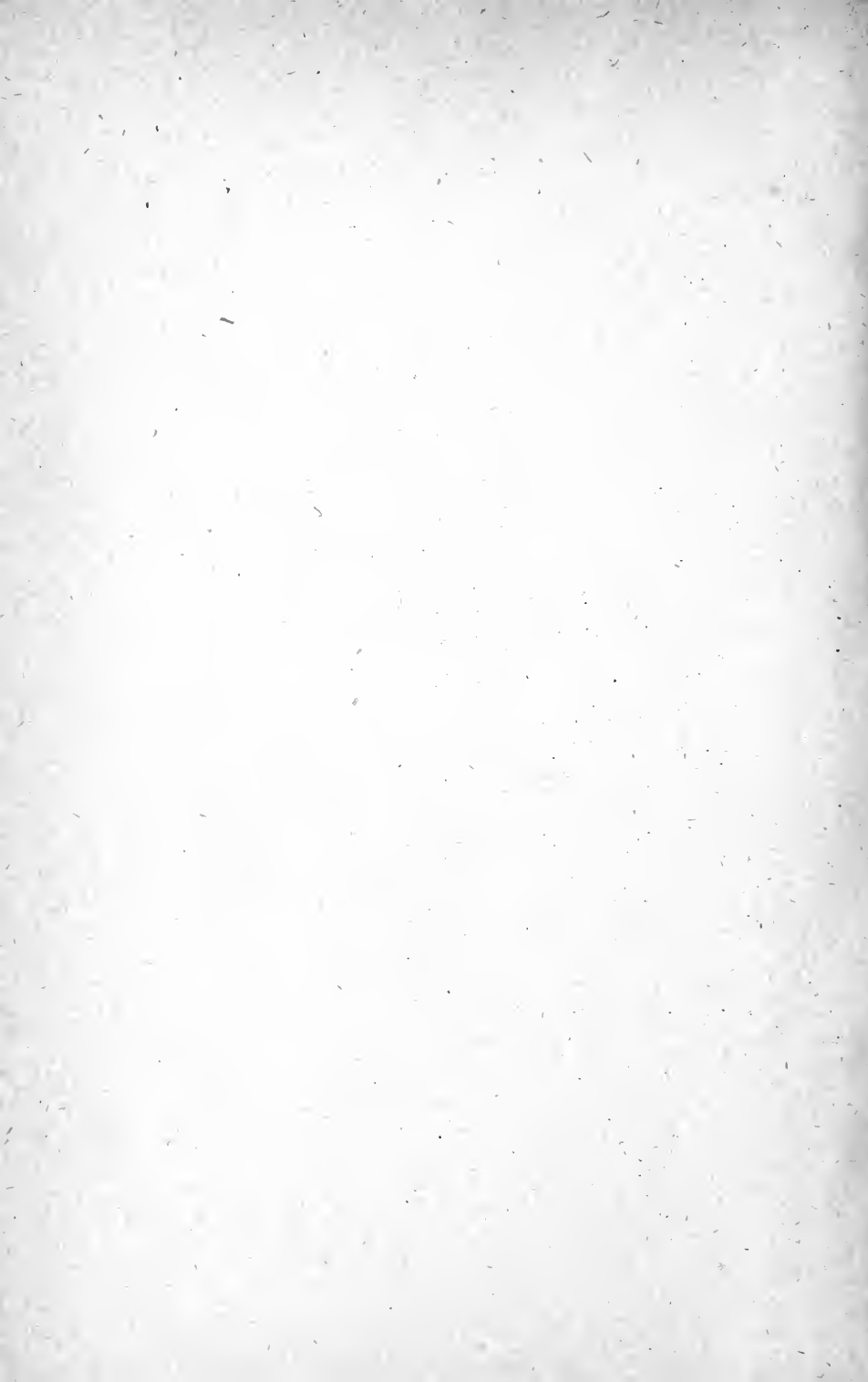




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LAWS

OF THE

STATE OF ILLINOIS,

ENACTED BY THE

THIRTY-FIFTH GENERAL ASSEMBLY,

AT THE SESSION WHICH

COMMENCED JANUARY 5, 1887 AND ADJOURNED JUNE 15, 1887.

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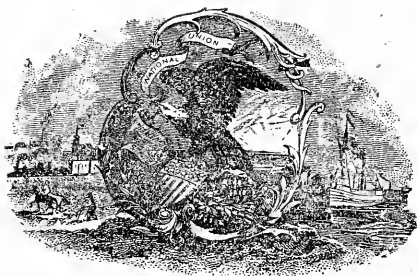


TABLE OF CONTENTS.

	PAGE.
ADMINISTRATION OF ESTATES:	
Bondsmen of deceased executors and administrators, liability	1
Classification of claims:	2
Sale of real estate	3
ALIENS:	
Landlords including taxes as part of rent	4
Right to hold real estate	5
ANIMALS:	
Act in relation to contagious diseases revised and amended	8
Act of 1887 amended	13
Act to co-operate with the U. S. in suppressing pleuro-pneumonia	16
Liens on get of sires	17
False pedigrees	18
Running at large	19
APPROPRIATIONS:	
Agriculture, State Board	20
Blackburn, Emily J	21
Blackburn, John R	22
Boals, Manuel H	22
Burlington Manufacturing Co.	23
Canal	23
CHARITABLE INSTITUTIONS—	
Blind	24, 25
Deaf and Dumb	28
Eye and Ear Infirmary	28
Feeble-Minded Children	29
Eastern Hospital for the Insane	30, 31
Central Hospital for the Insane	31
Northern Hospital for the Insane	32
Southern Hospital for the Insane	33
Soldiers' and Sailors' Home	34
Soldiers' Orphans' Home	35
Dairymen's Association	36
Davis and Logan Memorial Exercises	36
General Assembly	37, 38
Horticultural Society	38
Le May, J. C.	38
Lincoln Homestead	39, 40
Lincoln Monument	41
Live Stock Commissioners	41, 42
Logan Monument	43, 44

	PAGE.
APPROPRIATIONS—Continued.	
Lyle, John A.....	45
McGee, Peter.....	46
Mooney, Michael, costs of trial.....	46
National Guard and Memorial Hall.....	47
National Guard.....	48
PENITENTIARIES—	
Joliet.....	48, 49, 50
Southern.....	51
Purdie, Mrs. R. A.....	52
Owners of slaughtered cattle and quarantined cows.....	53, 54, 55
Reform School.....	56, 57
School exhibit at Chicago, 1887.....	57
State debt.....	58
State House, repairs of.....	58
State House, losses by fire.....	59
STATE GOVERNMENT—	
Paper and stationery.....	60
Printing, binding and heating.....	61
Printing.....	61
Ordinary and contingent expenses.....	62
State Laboratory of Natural History, and State Entomologist.....	71
Stewart, Samuel.....	72
Superintendent of Public Instruction.....	73
State Normal University.....	73
Tucker, John B.....	74
Southern Normal University.....	75
University of Illinois.....	76
BANKS AND BANKING:	
Savings Institutions.....	77
State banking system.....	89
BETS, WAGERS AND POOLS:	
Book-making and pool selling prohibited.....	95
BUCKET SHOPS:	
Gambling in grain, stocks and produce prohibited.....	96
CEMETERIES:	
County, care and management.....	97
CHARITABLE INSTITUTIONS, STATE:	
Central Hospital for the Insane; trustees authorized to sell a certain tract of land...	99
Superintendents of Hospitals for the Insane required to report to the county clerks the number of patients in the hospital from such county.....	100
Trustees of Charitable Institutions and Reform School required to make biennial reports September 1st preceding the regular meetings of the General Assembly.....	100
Admission of applicants to the Soldiers' and Sailors' Home.....	101
CHILDREN:	
Abandonment, penalties.....	102
CITIES, TOWNS AND VILLAGES:	
Aldermen, fixing the number to be elected in cities not adopting the minority plan ..	102
Incorporation under the general law for cities.....	103
Police districts, limits defined.....	104
Special assessments for local improvements may be paid in installments.....	104
Ordinances for local improvements by special assessments must set out the same by maps and plats.....	107
Street railways; use of streets.....	108
Wards, dividing cities into.....	116
Presidents of boards of trustees.....	116
Itinerant merchants, licensing and regulating.....	117
Firemen's Pension Fund.....	117

CITIES, TOWNS, ETC.—*Continued.*

PAGE.

Police Pension Fund.....	122
Chicago Drainage District.....	126
Authorities of, incorporated by special, charter, may convey real estate for school purposes.....	127
Lockport, repeal of section of charter.....	128
Trenton, charter repealed.....	128

CLERKS OF COURTS:

See section 16, act 1874, amended.....	128
--	-----

CORPORATIONS:

An act to amend section 11, act of 1879, for incorporating building, loan and homestead associations.....	131
An act to amend sections 8 and 10, act of 1879, for incorporating building loan and homestead associations.....	131
An act to amend section 1, act of 1872, to provide for changing names, places of business, etc.....	132
An act to provide for incorporating co-operative associations for profit.....	134
An act for the apprehension of horse thieves and other felons.....	140
An act in regard to the serving of process on receivers of corporations.....	142
An act to amend the act concerning corporations.....	142
An act to enable surety companies to do business in this State.....	143
An act to provide for and regulate trust companies.....	144

COUNTIES:

Cook county commissioners, election.....	149
Cook county affairs; duties of commissioners; finances and public service.....	150
Approval of official bonds in counties under township organization.....	156

COURTS:

APPELLATE—

Jurisdiction, section 8, act 1877, amended.....	156
---	-----

CIRCUIT—

Cook county, increase of judges.....	157
Judges may hear cases by agreement between parties.....	158
Short-hand reporters, appointment.....	159

Terms—

Fifth circuit.....	160
Sixth circuit.....	161

COUNTY—

Act changing the terms of probate court in all counties in the State.....	162
Alexander county, terms changed.....	162
Bureau county, terms changed.....	162
Crawford county, terms changed.....	163
Hardin county, terms changed.....	162
Piatt county, terms changed.....	163
Sangamon county, terms changed.....	164
Scott county, terms changed.....	164
Vermilion county, terms changed.....	162
Wabash county, terms changed.....	165
Will county, terms changed.....	165
Woodford county, terms changed.....	166

CRIMINAL CODE:

Bail in vacation.....	166
Conspiracy; amends section 46, division 1, act of 1874, "boycott".....	167
Conspiracy further defined.....	168
Prostitution of females.....	170
Rape; amends section 237.....	171

