five (5) of an act entitled "An act to provide for the construction and protection of drains, ditches, levees and other works," approved April 24th, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1), two (2), three (3) and five (5) of an act entitled "An act to provide for the construction and protection of drains, ditches, levees and other works," approved April 24th, 1871, be and hereby are amended to read as follows:

"§ 1. That whenever one or more owners or occupants of lands shall desire to construct a drain or drains, ditch or ditches, across the lands of others, for agricultural or sanitary purposes, such person or persons, in counties under township organization, may file a petition with the clerk of the town board of auditors, or, in counties not under township organization, with the clerk of the county court of the county in which such drain or drains, ditch or ditches, shall be proposed to be constructed, setting forth the necessity of the same, with a description of its or their proposed starting point, route and terminus; and if it shall be deemed necessary for the drainage of the land of such petitioners that a levee or other work be constructed, the petitioners shall so state, and set forth a general description of the same, as proposed, and may pray for a hearing by such board as to the utility and necessity of such work.

"§ 2. When a petition has been filed, as provided in the preceding section, the petitioners shall cause at least two weeks' notice to be given, by posting notices in three of the most public places in such township or county through which the drain or drains, ditch or ditches, levee or other work is or are proposed to be constructed, and by publishing a copy thereof in some newspaper published in the county in which the petition is filed, at least once in each week for two successive weeks, or if no newspaper is published in such county, then in the nearest newspaper published in the state. Such notice shall state when and before what board such petition is filed, the starting point, route and terminus of the proposed drain or drains, ditch or ditches or levees, and

if a levee or other work is intended to be constructed in connection therewith, shall so state.

“§ 3. On the receipt of such petition by the clerk of the town board, or, in counties not under township organization, by the clerk of the county board, he shall forthwith give notice to the members of such board of the filing of such petition, and that a meeting will be held on a certain day, not later than sixty days after the filing of such petition, to consider the prayer of the petitioners; and such clerk shall publish in the three most public places in such township or county, a notice of the filing of such petition and the day fixed for a hearing on the same before such board, and the hearing may be adjourned from time to time, or the case continued for want of sufficient notice, or other good cause, at the discretion of such town or county board.”

“§ 5. On the hearing of any petition filed under the provisions of this act, all parties through or upon whose land any of the proposed work may be constructed, or whose land may be damaged or benefited thereby, may appear and contest the necessity or utility of the proposed work, or any part thereof, and the contestants and petitioners may offer any competent evidence thereto. If it shall appear to the board that the proposed drain or drains, ditch or ditches, levee or other work is or are necessary, or will be useful for the drainage of the land proposed to be drained thereby for agricultural and sanitary purposes, the board shall so find, and shall file a petition in the name of the town board of auditors of such town, in counties under township organization, and in the name of the county board in counties not under township organization, in the county court of the county in which such town is situated, reciting the petition of said petitioners and their finding thereon, and pray that the cost of such improvement may be assessed as prescribed by law, and that three competent persons be appointed as commissioners to lay out and construct such work; and upon the filing of such petition the court shall appoint such commissioners. *The petitioners shall pay the costs* of all hearings before the town board, such board to receive the same compensation as allowed by law for other town business.”

APPROVED April 15, 1875.

---

## ELEVATED WAYS AND CONVEYORS.

---

### FOR OPERATING ELEVATED WAYS AND CONVEYORS.

§ 1. Articles of incorporation.

§ 2. Right of way—how obtained.

§ 3. May take material—compensation.

§ 4. Capital stock—increase of.

§ 5. Powers of—restrictions.

In force July 1, 1875.

### AN ACT in regard to elevated ways and conveyors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, Any company which has been or shall be incorporated under the general laws of this state for the purpose of con-*

structing, maintaining and operating any elevated way or conveyor, shall state in its articles of incorporation the places from and to which it is intended to construct the proposed elevated way or conveyor. And any such company may organize and become incorporated under the provisions of chapter (32) thirty-two of the Revised Statutes of 1874, concerning corporations for pecuniary profit, and shall be subject to the provisions of the laws of this state applicable to such corporations.

§ 2. If any such corporation shall be unable to agree with the owner for the purchase of any real estate required for the purposes of its incorporation or the transaction of its business, or for its depots, station buildings, engine houses, or for right of way, or any other lawful purpose connected with or necessary to the construction, maintenance and operation of said elevated way or conveyor, such corporation may acquire such title in the manner that may be now or hereafter provided for by any law of eminent domain.

§ 3. Any such corporation may, by their agents and employees, enter upon and take from any land adjacent to its way, or road, or conveyor, earth, gravel, stone or other material, except fuel and wood, necessary for the construction of such elevated way, paying, if the owner of such land and the said corporation can agree thereto, the value of such material taken, and the amount of damage occasioned to any such land or its appurtenances; and if such owner and corporation cannot agree, then the value of such material and the damage occasioned to such real estate shall be ascertained, determined and paid in the manner that may now or hereafter be provided by any law of eminent domain; but the value of such material, and the damages to such real estate, shall be ascertained, determined and paid for before such corporation can enter upon and take the same.

§ 4. In case the capital stock of any such corporation shall be found insufficient for constructing and operating its elevated way or conveyor, such corporation may, with the concurrence of two-thirds, in value, of all its stock, increase its capital stock, from time to time, to any amount required for the purpose aforesaid.

§ 5. Every corporation formed under this act shall, in addition to the powers hereinbefore conferred have power—

*First*—To cause such examination and survey for its proposed elevated way to be made as may be necessary to the selection of the most advantageous route; and for this purpose, by its officers, agents or servants, may enter upon the lands or waters of any person or corporation, but subject to responsibility for all damages which shall be occasioned thereby.

*Second*—To lay out a strip of land, not exceeding sixty-six feet in width, on which to construct, maintain and operate said elevated way or conveyor; and for the purpose of cuttings and embankments, to take as much more land as may be necessary for the proper construction and security of the elevated way; to cut down any standing trees that may be in danger of falling upon and injuring such way, making compensation therefor in manner provided by law.

*Third*—To construct its way across, along or upon any stream of water, water-course, street, highway, plank road, turnpike, canal or railroad, which the route of such elevated way shall intersect or touch; but such corporation shall restore the stream, water-course, street, highway

plank road, turnpike and railroad thus intersected or touched, to its former state, or to such state as not unnecessarily to have impaired its usefulness, and keep such crossing in repair: *Provided*, that in no case shall any company construct its way without first constructing the necessary culverts and sluices as the natural lay of the land requires for the necessary drainage thereof.

Nothing in this act contained shall be construed to authorize the erection of any bridge, or any other obstruction, across or over any stream navigated by steamboats, at the place where any bridge or other obstructions may be proposed to be placed, so as to prevent the navigation of such stream; nor to authorize the construction of any elevated way or conveyor upon or across any street in any city, or incorporated town or village, without the assent of the corporation of such city, town or village: *Provided*, that in case of the construction of said elevated way or conveyor along highways, plank roads, turnpikes, canals or railroads, such company shall either first obtain the consent of the lawful authorities having control or jurisdiction of the same, or condemn the same under the provisions of any eminent domain law now or hereafter in force in the state.

APPROVED April 7, 1875.

---

## FEES AND SALARIES.

---

### FEES OF CLERKS OF THE SUPREME COURT.

§ 1. Amend section 12, act of 1872.

AN ACT to amend section twelve (12) of an act entitled "*An act concerning fees and salaries, and to classify the several counties of the State, with reference thereto,*" approved March 29, 1872, title as amended by act approved March 28, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section twelve of an act entitled "*An act concerning fees and salaries, and to classify the several counties of the state with reference thereto,*" approved March 29, 1872, title as amended by act approved March 28, 1874, be and hereby is so amended as to read as follows:

“§ 12. FEES OF CLERKS OF SUPREME COURT.—The fees of clerks of the supreme court, for any services to be rendered by them, shall be as follows:

For administering each affidavit, with certificate, fifteen cents.

For entering an attorney on the roll, administering oath and certifying the same, with seal, one dollar.

For each official certificate and seal, other than to process of court, fifty cents.

For each official certificate without seal, other than to affidavits or oaths, twenty cents.

For taking and filing bonds, fifty cents.

For copy of a record or other papers in his office, for each one hundred words, fifteen cents.

For copy of a bill of costs, when requested by either party, twenty-five cents.

For making a complete record, when directed by either party, for each one hundred words, twenty cents.

For putting any cause on the docket, fifteen cents.

For entering each rule or order of the court, except an order of continuance, twenty-five cents.

For entering each continuance from one term to another, fifteen cents.

For entering sheriff's return on any writ, execution, mandamus or other special process, for each one hundred words, twenty cents.

For entering a judgment or decree, for each one hundred words, fifteen cents.

For entering a bill of costs in "cost book," thirty-five cents.

For filing record and all other papers, five cents each.

For administering each oath or affirmation, not otherwise provided for, ten cents.

For each writ of error and seal, with supersedeas, one dollar.

For each writ of error and seal, without supersedeas, seventy-five cents.

For each subpoena, fifty cents.

For each *scire facias*, *mandamus*, and other special process, for each one hundred words, twenty cents.

For bringing into court, on request, any record of a suit, matter or thing not in court, twenty-five cents.

The clerks shall receive an advance fee of ten dollars when the record is filed, which shall be credited on the fees, and the clerks shall repay the same to the party entitled thereto when the costs are collected. The clerks shall not be required to issue a final order in any cause until all costs for which the party seeking such final order is liable, in such cause, have been paid. And in no event shall the said clerks charge or receive any other or different fees than those specified in this section."

APPROVED April 8, 1875.

## FISCAL YEAR.

### STATE OFFICERS, ETC., REPORT TO THE GOVERNOR.

§

1. Fiscal year.

§ 2. Officers and trustees to report to the Governor biennially.

§ 3. When reports to be made.

§ 4. Accounts to be kept—semi-annual report to be made to the Governor.  
In force July 1, 1875.

AN ACT to change the fiscal year of the State and designate the time reports shall be made to the Governor by the Secretary of State, Auditor of Public Accounts, State Treasurer, Adjutant General, State Entomologist, Commissioners of the Penitentiary, Trustees of the Industrial University, the Trustees of the Normal Universities, the State Board of Agriculture, the Trustees of the Reform School, the Board of Public Charities, and the Trustees of the State Charitable Institutions.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the fiscal year of this state shall

commence on the first day of October, and close on the thirtieth day of September.

§ 2. The secretary of state, auditor of public accounts, state treasurer, adjutant general, state entomologist, commissioners of the penitentiary, trustees of the industrial university, the trustees of the normal universities, the state board of agriculture, the trustees of the reform school, the board of public charities, and the trustees of the state charitable institutions shall on or before the first day of November, in the year eighteen hundred and seventy-six, and biennially thereafter, make and deliver to the governor such reports as they are now required by law or the constitution to make of their acts and doings, respectively, closing with the fiscal year preceding each regular session of the general assembly, and no other annual or biennial report shall be made by such officers.

§ 3. The commissioners of the penitentiary, the trustees of the normal universities, the trustees of the industrial university, the state board of agriculture, the trustees of the reform school, and the trustees of the state charitable institutions shall arrange their reports required by the second section of this act so as to show the acts and doings of each fiscal year separately.

§ 4. An account shall be kept by the officers of the executive department, and of all the public institutions of the state, of all moneys received or disbursed by them, severally, from all sources and for every service performed, and a semi-annual report thereof be made to the governor, under oath.

APPROVED March 29, 1875.

## FRAUDS UPON TRAVELERS.

### TO PREVENT FRAUDS UPON TRAVELERS, ETC.

- |  |   |
|--|---|
| <p>§ 1. Duty of railroads, steamboats, etc.—authority to sell tickets.</p> <p>§ 2. Evidence of authority to sell tickets.</p> <p>§ 3. Penalty for bartering or transferring without authority.</p> <p>§ 4. Agent required to show authority—keep certificate posted in his office.</p> | <p>§ 5. Duty of owners to provide for redemption of tickets.</p> <p>§ 6. Penalty—for a refusal to redeem ticket sold.</p> <p>In force July 1, 1875.</p> |
|--|---|

*AN ACT to prevent frauds upon travelers and owner or owners of any railroad, steamboat or other conveyance for the transportation of passengers.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That it shall be the duty of owner or owners of any railroad or steamboat for the transportation of passengers to provide each agent, who may be authorized to sell tickets, or other certificates entitling the holder to travel upon any railroad or steamboat, with a certificate setting forth the authority of such agent*

to make such sales ; which certificate shall be duly attested by the corporate seal of the owner of such railroad or steamboat.

§ 2. That it shall not be lawful for any person not possessed of such authority, so evidenced, to sell, barter or transfer, for any consideration whatever, the whole or any part of any ticket or tickets, passes, or other evidences of the holder's title to travel on any railroad or steamboat, whether the same be situated, operated or owned within or without the limits of this state.

§ 3. That any person or persons violating the provisions of the second section of this act shall be deemed guilty of misdemeanor, and shall be liable to be punished by a fine not exceeding five hundred dollars, and by imprisonment not exceeding one year, or either, or both, in the discretion of the court in which such person or persons shall be convicted.

§ 4. That it shall be the duty of every agent who shall be authorized to sell tickets, or parts of tickets, or other evidences of the holder's title to travel, to exhibit to any person desiring to purchase a ticket, or to any officer of the law who may request him, the certificate of his authority thus to sell, and to keep said certificate posted in a conspicuous place in his office for the information of travelers.

§ 5. That it shall be the duty of the owner or owners of railroad or steamboat, by their agents or managers, to provide for the redemption of the whole, or any parts or coupons of any ticket or tickets, as they may have sold, as the purchaser, for any reason, has not used, and does not desire to use, at a rate which shall be equal to the difference between the price paid for the whole ticket and the cost of a ticket between the points for which the proportion of said ticket was actually used ; and the sale by any person of the unused portion of any ticket otherwise than by the presentation of the same for redemption, as provided for in this section, shall be deemed to be a violation of the provisions of this act, and shall be punished as is hereinbefore provided: *Provided*, that this act shall not prohibit any person who has purchased a ticket from any agent authorized by this act, with the *bona fide* intention of traveling upon the same, from selling any part of the same to any other person.

§ 6. Any railroad or steamboat company that shall, by any of its ticket agents in this state, refuse to redeem any of its tickets or parts of tickets as prescribed in section five of this act, shall pay a fine of five hundred dollars for each offense, to the People of the State of Illinois, and it shall be unlawful for said company, subsequent to such refusal, to sell any ticket or tickets in this state until such fine is paid.

APPROVED April 19, 1875.



## HOSPITALS FOR THE INSANE.

## TO SECURE EQUALITY IN ADMISSION TO.

- |   |  |
|---|--|
| § 1. State divided into districts.      | § 5. Discharge of patients.                |
| § 2. Admission of patients.             | § 6. Transfer of patients.                 |
| § 3. Number of patients to each county. | § 7. When counties indebted.               |
| § 4. When county quota not full.        | § 8. Emergency. In force April 10th, 1875. |

AN ACT to secure equality among the counties in the matter of the admission of patients into the State Hospitals for the Insane.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That from and after the date of the opening of the south wing of the Northern Insane Hospital, at Elgin, the state shall be divided into three districts, for the purpose of regulating the admission of patients to the state hospitals for the insane, as follows :*

The Northern Insane Hospital shall be set apart for the accommodation and care of the insane of the counties of Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Lake, Cook, DuPage, Kane, Kendall, DeKalb, Ogle, Carroll, Whiteside, Lee, LaSalle, Grundy, Will, Kankakee, Iroquois, Ford, Livingston, Putnam, Bureau, Stark, Henry and Knox.

The Central Insane Hospital, at Jacksonville, shall be set apart for the insane of the counties of Rock Island, Mercer, Henderson, Warren, Hancock, Adams, Pike, Calhoun, Brown, Schuyler, McDonough, Fulton, Peoria, Marshall, Woodford, McLean, Tazewell, Mason, Cass, Menard, Logan, DeWitt, Piatt, Champaign, Vermilion, Edgar, Clark, Cumberland, Coles, Douglas, Moultrie, Shelby, Macon, Sangamon, Morgan, Scott, Greene, Jersey, Macoupin, Madison, Bond, Montgomery, and Christian.

The Southern Insane Hospital, at Anna, shall be set apart for the insane of the counties of Fayette, Effingham, Jasper, Crawford, Lawrence, Richland, Clay, Marion, Clinton, St. Clair, Monroe, Randolph, Perry, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Massac, Johnson, Pulaski, Union, and Alexander.

§ 2. The county officers of the several counties shall in all cases make application for the admission of patients who are a county charge, into the hospital of the district in which the said counties are respectively situated, as specified in the preceding section; but patients who are not a county charge, may be admitted into either of the state hospitals, in accordance with the application of their friends, without limitation as to the district in which said patients may reside.

§ 3. Each of the counties of this state shall hereafter be entitled to have and keep in the hospital at all times, except as hereinafter provided, a number of patients proportioned to its population, in the ratio of one patient to every twenty-five hundred of the population of said county, as shown by the census of 1870, as per the following schedule :

County.	No. Patients	County.	No. Patients.
Adams .....	22	Lee.....	11
Alexander.....	4	Livingston.....	12
Bond .....	5	Logan .....	9
Boone .....	5	Macon .....	10
Brown .....	5	Macoupin.....	13
Bureau .....	12	Madison .....	18
Calhoun .....	3	Marion .....	8
Carroll.....	7	Marshall.....	7
Cass .....	5	Mason .....	6
Champaign ..	13	Massac.....	4
Christian .....	8	McDonough.....	11
Clark .....	7	McHenry.....	9
Clay .....	6	McLean.....	21
Clinton .....	6	Menard .....	5
Coles .....	10	Mercer.....	7
Cook .....	140	Monroe.....	5
Crawford.....	5	Montgomery.....	10
Cumberland.....	5	Morgan .....	11
DeKalb .....	9	Moultrie.....	4
DeWitt .....	6	Ogle .....	11
Douglas .....	5	Peoria .....	19
DuPage .....	7	Perry .....	5
Edgar .....	8	Piatt.....	4
Edwards .....	3	Pike.....	12
Efingham .....	6	Pope .....	4
Fayette .....	8	Pulaski.....	3
Ford .....	4	Putnam .....	2
Franklin.....	5	Randolph.....	8
Fulton.....	15	Richland.....	5
Gallatin.....	4	Rock Island.....	12
Greene.....	8	Saline .....	5
Grundy .....	6	Sangamon.....	18
Hamilton.....	5	Schuyler.....	7
Hancock.....	14	Scott.....	4
Hardin.....	2	Shelby.....	10
Henderson.....	5	Stark .....	4
Henry.....	14	St. Clair.....	20
Iroquois.....	10	Stephenson.....	12
Jackson.....	8	Tazewell.....	11
Jasper .....	4	Union .....	7
Jefferson.....	7	Vermilion.....	12
Jersey .....	6	Wabash .....	3
Jo Daviess.....	11	Warren .....	9
Johnson.....	4	Washington.....	7
Kane.....	16	Wayne .....	8
Kankakee.....	10	White .....	7
Kendall.....	5	Whiteside.....	11
Knox .....	16	Will .....	17
Lake .....	8	Williamson.....	7
La Salle.....	24	Winnebago.....	12
Lawrence.....	5	Woodford.....	7

§ 4. In all cases where the quota of any county is not full, the superintendent and trustees may admit patients from other counties to the extent of the capacity of the hospital; and the superintendent and trustees shall receive all recent and curable cases from any county in the district, anything in this act to the contrary notwithstanding; and in the admission of patients, preference shall be given to patients who are indigent, rather than to those who have the ability to pay for their board and treatment; and to those who are dangerous, rather than to those who are harmless and inoffensive; and dangerous patients may be admitted even though such admission should reduce the quotas of some or all of the counties, as stated in the foregoing schedule.

§ 5. The superintendents and trustees of the several state hospitals for the insane are hereby directed and required, in making out lists of patients to be discharged from said hospitals, respectively, to discharge first those chronic cases who are from either of the other two districts whose limits are defined in the first section of the present act; and second, those chronic cases from within the districts in which said hos-

pitals are severally situated, who are from counties which have a number of patients in said hospitals in excess of their respective quotas, as prescribed in the third section of this act; and in no event shall any person be discharged from any insane asylum because of having been pronounced incurably insane.

§ 6. For the purpose of avoiding unnecessary expense, the superintendent and trustees of the state hospitals may, instead of discharging the patients indicated in the previous section, transfer them directly to the hospitals to which they are herein assigned: *Provided*, that the consent of their friends, or the county officers, as the case may be, shall first be obtained: *And, provided, further*, that the cost of such transfer shall be defrayed by the friends or county officers aforesaid, and shall be collected by the officers of the hospital as other charges are collected; but no such transfer shall be made, in any case, until the superintendent of the hospital to which the patient is proposed to be transferred, shall have given notice authorizing the admission of said patient.

§ 7. All counties which may be indebted to either of the state hospitals for the insane shall, upon the taking effect of this act, make settlement with the hospital and pay all arrearages in full to date; and in case of failure or refusal to make such settlement, the officers of the hospital are hereby authorized, at their discretion, to refuse to admit any additional chronic cases from the county guilty of such refusal or neglect.

§ 8. Whereas many counties of this state are unable, under the existing laws, to obtain admission for patients from said counties to the hospitals of this state to the extent indicated in the schedule contained in the third section of this act, therefore an emergency exists; therefore, this act shall take effect from and after its passage.

APPROVED April 10, 1875.

---

## INTEREST.

---

### RATE BETWEEN CITIZENS OR CORPORATIONS.

§ 1. Amend section 8, act of 1874—10 per cent., per annum between cities and corporations.

§ 2. Emergency.  
In force March 3, 1875.

AN ACT to amend section eight (8) of an act entitled "An act to revise the law in relation to the rate of interest," approved March 25th, A. D. 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section eight (8) of "An act to revise the law in relation to the rate of interest," approved March 25th, A. D. 1874, be amended to read as follows:*

"§ 8. When any written contract, whenever payable, shall have been or shall be made in this state, or between citizens or corporations of this state, or a citizen or corporation of this state and a citizen or corporation of any other state, territory or country, (or shall be secured

by mortgage or trust deed on lands in this state) such contract may bear any rate of interest allowed by law, to be taken or contracted for by persons or corporations in this state, or which is or may be allowed by law on any contract for money due or owing in this state: *Provided, however,* that such rate of interest shall not exceed ten per cent. per annum. And if any such person or corporation shall contract or has contracted to receive a greater rate of interest or discount than ten per cent. upon any such contract, such person or corporation shall forfeit the whole of said interest so contracted to be received, and shall be entitled only to recover the principal sum due to such person or corporation.

§ 2. EMERGENCY.] Whereas, by reason of an existing ambiguity in sections four (4) and eight (8) of the act approved March 25th, A. D. 1874, above referred to, a necessity exists for this act to take effect immediately: therefore this act shall take effect and be in force from and after its passage.

APPROVED March 3, 1875.

---

## JUDGMENTS AND DECREES.

---

### JUDGMENTS, DECREES AND EXECUTIONS.

§ 1. Amend section 39, act of 1872. Death of defendant—proceedings on. In force July 1, 1875.

AN ACT to amend section 39 of an act entitled "*An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,*" approved March 22, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 39 of act entitled "*An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,*" approved March 22, 1872, be and the same is hereby amended so as to read as follows:

"§ 39. When a person shall die, after the rendition of a judgment or decree for the payment of money against him is obtained in a court of record, execution may issue against the real estate of such deceased person, or sale may be made under such decree, without reviving the judgment or decree against his heirs or legal representatives: *Provided,* that no execution shall issue or sale be made until after the expiration of twelve months from the death of such deceased person, nor shall any sale be had on any such execution or decree until the person in whose favor the judgment or decree is sought to be enforced shall give to the executor or administrator, or if there is neither, the heirs of the deceased at least three months' notice of the existence of such judgment or decree, before issuing execution or proceeding to sell, which notice shall be in writing when the parties required to be notified reside or may be found within the state, and their place of residence known, otherwise

publication notice shall be given in the manner directed for chancery proceeding in sections 12 and 13 of an act entitled "An act to regulate the practice in courts of chancery," approved March 15, 1872.

APPROVED April 2, 1875.