ELECTIONS:	PAGE.
An act to amend section 2, article 8, act of 1885, regulating elections in cities, towns and villages	171
An act to enable inmates of soldiers' home to vote	172
An act to amend the act of 1872, defining offenses and penalties at elections	173
An act to regulate holding elections for town and school offices in cities, towns and villages which have or may adopt the city election law of 1885	175
EVIDENCE AND DEPOSITIONS:	
Copies of the entries of lands, evidence of title, in the absence of the patent	176
EXEMPTIONS:	
Homesteads	178
Personal property, schedule	179
EXPLOSIVES:	
Manufacture, transportation and sale	180
FEES AND SALARIES:	
Appeal cases, copies of papers	182
Clerks of probate, counties third class	183
Cook county officers and clerks of courts	185
Witness fees and mileage	187
FENCES:	
Legal fences defined	188
FISH AND GAME:	
FISH—	
An act to encourage the propagation and cultivation	189
GAME—	
An act for the protection of	192
GUARDIANS AND WARDS:	
Investment of ward's money	193
INSOLVENT DEBTORS:	
Imprisonment for debt	194
INTOXICATING LIQUORS:	
An act to regulate the sale outside of cities, towns and villages	194
INSURANCE, FIRE:	
COUNTY COMPANIES—	
An act to amend sections 3 and 8 of the act of 1877	195
LIVE STOCK COMPANIES—	
An act to organize farmers' county mutual companies	197
TOWNSHIP COMPANIES—	
An act to amend sections 3, 8 and 11, act of 1877	201
INSURANCE, LIFE:	
An act to amend the act of 1869	202
Assessment societies, act revised	204
JUDGMENTS AND EXECUTIONS:	
Imprisonment for debt	213
Personal property taken on execution	213
JURY COMMISSIONERS:	
An act to authorize judges of courts of record to appoint	214
JUSTICES AND CONSTABLES:	
Appeals from police magistrates	217

LIBRARIES:	PAGE.
Tax rate in cities	218
LIENS:	
Mechanics', act amended	219, 220
LOCKS AND DAMS:	
In Illinois River ceded to the United States!	222
LUNATICS:	
Appointment of conservators	223
MARRIAGES:	
An act to amend section 4, act of 1874	225
MEDICINE AND SURGERY:	
An act to regulate the practice of	225
MILITARY CODE:	
Pay of enlisted men while on duty and in camp	229
MILLS AND DAMS:	
An act to remove the dam on the Little Wabash River at New Haven	230
MINES AND MINERS:	
Health and safety of miners, act of 1879 amended	230
Weighing coal at mines	235
MOBS AND RIOTS:	
Damages for property destroyed	237
Preservation of the peace and quelling riots, etc	239
MORTGAGES:	
Chattel, extension	241
OILS:	
Inspection, appointment of inspectors	242
PARKS:	
Indebtedness, issue of bonds to cancel	243
Lands, sale of unused	245
Protection against the action of water	246
Streets leading to	247, 248
Superintendents appointed	249
Commissioners of Lincoln Park, Chicago, may permit the erection of buildings for the use of the Newberry Library	249
PHARMACY:	
Registration of pharmacists	250
PRACTICE:	
Appeals from interlocutory orders	250
Verdicts of juries	251
RAILROADS:	
Automatic signals at crossings	252
Transportation of grain in bulk, weighing	253
Railroad accidents, Railroad and Warehouse Commissioners investigate cause	254
RECORDERS:	
Authorized to keep abstract books	256
Records and files open to public inspection	258
RECORDS:	
Destroyed by fire, act amended	258

REVENUE:	PAGE.
General levy for State purposes	262
ROADS AND BRIDGES:	
COUNTIES UNDER TOWNSHIP ORGANIZATION—	
Public highway defined.....	263
Bridges, county aid	263
COUNTIES NOT UNDER TOWNSHIP ORGANIZATION—	
Act concerning	265
SCHOOLS:	
An act to provide for auditing for payments the bills of county superintendents quarterly.....	289
Election and organization of boards of directors and boards of education.....	290
Districts, organization, etc.....	291
Presidents of boards of education, election.....	296
Streets and highways, trustees may lay out and dedicate school lands for that pur- pose.....	297
Teachers institutes, attendance of teachers	297
TELEGRAPHS AND TELEPHONES:	
Wires, poles and cables, act concerning.....	298
TOBACCO:	
Sale of, to minors, prohibited.....	298
TOWNSHIP ORGANIZATION:	
Representation in county boards, town auditors may have census taken.....	299
Uniting and dividing towns.....	300
TREE PLANTING:	
Arbor day, to encourage tree planting.....	304
UNITED STATES:	
Jurisdiction ceded to certain lands in Lake county.....	304
UNIVERSITIES:	
Illinois, election of trustees.....	306
VEAL:	
Sale of, regulated.....	307
VENUE:	
Fees and costs in trial cases in foreign county	307
WAGES:	
Preferred claims.....	308
WEIGHTS AND MEASURES:	
Standard.....	309
JOINT RESOLUTIONS:	
House and Senate.....	311-328

LAWS OF ILLINOIS.

ADMINISTRATION OF ESTATES.

LIABILITY OF BONDSMEN.

§ 1. Amends Sec. 37, act of 1872, by making the sureties on bond liable to any subsequent executor or administrator for any mismanagement on the part of deceased executor or administrator.

AN ACT to amend section thirty-seven (37) of 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 thirty-seven (37) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, be amended so as to read as follows:

"Section 37. When a sole or surviving executor or administrator dies without having fully administered the estate, if there is personal property not administered or are debts due from the estate, or is anything remaining to be performed in the execution of the will, the county court shall grant letters of administration with the will annexed, or otherwise, as the case may require, to some suitable person to administer the estate of the deceased not already administered, and the securities on the bond of such deceased administrator shall be liable on the same to such subsequent administrator, or to any other person aggrieved, for any mismanagement of the estate committed to his care; and such subsequent administrator may have and maintain all necessary and proper actions against the securities of such former executor or administrator for all such goods, chattels, debts and credits as shall have come to his possession and are withheld or may have been wasted, embezzled or misapplied, and no satisfaction made for the same: *Provided*, that where there is still a surviving executor or administrator, he may proceed to administer the estate unless otherwise provided."

APPROVED June 10, 1887.

CLASSIFICATION OF CLAIMS.

§ 1. Amends section 70 of the act of 1872 by making the wages of a servant or laborer for labor performed within six months prior to death, claims of the 6th class.

AN ACT to amend section 70 of an act entitled "An act in regard to the administration of estates," approved April 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 70 of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, be amended so as to read as follows:

"Section 70. All demands against the estate of any testator or intestate shall be divided into classes, in manner following, to-wit:

First—Funeral expenses.

Second—Widow's award, if there is a widow; or children, if there are children, and no widow.

Third—Expenses attending the last illness, not including physician's bill.

Fourth—Debts due the common school or township fund.

Fifth—All expenses of proving the will, and taking out letters testamentary or of administration, and settlement of the estate, and the physician's bill, in the last illness of the deceased.

Sixth—Where the decedent has received money in trust for any purpose, his executor or administrator shall pay out of his estate the amount thus received and not accounted for; the wages due a servant or laborer for labor performed for decedent within six months previous to death.

Seventh—All other debts and demands, of whatsoever kind, without regard to quality or dignity, which shall be exhibited to the court within two years from the granting of letters, as aforesaid, and all demands not exhibited within two years, as aforesaid, shall be forever barred, unless the creditors shall find other estates of the deceased, not inventoried or accounted for by the executor or administrator, in which case their claims shall be paid *pro rata* out of such subsequently discovered estate, saving, however, to *femes covert*, infants, persons of unsound mind, or imprisoned, or without the United States in the employment of the United States, or of their State, the term of two years after their respective disabilities are removed, to exhibit their claims."

APPROVED June 17, 1887.

SALE OF REAL ESTATE.

§ 1. Amends section 99 act of 1872, by providing that proceedings may be commenced in the Circuit and County courts.

Amends section 100 by requiring a particular description of the real estate, with liens thereon.

Amends section 101 by authorizing the court to order the real estate sold and to adjust all matters relating to title, liens, dower, etc.

AN ACT to amend sections ninety-nine (99), one hundred (100), and one hundred and one (101), of an act entitled "An act in regard to the administration of estates," approved April 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections ninety-nine (99), one hundred (100), and one hundred and one (101) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, be and the same are hereby amended so as to read as follows:

"Section 99. The mode of commencing the proceedings for the sale of real estate in such cases shall be by the filing of a petition by the executor or administrator in the circuit or county court of the county where letters testamentary or of administration were issued. The widow, heirs and devisees of the testator or intestate, and the guardians of any such as are minors, and the conservator of such as have conservators, and all persons holding liens against the real estate described in the petition, or any part thereof, or having or claiming any interest therein, in possession or otherwise, shall be made parties. If there are persons interested in the premises whose names are not known, then they shall be made parties by the name of unknown owners.

"Section 100. The petition shall set forth the facts and circumstances on which the petition is founded, in which shall be stated the amount of claims allowed, with an estimate of the amount of just claims to be presented, and it shall also contain a statement of the amount of personal estate which has come to the hands of the petitioner, and the manner in which he has disposed of the same, with a statement of the amount of claims paid, a particular description of the real estate sought to be sold, and the nature and extent of all liens upon said real estate, so far as the same may be known to the petitioner. The petition shall be signed by the executor or administrator and verified by his affidavit, and shall be filed at least ten days before the commencement of the term of court at which the application shall be made.

"Section 101. Such application shall be docketed as other causes, and the petition may be amended, heard or continued for notice or other cause, and the practice in such cases shall be the same as in cases in chancery. The court may direct the sale of such real estate, disincumbered of all mortgage, judgment or other money liens that are due, and may provide for the satisfaction of all such liens out of the proceeds of the sale, and may also settle and adjust

all equities, and all questions of priority, between all parties interested therein, and may also investigate and determine all questions of conflicting or controverted titles arising between any of the parties to such proceeding, and may remove clouds from the title to any real estate sought to be sold and invest purchasers with a good and indefeasible title to the premises sold. The court may, with the assent of any mortgagee of the whole or any part of such real estate, whose debt is not due, sell such real estate disincumbered of such mortgage, and provide for the payment of such mortgage out of the proceeds of such sale; and may also, with the assent of the person entitled to an estate in dower, or by the courtesy, or for life or for years or of homestead to the whole or in part of the premises, who is a party to the suit, sell such real estate with the rest. But such assent shall be in writing and signed by such person and filed in the court wherein the said proceedings are pending. When any such estate is sold the value thereof shall be ascertained and paid over in gross, or the proper proportion of the funds invested, and the income paid over to the party entitled thereto during the continuance of the estate."

APPROVED June 15, 1887.

ALIENS.

LANDLORDS INCLUDING TAXES IN LEASES.

§ 1. Leases shall not contain provision requiring tenants to pay taxes.