## JUSTICES OF THE PEACE.

### NUMBER TO BE APPOINTED IN THE CITY OF CHICAGO.

§ 1. Amend section 1, act of 1871. Recommendation—appointment.

§ 2. Emergency.  
In force March 25, 1875.

AN ACT to amend section one (1) of an act entitled "An act relating to justices of the peace in the city of Chicago," approved and in force March 30, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act relating to justices of the peace in the city of Chicago," approved and in force March 30, 1871, be and the same is hereby amended so as to read as follows :

"*Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the judges of the circuit, superior and county courts of Cook county, a majority of the judges concurring therein, on or before the first day of April, in the year of our Lord 1875, and every four years thereafter, to recommend to the governor seven (7) fit and competent persons to fill the office of justice of the peace in the town of West Chicago ; also, seven (7) fit and competent persons to fill the office of justice of the peace in the town of South Chicago ; also, five (5) fit and competent persons to fill the office of justice of the peace in the town of North Chicago, all in the city of Chicago and county of Cook ; and the persons thus recommended the governor shall nominate, and by and with the advice and consent of the senate, (a majority of senators elected concurring by yeas and nays,) appoint justices of the peace in and for each of said towns, respectively ; and in case the governor rejects any person recommended, or the senate refuse to confirm any person nominated, the governor shall give notice of such rejection or refusal to the said judges, who shall, within ten (10) days after the receiving of such notice, recommend some fit and competent person for such appointment : *Provided,* such person so recommended shall be elected to the town in and for which they are to be appointed such justices of the peace.

§ 2. Whereas, there is now no law defining the number of justices of the peace to be appointed in the city of Chicago, and an emergency exists ; therefore this act shall take effect and be in force from and after its passage.

APPROVED March 25, 1875.

NOTARIES PUBLIC.

---

PROVIDE FOR—APPOINTMENT—QUALIFICATION, ETC.

§ 1. Amend section 1, act of 1872—Who may be appointed. In force July 1, 1875.

*AN ACT to amend section one of an act entitled "An act to provide for the appointment, qualification and duties of notaries public, and certifying their official acts," approved April 5, 1872.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section one of the above entitled act be amended to read as follows:*

*"That the governor may appoint, by and with the advice and consent of the senate, and commission as notaries public as many persons resident in the county in this state for which they are appointed as he may deem necessary, but no person shall be appointed a notary public who is under twenty-one years of age, is not a citizen of the United States and has not resided in this state one year preceding the appointment."*

APPROVED April 13, 1875.

---

OHIO AND WABASH RIVERS.

---

TITLE CEDED TO THE UNITED STATES, ETC.

§ 1. Authority given United States Government. |  
§ 2. Damages. |

§ 3. Jurisdiction.  
In force July 1, 1875.

*AN ACT granting to the government of the United States the right to enter upon and take possession of such small tracts or parcels of land lying within the State of Illinois, and on the waters of the Ohio and Wabash rivers, as may be necessary to facilitate the improvement of said rivers.*

WHEREAS, the government of the United States has begun, and will probably continue the improvement of the Ohio and Wabash rivers; and whereas, it may be advisable, for the removal of all doubts as to the right of the general government to acquire real estate and establish public works within the limits of any state without the consent of such state; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the consent of the state of Illinois be and is hereby given to the government of the United States to enter upon such small parcels or tracts of land lying on the bank of the Ohio and Wabash rivers, within the state of Illinois, as may be necessary for the construction of locks, lock-keepers' dwellings, and abutments or other works, to be used to facilitate the improve[ment] of the channels of said rivers.*

§ 2. All cases of damages that may arise under the provisions of this act shall be settled as provided for in "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872.

§ 3. Exclusive jurisdiction is hereby ceded to the United States over all or any lands acquired under the provisions of this act.

APPROVED April 15, 1875.

---

## PARKS.

---

### COMPLETION AND MANAGEMENT.

§ 1. Amend section 12, act of 1871—Form of bond—  
Town property pledged—Payment of principal and interest.

§ 2. Emergency.  
In force March 4, 1875.

AN ACT to amend section twelve (12) of an act entitled "An act in regard to the completion of public parks and the management thereof," approved June 16, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section twelve (12) of an act entitled "An act in regard to the completion of public parks and the management thereof," approved June 16, 1871, be amended so as to read as follows, to-wit:*

"§ 12. Such bonds shall be issued, when authorized by the corporate authorities of the towns, as aforesaid, in the names of said towns respectively, by the commissioners of any such park, to be signed by their president and treasurer, and countersigned by their secretary, with his seal of office affixed; and the special assessment herein authorized to be made the property of said towns respectively, and the lands used for such parks, shall be pledged for the redemption of said bonds so issued by such towns. They shall bear interest at the rate of seven per cent. per annum, payable semi-annually, and the principal shall be payable at such time as may be determined, not exceeding twenty years; and the time for the payment of the principal shall be so distributed as nearly as practicable as to retire each year an amount equal to the amount of the special assessment collected. The special assessment shall only be used for the purchase of lands and the redemption of the bonds."

§ 2. Whereas, the town of North Chicago, Cook county, has condemned land under the provisions of an act to which this is an amendment, and it is important to negotiate bonds without delay, it is declared that an emergency has arisen, whereby this act should take effect immediately; therefore, this act shall take effect and be in force from and after its passage.

APPROVED March 4, 1875.

## PAUPERS.

## REMOVAL AUTHORIZED.

§ 1. Amend section 16, act of 1874—Removal of paupers not resident of county, etc.  
In force July 1, 1875.

AN ACT to amend section (16) sixteen of an act entitled "An act to revise the law in relation to paupers."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section (16) sixteen of an act entitled "An act to revise the law in relation to paupers," approved March 23, 1874, be and the same is hereby amended so as to read as follows :*

"§ 16. If any person shall become chargeable as a pauper in any county or town, who did not reside therein at the commencement of six months immediately preceding his becoming so chargeable, but did, at that time, reside in some other county or town in this state, it shall be the duty of the county or town clerk, as the case may be, to send written notice, by mail or otherwise, to the county clerk of the county in which the pauper so resided, or if he then resided in a town supporting its own poor, to the town clerk of such town, requesting the proper authorities of such county or town to remove said pauper forthwith, and to pay the expenses accrued and to accrue in taking care of the same; and such county or town, as the case may be, where such pauper resided at the commencement of the six months immediately preceding such person becoming chargeable as a pauper, shall pay to the county or town so taking care of such pauper, all reasonable charges for the same, and such amount may be recovered by suit in any court of competent jurisdiction."

APPROVED April 9, 1875.

## PENITENTIARY.

## CREDIT IN DIMINUTION OF SENTENCE.

§ 1. Amend section 2 act of 1872—Forfeitures of good time. In force July 1, 1875.

AN ACT to amend section two of "An act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship upon certain conditions," approved March 19, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section two of an act entitled "An act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship upon certain conditions," approved March 19, 1872, in force July 1, 1872, [be and the same is so amended as to read as follows : ]*

"In case any convict shall be guilty of the violation of any of the rules or laws of the penitentiary or of the state, as above provided, and



has become entitled to any diminution of his sentence, by the provisions aforesaid, he shall for the first offense forfeit, if he has made so much, two days; for the second offense, four days; for the third offense, eight days; for the fourth offense, sixteen days; and in addition thereto, whatever number of days, more than one, that he is in punishment, shall also be forfeited; for more than four offenses the warden shall have power to deprive him, at his discretion, of any portion or all of the good time that the convict may have earned, but not less than as provided for the fourth offense: *Provided*, that the penitentiary commissioners shall have the power to restore to any convict who has heretofore or may hereafter forfeit any good time by violating any law or part thereof now in force, of which this is an amendment, and as may seem proper in their good judgment."

APPROVED April 15, 1875.

## POLICE MAGISTRATES.

### ELECTION OF, IN CITIES, VILLAGES AND TOWNS.

§ 1. Election, jurisdiction and fees of police magistrates.	§ 2. Emergency. In force April 13, 1875.
---	---

*AN ACT to authorize the election of police magistrates in towns, cities and villages where the same are not provided for by law.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all towns, cities and villages in the state which have been incorporated under charters granted by special acts, or under a general act, when the law under which they are incorporated does not authorize the election of a police magistrate, be and they are hereby authorized to elect one police magistrate at the first annual election of town, city or village officers that shall occur after the passage of this act, and quadrennially thereafter. Such police magistrates shall hold their offices for the same term, be commissioned and qualified, and have the same jurisdiction and fees, as police magistrates of villages have under the general law for the incorporation of cities and villages.*

§ 2. *As the first annual election of town, city and village officers in many of the towns, cities and villages in this state, by this act authorized to elect a police magistrate, will occur before the first day of July next, after the adjournment of this general assembly, therefore an emergency exists requiring this act to take effect immediately; therefore, this act shall take effect and be in force from and after its passage: *Provided*, that the election for police magistrates in cities that have one or more police magistrates, elected under a former organization as a town or city, shall not be held until the term for which said police magistrate or magistrates were elected has expired.*

APPROVED April 13, 1875.

## REVENUE.

## FOR STATE PURPOSES.

§ 1. Tax by valuation.

In force July 1st, 1875.

§ 2. Rates per cent—repealing clause.

## AN ACT to provide the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there shall be raised, by levying a tax, by valuation, upon the taxable property in this state, the following sums, for the purposes hereinafter set forth: For general state purposes, to be designated "revenue fund," one million eight hundred thousand dollars, (\$1,800,000), upon the assessed value of property for the year 1875, and one million five hundred thousand dollars, (\$1,500,000), annually thereafter; for state school purposes, to be designated "state school fund," in lieu of the two mill tax therefor, one million of dollars, (\$1,000,000), annually.*

§ 2. The governor and auditor shall, annually, compute the separate rates per cent. required to produce not less than the above amounts, anything in any other act providing a different manner of ascertaining the amount of revenue required to be levied for state purposes to the contrary notwithstanding; and when so ascertained, the auditor shall certify to the county clerks the proper rates per cent. therefor, and also such definite rates for other purposes as are now or may hereafter be provided by law; to be levied and collected as state taxes; and all laws and parts of laws in conflict with this act are hereby repealed.

APPROVED April 10, 1875.

## ROADS AND BRIDGES.

## IN COUNTIES NOT UNDER TOWNSHIP ORGANIZATION.

§ 1. Amend sections 34, 35, 38, 40, 41, 42, 43, 44, 46, act of 1873.

§ 41. Justices of the peace have jurisdiction.

§ 34. When labor system in whole or in part adopted.

§ 42. Suits to be in the corporate name of the county.

§ 35. Road tax—how assessed and collected.

§ 43. Return by supervisors of delinquents.

§ 38. Notice to labor or pay money—how labor performed.

§ 44. Annual report of supervisors.

§ 40. Suits for labor and taxes.

§ 46. Supervisors to hire teams, etc.—Repealing clause.

In force July 1, 1875.

AN ACT to amend sections thirty-four (34), thirty-five (35), thirty-eight (38), forty (40), forty-one (41), forty-two (42), forty three (43), forty-four (44), and forty-six (46), and to repeal section thirty-six (36), of an act entitled "An act in regard to gateways, roads and bridges in counties not under township organization," approved and in force April 18th, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections thirty-four (34), thirty-five*

(35), thirty-eight (38), forty (40), forty-one (41), forty-two (42), forty-three (43), forty-four (44), and forty-six (46), and to repeal section thirty-six (36), of an act entitled "An act in regard to gateways, roads and bridges in counties not under township organization, approved and in force April 18, 1873, be so amended as to read as follows, to-wit:

"§ 34. The county courts (county boards) of the several counties of this state, which shall adopt the system of part tax and part labor, or all labor, at the December term, annually, shall fix and cause to be entered upon the records of their courts (boards) a certain number of days, not exceeding five nor less than two, that each and every able-bodied man between the ages of twenty-one and fifty years shall labor upon some public road within the county during the year. And it shall be the duty of the clerk of said court (county clerk) to certify the number of days fixed as aforesaid in the notice to each supervisor appointed in said county.