AN ACT to prevent alien landlords from including the payment of taxes in the rent of farm lands as a part of the rental thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That no contract, agreement or lease in writing or by parol by which any lands or tenements therein are devised or leased by any alien or his agents for the purpose of farming, cultivation or the raising of crops thereon, shall contain any provision requiring the tenant, or other person for him, to pay taxes on said lands or tenements, or any part thereof, and all such provisions, agreements and leases so made are declared void as to the taxes aforesaid. If any alien landlord or his agents shall receive in advance, or at any other time, any sum of money or article of value from any tenant in lieu of such taxes, directly or indirectly, the same may be recovered back by such tenant before any court having jurisdiction of the amount thereof, and all provisions or agreements in writing, or otherwise, to pay such taxes shall be held in all courts of this State to be void.

APPROVED June 16, 1887.

RIGHT TO HOLD REAL ESTATE RESTRICTED.

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| <p>§ 1. Non-resident aliens prohibited from acquiring title to real estate; lands now held or acquired to be disposed of; minor resident aliens; lands escheat to the State.</p> <p>§ 2. Personal estate of aliens.</p> <p>§ 3. Resident aliens who declare their intention to become citizens.</p> <p>§ 4. Aliens who declare intention to become citizens and who do not become naturalized within six years, forfeit their lands; proceedings.</p> | <p>§ 5. Special commissioners shall give bond.</p> <p>§ 6. Possession given under judgment.</p> <p>§ 7. Rights of parties not made defendant.</p> <p>§ 8. Non-resident aliens may dispose of real estate.</p> <p>§ 9. Liens upon real estate held by aliens.</p> <p>§ 10. Repeals all acts in conflict.</p> |
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AN ACT *in regard to aliens and to restrict their right to acquire and hold real and personal estate, and to provide for the disposition of the lands now owned by non-resident aliens.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a non-resident alien, firm of aliens, or corporation incorporated under the laws of any foreign country, shall not be capable of acquiring title to or taking or holding any lands or real estate in this State by descent, devise, purchase or otherwise, except that the heirs of aliens who have heretofore acquired lands in this State under the laws thereof, and the heirs of aliens who may acquire lands under the provisions of this act, may take such lands by devise or descent and hold the same for the space of three years and no longer, if such alien at the time of so acquiring such lands is of the age of twenty-one years, and if not twenty-one years of age, then for the term of five years from the time of so acquiring such lands, and if, at the end of the time herein limited, such lands so acquired by such alien heirs have not been sold to *bona fide* purchasers for value, or such alien heirs have not become actual residents of this State, the same shall revert and escheat to the State of Illinois the same as the lands of other aliens under the provisions of this act: *Provided*, that minor aliens actually residing in the United States may acquire title to lands in this State by purchase, and hold the same for a term of six years after they might, under the naturalization laws of the United States, have declared their intentions to become citizens of the United States, and if, at the expiration of said term of six years, said aliens have not become citizens of the United States, the lands so acquired by them by purchase shall revert and escheat to the State, under the provisions of this act; and it shall be the duty of the State's attorney of the county in which said lands are situated to enforce forfeitures of all lands mentioned in this section in the same manner as pointed out in this act for other forfeitures.

§ 2. All aliens may acquire and hold personal property in the same manner and to the same extent as natural born citizens of the United States, and the personal estate of an alien dying intestate shall be distributed in the same manner as the estates of natural born citizens, and all persons interested in such estate shall be entitled to proper distributive shares thereof under the laws of this State, whether they are aliens or not.

§ 3. Any alien resident of the United States who shall declare his intention of becoming a citizen of the United States in accordance with the naturalization laws thereof, and every alien female who shall, in good faith, become an actual resident of the United States, shall thereupon be authorized and enabled to take and hold lands and real estate of any kind whatsoever to him or her and his or her heirs and assigns forever, and may, during six years thereafter, sell, assign, mortgage, devise and dispose of the same in any manner as he or she might or could do if he or she were a natural born citizen of the United States: *Provided*, that in case of an alien male, he shall at the time of acquiring such lands cause to be recorded in the office of the recorder of deeds of the county in which such lands are situated, a certified copy of his said declaration of intention to become such citizen; and in case of an alien female, her affidavit of the fact that she is, in good faith, an actual resident of the United States shall be so filed; but no such alien, unless he or she be an actual resident of this State, shall have power to lease or devise any real estate which he or she may take or hold by virtue of this provision.

§ 4. If any alien who has declared his intention of becoming a citizen shall not become a naturalized citizen of the United States within six years after the declaration of his intention, and be living, shall not have sold said real estate to purchasers thereof for value, and in good faith, such real estate acquired by him under the authority of this act, shall revert to, escheat, and become the property of the State of Illinois, and it shall then be the duty of the State's Attorney of the county in which said lands are situated, to proceed by information, in the name of the people of the State of Illinois, against such alien in the circuit court of such county, and summons may issue or service be had upon such alien by publication in the same manner as in chancery cases, and such court shall have jurisdiction to hear and determine such information and to order the sale of such lands by a special commissioner, to be appointed by the court at such time and place and upon such conditions and terms as the court may direct, and the court shall tax as costs such fees for the State's attorney as shall be reasonable, and allow to such special commissioner the same fees as are allowed by law to masters in chancery for the sale of lands under decree of foreclosure; and all fees and costs are to be taken out of the proceeds of the sale of such real estate.

§ 5. The special commissioner shall give bond for the performance of his duty, with security, to be approved by the court, and after the approval by the court of the sale of such real estate, shall deposit all money and securities, arising from such sale, with the State Treasurer, and it shall be the duty of the State Treasurer to collect the money due, or to become due, upon such securities: *Provided*, all securities for unpaid balances of the purchase money of such lands shall be made payable to the people of the State of Illinois.

§ 6. All persons, defendant in said information, and in possession of such lands at the time of the rendition of judgment of sale,

shall, on or before the first day of March next, after the rendition of said judgment, deliver possession of said lands to the special commissioner herein provided for.

§ 7. Within ten years after judgment, in any proceeding had under this title, a person, not a party or privy to such proceeding, may file a petition before the Commission of Claims, if there be such commission, and if not, then in the circuit court of Sangamon county, showing his claim or right to the property, or the proceeds thereof. A copy of such petition shall be served on the Attorney General, at least twenty days before the hearing of the petition, who shall answer the same, and the Commission of Claims or said circuit court shall thereupon try the issue according to the rules of practice of such commission or court, and if it be determined that such person is entitled to the property or the proceeds thereof, the property, if it has not been sold, shall be returned and delivered to him, or if it has been sold and the proceeds thereof paid into the State Treasury, then the State shall repay to the petitioner such proceeds in the manner provided by law, but without interest or cost to the State. All persons who fail to appear and file their petitions within the time limited, are forever barred, saving, however, to infants and persons of unsound mind, or persons beyond the limits of the United States, the right to appear and file their petitions at any time within five years after their respective disabilities cease or have been removed.

§ 8. Any alien, non-resident of the United States, who owns land in this State at the time this act takes effect, shall have the right and power to dispose of the same during his lifetime to *bona fide* purchasers for value, and to take security for the purchase money, with the same right as to such securities as a citizen of the United States, except that if he or his non-resident heirs again obtain title to the said lands on any sale thereof made by virtue of any judgment or decree of any court of law or equity, rendered in order to enforce the payment of any part of such purchase money, he, or his said non-resident heirs, shall only hold the title to said lands for three years after obtaining the same; and if said lands so acquired are not sold in good faith to *bona fide* purchasers for value within said time, then the said lands shall be forfeited to and escheat to the people of the State of Illinois, in the same manner as provided in this act.

§ 9. Nothing herein contained shall prevent the holder of any lien upon or interest in real estate heretofore acquired from holding or taking a valid title to the real estate in which he has such interest or upon which he has such lien, or prevent any alien from enforcing any lien or judgment for any debt or liability which may hereafter be created, or which he may hereafter acquire, or which may hereafter be adjudged in his favor, or from becoming a purchaser at any sale by virtue of such lien or judgment: *Provided*, however, that all lands so acquired shall be sold within three years after title shall be perfected in him under such sale, or, in default thereof, that the same shall escheat as provided in this act.

§ 10. An act to amend chapter four, Revised Laws, entitled "Aliens," approved February 17, 1851, in force February 17, 1851, and all other acts and parts of acts in conflict with this act, are hereby repealed.

APPROVED June 16, 1887.

ANIMALS.

CONTAGIOUS DISEASES.

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| <p>§ 1. Board of Live Stock Commissioners; appointment, term of office and duties.</p> <p>§ 2. Investigation by the board of disease, and the duties of the board in the suppression and extirpation defined; slaughter of animals and destruction of property.</p> <p>§ 3. Veterinary surgeon, appointment and duties; salary.</p> <p>§ 4. Epidemic; proclamation by the Governor quarantining infected districts outside of the State; transportation companies transporting prohibited animals; penalties for failure to report disease in this State.</p> <p>§ 5. Disease in this State; infected localities quarantined by the Governor.</p> <p>§ 6. Removal or shipment of diseased animals under orders of the board.</p> | <p>§ 7. Notice of quarantine, to owner or occupant.</p> <p>§ 8. Fines collected under this act paid into county treasury.</p> <p>§ 9. Claims against State for slaughtered animals; how audited and paid.</p> <p>§ 10. State veterinarian and assistants authorized to call upon the officers of the law to enforce the provisions of this act.</p> <p>§ 11. Board shall co-operate with the authorities of the United States.</p> <p>§ 12. Board shall keep a record of its proceedings and report annually to the Governor.</p> <p>§ 13. Per diem and expenses of the board.</p> <p>§ 14. Repeals all acts and parts of acts in conflict with this act.</p> <p>§ 15. Emergency.</p> |
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AN ACT to amend an act entitled "*An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals,*" approved June 27, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," be amended so as to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor shall, with the advice and consent of the Senate, appoint three practical stock breeders, not more than two of whom shall be members of the same political party, who shall constitute a Board of Live Stock Commissioners, who shall hold their office in the order in which they are named, the first for one year, the second for two years, and the third for three years; and their successors in office shall be appointed for three years each. Before entering on the duties of their office they shall take and subscribe to an oath of office for the faithful performance of their duties as such commissioners, and shall file the same with the Governor.