"§ 35. The county court (county board) of each and every county, in addition to the work required in the foregoing section (34,) may, at the September term, annually, assess a road tax of not more than twenty cents on each one hundred dollars' worth of taxable property, real and personal, or either, within their counties; and a column in the tax book shall designate the amount of such road tax due from each person from whom the same is to be collected; which road tax shall be collected by the collector as other county revenue, and paid into the treasury in like manner; and the county board shall appropriate the same on roads and bridges within the road district from which such tax may be collected, or so much of it as the supervisor of said district shall deem necessary to keep the roads and bridges of such road district in good repair, and all overplus, if there be any, shall be paid into the county treasury, to be expended on roads and bridges within said county as the county board may deem proper: *Provided*, that counties electing to work under the tax system in whole, for road purposes, may levy a road tax not exceeding forty cents on every one hundred dollars' worth of property, real or personal, as provided in section thirty (30) of this act.

"§ 38. The number of days in which labor shall be performed being fixed upon and certified to the supervisor, he shall notify each person in his district subject to road labor of the time when and place where to attend and work as required, and the proper tools to bring—such labor to be performed by the principal or a substitute equally able as himself, working at least eight hours per day; and if such person shall spend the day in idleness, be turbulent or disorderly, or disobey the supervisor, he may be discharged from the road, and the supervisor shall collect from him at the rate of two dollars per day for the balance of time for which labor is due: *Provided*, that all money collected by supervisors shall be disbursed on some road within their district.

"§ 40. The supervisors may sue in the name of the county for all labor or money that may be due under the provisions of this act, from each person residing within their respective districts, which labor or money remains unpaid after a notice shall have been given and a failure to settle the same, as provided in the foregoing sections; and having collected the same, they shall, without unnecessary delay, disburse the money to the best advantage on public roads in the districts to which said labor or money properly belongs. In all cases the supervisor shall be a competent witness in suits brought as above stated; an appeal

may be taken to the circuit court by either party, as in other cases of appeal from justices of the peace.

“§ 41. Supervisors are hereby authorized to bring suits before any justice of the peace of the county, to recover any and all sums due for road labor, fines, forfeitures, or other penalties imposed by this act, which are intended to come in the hands of such supervisors for road purposes, and to collect, disburse and account for the same, suing in the name of the county.

“§ 42. All suits, actions and proceedings necessary to be had on any right or cause of action, for failure to perform road labor or pay fines, forfeitures or other penalties imposed by this act, or to enforce any contract or promise in reference to the opening or repairing of public roads, shall be had in the corporate name of the county wherein the right of action occurred [accrued]: *Provided*, that no suits shall be dismissed on account of informality in the name of the plaintiff; but the court may, on application, permit the record to be so amended as to place the name of the proper plaintiff on the record.

“§ 43. Every supervisor shall endeavor to collect all labor tax or other dues, and close the work by the first Monday in December, annually; and it shall be their duty, when such labor tax has been paid, in money or labor, to write the word “paid” against the name of the person from whom the same was due, and all persons opposite whose names the word “paid” is written have paid such labor tax; and all persons opposite whose names the word “paid” is not written have not paid such tax, and the same remains due and unpaid, according to the best of his knowledge and belief; and such list certified to under oath shall be included in and made a part of such supervisor’s report.

“§ 44. At the December term of the county court (county board), annually, each supervisor shall make, under oath, a report showing the whole number of days’ work that has been done in his district during the year, by whom done, the amount of money by him received, from whom received, on what account received, due on roads, the amount paid out by him in constructing roads, with the vouchers accompanying; at which term he shall make a settlement with the court (board), and if a balance should appear in his hands, the same shall be disbursed in the district, or added to the general road fund, as the county board shall order. Supervisors may appoint one or more persons to warn in the hands, and make an allowance therefor out of the labor tax due from such person.”

“§ 46. Supervisors are hereby authorized to hire teams to do the necessary hauling, plowing and scraping; to contract for materials for building bridges, causeways, erecting guide boards, for making and furnishing road scrapers, and repairing roads in discharge of labor tax due, and so far as funds shall come into their possession, procuring said teams, materials, implements and work, on the best possible terms; but all contracts made under this section, exceeding in amount ten dollars, shall be first approved or ordered by the county board: *Provided*, that nothing herein contained shall prevent the supervisors from expending, within their road districts, the road labor or money collected in lieu thereof.”

Section thirty-six (36) of said act is hereby repealed.

APPROVED April 15, 1875.

## IN COUNTIES UNDER TOWNSHIP ORGANIZATION.

§ 1. Amend section 56, act of 1873—Taxes to be paid to districts. In force July 1, 1875.

AN ACT to amend section 56 of an act entitled "*An act in regard to roads and bridges in counties under township organization,*" approved and in force April 11, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 56 be amended so as to read as follows, to-wit:

"§ 56. The treasurer of the commissioners of highways shall pay over the district road tax according to the abstracts, as furnished above, upon the written orders of the various overseers of roads, for work done in their respective districts, when said orders are approved, in writing, by a majority of said commissioners."

APPROVED April 13, 1875.

---

§ 1. Amend section 97, act of 1873—Roads on county lines. In force July 1, 1875.

AN ACT to amend section 97 of an act entitled "*An act in regard to roads and bridges in counties under township organization,*" approved April 11, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 97, of the above entitled act, be amended to read as follows, to-wit:

"§ 97. Public roads may be established, altered, widened or vacated on township or county lines in the same manner as other public roads, except that in such case a copy of the petition shall be posted up in and presented to the commissioners of highways of each town interested; said petition to be as in other cases, and signed by not less than twelve freeholders residing in either county, within three miles of the road so to be altered, widened, located or laid out whereupon, it shall be the duty of the commissioners of highways of the several towns to meet and act as one body, in the same time and manner as in other cases, in considering the petition, viewing the premises, adjusting damages, and making all orders in reference to such proposed road, alteration widening or vacation, and a majority of all such commissioners must concur in such orders; and a copy of all final orders and plates and papers shall be filed and recorded in each of the counties and towns interested."

APPROVED April 15, 1875.

## SCHOOL TRUSTEES.

### AUTHORIZED TO CONVEY LAND TO RAILROADS.

§ 1. Trustees may convey to railroad company—Proceeds to be used for school purposes. In force July 1, 1875.

*AN ACT to empower township trustees to sell and convey right of way and depot grounds for the use of railroads crossing school lands.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the trustees of schools of any township concerned are hereby authorized and empowered, in their corporate capacity, to sell and convey to any railroad company which may construct a railroad across any of the public school lands of such township, the right of way and necessary depot grounds. All money received by such trustees for any right of way or depot grounds so sold, to be turned over by such trustees to the treasurer of the township for school purposes.*

APPROVED April 13, 1875.

## RAILROADS.

### RIGHT TO PURCHASE INTEREST IN ADJOINING STATES.

§ 1. Purchase of lessors' interest in railroads in adjoining States. In force July 1, 1875.

*AN ACT relating to lessees in this State of railroads in adjoining States.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all railroad companies incorporated or organized, or which may be incorporated or organized under the laws of this state, or of this and any adjoining state, which now are, or at any time hereafter may be, in possession of and operating connecting railroads in states adjoining this state under lease in perpetuity, or for a period of not less than twenty years, shall have power to purchase the remaining interests, property and franchises of the lessors of such railroads situated in such adjoining states, on such terms and conditions as may be agreed upon by the parties, or their assigns, to such lease: Provided, that nothing in this act shall be so construed as to authorize any corporation acting by, or organizing under the laws of any other state to purchase or otherwise become the owners of any railroad in this state.*

APPROVED March 30, 1875.

## UNION DEPOTS.

- |  |  |
|--|--|
| <p>§ 1. Who may form corporation.</p> <p>§ 2. Articles of association.</p> <p>§ 3. Certificate of incorporation.</p> <p>§ 4. Corporate powers defined, provisos and limitations.</p> | <p>§ 5. Term and election of directors.</p> <p>§ 6. No discrimination.</p> <p style="text-align: center;">In force July 1, 1875.</p> |
|--|--|

*AN ACT authorizing the formation of union depots and stations for railroads in this State.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That in order to facilitate the public convenience and safety in the transmission of goods and passengers from one railroad to another, and to prevent the unnecessary expense, inconvenience and loss attending the accumulation of a number of stations, any number of persons, not less than five, are hereby authorized to form themselves, or any two or more railroad companies may themselves form or join individuals in forming a corporation for the purpose of constructing, establishing and maintaining a union station for passenger or freight depots, or for both, in any city, town or place in this state, with the necessary offices and rooms convenient for the same, and appurtenances thereto, and for that purpose may make and sign articles, in which shall be stated the number of years the same is to continue, the city, town or place in which the same is to be located, the amount of the capital stock of said company, which shall not exceed three millions of dollars, the amount of each share of stock, the names and places of residence of its directors, which shall not be less than five nor exceed fifteen, who shall manage its affairs for the first year, and until others are chosen in their place, and shall also state the amount of stock taken by each subscriber.*

§ 2. Any association of persons or corporations, desiring to become incorporated under the provisions of this act, shall present their articles of association to the circuit court of the county in which such city or place is, or to the judge thereof in vacation, with the petition from such members for a certificate of incorporation under the provisions of this act, to which petition shall be added or appended a certificate of at least two railroad companies who have tracks leading into said city, town or place, stating its public utility, and that they expect to make arrangements for its use when it shall be constructed, signed by the presidents of their respective companies.

§ 3. If the circuit court, or any judge thereof, in vacation, shall be satisfied that said certificate has been signed by such companies, then the said court or judge, upon filing the said petition, articles and certificate aforesaid, with the clerk of the court, shall grant to the said association a certificate of incorporation, which may be in the following form, to-wit:

Whereas, A. B. and C., etc. (stating the names), have filed in the office of the clerk of the circuit court their articles of association, in compliance with the provisions of an act entitled "An act authorizing the formation of union depots and stations for railroads in this state," approved (stating day of approval), with their petition of incorporation, under the name and style of . . . . .: they are therefore hereby declared a body politic and corporate, by the name and style aforesaid, with all the powers, privileges and immunities granted in the act above named. By order of circuit court (or judge thereof) . . . . ., attest; . . . . ., clerk of circuit court of county [of] . . . . .

And thereupon, upon filing the same, or a certified copy thereof, in the office of the secretary of state, the said association, from the time of such filing, shall be a corporation under the laws of this state.

§ 4. Every corporation formed under this act, in addition to the general powers conferred by the laws of this state in relation to corporations, shall have power—

*First*—To take and hold such real estate as it may acquire either by conveyance to said corporation, or such as it may acquire under the provisions of this act by condemnation, and which shall be necessary for the transaction of its business.

*Second*—To take, occupy and condemn any land and real estate, or any interest therein, needed for the establishment of such union station or depot and necessary approaches thereto, and the same proceedings shall be had therefor as are now or may hereafter be provided by law, concerning the condemnation of lands for or by railroad companies in the state, so far as such laws are applicable to the purposes of this act; and when so condemned, the said land and any interest therein shall belong to such corporation for the purposes of this act: *Provided*, that nothing in this act shall be construed to authorize the condemnation as depot grounds of any railroad which is not of the same gauge of those joining in the petition: *Provided, further*, that none of the provisions of this act relating to the condemnation of land shall extend to any land or lands to which any municipal corporation has a title.

*Third*—With the consent of the corporate authorities of the city, town or place in which said station or depot is to be constructed, to have the right to lay the necessary track or tracks over, upon or under such street or roads of said city, town or place as may be necessary to make the necessary connections with railroads proposing to use said union depot, and may, with such consent, also construct such station or depot under, over or upon any such streets or roads: *Provided*, that all injury, if any, that may be occasioned to the property fronting on any streets or roads by the laying of any railroad tracks or the location of any depot upon such streets or roads, under the provisions of this act, shall be assessed and the assessment paid into the city treasury, to the use of the owners of the property so injured by the corporation so appropriating such streets or roads, before such corporation shall have the right to lay any track or locate any depot over, under or upon such streets or roads.

*Fourth*—From time to time to borrow such sums of money as may be necessary for the construction, completion and furnishing or repairing of such station or depot, and to issue or dispose of their bonds for such amounts, at such prices as they shall think proper, and to mortgage their corporate property and franchises for the purpose of securing the same.

*Fifth*—To open, from time to time, books of subscription to the remainder of the capital stock not taken by the subscribers to the articles of association. The general assembly shall have power to enact, from time to time, laws to prevent and correct abuses, and to prevent unjust discrimination and extortions in the management and prosecution of the business of any corporation formed under this act, and to enforce such laws by adequate penalties.

§ 5. After the directors named in the articles of incorporation shall have served for one year, there shall be an annual election of directors, to be conducted in the manner prescribed in the constitution of this state. The directors so elected shall serve for the ensuing year, and notices of such election, appointing a time and place, shall be given by



the directors as originally constituted for the first annual election, and thereafter by their successors in office, which notice shall be published not less than twenty days previous thereto, in some newspaper published in the English language, in the city, town or place in which said station or depot is located.

§ 6. There shall be no discrimination against or in favor of any railroad company using or desiring to use the said union depot, but the terms, conditions and regulations adopted for the use of the same, shall be, so far as practicable, uniform, and apply alike to all railroads using or desiring to use said union depot.

APPROVED April 7, 1875.

### REFUNDING FUNDS.

#### STATE SOLE TRUSTEE OF $\frac{29}{36}$ OF TAX OF 1873.

- |   |   |
|---|---|
| § 1. State sole trustee of 29-36 of tax of 1873.                                | § 10. When corporation or person cannot produce tax receipt.    |
| § 2. Remedy exclusive.  | § 11. Collector's books exclusive evidence.                     |
| § 3. Such funds in the treasury.  | § 12. Compensation for clerk hire—treasurer's bond.             |
| § 4. Refunding.   | § 13. Penalty for neglect or refusal to pay over.               |
| § 5. State treasurer to credit tax payers.                                      | § 14. Persons guaranteed from loss—defense—appeal.              |
| § 6. When auditor to draw his warrant on state treasurer.                       | § 15. Duty of attorney-general and state's attorneys under act. |
| § 7. Amount paid to county treasurers for use of tax-payers—notice to be given. | § 16. Emergency.  |
| § 8. When county collector not paid over to state treasurer.                    | In force March 26, 1875.  |
| § 9. When county treasurer shall refund.  |   |

*AN ACT to declare and constitute the State of Illinois sole trustee of that portion of the state tax levied, assessed and collected for the year 1873, in excess of  $\frac{29}{36}$  thereof; and to provide exclusive remedies, for the complete refunding of the same to the tax-payers of the state who have paid such excess, and for the protection of the tax payers entitled thereto, and of counties, and of all officers or persons connected with the collection, custody or payment thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the state of Illinois, in its sovereign and corporate capacity, is hereby declared to be and constituted the sole and exclusive trustee for the use of all the tax-payers of this state who have paid more than  $\frac{29}{36}$  of the state tax levied and assessed against them for the year 1873, on account of the operation of the act of the general assembly of this state, entitled "An act to fund and provide for paying the railroad debts of counties, townships, cities and towns," in force April 16, 1869, of all of the excess over  $\frac{29}{36}$  of such tax which such tax-payers have respectively paid, and which was not, before so much of said act as authorized the levy of such excess was declared by the supreme court of this state to be abrogated by the present constitution of this state, carried to the credit of a local bond fund, and paid out of the state treasury for the redemption and payment of the bonded indebtedness of any such county.*

§ 2. That the remedy hereinafter provided for the refunding to the said tax-payers the amount of such tax illegally levied, assessed and collected by the authority of this state shall be deemed and held to be, in all courts and places whatsoever, exclusive, and all other existing remedies whatsoever, whether at law or in equity, or otherwise, as to the same, are hereby expressly abolished.

§ 3. All of such funds which have been ordered into the state treasury by the auditor, and receipted for by the state treasurer for the time being, and which are now actually in the state treasury, are hereby declared to be a trust fund for the uses aforesaid, subject to the limitations, however, in this act provided, to be termed the "refunding fund." And all of such funds which have been ordered into the state treasury by the auditor, and receipted for by the state treasurer for the time being, which are not now actually in the state treasury, shall immediately be paid over to the treasurer of the state by the person or persons or any of them retaining or holding or having control over the same, and when so paid over to said treasurer shall be added to said "refunding fund."

§ 4. That there be refunded in the manner hereinafter provided, to the tax-payers of the state who have paid more than  $\frac{2}{3}$  of the state tax levied and assessed against them for the year 1873, all of the excess over  $\frac{2}{3}$  of such tax which such tax-payers have respectively paid, except as hereinafter provided.

§ 5. When all of said funds ordered by the auditor into the state treasury shall have been actually paid therein, it shall be the duty of the state treasurer to credit the tax-payers of each county with the amount estimated and certified by the auditor as hereinafter provided, out of which amount so estimated, certified and credited, the warrants of the auditor hereinafter provided for, shall be paid.

§ 6. The auditor of public accounts shall estimate and certify to the county clerk of each county which shall have paid into the state treasury more of the state taxes collected for the year 1873 than would have been produced by the rate of 29 cents on each one hundred dollars valuation of the assessment of 1873, (and also to the state treasurer,) the amount paid in excess of such rate. But if the amount paid into the state treasury by the collector or treasurer of such county is in excess of  $\frac{2}{3}$  of the amount collected in such county, at thirty-six cents on each one hundred dollars valuation, and such excess has been in full or partially applied on the payment of the bonded indebtedness of such county, the amount so applied shall be deducted from such excess, and the amount remaining shall be certified. And the auditor, upon ascertaining the amount due from the state to the tax-payers of any county, shall draw his warrant on the state treasurer, payable out of the amount credited to the tax-payers of such county of said "refunding fund," in favor of the county treasurer of such county, for said amount; and the amount of said warrants, respectively, is hereby appropriated, payable in the manner aforesaid.

§ 7. The amount so paid upon such warrants to said county treasurers shall be received by them in their official capacity, and shall be credited to a trust fund for the use of the tax-payers entitled thereto, to be termed the "refunding fund" of such county, and upon payment of such money into the county treasury, the county treasurer shall immediately give four weeks' notice in some newspaper published in such

county, or if none be there published, then in the nearest newspaper thereto in the state, that he is ready to refund such tax so paid.

§ 8. If the county collector of any county has not paid over to the state treasurer the amount of state tax collected of the levy of 1873, in excess of twenty-nine thirty-sixths thereof, or has paid over a portion of such excess and retained a portion, such county collector shall pay such excess not paid over to the state treasurer into the county treasury of his county, and the same shall be credited to the "refunding fund" of such county, and all of such funds which have been heretofore paid over to any such county treasurer shall also be held to be a part of and be credited to such "refunding fund."

§ 9. Any person or corporation having paid any portion of the state tax assessed for the year 1873, in excess of twenty-nine thirty-sixths thereof, upon presenting his or its tax receipt for 1873, covering the same, to the county treasurer of the county where such tax was paid, the county treasurer of such county shall refund to such person or corporation the amount by him or it paid in excess of twenty-nine thirty-sixths of the state tax of 1873 contained in such receipt, indorsing the amount paid on such receipt, and shall also take from such tax payer a separate receipt for the amount paid, which shall be filed in the office of the county clerk, and the amount reported in the monthly report of such county treasurer and credited to his account. And if said money or any part thereof is not called for, and such tax receipt presented to the county treasurer within two years from the taking effect of this act, the person or corporation having paid the same shall be forever barred from receiving or demanding the same, and the balance and residue remaining uncalled for, of such refunding fund, may be used as county revenue: *Provided*, that this section shall not apply to counties where the excess over twenty-nine thirty-sixths of the state tax of 1873 has been in full or partially applied by the state treasurer upon the bonded indebtedness of such counties, as to the amount so applied, but in such counties the balance shall be paid upon tax receipts *pro rata*: *And provided, further*, that the county orders drawn in pursuance of an order of the county board of any county upon such fund in the manner hereinafter provided, shall be paid out of such fund, whether the same be drawn before or after the expiration of said two years; and no use of such funds, after the expiration of such two years, shall prevent the payment thereof by the county treasurer upon presentation.

§ 10. If any person or corporation shall, from any good and sufficient reason, be unable to produce the tax receipt for 1873, such person or corporation shall present their claim to the county board, verified by the affidavit of such person or the agent of such corporation, and such other evidence of payment as may be required by such county board, and such claimant, if the claim be for tax on realty, shall be required to give the description of the real estate on which said claimant desires to recover back the amount paid in excess of  $\frac{29}{36}$  of the state tax of 1873, and if the amount claimed, or any portion thereof, shall be allowed by such county board, the clerk shall issue to such claimant an order on the county treasurer for the amount so allowed, which shall be paid by the county treasurer out of the "refunding fund" of such county.

§ 11. The county clerk, or person having in charge the collector's books for the year 1873, shall, upon the application of the county treasurer, turn over to him the said books of that year. And the said collector's books shall be taken by said county treasurer as conclusive evi-

dence of the amount of state tax paid by the person making application to such treasurer for the excess over  $\frac{29}{38}$  of the state tax of that year, and at the expiration of the time limited for refunding said tax the county treasurer shall return said books to the county clerk.

§ 12. It shall be the duty of the county boards in the several counties in this state, having any of this fund in the county treasury, to provide such additional compensation for clerk hire as they may deem proper, and to provide all necessary books and blanks necessary for the keeping of the said accounts of said treasurer with said fund and the tax payers of said county. And the said board may, at any time in their discretion, require the said treasurer to file a bond, with security, to be approved by the board, conditioned for the faithful performance of his duties under the provisions of this act, and that he will faithfully account for all moneys that have or may hereafter come to his hands, belonging to the "refunding fund," and that he will pay over the residue, if any, remaining in his hands at the expiration of two years from the taking effect of this act, or to his successor in office.

§ 13. If any state, county, town, municipal or other officer or person, who now is or hereafter may be authorized by this law to collect, receive, safely keep or disburse any of this "refunding fund," belonging to the tax payers of this state, or if any person or persons having any of said fund in his or their possession or custody, shall fail or refuse to pay over or deliver the same when required by this act, ten days after demand being made by the officer entitled to receive the same under the provisions of this act, he or they shall be imprisoned in the penitentiary not less than one nor more than ten years: *Provided*, such demand need not be made when, from absence or fault of the offender, the same cannot conveniently be made, and any person convicted under the provisions of this section shall forever thereafter be ineligible and disqualified from holding any office of honor or benefit in this state.

§ 14. Any state, county, town or other officer, or any person who was such, who may have collected any portion of such state tax, or who has had or may now or hereafter have the same in his possession or control, and who has heretofore, or who shall hereafter pay the same into the proper treasury, or to the officer entitled to the custody of the same, under this act, or in accordance with the provisions of the same, or in accordance with the laws of this state with relation to state taxes, is hereby guaranteed from loss on account of such collection, possession or payment. And any suits or other legal proceedings against any such officer or person who has been or may be such, or against any county, on account of such "refunding fund" being in its treasury, shall be defended at the expense of such county, by the state's attorney thereof, and the attorney general of the state, with full powers to appeal and to prosecute writs of error from all courts of record in this state or of the United States, to the highest judicial tribunal, and with full power to execute, file and deliver a bond in the name of the People of the State of Illinois, in all such courts, either as principal or as surety. And in all of the courts of this state any judgment or decree rendered on account of any such taxes may be appealed from, or, in any proper case, a writ of error prosecuted therefor, and a *supersedeas* obtained upon a bond executed as provided in this section, in the name and by the People of the State of Illinois, without other principal or surety; and all or any of the bonds provided for by this section are hereby expressly ratified. And any such final judgment or decree against any such officer or per-

son which shall not be reversed, shall be satisfied out of the treasury of the proper county.

§ 15. In case any money of such excess of such state tax is not paid over or into the proper treasury, as provided for in this act, it is hereby expressly made the duty of the state's attorney of the proper county, and of the attorney-general, to take prompt legal steps to enforce obedience hereto, with the same rights of appeal, of prosecuting writs of error, and of giving bond as are provided in the preceding section. And in all cases arising under this act, or contemplated herein, the attorney-general shall have all the powers now given him in other cases by general law.

§ 16. Whereas a large amount of money remains in the custody and control of state and county officers, which rightfully belongs to the tax payers of the state who have paid the same, therefore an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage.

APPROVED March 26, 1875.

---

## SNY CARTY RIVER.

---

§ 1. Repeal act of 1859, declaring Sny Carty navigable. | § 2. Emergency. In force March 29, 1875.