§ 2. It shall be the duty of said Board of Commissioners to cause to be investigated any and all cases or alleged cases coming to their knowledge, of contagious or infectious diseases among domestic animals, and to use all proper means to prevent the spread of such diseases, and to provide for the extirpation thereof; and in the event of reasonable ground for belief that any such contagious or infectious disease has broken out in this State, it shall be the duty of the person owning or having in charge any animal or animals infected with any such disease, or any other person having knowledge or reason to suspect the existence of such disease, to immediately notify said Board of Commissioners or some member thereof, by communication to said board, of the existence of such disease, and thereupon it shall be the duty of said board, or some member thereof, or authorized agent of the board, immediately to cause proper examination thereof to be made, and if said disease shall be found to be a dangerously contagious or dangerously infectious malady, said board or any member thereof, or the State Veterinarian or any assistant veterinarian, shall order said diseased animals, and such as have been exposed to contagion, and the premises in which they are, to be strictly quarantined for such time as the board, or any member thereof, or such veterinarian may deem necessary, not to exceed thirty days, in charge of such person as the board, or any member thereof, or such veterinarian shall designate, and they shall have power to order any premises and farms, where the disease exists, or has recently existed, as well as exposed premises and farms, to be put in quarantine, so that no domestic animal which has been, or is so diseased, or has been exposed to such contagious or infectious disease, shall be removed from the places so quarantined, nor allow any healthy animal to be brought therein, except under such rule or regulation as the said board may prescribe; and said board shall prescribe such regulations as they may deem necessary to prevent such disease from being communicated in any way from the places quarantined. In all such cases of contagious and infectious diseases, the said board or, in case the number of animals shall not exceed five, any member thereof, shall have power to order the slaughter of all such diseased and exposed animals. The said board shall have power to cause to be destroyed all barns, stables, premises, fixtures, furniture and personal property infected with any such contagious or infectious disease, so far as in their judgment may be necessary to prevent the spread of such disease, and where the same cannot be properly disinfected. When the board, upon the written report of the State Veterinarian, or any of his assistants, determine that any animal is affected with, or has been exposed to, any dangerously contagious or infectious disease, the board, or any member thereof, may agree with the owner upon the value of such animals or property, and in case such agreement cannot be made, said board, or the member acting in behalf of the board, may appoint three disinterested citizens of the State to appraise such diseased animal or exposed animals or property. Such appraisers shall subscribe to an oath in writing to fairly value such animal in accordance with the requirements of this act, which oath, together with the valuation

fixed by said appraisers, shall be filed with the board and be preserved by them. Upon such appraisement being made, it shall become the duty of the owner to immediately destroy such animal or property and dispose of the same in accordance with the order of said board, or member thereof, and, upon failure to do so, said board, or member thereof, shall cause such animal or animals or property to be destroyed and disposed of, and thereupon the said owner shall forfeit all right to receive the compensation allowed by said appraisers and provided for by this act. When the board, upon the written opinion of the State Veterinarian, determines that any barns, stables, out-buildings or premises are so infected that the same cannot be disinfected, they may quarantine such barns, stables, out-buildings or premises from use for the animals that may be infected by such use, and such quarantine shall continue until removed by the board, and a violation of such quarantine shall be punished as is provided for violations of other quarantine by this act.

§ 3. The Governor shall appoint a competent veterinary surgeon who shall be known as the State Veterinarian, who, together with his assistants, shall act under the direction of said board in carrying out the provisions of this act. In the event of the inability of the said State Veterinarian to perform all the work which he may be directed to do by said board of commissioners, he may, by and with the advice and consent of said board, appoint such other necessary assistant veterinarians upon terms not exceeding that paid the State Veterinarian. The State Veterinarian shall receive for his services the sum of \$8 per day for each day actually employed under the provisions of this act, together with his necessary traveling expenses, to be certified to by said board of commissioners.

§ 4. Whenever said board of commissioners shall report to the Governor that such diseases have become epidemic in certain localities in other states, or that their condition would render such domestic animals liable to convey such diseases, he may, by proclamation, schedule such localities and prohibit the importation of any live stock of the kind diseased into the State, except under such regulations as may be prescribed by the said board and approved by the Governor. Any corporation which shall knowingly transport, receive or convey such prohibited stock shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than \$1,000 nor more than \$10,000 for each and every offense, and shall become liable for any and all damage or loss that may be sustained by any party or parties by reason of such importation or transportation of such prohibited stock. Such penalty shall be recovered in any county in this State into, or through which such stock is brought, upon information filed in the circuit or county court of any such county or the superior court of Cook county. Any person who, knowing that any such contagious or infectious disease exists among his domestic animals, shall conceal such fact, or, knowing of the existence of such disease, shall sell the animal or animals so diseased, or any exposed animal, or knowing the same, shall remove such diseased or infected animals from his premises to the premises of another, or knowing of the

existence of such disease or exposure shall drive or lead or ship the same by any car or steamboat to any other place in or out of this State, and any person or persons who shall bring any such diseased, or, knowingly, shall bring any such exposed animal or animals into this State from another State; and any person or persons who shall knowingly buy, receive, sell, convey or engage in the traffic of such diseased or exposed stock, and any person who shall violate any quarantine regulations established under the provisions of this act, shall, for each, either, any and all acts above mentioned in this section, be guilty of a misdemeanor, and, on conviction thereof, or of any one of said acts, shall be fined in any sum not less than \$25 nor more than \$200, and imprisoned in the county jail until the fine and costs are paid, and shall forfeit all right to the compensation for any animal or property destroyed under the provisions of this act. Any veterinary practitioner having information of any such contagious or infectious disease in this State, and who shall fail to promptly report such knowledge to the Board of Live Stock Commissioners, shall be fined not exceeding five hundred dollars, or be imprisoned in the county jail not more than one year for each offense.

§ 5. Whenever said board shall become satisfied that any dangerously contagious or infectious disease among domestic animals exists throughout any municipality or geographical district in this State, and, in their judgment, it is necessary to quarantine such municipality or geographical district in order to prevent the spread of such disease into contiguous territory, they shall report the same to the Governor, who may thereupon by proclamation schedule and quarantine such district, prohibiting all domestic animals of the kind diseased from being brought into or taken from such infected district, and such proclamation shall, from the time of its publication, bind all persons, and any violation of such quarantine regulations so established shall be visited with like penalties, which may be recovered in like manner as is provided for the violation of other quarantine as provided in section 4 of this act: *Provided*, that nothing contained in this section shall be so construed as to prevent the movement of any animals of the kind diseased through such territory under such regulations as the Board of Live Stock Commissioners may prescribe, and the Governor approve.

§ 6. Nothing contained in this act, or any section thereof, shall be interpreted so as to prevent the removal or shipment of diseased or exposed animals, under the orders of the board created by this act, from one place to another by said board or its agents, by driving along the public highway or shipment on cars or steamboats, when, in the opinion of said board, such removal is necessary for the suppression of such contagious and infectious disease.

§ 7. Whenever quarantine is established in accordance with the provisions of section 2 of this act, valid notice of the same may be given by leaving with the owner or occupant of any premises in person, or delivering to any member of his family, or any employé over the age of ten years found on the premises so quarantined, notice thereof, written or printed, or partly written and partly printed, and, at the same time, explaining the contents thereof.

Such quarantine shall be sufficiently proven in any court by the production of a true copy of such notice of quarantine with a return thereon of the service of the same in the manner above required. Any person violating said quarantine shall be guilty of a misdemeanor and punished as is provided for in section 4 of this act, and, on conviction, shall be liable for all damage that may result to other persons in consequence of such violation: *Provided*, that any one feeling himself aggrieved by such quarantine may appeal to the full Board of Commissioners, who shall thereupon sustain, modify or annul said quarantine, as they deem proper.

§ 8. All fines recovered under the provisions of this act shall be paid into the county treasury of the county in which the suit is tried, by the person collecting the same, in the manner now provided by law, to be used for county purposes; and it shall be the duty of State's attorneys, in their respective counties, to prosecute for all violations of this act.

§ 9. All claims against the State arising from the slaughter of animals, as herein provided for, shall be made to said Board of Commissioners, under such rules and regulations as they may prescribe, and it shall be the duty of said Board of Commissioners to determine the amount which shall be paid in each case on account of animals so slaughtered, which, in cases of animals of the bovine species, shall be based on the fair cash market value thereof for beef, or for use for dairy purposes, not to exceed \$75 per head; and, in cases of animals of the equine species, on their fair cash market value, not to exceed \$100 per head, and report the same to the Governor; and the Governor shall endorse thereon his order to the State Auditor, who shall thereupon issue his warrant on the State Treasurer for the same.

§ 10. Said Board of Commissioners, or any member thereof, and the State Veterinarian and his assistants, in the performance of their duties under this act shall have power to call on sheriffs and their deputies, constables and peace officers, mayors of cities, city and town marshals and policemen to assist them in carrying out its provisions, and it is hereby made the duty of all such officers to assist in carrying out the provisions of this act when ordered so to do; and said Commissioners and the State Veterinarian and his assistants, shall have, while engaged in carrying out the provisions of this act, the same powers and protection that other peace officers have, and any such officer who fails or refuses to enforce the lawful orders and quarantine of said board, or any member thereof, or any veterinarian acting under them, in the proper execution of the powers conferred by this act, shall be deemed guilty of a misdemeanor and punished as provided in section 4 of this act.

§ 11. The said board shall co-operate with any commissioner, or other officer, appointed by the United States for the suppression of contagious diseases among domestic animals, so far as the provisions of this act and the appropriations made in accordance therewith will allow, in suppressing and preventing the spread of contagious and infectious diseases among domestic animals in this State.

§ 12. It shall be the duty of said Board of Commissioners to keep a record of all their acts and proceedings, and report the same to the Governor annually, or oftener if required, for publication. The annual report shall include an itemized statement of all sums expended by them under this act, including a statement of all damages recommended by them to be paid for all animals slaughtered and the amounts paid therefor.

§ 13. The members of said board shall each receive the sum of \$5 per day for each day necessarily employed in the discharge of their duties, their necessary traveling expenses, and other incidental expenses necessarily incurred in the performance of their duties under this act, to be paid on certified and itemized vouchers to be approved by the Governor.

§ 14. All acts and parts of acts inconsistent herewith are hereby repealed.

§ 15. Whereas, the Live Stock Commissioners are without power to suppress contagious and infectious diseases now existing among live stock in the State of Illinois under the present law, therefore an emergency exists and this act shall take effect from and after its passage.

APPROVED April 20, 1887.

CONTAGIOUS DISEASES.

§ 1 amends section 2, act of 1887, by authorizing the Board of Live Stock Commissioners to quarantine diseased animals as long as may be necessary.

§ 2 amends section 5 by enlarging the powers of Governor in quarantine.