AN ACT to repeal an act entitled "*An act declaring the Sny Carty, in Pike and Adams counties, navigable,*" and all other laws now in force declaring the same navigable.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "*An act declaring the Sny Carty, in Pike and Adams counties, navigable,*" approved February 24, 1859, and all other laws now in force declaring the same navigable, be and the same are hereby repealed.

§ 2. By reason of the progress of work on the Sny Island levee, now being constructed in said counties, an emergency exists, and therefore this law shall take effect and be in force from and after its passage.

APPROVED March 29, 1875.

## STATE INSTITUTIONS.

## STATE CHARITABLE INSTITUTIONS AND REFORM SCHOOL.

- |   |  |
|---|--|
| <p>§ 1. Charitable and correctional institutions named and continued.</p> <p>§ 2. The powers of the trustees defined.</p> <p>§ 3. The object of the hospitals for the insane.</p> <p>§ 4. The object of the institutions for the deaf and dumb, the blind and feeble-minded.</p> <p>§ 5. The object of the Soldiers' Orphans' Home.</p> <p>§ 6. The object of the Eye and Ear Infirmary.</p> <p>§ 7. Management by board of three trustees—appointment of.</p> <p>§ 8. Governor may remove and appoint trustees.</p> <p>§ 9. Trustee to take an oath.</p> <p>§ 10. Powers of board of trustees.</p> <p>§ 11. Compensation of trustees.</p> <p>§ 12. Powers and duty of superintendent.</p> <p>§ 13. Officers of board of trustees.</p> <p>§ 14. Treasurer and superintendent to give a bond.</p> <p>§ 15. Books and papers liable to inspection.</p> <p>§ 16. Duty of treasurer.</p> <p>§ 17. Meetings of trustees—inspection of institution.</p> | <p>§ 18. When treasurer and superintendent to report—appropriation—when payable.</p> <p>§ 19. Appropriations for ordinary expenses.</p> <p>§ 20. When special appropriations to be drawn.</p> <p>§ 21. When money not required for use, etc., to be paid into state treasury.</p> <p>§ 22. No officer to be interested in contract.</p> <p>§ 23. Purchasing supplies.</p> <p>§ 24. Register to be kept.</p> <p>§ 25. Record of stores.</p> <p>§ 26. Who may be admitted, and upon what terms.</p> <p>§ 27. When clothing and transportation furnished at expense of county.</p> <p>§ 28. Reports of trustees.</p> <p>§ 29. Printing reports.</p> <p>§ 30. Commissioners of public charities—powers of extended.</p> <p>§ 31. Superintendent of public instruction to visit certain institutions.</p> <p>§ 32. Repealing clause.<br/>In force July 1, 1875.</p> |
|---|--|

AN ACT to regulate the State charitable institutions and the State Reform School, and to improve their organization and increase their efficiency.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the state institutions hereinafter named, are hereby recognized and continued, and that they shall hereafter be known and designated by their respective titles, as expressed in this section, namely:*

## CHARITABLE.

- The Illinois Central Hospital for the Insane, at Jacksonville.
- The Illinois Northern Hospital for the Insane, at Elgin.
- The Illinois Southern Hospital for the Insane, at Anna.
- The Illinois Institution for the Education of the Deaf and Dumb, at Jacksonville.
- The Illinois Institution for the Education of the Blind, at Jacksonville.
- The Illinois Asylum for Feeble-minded Children.
- The Illinois Soldiers' Orphans' Home, at Normal.
- The Illinois Charitable Eye and Ear Infirmary, at Chicago.

## CORRECTIONAL.

The Illinois State Reform School, at Pontiac.

§ 2. The trustees of each of the said state institutions shall be a body corporate and politic, for certain purposes, namely: To receive, hold, use and convey or disburse moneys and other property, real

personal, in the name of said corporations, but in trust and for the use and by the authority of the state of Illinois, and to control, manage and direct the several trusts committed to them respectively, including the organization, government and discipline of all officers, employees and other inmates of said institutions, with power to make contracts, to sue and be sued, plead and be impleaded, to have and to use a common seal and to alter the same at pleasure, and to exercise all other powers usually belonging and incident to such corporations and necessary for the successful discharge of the obligations devolving by law upon said boards of trust: *Provided*, that they shall not have power to bind the state by any contract beyond the amount of the appropriations which may at the time have been made for the purposes expressed in the contract, nor to sell or convey any part of the real estate belonging to their respective institutions without the consent of the legislature, except that they may release any mortgage or convey any real estate which may be held by them as security for any money or upon any trust the terms of which authorize such conveyance: *And, provided, further*, that the general assembly shall have power, at any time, to amend, alter, revoke or annul the grant of corporate powers herein contained or heretofore expressed in any and all charters previously granted to any of said institutions.

§ 3. The object of the hospitals for the insane shall be to receive and care for all insane or distracted persons residing in the state of Illinois, who may be committed to their care in accordance with law, and to furnish all needed medical treatment, seclusion, rest, restraint, attendance, amusement, occupation and support which may tend to restore their health and recover them from insanity, or to alleviate their suffering: *Provided*, that the trustees shall have power to discharge patients and to refuse additional applications for admission to the hospitals under their care, whenever, in their judgment, the interests of the insane demand such discharge or refusal, and that in the admission and retention of patients, curable and recent cases shall have the preference over cases of long standing, and that violent, dangerous or otherwise troublesome cases shall have the preference over those of an opposite description.

§ 4. The object of the institutions for the education of the deaf and dumb, and of the asylum for feeble-minded, shall be to promote the intellectual, moral and physical culture of the classes of persons indicated in their titles, respectively, and to fit them, as far as possible, for earning their own livelihood and for future usefulness in society.

§ 5. The object of the soldiers' orphans' home shall be to provide a home for the nurture and intellectual, moral and physical culture of all indigent children below the age of fourteen years, whose fathers served in the armies of the Union during the late rebellion, and have died or been disabled by reason of wounds or disease received therein, or have since died: *Provided*, that in special cases of peculiar inability of a pupil to support himself, or herself, the trustees may retain such pupil, although above the age of fourteen years, and until such pupil has reached the age of sixteen, beyond which no pupil shall be retained.

§ 6. The object of the charitable eye and ear infirmary shall be to provide gratuitous board and medical and surgical treatment for all indigent residents of Illinois, who are afflicted with diseases of the eye or ear.

§ 7. The management of each of the state charitable institutions and of the state reform school shall be vested in a board of three trustees, to be appointed by the governor, by and with the advice and consent of the senate, and to be divided into three classes, and one class appointed every two years, to serve for six years from the first of March in each year bearing an odd number, as follows: Upon the taking effect of this act three trustees shall be appointed for each charitable institution, and for the state reform school, of whom one-third shall serve until the first of March, A. D. 1877, one-third shall serve until the first of March, 1879, and one-third shall serve until the first of March, 1881, as may be determined by lot; and their successors, respectively, shall serve for six years each, and in every case a trustee shall hold his office until his successor is appointed and qualified: *Provided*, that not more than one trustee for the same institution shall be appointed from or reside in any one county, and that no person shall be appointed or serve as trustee of more than one institution at one and the same time: *And, provided, further*, that no superintendent or employee of any of said institutions shall be trustee thereof.

§ 8. The governor shall have power to remove any trustee for inefficiency or other good and sufficient cause; and every vacancy occurring from death, removal, or otherwise, shall be filled for the remainder of the unexpired term in the same manner as prescribed in the seventh section of this act, but if the senate be not in session when such vacancy occurs, the governor shall fill such vacancy, subject, however, to the approval of the senate at its next regular session.

§ 9. Every person appointed as trustee of any state institution shall, before entering upon the duties of his office, take and subscribe the oath prescribed in the twenty-fifth section of the fifth article of the constitution of the state of Illinois, which oath shall be filed in the office of the secretary of state.

§ 10. Each of the boards of trust appointed in accordance with the provisions of this act shall have charge of the general interests of the institution committed to its care, and shall have the power to appoint such officers and other agents, not herein otherwise provided for, as may be needed for the successful management thereof, to define their duties, to fix their compensation, to remove and discharge them whenever, in their judgment, the welfare of the institution demands, and to make all necessary by-laws, rules and regulations for the government of the institution and its inmates: *Provided*, that no person shall be appointed superintendent of either of the hospitals for the insane, nor for the institution for the education of the feeble-minded children, who is not an educated and competent physician.

§ 11. The trustees shall receive no compensation for their services; but the actual expenses of each of them, while engaged in the performance of the duties of his office, shall be audited by the board and paid out of the funds of the institution.

§ 12. The principal executive officer of each of the state charitable institutions shall be officially known and designated as the superintendent of said institution. He shall be the financial agent of the trustees, and shall have charge of the premises, property and inmates, subject to their direction. He shall, with the consent of the trustees, appoint all subordinate officers and employees, and assign them their respective duties, and may at any time discharge them from service. He shall see that all officers, agents and employees of the institution faithfully dis-



charge their duties, and shall be directly responsible to the trustees for the economy, efficiency and success of the internal management. In all institutions which furnish board to the inmates, the superintendent shall reside in the institution.

§ 13. The trustees of each of the state institutions shall appoint one of their own number to be president of the board and shall appoint some person not a member of the board to be treasurer of the institution. They shall also appoint such person as they may select to be their secretary.

§ 14. The treasurer and superintendent, before entering upon the duties of their office, shall each give bond payable to the People of the State of Illinois, in such amount and with such sureties, not less than two, as shall be approved by the trustees and by the governor, conditioned for the faithful performance of the duties of their office, which bond shall be filed in the office of the state commissioners of public charities, at Springfield.

§ 15. The books and papers of the treasurer shall be open at all times to the inspection of any of the trustees of his institution, officers of state, members of the general assembly, or state commissioners of public charities.

§ 16. The treasurer shall receive and be custodian of all moneys due or belonging to the institution, whether derived from the state treasury or from other sources, and the superintendent, or any other officer into whose hands any moneys rightfully belonging to the institution may chance to come, shall pay over all such moneys in full to the treasurer, at least once in every month. The treasurer shall not pay out any of the funds of the institution except on proper vouchers, namely, on the order of the board of trustees by such agent as the board may appoint, and the original orders upon which said funds are paid out shall be returned from time to time to the trustees, to be filed in the office of the institution and there permanently preserved, and the president of the board shall give his receipt to the treasurer for said orders when returned, showing in detail their numbers and amounts, which receipt shall be a final clearance of the treasurer from all further responsibility for said moneys so paid. The treasurer shall keep an itemized account in a substantially bound book, showing, under appropriate heads, all the receipts and disbursements, in detail, with the date when and the parties from or to whom the same were received or paid, and also the current number of the order of the trustees upon which each cash payment is made.

§ 17. The trustees shall hold regular stated meetings of the board, at the institution, at least as often as once in every three months, at such times as they may appoint, and called meetings at the request of any one of their number. A majority of the board shall constitute a quorum to do business. At each regular meeting they shall inspect the institution under their charge, and they, or any one of them, may visit and inspect the same at any time.

§ 18. At each stated meeting of the board, the treasurer shall make a full report of all moneys received and paid out by him, accompanying the same with a copy of his itemized account, which account shall be verified by affidavit, and make settlement with the trustees. The superintendent shall present to the trustees an itemized statement of the kind, quality and cost of all articles purchased for the institution during the interval since the last regular meeting of the board, and a

classified summary of expenses incurred, with which the report of the treasurer shall be compared. The trustees having examined said reports and accounts of the superintendent and treasurer, and the balance in the treasurer's hand, together with the amount of outstanding unpaid liabilities, shall indorse their approval thereon and transmit the same, with duplicate vouchers accompanying, to the state commissioners of public charities, at Springfield, to be filed in their office for inspection at any time by the governor and by the members of the general assembly. And no installment of any appropriation heretofore or hereafter made by the general assembly shall be due or payable to any of the state institutions until the state commissioners of public charities shall have certified to the governor the accuracy of the said statements and accompanying vouchers, which certificates shall be approved by the governor, and delivered to the auditor of public accounts.

§ 19. All appropriations for the ordinary expenses of a state institution shall be due and payable from the state treasury quarterly, in advance, unless otherwise specified in the act making said appropriations. But no appropriation, ordinary or special, nor any installment thereof, shall be paid to or for the benefit of any institution, by the treasurer of state, except upon the warrant of the auditor of public accounts, nor shall the auditor draw his warrant therefor except upon the order of the board of trustees signed by the president and attested by the secretary, with the corporate seal of the institution, accompanied by the certificate of the commissioners of public charities, approved by the governor, as specified in the eighteenth section of this act.