AN ACT to amend sections 2 and 5 of an act entitled "An act to amend an act entitled 'An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals,' approved June 27, 1885, in force July 1, 1885, as amended by an act approved April 20, 1887, in force April 20, 1887."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 2 and 5 of an act entitled "An act to amend an act entitled 'An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals,' approved June 27, 1885, in force July 1, 1885," as amended by an act approved April 20, 1887, in force April 20, 1887, be amended so as to read as follows:

"Section 2. It shall be the duty of said Board of Commissioners to cause to be investigated any and all cases or alleged cases coming to their knowledge, of contagious or infectious diseases among domestic animals, and to use all proper means to prevent the spread of such diseases, and to provide for the extirpation thereof; and in

the event of reasonable grounds for belief that any such contagious or infectious disease has broken out in this State, it shall be the duty of the person owning or having in charge any animal or animals infected with disease, or any other person having knowledge or reason to suspect the existence of such disease, to immediately notify said Board of Commissioners, or some member thereof, by communication to said board, of the existence of such disease, and thereupon it shall be the duty of said board, or some member thereof, or authorized agent of the board, immediately to cause proper examination thereof to be made, and if said disease shall be found to be a dangerously contagious or dangerously infectious malady, said board, or any member thereof, or the State Veterinarian, or any assistant veterinarian, shall order said diseased animals, and such as have been exposed to contagion, and the premises in which they are, to be strictly quarantined for such time as the board, or any member thereof, or such veterinarian may deem necessary, in charge of such person as the board, or any member thereof, or such veterinarian shall designate, and they shall have power to order any premises and farms, where the disease exists, or has recently existed, as well as exposed premises and farms, to be put in quarantine, so that no domestic animal which has been or is so diseased, or has been exposed to such contagious or infectious disease, be removed from the places so quarantined, nor allow any healthy animal to be brought therein, except under such rule or regulation as the said board may prescribe; and said board shall prescribe such regulations as they may deem necessary to prevent such disease from being communicated in any way from the places quarantined. In all such cases of contagious and infectious diseases the said board, or, in case the number of animals shall not exceed five, any member thereof, shall have power to order the slaughter of all such diseased and exposed animals. The said board shall have power to cause to be destroyed all barns, stables, premises, fixtures, furniture and personal property infected with any such contagious or infectious disease, so far as in their judgment may be necessary to prevent the spread of such disease, and where the same cannot be properly disinfected. When the board, upon the written report of the State Veterinarian, or any of his assistants, determine that any animal is affected with, or has been exposed to, any dangerously contagious or infectious disease, the board, or any member thereof, may agree with the owner upon the value of such animal or property, and in case such agreement cannot be made, said board, or the member acting in behalf of the board, may appoint three disinterested citizens of the State to appraise such diseased animal or exposed animals or property. Such appraisers shall subscribe to an oath in writing to fairly value such animal in accordance with the requirements of this act; which oath, together with the valuation fixed by said appraisers, shall be filed with the board and be preserved by them. Upon such appraisement being made it shall become the duty of the owner to immediately destroy such animals and dispose of the same in accordance with the order of said board, or member thereof, and upon failure to so do said board or member thereof shall cause such animal or animals

or property to be destroyed and disposed of, and thereupon the said owner shall forfeit all right to receive the compensation allowed by said appraisers and provided for by this act. When the board, upon the written opinion of the State Veterinarian, determines that any barns, stables, out-buildings or premises are so infected that the same can not be disinfected, they may quarantine such barns, stables, out-buildings or premises from use for the animals that may be infected by such use, and such quarantine shall continue until removed by the board, and a violation of such quarantine shall be punished as is provided for violations of other quarantine by this act."

"Section 5. Whenever said board shall become satisfied that any dangerously contagious or infectious disease among domestic animals exists throughout any municipality or geographical district within this State, and in their judgment it is necessary to quarantine such municipality or geographical district, in order to prevent the spread of such disease into contiguous territory, they shall report the same to the Governor, who may thereupon, by proclamation, schedule and quarantine such district, prohibiting all domestic animals of the kind diseased within such district from being moved from one premises to another, or over any public highway or any unfenced lot or piece of ground, or from being brought into, or taken from such infected district, except upon obtaining a special permit, signed by the Board of Live Stock Commissioners, or member thereof, or agent or officer of the board duly authorized by it to issue such permits; and such proclamation shall, from the time of its publication, bind all persons. After the publication of the aforesaid proclamation it shall be the duty of every person who owns, or is in charge of animals of the kind diseased, within the scheduled district, to report to said board within one week the number and description of such animals, location, and the name and address of the owner, and during the continuance of such quarantine to report to said board all cases of sickness, deaths or births among such animals. It shall also be the duty of any and all persons within the scheduled district receiving, having and purchasing cattle for slaughter to delay the killing of such animals until a veterinary surgeon, with authority from said board, is present to make a post-mortem examination of the carcasses. Any violation of the aforesaid quarantine regulations and prescribed duties shall be visited with like penalties, which may be recovered in like manner as is provided for the violation of other quarantine as provided in section 4 of this act: *Provided*, that nothing contained in this section shall be so construed as to prevent the movement of any animals of the kind diseased through such territory under such regulations as the Board of Live Stock Commissioners may prescribe and the Governor approve: *And, provided, further*, that all cattle within the scheduled district slaughtered by order of the board shall not be taken from said district for slaughter."

APPROVED June 15, 1887.

CONTAGIOUS DISEASES.

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| § 1. Governor authorized to accept the rules and regulations of the United States, and to co-operate with the authorities of the United States in suppressing diseases. | § 3. Expenses of quarantine and damages for slaughter to be paid by the United States. |
| § 2. Inspectors of the United States shall have the right of inspection, quarantine and condemnation of animals, and to enforce the rules adopted under the act of Congress. | § 4. Penalties for violating quarantine. |

AN ACT to co-operate with the United States in the suppression and extirpation of pleuro-pneumonia.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor is hereby authorized to accept on behalf of the State the rules and regulations prepared by the Commissioner of Agriculture, under and in pursuance of section three of an act of Congress, approved May 29, 1884, entitled "An act for the establishment of a bureau of animal industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuro-pneumonia and other contagious diseases among domestic animals," and to co-operate with the authorities of the United States in the enforcement of the provisions of said act.

§ 2. The inspectors of the bureau of animal industry of the United States shall have the right of inspection, quarantine and condemnation of animals affected with any contagious, infectious or communicable disease, or suspected to be so affected, or that have been exposed to any such disease, and for these purposes are hereby authorized and empowered to enter upon any ground or premises. Said inspectors shall have the power to call on sheriffs, constables and peace officers to assist them in the discharge of their duties in carrying out the provisions of the act of Congress, approved May twenty-nine, eighteen hundred and eighty-four, establishing a bureau of animal industry; and it is hereby made the duty of sheriffs, constables and peace officers to assist said inspectors when so requested; and said inspectors shall have the same powers and protection as peace officers while engaged in the discharge of their duties.

§ 3. All expenses of quarantine, condemnation of animals exposed to disease, and the expenses of any and all measures that may be used to suppress and extirpate pleuro-pneumonia, shall be paid by the United States, and in no case shall this State be liable for any damages or expenses of any kind under the provisions of this act.

§ 4. Any person violating any order of quarantine made under this act, or any regulation prescribed by the Commissioner of Agriculture for the suppression of pleuro-pneumonia, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine

of not less than \$100 nor more than \$1,000, or by imprisonment for not more than six months, or by both such fine and imprisonment.

This bill having remained with the Governor ten days after the adjournment of the General Assembly, and he having failed to approve it, or to file it with his objections in my office before the expiration of said ten days, it has thereby become a law.

Witness my hand this 28th day of June, 1887.

HENRY D. DEMENT,

Secretary of State.

LIENS ON GET OF SIRES.

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| <p>§ 1. Owners of sires in order to have a lien upon get must file statement with Secretary of State Board of Agriculture, giving age, description, and pedigree of sire, and terms and conditions of service.</p> <p>§ 2. Secretary of board shall issue certificate.</p> | <p>§ 3. Owners of sire upon receipt of certificate shall have lien on get.</p> <p>§ 4. Get of such sire shall not be exempt from execution and sale.</p> <p>§ 5. Fees of recorder.</p> <p>§ 6. Fees of State Board of Agriculture.</p> <p>§ 7. Reports printed.</p> |
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AN ACT to protect stockbreeders within the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in order to protect farmers in this State against damage resulting from breeding to sires advertised with bogus or fraudulent pedigrees, and to secure to the owners of sires payment for service, the following provisions are enacted: That every owner of a sire charging a service fee, in order to have a lien upon the get of any such sire under the provisions of this act for said service, shall file a statement, verified by oath or affirmation to the best of his knowledge and belief, with the secretary of the State Board of Agriculture, giving the name, age, description and pedigree, as well as the terms and conditions upon which such sire is advertised for service.

§ 2. The secretary of the State Board of Agriculture, upon the receipt of the statement as specified in section one (1) of this act, duly verified by affidavit, shall issue a certificate to the owner of said sire, a copy of which certificate shall be forwarded to the clerk of the county court in which said sire is stationed or located, and another copy furnished the applicant, which shall be posted by the owner in a conspicuous place where said sire may be stationed, which certificate shall state the name, age, description, pedigree and ownership of said sire, the terms and conditions upon which the sire is advertised for service, and that the provisions of this act, so far as relates to the filing of the statement aforesaid, have been complied with.

§ 3. The owner or owners of any sire receiving such certificate by complying with section one (1) of this act, shall obtain and have a lien upon the get of any such sire for the period of four months from date of birth of get: *Provided*, said owner or owners shall, within six months of the time of the rendition of such service by such certified sire, file for record a statement of account, verified

by affidavit or affirmation, with the recorder of the county wherein the service has been rendered, of the amount due such owner or owners for said service, together with a description of the female served.

§ 4. No get of any such sire shall be exempt from levy and sale under execution issued upon a judgment obtained in any court of competent jurisdiction for said service: *Provided*, that the court rendering such judgment shall find and certify in the record of the same that the plaintiff or plaintiffs have complied with the provisions of this act, and that the progeny sought to be levied upon is subject to the lien herein created: *And, provided further*, that said finding, together with a description of the dam of the progeny so liable to such lien, shall be endorsed upon the execution.

§ 5. For filing certificate, making copy of such affidavit or affirmation, the certificate of the date of such filing, the clerk or recorder shall be entitled to the same fees as are provided by law for like service in regard to chattel mortgage.

§ 6. The Illinois State Board of Agriculture shall have the power to make such charge for certificates as may be necessary to cover the expense of executing the law, and the treasurer of the State Board of Agriculture, after paying the office expenses, printing, etc., incident to executing the provisions of this act, shall pay into the treasury of the State any surplus remaining in his hands on account of fees received through the provisions of this act.

§ 7. The Commissioners of State Contracts shall have such a number of the annual reports printed and bound in third class binding as may be deemed advisable by the State Board of Agriculture to obtain the greatest benefits to the breeders of improved stock in this State, under the provisions of this act, said reports to contain copies of certificates issued, and such other data of especial interest to live stock breeders as said Board of Agriculture may designate for publication therein.

APPROVED June 10, 1887.

PEDIGREES.

§ 1. Provides penalties for obtaining certificate of registration upon false pretenses.

AN ACT to punish false pretenses in obtaining certificates of registration of cattle and other animals, and to punish giving false pedigrees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person, who by any false pretense, shall obtain from any club, association, society or company for improving the breed of cattle, horses, sheep, swine or other domestic animals, a certificate of registration of any animal in the herd register, or other register of any such club, association, society or company, or a transfer of any such registration, and

every person who shall knowingly give a false pedigree of any animal, upon conviction thereof shall be fined not exceeding \$1,000, nor less than \$25, or imprisonment in the county jail for a period not exceeding one year, or both, in the discretion of the court.

APPROVED May 13, 1887.

RUNNING AT LARGE.

§ 1. Amends the act of 1874 by adding three sections.
 Sec. 8. Pounds and pound masters.

Sec. 9. Penalties for pound masters failing to enforce the law.

Sec. 10. Contested elections.

AN ACT to amend "An act to revise the law in relation to permitting animals to run at large," approved March 30, 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 an act entitled "An act to revise the law in relation to permitting animals to run at large," approved March 30, 1874, in force July 1, 1874, be and the same is hereby amended by adding thereto the following sections to be numbered eight (8), nine (9) and ten (10):

"Section 8. Where, in any county, township, town or precinct domestic animals or any of them shall have been restrained from running at large by a vote therein had, or shall hereafter be restrained from running at large by any vote had under the provisions of this act, it shall be the duty of the board of supervisors in counties under township organization where the vote has been held in the county, the supervisor where the vote has been held in the township, and the county commissioners in counties not under township organization, or in precincts where the vote has been held in such county or precinct, as soon as this law takes effect, where the vote has already been had but no action taken, or as soon as a vote is declared in the elections to be hereafter held, to select and prepare a suitable pound, appoint a poundmaster and fix the amount of his fees and charges, which shall remain as fixed until the next annual election, at which time the same may be altered, changed or amended by a majority vote of the electors present, who shall at the same time elect a poundmaster for the ensuing year.

"Section 9. It shall be the duty of the poundmaster to enforce the provisions of this act, and for any failure so to do, he shall be liable to a fine of not less than \$5 nor more than \$20.

"Section 10. Any vote, held under this act, may be contested as other township or county elections."

APPROVED June 17, 1887.

APPROPRIATIONS.

STATE BOARD OF AGRICULTURE.

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| § 1. Appropriates for premiums at State Fair and for office expenses per annum \$14,800; for county and district about \$7,500. | § 2. How drawn.
§ 3. Payments to county and district societies. |
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AN ACT making appropriations for the State Board of Agriculture and county and other agricultural fairs.

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 following sums, to-wit:

For the payment of premiums at the annual State Fair and Fat Stock Show, the sum of five thousand dollars per annum for the years 1887 and 1888; and for the use of each county or other agricultural society the sum of one hundred dollars per annum, to be paid to the treasurer of the society, for fairs held in the years 1886 and 1887.

For the salary of the secretary, the sum of twenty-five hundred dollars per annum, for the years 1887 and 1888.

For chief clerk, the sum of sixteen hundred dollars per annum, for the years 1887 and 1888.

For clerk hire, the sum of one thousand dollars per annum for the years 1887 and 1888.

For curator, the sum of eight hundred dollars per annum, for the years 1887 and 1888.

For porter, the sum of eight hundred dollars per annum, for the years 1887 and 1888.

For the agricultural museum, the sum of three hundred dollars per annum for the years 1887 and 1888.

For the expense of collecting and compiling crop and meteorological statistics, and proceedings of institute meetings, the sum of twelve hundred dollars per annum, for the years 1887 and 1888.

For the agricultural library the sum of four hundred dollars per annum, for the years 1887 and 1888.

For office expenses, furniture, repairs, postage, expressage, the sum of twelve hundred dollars per annum, for the years 1887 and 1888.

§ 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 society for whose benefit the same is drawn, and that no warrant shall be drawn in favor of any agricultural society, unless the order aforesaid be accompanied by a certificate of the State Board of Agriculture, showing that such agricultural society held an agricultural fair during the preceding year, in compliance with the rules and regulations, as provided 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. 1887: *And, provided, further*, that no warrant shall be drawn in favor of any agricultural society until the president and treasurer of such society file an affidavit with the State Board of Agriculture that no wheel of fortune or any other gambling device were licensed or allowed upon their fair grounds.

§ 3. It shall be the duty of the treasurer of the State Board of Agriculture, on the order of the president, countersigned by the secretary of the State Board of Agriculture, to pay over to the proper officer of each agricultural society the sum received for its use and benefit as aforesaid, and make a biennial report to the Governor, of all such appropriations received and disbursed by him.

APPROVED June 13, 1887.

EMILY J. BLACKBURN.

§ 1. Appropriates \$2,500.

AN ACT to pay to Mrs. Emily J. Blackburn two thousand five hundred dollars on account of the death of her son, Francis J. Blackburn, from disease contracted while in the discharge of his duty as a private in Company B, First Regiment Illinois National Guard, when in active service.

WHEREAS, Francis J. Blackburn, on the 15th day of November, 1886, at Chicago, after nearly five years' service as a private in Company B, First Regiment Illinois National Guard, died from exposure and disease resulting therefrom, while in the discharge of his duty as a member of said regiment, when in active service, pursuant to the order of the Governor of the State of Illinois; and

WHEREAS, the said Francis J. Blackburn left him surviving a widowed mother and an unmarried sister dependent upon him in his lifetime for their support; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That two thousand five hundred dollars be and the same is hereby appropriated out of the treasury as compensation and relief of the said Mrs. Emily J. Blackburn, mother of said Francis J. Blackburn, and that the Auditor of Public Accounts issue his warrant on the treasury therefor.*

APPROVED June 16, 1887.

JOHN R. BLACKBURN,

§ 1. Appropriates \$1,500.

| § 2. How drawn.

AN ACT making an appropriation for the relief of John R. Blackburn, who was disabled by the premature discharge of a cannon while in the service of the State and acting under orders as a private in Company F, 13th Battalion, Illinois National Guard.

WHEREAS, the said John R. Blackburn, a private in Company F, 13th [Battalion,] Illinois National Guard, while on duty and acting under the orders of his superior officers, at Flora, Illinois, on or about the 28th day of October, A. D. 1880, was seriously and permanently injured and disabled by the premature discharge of a defective cannon, owned and furnished by the State for use on the occasion, and without any fault or negligence on his part, or knowledge of the defect; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of fifteen hundred dollars (\$1500) be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, as compensation to the said John R. Blackburn, in full for all damages sustained by him by reason of the injuries aforesaid while so in the service of the State.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum herein specified, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED June 14, 1887.

MANUAL H. BOALS.

§ 1. Appropriates \$5,493.53; how drawn.

AN ACT for the relief of Manual H. Boals, of Alton, Illinois.

WHEREAS, Manual H. Boals did furnish materials which were actually used in the construction of the Asylum for Feeble-Minded Children, at Lincoln, Illinois, to the amount of three thousand four hundred and thirty-three dollars and forty-six cents (\$3,433.46), which sum has been due and owing said Boals since the 10th day of April, 1877;

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand four hundred and ninety-three dollars and fifty-three cents be appropriated for the purpose of paying said claim with interest at the rate of six per cent. per annum, out of any money in the treasury not otherwise appropriated, and that the Auditor of Public Accounts be and he is hereby directed to draw his warrant on

the State Treasurer, in favor of said Manual H. Boals, for said sum, and take said Boals' receipt in full for all claims against the State for said materials so furnished.

This bill having remained with the Governor ten days after the adjournment of the General Assembly, and he having failed to approve it, or to file it with his objections in my office before the expiration of said ten days, it has thereby become a law.

Witness my hand this 28th day of June, 1887.

HENRY D. DEMENT,
Secretary of State.

BURLINGTON MANUFACTURING COMPANY.

§ 1. Appropriates \$7,278.

| § 2. How drawn.

AN ACT to pay the Burlington Manufacturing Company for the marble tiling to complete the rotunda or first floor of the State House.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of seven thousand two hundred and seventy-eight dollars (\$7,278) be and the same is hereby appropriated to pay the Burlington Manufacturing Company for the marble tiling furnished by order of the State House Commissioners to complete the tiling of the first story rotunda of the State House, payable as hereinafter provided out of any moneys in the treasury not otherwise appropriated.

§ 2. The Auditor of Public Accounts is hereby directed to draw his warrant on the State Treasurer for said amount out of the moneys of the treasury not otherwise appropriated, payable to the Burlington Manufacturing Company.

·APPROVED June 16, 1887.

CANAL.

§ 1. Appropriates \$20,000 per annum for running expenses.

| § 3. Commissioners shall make quarterly statements to the Auditor.

§ 2. How drawn.

AN ACT making appropriations for the necessary repairs and running expenses of the Illinois and Michigan canal until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of making necessary repairs, and providing means to put and keep the Illinois and Michigan canal in navigable condition until after the

adjournment of the next General Assembly, there is hereby appropriated from the State treasury, for the first year, the sum of twenty thousand dollars (\$20,000): *Provided*, that the Canal Commissioners may use not to exceed five thousand dollars of the money appropriated in this item for the purpose of paying the expenses of the litigation now pending relating to the lake front adjacent to the city of Chicago. All funds used for the purposes of such litigation shall be expended as directed by the Attorney General of Illinois. And for the second year the sum of twenty thousand dollars (\$20,000), or so much of each as may be absolutely necessary for that purpose: *Provided*, that no portion of the money hereby appropriated shall be used for the purpose above specified until all the surplus earnings of the canal have been fully exhausted in making needed repairs and defraying necessary expenses of operating said canal.

§ 2. The appropriations made by this act shall only be paid upon detailed statements made by the Canal Commissioners, filed with the Auditor, bearing the order of the Canal Commissioners and the approval of the Governor.

§ 3. Said board of Canal Commissioners shall keep an accurate and detailed account of all moneys received by them from every source, together with their disbursements and expenditures of every kind and nature, and at the end of each quarter transmit to the Auditor of Public Accounts a full and complete statement, showing in detail the amount of money received, during said preceding quarter, from every source, and how and to whom the same has been disbursed.

APPROVED May 31, 1887.

STATE CHARITABLE INSTITUTIONS.

BLIND.

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| § 1. Appropriates \$32,000 per annum for ordinary expenses, \$1,500 per annum for repairs, and \$1,200 for fire escapes. | § 2. How drawn. |
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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 following sums be and are hereby appropriated to the Illinois Institution for the Education of the Blind, for the purposes hereinafter named:

For ordinary expenses, thirty-two thousand dollars (\$32,000) per annum, payable quarterly in advance, from July 1, 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For repairs and improvements, fifteen hundred dollars (\$1,500) per annum.

For fire escapes, twelve hundred dollars (\$1,200).

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

APPROVED June 8, 1887.

BLIND.

§ 1. Appropriates \$8,400 for paving and laundry. | § 2. How drawn.