§ 20. No portion of any special appropriation for the erection of any building or for the doing of any work, or for any purpose other than ordinary expenses, shall be drawn from the state treasury in advance of the work done or materials furnished, and then only upon proper estimates thereof, approved by the trustees, which estimates shall be filed in the office of the commissioners of public charities; and no portion of any appropriation for any purpose shall be drawn from the state treasury before it shall be required for the purpose for which it is made; and no appropriation which is or may be made for one purpose shall be drawn or used for any other purpose; and if at any time hereafter the sum appropriated by the general assembly for any specific purpose shall be found insufficient to complete and accomplish the purpose for which said appropriation is made, then no part of said sum so appropriated shall be expended or drawn from the state treasury, nor shall any liability on the part of the state be created on account of said appropriation.

§ 21. All moneys which have been heretofore, or which may be hereafter appropriated to any state institution for any purpose, other than for ordinary expenses, and which remain in the hands of the trustees of such institution, and are not required for the uses for which the same were appropriated, shall be paid into the state treasury immediately on the taking effect of this act.

§ 22. No trustee, treasurer, superintendent or other officer or agent appointed by virtue and under the provisions of this act, shall be directly or indirectly interested in any contract or other agreement for building, repairing, furnishing or supplying said institutions. Any violation of this section shall subject the offender, on conviction, to be punished by a fine of not more than double the amount of said contract or

agreement, or by imprisonment in the penitentiary for a term of not less than one nor more than three years.

§ 23. In the matter of the purchase of supplies for an institution, the trustees shall cause such purchase to be made wherever the best grade of articles of suitable quantity can be bought at the lowest price, and, so far as practicable, in large rather than in small quantities, and they shall, if in their judgment it can be done to advantage, advertise for proposals for staple supplies, such as meat, flour, sugar, coffee, tea, fuel, and other staple articles, and make contracts for the furnishing of the same in bulk or in quantities as may be needed for use: *Provided*, that the trustees shall have power, by themselves or by their financial agent, to terminate and annul such contract whenever the supplies furnished do not fully correspond in quality and quantity to the samples previously furnished by the contractors, and to the letter and spirit of the proposals made by them: *And, provided, further*, that no drawbacks, presents, or secret discounts shall be given to or received by any person whatever on account of any articles or materials furnished to or labor done for any state institution, and a violation of this proviso shall subject the offender, on conviction thereof in any court of record, to a fine of not more than one thousand dollars or imprisonment in the penitentiary for a term of not less than one nor more than three years.

§ 24. Every state institution shall keep a register of the number of officers, employes and inmates present each day in the year, in such form as to admit of a calculation of the average number present each month.

§ 25. Every state institution shall, so far as may be practicable, keep a record of stores and supplies, showing the amount of stores, etc., received and issued, with the dates and the names of the parties from or to whom the same were received or issued.

§ 26. All residents of the state of Illinois who are or may become inmates of any of the state charitable institutions, shall receive their board, tuition and treatment free of charge during their stay. The residents of other states may be admitted to said institutions upon the payment of the just costs of said board, tuition and treatment: *Provided*, that no resident of another state shall be received or retained, to the exclusion of any resident of the state of Illinois: *And, provided, further*, that should any inmate be unwilling to accept gratuitous board, treatment or tuition, then any superintendent of a state charitable institution is hereby authorized to receive pay therefor, and is required to account for the same in an itemized monthly or quarterly statement to the trustees, as donations, duly credited to the persons from whom they were received; and if any superintendent shall receive any moneys for the purpose of furnishing extra attention and comforts to any inmates of the institution under his charge, he shall account for the same, and for the expenditures, in like manner, to the trustees: *And provided, further*, that until July 1, 1877, superintendents of state institutions are hereby authorized to charge for board to inmates as heretofore authorized by law.

§ 27. In all cases where persons sent to the institution for the blind, the institution for the deaf and dumb, or the institution for feeble-minded children, are too poor to furnish themselves with sufficient clothing and pay the expenses of transportation to and from the institution, the judge of the county court of the county where any such person resides, upon the application of any relative or friend of such person, or of any officer of his town or county (ten days' notice of which application shall be given to the county clerk), may, if he shall deem such person a

proper subject for the care of either of said institutions, make an order to that effect, which shall be certified by the clerk of the court to the principal or superintendent of such institution, who shall provide the necessary clothing and transportation at the expense of the county, and upon his rendering his proper accounts therefor semi-annually, the county board shall allow and pay the same out of the county treasury.

§ 28. On or before the first day of November preceding each regular session of the general assembly, the trustees of each of the state institutions named in this act shall make out and transmit to the state commissioners of public charities, and they, if they find the same to be correct, shall deliver the same to the governor, a full and detailed report of all their transactions and doings for the two years ending on the thirtieth day of September immediately preceding, showing, for the two years, and for each of them, separately, the number of inmates admitted and discharged since their last report, the number then remaining in the institution, the average annual attendance, the receipts, disbursements and expenditures of moneys or other funds, the valuation of property in the hands of the trustees, the amount of each appropriation or fund under their control, and the balance thereof remaining unexpended in their hands or in the treasury of the state. The reports required by this section shall be accompanied with a cash statement made by the treasurer of the institution, and with such other information, financial, statistical or otherwise, in such tabulated form as the commissioners of public charities may prescribe and require: *Provided*, that the said commissioners shall prescribe forms of statements as nearly uniform as may be practicable for all the institutions, to the end that their accounts may be compared and consolidated for the information of the general assembly: *And, provided, further*, that the said commissioners may call for and require special reports when, in their judgment, the public interest shall demand the same.

§ 29. The number of copies of the several reports of the state institutions named in this act, now or hereafter prescribed by law, shall be printed and published under the supervision of the state commissioners of public charities, who shall have said reports printed, bound and ready for distribution to the members of the general assembly, within ten days after the meeting thereof.

§ 30. The board of state commissioners of public charities, created by an act approved April 9, 1869, is hereby recognized and continued, and the powers heretofore granted to said board, of visitation, investigation, inquiry, counsel, recommendation and report, with respect to the management and affairs of the state and county charitable and correctional institutions, are hereby confirmed, and the same jurisdiction now exercised by said board over a portion of the state institutions is extended so as to apply to all penal institutions, all of which shall hereafter be subject to visitation and investigation by said board.

§ 31. It shall be the duty of the superintendent of public instruction to visit such of the charitable institutions of the state as are educational in their character, and to examine their facilities for instruction; and the several superintendents of these institutions shall make to him reports, at such times, on matters educational relating to their institutions, and in such forms as he may prescribe.

§ 32. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED April 15, 1875.

## TOWNSHIP ORGANIZATION—(ART. XI.)

§ 1. Amend section 2, article 11, act of 1874—Supervisors to receive and pay out all money, except, etc.—To make statement.—Duty of town clerk. In force July 1, 1875.

AN ACT to amend section two of article (11) eleven, of an act entitled "An act to revise the law in relation to township organization," approved March 4th, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* section (2) two, of article (11) eleven of an act entitled "An act to revise the law in relation to township organization," approved March 4, 1874, be amended to read as follows :

## ARTICLE ELEVEN (11).

§ 2. The supervisor of each town shall receive and pay out all moneys raised therein for defraying town charges, except those raised for the support of highways and bridges, and he shall, on or before the Tuesday next preceding the annual town meeting, prepare and file with the town clerk a full statement of the financial affairs of the town, showing, first, the balance (if any) received by him from his predecessor in office, or from any other source; second, the amount of tax levied the preceding year for the payment of town indebtedness and charges; third, the amount collected and paid over to him as supervisor; fourth, the amount paid out by him, and on what account, including any amount paid out on town indebtedness, specifying the nature and amount of such indebtedness, and the amount paid thereon, how much on principal, and how much on interest account; fifth, the amount and kind of all outstanding indebtedness due and unpaid, and the amount and kind of indebtedness not yet due, and when the same will mature. It shall be the duty of the town clerk to record the same in the record book of the town as soon as filed, and post up a copy of the same at the place of holding the annual town meeting, two days before the meeting is held; and he shall also read aloud such statement to the electors at such meeting. Any supervisor or town clerk who shall willfully neglect to comply with the provisions of this section shall forfeit and pay to the town the sum of not less than fifty nor more than two hundred dollars, to be sued for and recovered by said town in its corporate name, and appropriated to repairs of highways and bridges therein.

APPROVED March 29, 1875.

## COMMISSIONERS OF HIGHWAYS.

§ 1. Election of commissioners.

§ 2. Legalizing acts heretofore done.

§ 3. Compensation of treasurer.

§ 4. Emergency.

In force April 15, 1875.

AN ACT to provide for the election of commissioners of highways in counties under township organization, and to legalize the election and official acts of such as were elected in the year 1874 and 1875, and to fix the compensation of the treasurer of such commissioners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* in counties under township organ-

ization there shall be elected in each town, at the annual town meeting each year, one commissioner of highways, who shall hold his office three years, and until his successor is elected and qualified.

§ 2. In all cases where, during the year A. D. 1874 or 1875, commissioners of highways were elected and have qualified and entered, or may hereafter qualify and enter, upon the discharge of their official duties, such election and official acts shall be considered as lawful and be of full legal force and effect.

§ 3. The treasurer of the board of highway commissioners shall receive for his services as such treasurer two per cent. on all moneys he may receive and pay out, except such moneys as he may pay over to his successor in office.

§ 4. Whereas, no law is now in force providing for the election of commissioners of highways, therefore an emergency exists, and this law shall be in force from and after its passage.

APPROVED April 15, 1875.

---

## UNIVERSITIES, COLLEGES, ETC.

---

### TRUSTEES.

§ 1. Non-residents eligible to the office of trustee. In force July 1, 1875.

*AN ACT to enable non-residents of this State to hold the office of trustee in colleges, universities and other institutions of learning not under the control of officers of this State.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly That, in all colleges, universities and other institutions of learning in the state of Illinois, not placed under the control of the officers of this state, whether organized under any general or special law, non-residents of this state shall be eligible to the office of trustee: Provided, that in no case shall more than one-third of the members of the board of trustees of any such institution of learning be non-residents of this state.*

APPROVED April 2, 1875.

DEPARTMENT OF STATE,  
SPRINGFIELD, ILLINOIS, April 28, 1875.

I, GEORGE H. HARLOW, Secretary of State of the State of Illinois, do hereby certify that the foregoing printed laws are true and perfect copies of the enrolled laws passed by the Twenty-ninth General Assembly of the State of Illinois, now on file in this office, with the exception of the words printed in brackets, thus [ ].

[SEAL.]

GEORGE H. HARLOW,  
Secretary of State.

## JOINT RESOLUTIONS.

---

### ADJOURNMENT.

*Resolved by the House of Representatives, the Senate concurring herein,*  
That when the two houses of this General Assembly shall adjourn, on  
Thursday, April 15th, they shall respectively stand adjourned *sine die*.

---

*Resolved by the House of Representatives, the Senate concurring herein,*  
That this General Assembly adjourn *sine die* at 11:30 o'clock, of this  
15th day of April, A. D. 1875.

---

### AGRICULTURAL COLLEGE.

*Resolved by the House of Representatives, the Senate concurring herein,*  
That the attorney-general be and is hereby instructed to proceed at  
once to secure and enforce, by law or otherwise, the rights of the state  
to the lands, buildings and other property of the "Irvington Agricultural  
College," and that he be required to report his proceedings at the  
first meeting of the Thirtieth General Assembly.

---

### CHARITABLE INSTITUTIONS AND NORMAL SCHOOLS.

*Resolved by the House of Representatives, the Senate concurring herein,*  
That the superintendents of the asylums for the insane, blind, deaf  
mutes and feeble minded, and the principals of normal schools and  
other public charitable institutions of this state, be and they are hereby  
required to report immediately, under oath, to this General Assembly,  
in detail:

1st. The number of inmates of their respective institutions.

2d. The number and name of persons in their respective institutions paid for by themselves or by any other person for them, and the amount received from each.

3d. A detailed statement of amount received for labor of inmates and from the sale of articles manufactured by inmates of respective institutions.