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 following sums be and are hereby appropriated to the Illinois Institution for the Education of the Blind, for the purposes hereinafter named:

For paying one-half the width of the street and connections, thirty-four hundred dollars (\$3,400).

For laundry and furnishing the same, five thousand dollars (\$5,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

APPROVED June 17, 1887.

INDUSTRIAL HOME FOR THE BLIND.

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| § 1. Corporation created; powers. | § 8. Apprentices in the Home shall conform to the rules. |
| § 2. Objects of the Home. | § 9. Report of trustees. |
| § 3. Trustees; term of office. | § 10. Meetings of trustees. |
| § 4. Expenses of trustees paid. | § 11. Appropriations to the Home; how drawn. |
| § 5. Trustees shall not be interested in contract. | § 12. Appropriates \$100,000 for land, buildings and support. |
| § 6. Duties of trustees, superintendent, officers of the board of trustees. | |
| § 7. Duties of superintendent. | |

AN ACT to incorporate the Illinois Industrial Home for the Blind, and to make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the manual training and furnishing of employment to the blind, a corporation is hereby created to be known and designated as the Illinois Industrial Home for the Blind, and to have perpetual succession, with power to contract and be contracted with, to sue and be sued, to plead

and be impleaded, to receive by any legal mode of transfer or conveyance, and to have, hold, and use property of every description, but not to sell or convey any such property except the goods, wares, merchandise and other personal property prepared by said Home for sale, and such property shall be held in trust as the property of the State; also to have and use a common seal, with the power to change the same, also to adopt by-laws, rules and regulations for the government of its members, officers, agents, employes and inmates: *Provided*, such by-laws shall not be contrary to the letter or spirit of the constitution of the State of Illinois, or of the United States.

§ 2. The object of said corporation shall be to promote the welfare of the blind by teaching them trades and affording them a home and such employment as shall best tend to make them self-supporting and consequently independent, using therefor the best known means and appliances.

§ 3. The trustees shall not exceed five in number; said trustees shall be appointed by the Governor of the State of Illinois, with the advice and consent of the Senate, shall serve without compensation; their term of service shall be two years respectively, and until their successors are appointed and qualified: *Provided*, that three of said trustees shall be selected from members of the majority political party of this State, and the remainder from the minority political party or parties.

§ 4. Each of said trustees shall be paid his or her traveling expenses while in the service of the Home, out of the funds appropriated for its use, upon filing in the office of the Auditor of Public Accounts the voucher of said trustees stating in detail the items of all such expenses, and the Auditor shall thereupon issue his warrant upon the State Treasurer in favor of such trustee for the amount thereof and charge the same to the fund appropriated to said institution.

§ 5. No trustee shall be directly or indirectly interested in any contract to be made by said trustees, nor shall any of them be appointed to, or employed in any office or position under their control or authority, to which a salary is attached.

§ 6. The said trustees shall have charge of the general interests of the Home, and shall annually by ballot elect a superintendent to serve during the will and pleasure of said trustees, who shall fix his salary which shall not exceed fifteen hundred dollars a year, and he, with their consent, shall employ all necessary assistants, instructors and other employes. The said trustees, or a majority of them, when regularly convened, shall constitute a board, which shall possess and exert all the powers of said trustees, and shall have power by ballot to elect a president, secretary, and treasurer, the president and secretary to be selected from their own number, and said board shall prescribe the duties and fix the terms of service of said officers of said board.

§ 7. The superintendent shall exercise official control over all subordinate officers, instructors, assistants and employes, and shall be held responsible for their fidelity.

§ 8. Apprentices placed by their parents or guardians in the Home shall be required to conform to its rules and regulations.

§ 9. The board shall, annually, before December 15, report to the Governor of the State the number of applications received, persons admitted, instructed and discharged; also the progress made and work accomplished, and all other matters of general interest to the people of the State of Illinois in regard thereto, together with a full, explicit, and detailed statement of all money received and disbursed during the year.

§ 10. The said trustees shall meet monthly during the first year, and at least quarterly thereafter, to examine and audit all the accounts of the Home, and make requisitions on the Auditor of Public Accounts for funds required for use during the succeeding month or quarter, from funds which have been appropriated for the establishment and maintenance of the institution.

§ 11. The Auditor of Public Accounts is hereby authorized and required to draw his warrants on the Treasurer of the State for all sums which shall or may be appropriated and remain undrawn or unexpended, for the use of said institution, by the General Assembly, upon the order of the Board of Trustees of the Illinois Industrial Home for the Blind, when signed by the president and attested by the secretary of said board with the seal of said institution.

§ 12. The sum of one hundred thousand dollars is hereby appropriated for the purchase of lands, grounds, or real estate in the county of Cook and State of Illinois, and for the purpose of erecting thereon suitable buildings, and fitting and furnishing the same appropriately for the Illinois Industrial Home for the Blind, and also for the purpose of conducting therein workshops for the manual training and employment of the blind, defraying the expenses of boarding the inmates while necessary, and the payment of its superintendent, instructors, assistants, and employés, which sum of money is to be expended under the safeguards hereinbefore provided: *Provided*, at least the sum of sixty thousand dollars (\$60,000) shall be expended in the purchase of real estate and buildings for the use of said Industrial Home for the Blind, and no more than one thousand dollars (\$1,000) shall be expended in constructing and furnishing rooms for officers: *Provided, further*, no real estate shall be purchased until the title to the same shall have been examined by the Attorney General of the State.

This bill having remained with the Governor ten days (Sundays excepted), the General Assembly being in session, it has thereby become a law.

Witness my hand this 13th day of June. A. D. 1887.

HENRY D. DEMENT,
Secretary of State.

DEAF AND DUMB.

§ 1. Appropriates as follows:

For ordinary expenses per annum,
\$100,000.

For repairs and improvements per annum, \$4,000.

For library per annum, \$500.

For cottage for little girls, \$8,000.

AN ACT making appropriations for the support of the Illinois Institution for the Education of the Deaf and Dumb, and for other expenses thereof.

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 one hundred thousand dollars (\$100,000) per annum is hereby appropriated out of the State Treasury, payable quarterly in advance, from the first day of July, 1887, 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 four thousand dollars (\$4,000) per annum for repairs and improvements; five hundred dollars (\$500) per annum for pupils' library; eight thousand dollars (\$8,000) for the erection of a cottage for little girls.

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, on the terms and in the manner now provided by law.

APPROVED June 10, 1887.

EYE AND EAR INFIRMARY.

§ 1. Appropriates \$25,000 per annum for ordinary expenses.

§ 2. Appropriates \$1,000 per annum for repairs and improvements, and for furniture and boilers \$5,000.

§ 3. How drawn.

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 there is hereby appropriated to the Illinois Charitable Eye and Ear Infirmary, at Chicago, the sum of twenty-five thousand dollars per annum for ordinary expenses, payable quarterly in advance, from the 1st day of July, 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. For the purpose of making needed repairs and improvements the sum of one thousand dollars per annum; for additional furniture the sum of three thousand dollars; for two sixteen feet tubular boilers, the sum of two thousand dollars.

§ 3. The moneys herein appropriated shall be drawn from the State treasury in the manner, and subject to the conditions now provided by law.

APPROVED June 13, 1887.

FEEBLE-MINDED CHILDREN.

<p>§ 1. Appropriates for ordinary expenses, per annum, \$62,000; repairs per annum, \$2,000; improvement of grounds, \$500; new boilers, \$2,000.</p>	<p>§ 2. How drawn.</p>
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AN ACT making appropriations for the Illinois Asylum for Feeble-Minded Children at Lincoln.

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 Illinois Asylum for Feeble-Minded Children at Lincoln, for the purposes hereinafter named:

For ordinary expenses, the sum of sixty-two thousand dollars (\$62,000) per annum, payable quarterly in advance from the first day of July, 1887, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For repairs and improvements, two thousand dollars (\$2,000) per annum.

For improvement of grounds, five hundred dollars (\$500) per annum.

For the purchase of two new boilers, two thousand dollars (\$2,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, on the terms and in the manner now provided by law.

APPROVED June 8, 1887.

FEEBLE-MINDED CHILDREN.

§ 1. Appropriates \$5,000 for sewer.

AN ACT making an appropriation to the Illinois Asylum for Feeble-Minded Children at Lincoln.

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), or so much thereof as may be necessary, be and is hereby appropriated to the Illinois Asylum for Feeble-Minded Children at Lincoln, for sewer construction.

§ 2. The money herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, on the terms and in the manner now provided by law.

APPROVED June 8, 1887.

EASTERN HOSPITAL FOR THE INSANE.

§ 1. Appropriates as follows:

For ordinary expenses, per annum, \$240,000.
 For repairs and improvements, per annum, \$10,000.
 For stock and farm implements, per annum, \$1,500.

For improvement of grounds, per annum, \$1,000.

For special, \$28,000.

§ 2. How drawn.

AN ACT making appropriations for the ordinary and other expenses of the Illinois Eastern Hospital for the Insane, at Kankakee.

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

Painting, inside and outside, \$5,000.

Furniture and fixtures, \$10,000.

Mortuary building, \$3,000.

Land, \$10,000.

Repairs and improvements, per annum for two years, \$10,000.

Library for patients, per annum for two years, \$500.

Additional stock and farm implements, per annum for two years, \$1,500.

Improvement of grounds, per annum for two years, \$1,000.

For ordinary expenses for one year from July 1, 1887, the sum of two hundred and forty thousand (\$240,000) dollars, and from July 1, 1888, at the rate of two hundred and forty thousand (\$240,000) dollars per annum until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms now provided by law: *And, provided, further,* that the sums hereby appropriated for the improvements herein shall be the full amounts for the objects specified, and the trustees shall not contract for any portion of the above improvements or expend any portion of the appropriations hereby made, unless the said appropriations are sufficient to complete all the said improvements and finish the same.

APPROVED June 10, 1887.

EASTERN HOSPITAL FOR THE INSANE.

§ 1. Appropriates as follows: For improve- | § 2. How expended.
ments, \$14,500. | § 3. How drawn.

AN ACT making appropriations for the Eastern Hospital for the Insane, at Kankakee.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts be and are hereby appropriated to the Illinois Eastern Hospital for the Insane, at Kankakee, for the purpose of providing the said hospital with necessary means to take care of 1,600 patients:

For construction of bakery and store-room for flour, \$6,000.

For additional boilers, chimney-stack and coal-house, \$7,000.

For additional stock barn, \$1,500.

§ 2. The trustees shall not contract for, nor begin the erection of, any buildings or other improvements which cannot be fully completed within the amount of the present appropriations, but they may use any unexpended balances of the appropriations heretofore made, or herein specified, for the better accomplishment of the purposes of this act, namely: To make the earliest and fullest provision for the insane of this State which may be expedient and possible: *Provided*, no portion of any sum herein appropriated shall be diverted from the specific purpose for which it is appropriated.