4th. The number of officers and employees in any manner connected with such institution, and the salaries received respectively by each.

*Resolved further*, that a copy of these resolutions be at once furnished to the superintendent and principals of the institutions aforesaid.

---

#### ELECTION RETURNS.

*Resolved by the House of Representatives, the Senate concurring herein*, That the two houses meet in joint session in the Hall of Representatives, on Monday, 11th inst., at 11 o'clock A. M., for the purpose of canvassing the returns of the election for superintendent of public instruction and treasurer of state in obedience to article five (5), section four (4), of the constitution.

---

#### FEEBLE-MINDED CHILDREN.

WHEREAS, the governor has in his message recommended the permanent establishment and location of an institution for the education of feeble-minded children; and, whereas, several places for the location of such an institution have been named in bills introduced in this House; be it therefore

*Resolved by the Senate of the State of Illinois, the House of Representatives concurring herein*, That a committee of five be appointed, consisting of two senators to be named by the president of the Senate, and three members of the House, to be named by the speaker of the said House, to visit the residences of Ex-Governor John Wood, at Quincy, Illinois, and of Harvey B. Durfee, at Decatur, Illinois, to ascertain whether said residences are proper sites and buildings for said institution, and the price at which each of the same can be obtained by this state, and to report the result of such inquiry to the General Assembly, with convenient speed: *Provided*, that the committee, before examining any locality, shall visit the institution now in operation to ascertain the needs of such institution, before visiting Quincy.



## HEATING.

*Resolved by the House, the Senate concurring herein,* That a committee of two on the part of the House, and one on the Senate, be appointed to contract with some competent person to take charge of the heating apparatus of both houses.

---

## HENNEPIN CANAL.

WHEREAS a bill is now pending in Congress, providing for constructing a canal from the Illinois river, near Hennepin, to the Mississippi, at or above Rock Island, therefore,

*Resolved by the Senate, the House concurring,* That our senators in Congress be and are hereby instructed, and our representatives requested to vote for and use their influence to procure the passage of said bill, known as the Hennepin Canal Bill.

*Resolved,* That the governor is hereby requested to telegraph the same to Hon. John B. Hawley, representative in Congress from the sixth district of this state.

---

## MISSISSIPPI RIVER.

*Be it resolved by the House of Representatives of the State of Illinois, the Senate concurring herein,* That our senators be instructed and our representatives in Congress be requested to solicit an appropriation from the government of the United States for surveying the Mississippi river, from the Gulf of Mexico to Cairo in the State of Illinois, for the purpose of ascertaining whether said river can be made navigable for the largest class of sea-going vessels.

---

WHEREAS a bill has passed the House of Representatives in the Congress of the United States for removing the obstructions at the mouth of the Mississippi; therefore,

*Resolved by the Senate of the State of Illinois, the House concurring herein,* That the opening of the mouth of the Mississippi to the free and unobstructed commerce of the world is an object of great national concern, and that our senators in Congress are hereby instructed to support this bill or some other which shall speedily and effectually accomplish the work.

*Resolved,* That the governor is hereby requested to telegraph the above preamble and resolution to our senators in Congress.

## PATENTS.

*Resolved by the House of Representatives, the Senate concurring herein,* That our representatives in Congress be requested and our senators be instructed to use their influence to prevent the extension of patents that may have expired ; and

*Resolved, further,* That the secretary of state be instructed to forward a copy of these resolutions to each of our senators and representatives in Congress.

## PENSIONS, 1812.

*Resolved by the House of Representatives, the Senate concurring therein,* That our senators in Congress be instructed and our representatives be requested to favor the passage of an act of Congress granting pensions to all of the surviving soldiers of the war of 1812, and to their surviving widows, without any regard to the time said soldiers served or to the date of the marriage of the surviving widow of soldiers who have died.

*Resolved,* That the secretary of state transmit a copy of the foregoing resolution to each of the senators and representatives in Congress from the State of Illinois.

## PENSIONS, 1846, 1847, 1848.

*Resolved by the Senate of the State of Illinois, the House of Representatives concurring therein,* That the United States senators from this state be instructed and the representatives in Congress from this state be requested to use all means in their power to secure the speedy passage of a bill now pending in the Congress of the United States, entitled "An act granting pensions to certain soldiers and sailors of the war of 1846, 1847 and 1848, with Mexico, and the widows of deceased soldiers and sailors."

## PENSIONS—LATE WAR.

WHEREAS, a bill is now before the federal Congress providing that pensions on account of death, wounds received or disease contracted in the service of the United States since March 4, 1861, which have been granted, or which shall hereafter be granted on application filed pre-

vious to January 1, 1875, shall commence from the date of death or discharge; also, providing for the payment of arrears of pensions; therefore,

*Resolved by the House of Representatives, the Senate concurring herein,* That our senators be instructed and our representatives in Congress be requested to vote for and use their influence to secure the passage of said bill as a just recognition of the services of the soldiers of the late war.

*Resolved,* That the secretary of state be instructed to transmit a copy of this preamble and resolutions to our senators and representatives.

---

#### REFUNDING ACT.

*Resolved by the Senate, the House of Representatives concurring herein,* That the secretary of state is hereby directed to have 1,000 copies printed of an act entitled "An act to declare and constitute the state of Illinois sole trustee of that portion of the state tax, levied, assessed and collected for the year 1873, in excess of  $\frac{29}{36}$  thereof, and to provide exclusive remedies for the complete refunding of the same to the taxpayers of the state who have paid such excess, and for the protection of the tax-payers entitled thereto, and of counties, and of all officers or persons connected with the collection, custody or payment thereof," and that he send a printed copy thereof to all county clerks, county treasurers and county collectors in this state, and distribute the remainder to the executive officers of the state and members of the General Assembly.

---

#### RULES.

*Resolved by the Senate, the House of Representatives concurring herein.* That a joint committee on rules be appointed, to consist of three on the part of the Senate and five on the part of the House.

---

#### STATE INSTITUTIONS.

*Resolved by the Senate, the House of Representatives concurring herein,* That all reports of state institutions made by virtue of joint resolutions of Senate and House be printed for the use of House and Senate.

## SWAMP LANDS.

WHEREAS in section 2, of the act of Congress, approved March 2, 1855, (see vol. 10 U. S. Statutes at large, p. 634); which act was amendatory to the act approved September 28, 1850, entitled "An act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits," it was provided that upon due proof of the agent of the state or states, before the commissioner of the general land office, that any lands purchased subsequent to the 28th of September, 1850, were swamp lands, within the meaning of the swamp land act of September 28, 1850, the purchase money should be paid over to the state or states, and where the lands have been located by warrants or scrip the said state or states should be authorized to locate a quantity of like amount upon any portion of the public lands subject to entry at \$1 25 per acre or less, and patents shall issue therefor and upon the terms and conditions enumerated in the act aforesaid; and whereas by act of the legislature of the state of Illinois, approved June 22, 1852, section 1, it was provided "That all the swamp and overflowed lands granted to the state of Illinois by the act of Congress entitled 'An act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits,' approved September 28, 1850, be and the same are hereby granted to the counties respectively in which the same may lie or be situated, etc.;" and whereas the said grant of the state of Illinois to the several counties is to a large extent inoperative on account of the rules and decisions of the commissioner of the general land office under which none of the counties have been thus far able to locate the scrip to which they are entitled; therefore,

*Be it resolved, (the Senate and the House concurring therein),* That the Congress of the United States be requested, by resolution or otherwise, to instruct the commissioner of the general land office to authorize the location of said scrip issued and to be issued under said act of March 2, 1855, upon any government land subject to entry at \$1 25 per acre, lying in any of the states or territories of the United States.

*Resolved,* That the governor of this state be authorized to appoint a state agent, whose duties it shall be to look after the general interests of the state of Illinois growing out of the swamp land act of September 28, 1850, and the amendments thereto: *Provided,* this state agent so appointed, shall not in any manner interfere with or annul any bargain, contract or agency made by any county in said state with any person or persons for the purpose of protecting the interests of the said county under the said swamp land act: *And, provided,* that said state agent so appointed shall make no charge against the state of Illinois for any services he may render under this resolution.



	PAGE.		PAGE.
<b>CITIES—CONTINUED.</b>		<b>JUDGMENT AND DECREES:</b>	
Mayor may veto.....	41	Amend section 39, act of 1872.....	86
Police and firemen's relief fund.....	42, 43	Proceedings on death of defendant.....	86
Re-organization.....	43	<b>JUSTICES OF THE PEACE:</b>	
<b>CITIES AND VILLAGES:</b>		Amend act of 1871 relating to justices in Chi- cago.....	87
Amend act of 1872.....	62	Number to be appointed.....	87
Sidewalks, means for construction.....	63	<b>NOTARIES PUBLIC:</b>	
<b>CORPORATIONS:</b>		Amend section 1, act of 1872.....	88
Foreign corporations, may loan money.....	65	Who may be appointed.....	88
“ “ title to property, how acquired.....	66	<b>OHIO AND WABASH RIVERS:</b>	
<b>COUNTIES:</b>		Title of land ceded to United States.....	88
Amend act of 1872 concerning indebtedness.....	68	<b>PARKS:</b>	
Sites for county buildings.....	66	Amend section 12, act of 1871.....	89
<b>COUNTY COURT:</b>		Bonds issued—form prescribed.....	89
Trial of right of property.....	69	<b>PAUPERS:</b>	
<b>COUNTY COURTS:</b>		Amend section 16, act of 1874.....	90
Time for holding changed—		Removal authorized.....	90
Fulton.....	71	<b>PENITENTIARY:</b>	
Gallatin.....	71	Amend section 2, act of 1872.....	90
Greene.....	71	Good time, how forfeited and how restored.....	91
Marshall.....	72	<b>POLICE MAGISTRATES:</b>	
McDonough.....	72	Election authorized.....	91
Mercer.....	72	<b>RAILROADS:</b>	
Pike.....	73	Right to purchase interest in adjoining States.....	96
Putnam.....	72	Formation of Union Depots.....	97
Saline.....	73	<b>REFUNDING FUNDS:</b>	
Sangamon.....	73	State sole trustee.....	99
Schuyler.....	71	<b>REVENUE:</b>	
<b>DOWER:</b>		For State purposes.....	92
Amend section 44, act of 1874.....	75	Governor and Auditor to compute rates.....	92
Assignment of dower and homestead.....	75	<b>ROADS AND BRIDGES:</b>	
<b>DRAINAGE:</b>		Amend act of 1873, not under township organ- ization.....	92
Amend act of 1871.....	76	Amend act of 1873, under township organiza- tion.....	95
<b>ELEVATED WAYS AND CONVEYORS:</b>		<b>SCHOOL TRUSTEES:</b>	
Articles of incorporation.....	77	Authorized to convey land to railroads.....	96
Powers conferred.....	78	<b>SNY CARTY RIVER:</b>	
<b>FEES AND SALARIES:</b>		Act repealed declaring navigable.....	103
Amend section 12, act of 1872.....	79	<b>STATE INSTITUTIONS:</b>	
Fees of clerks of supreme court.....	79	Management regulated.....	106
<b>FISCAL YEAR:</b>		Objects set forth.....	105
Officers and trustees to report.....	80	Titles changed.....	104
When reports to be made.....	81	<b>TOWNSHIP ORGANIZATION—(ART XI):</b>	
<b>FRAUDS UPON TRAVELERS:</b>		Amend act of 1874.....	111
Ticket agents to have certificate of authority.....	81	Supervisor, duties prescribed.....	111
Penalty for bartering without authority.....	82	Commissioners of highways—acts legalized.....	112
<b>HORTICULTURE:</b>		Treasurer, compensation fixed.....	112
Amend act of 1874.....	2	<b>UNIVERSITIES, COLLEGES, ETC.:</b>	
Appropriation for State society.....	13	Non-residents eligible to office of trustee.....	112
<b>HOSPITALS FOR THE INSANE:</b>		<b>JOINT RESOLUTIONS.....</b>	<b>113</b>
(See appropriations).....	14, 17, 18, 19, 20		
State divided into districts.....	83		
Number of patients each county entitled to... ..	84		
<b>INTEREST:</b>			
Amend section 8, act of 1874.....	85		
Rate between citizens or corporations.....	85		