§ 3. The moneys herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

APPROVED June 13, 1887.

CENTRAL HOSPITAL FOR THE INSANE.

§ 1. Appropriates \$157,250 per annum, and | § 2. How drawn.
\$10,000 special.

AN ACT making appropriations to the Illinois Central Hospital for the Insane, at Jacksonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts be and are hereby appropriated to the Illinois Central Hospital for the Insane, at Jacksonville:

For defraying the ordinary expenses of said hospital from July 1, 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of one hundred and fifty thousand (\$150,000) dollars per annum, payable quarterly in advance.

For repairs and contingent fund, the sum of seven thousand (\$7,000) dollars per annum.

For improvement of grounds, two hundred and fifty (\$250) dollars per annum.

For extending eighteen (18) dining-rooms, five thousand (\$5,000) dollars.

For removing and rebuilding piggery, one thousand (\$1,000) dollars.

For procuring steam boilers and putting the same in place, connected up ready for use, four thousand (\$4,000) dollars: *Provided*, in case the amount herein appropriated for boilers and extension of dining-rooms prove insufficient, the work may be completed from the amount appropriated for repairs and contingent fund.

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, only on the terms and in the manner now provided by law.

APPROVED June 13, 1887.

NORTHERN HOSPITAL FOR THE INSANE.

§ 1. Appropriates as follows:

For ordinary expenses per annum, \$98,000
For repairs and improvements per annum, \$5,000.

For care of grounds per annum, \$1,000.
Special, \$17,345.

AN ACT *making appropriations for the ordinary and other expenses of the Illinois Northern Hospital for the Insane at Elgin.*

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

1. For defraying the ordinary expenses of said hospital from July 1, 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of ninety-eight thousand dollars (\$98,000) per annum, payable quarterly in advance (\$196,000).

2. For repairs and improvements, the sum of five thousand dollars (\$5,000) per annum (\$10,000).

3. For care and improvement of grounds, one thousand dollars (\$1,000) per annum (\$2,000).

4. For additions to present buildings, enlargement of bakery, dining-room, etc., the sum of three thousand three hundred and forty-five dollars (\$3,345).

5. For placing iron fire-proof doors between the different sections of the building; constructing fire-proof walls and extending same through the attics to the roof, the sum of eight thousand dollars (\$8,000).

6. For hose-house, with tower and building for the manufacture of soap, blacksmithing and other purposes, including fireman's outfit of rubber clothing and soap fixtures, six thousand dollars (\$6,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees of said Illinois Northern Hospital for the Insane, at Elgin, or their order, only on the terms and in the manner now provided by law.

APPROVED June 13, 1887.

SOUTHERN HOSPITAL FOR THE INSANE.

§ 1. Appropriates \$109,000 per annum and | § 2. How drawn.
\$2,477 special.

AN ACT making appropriations for the Illinois Southern Hospital for the Insane, 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 are hereby appropriated to the Southern Hospital for the Insane, at Anna; for the purpose herein named:

For ordinary expenses, the sum of one hundred and three thousand and five hundred dollars per annum, payable quarterly in advance, from July 1, 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For improvements and repairs, the sum of five thousand dollars per annum.

For care and improvement of grounds, five hundred dollars per annum.

For a new pump at Big Spring, nine hundred and seventy-seven dollars.

For moving and refitting house for engineer, five hundred dollars.

For fire escapes, one thousand dollars.

§ 2. The money herein appropriated shall be due and payable to the trustees, or their order, only on the terms and in the manner now provided by law.

APPROVED June 14, 1887.

SOLDIERS' AND SAILORS' HOME.

§ 1. Appropriates \$45,000 for the ordinary and contingent expenses of the Home until
June 30, 1887.

AN ACT making appropriations for the ordinary and other expenses of the Illinois Soldiers' and Sailors' Home, at Quincy, until the thirtieth day of June, A. D. 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts be and are hereby appropriated to the Illinois Soldiers' and Sailors' Home, at Quincy, for the purposes hereinafter named, and for no other:

For ordinary expenses, the sum of forty thousand dollars (\$40,000).

For contingent expenses, the sum of five thousand dollars (\$5,000).

§ 2. The money herein appropriated shall be due and payable to the trustees of the said Illinois Soldiers' and Sailors' Home, at Quincy, or their order, only on the terms and in the manner now provided by law.

§ 3. Whereas, the sum above appropriated will be needed to sustain said Home prior to the first day of July, 1887, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED March 1, 1887.

SOLDIERS' AND SAILORS' HOME.

§ 1. Appropriates for the year 1887, \$100,000, and for the year 1888, \$124,500, and \$137,000 for building purposes.	§ 2. How drawn.
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AN ACT making appropriations for the ordinary and other expenses of the Soldiers' and Sailors' Home, at Quincy.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts be and are hereby appropriated to the Illinois Soldiers' and Sailors' Home, at Quincy, for the purposes hereinafter named, and for no other:

For ordinary expenses from July first, A. D. 1887, until the first day of July, A. D. 1888, the sum of one hundred thousand dollars (\$100,000), and from the first day of July, A. D. 1888, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of one hundred and twenty-four thousand five hundred dollars (\$124,500), payable quarterly in advance.

For hospital building, twenty-five thousand dollars (\$25,000).

For furnishing and equipping hospital, three thousand five hundred dollars (\$3,500).

For fencing boundary line and railroad, bridging railroad, making roadways and walks and improvement of grounds, six thousand dollars (\$6,000).

For farm buildings and necessary outbuildings, five thousand dollars (\$5,000).

For additional boilers, three thousand dollars (\$3,000).

For additional cottages, complete and furnished, eighty-seven thousand six hundred dollars (\$87,600): *Provided*, that the total cost of each cottage, completed and furnished, shall not exceed seven thousand three hundred dollars (\$7,300).

For services of architect, superintendent of construction and contingent fund, six thousand dollars (\$6,000).

For the purchase of additional land, nine hundred dollars (\$900).

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the said Illinois Soldiers' and Sailors' Home, at Quincy, or their order, only on the terms and in the manner now provided by law.

APPROVED June 14, 1887.

SOLDIERS' ORPHANS' HOME.

§ 1. Appropriates \$55,000 per annum and \$3,500 special.

AN ACT *making appropriations to the Soldiers' Orphans' Home at Normal.*

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 Soldiers' Orphans' Home at Normal, for the purposes hereinafter named:

For ordinary expenses, the sum of fifty-five thousand (55,000) dollars per annum, payable quarterly in advance, from the first day of July, 1887, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For repairs and improvements, three thousand (3,000) dollars.

For books and paper for pupils' library, five hundred (500) dollars.

§ 2. The moneys herein appropriated shall be due and payable to the trustees, or their order, on the terms and in the manner now provided by law.

APPROVED June 14, 1887.

DAIRYMEN'S ASSOCIATION.

§ 1. Appropriates \$500 to aid in publishing report. | § 2. How drawn.

AN ACT to aid the Illinois Dairymen's Association in compiling, publishing and distributing its reports.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five hundred dollars (\$500) per annum be, and the same is hereby appropriated to aid the Illinois Dairymen's Association in compiling, publishing and distributing its reports.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer for the sum in this act specified, to the order of the president of said association; and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED June 10, 1887.

DAVIS AND LOGAN MEMORIAL SERVICES.

§ 1. Appropriates \$300 to pay the expenses of a memorial service by the 35th General Assembly in honor of David Davis and John A. Logan, United States Senators from Illinois. | § 2. How drawn.
| § 3. Emergency.

AN ACT to appropriate the sum of three hundred dollars to pay the necessary expenses of holding joint memorial services, to be held in the hall of the House of Representatives, on the 22d day of February, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three hundred dollars, or so much thereof as may be necessary, be and is hereby appropriated, out of any moneys now in the State treasury, not otherwise appropriated, to defray the necessary expense of holding memorial service, to be held in the hall of the House of Representatives, on the 22d day of February, 1887, on the life, character and public services of Hon. David Davis and Hon. John A. Logan.

§ 2. That said sum, or so much thereof as may be necessary, be paid upon vouchers duly attested by the chairman of the Senate and House joint committee on joint memorial exercises, and approved by the President of the Senate and Speaker of the House of Representatives.

§ 3. Whereas an emergency exists, therefore this act shall be in force and take effect from and after its passage.

APPROVED February 22, 1887.

GENERAL ASSEMBLY—INCIDENTAL EXPENSES.

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| § 1. Appropriates \$15,000 for the incidental expenses of the 35th General Assembly. | § 2. How drawn.
§ 3. Emergency. |
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AN ACT to provide for the incidental expenses of the Thirty-fifth General Assembly, and for the care and custody of the State House and grounds, incurred or to be incurred, and now unprovided for.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of fifteen thousand dollars (\$15,000), or so much thereof as may be required, is hereby appropriated to pay the incidental expenses of the Thirty-fifth General Assembly, or either branch thereof, or by the Secretary of State in the discharge of the duties imposed on him by law, or by the direction of the General Assembly, or either branch thereof, all expenditures to be certified to 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 upon 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 State treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the expenses incurred, or to be incurred, for the transaction of the business of the State and the General Assembly, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED February 17, 1887.

GENERAL ASSEMBLY—EMPLOYES.

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| § 1. Appropriates \$50,000 for the payment of the employés of the 30th General Assembly. | § 2. Emergency. |
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AN ACT making additional appropriation for the payment of the employés of the Thirty-fifth General Assembly.

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 an additional sum of fifty thousand dollars (\$50,000), or so much as may be necessary to pay the employés of the Thirty-fifth General Assembly, at the rate of compensation allowed by law; said employés to be paid upon rolls certified to by the presiding officers of the respective houses, or as otherwise provided by law.

§ 2. Whereas, there does now exist a deficiency in the appropriation heretofore made for the above purpose, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED April 14, 1887.

NEXT GENERAL ASSEMBLY AND STATE OFFICERS.

§ 1. Appropriates \$800,000 for the pay of officers and members of the next General Assembly and the salaries of State officers.

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 hereby is appropriated the sum of eight hundred thousand dollars (\$800,000), or such sum as may be necessary to pay the officers and members of the next General Assembly, and the salaries of the officers of the State government, at such rate 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 June 10, 1887.

HORTICULTURAL SOCIETY.

§ 1. Appropriates \$2,000 per annum.

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

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 for the use of the Illinois State Horticultural Society, the sum of two thousand dollars (\$2,000) per annum for the years 1887 and 1888, 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 June 10, 1887.

J. C. LE MAY.

§ 1. Appropriates \$300.

§ 2. How drawn.

AN ACT for the relief J. C. LeMay, of Macoupin county, Illinois, and making an appropriation for his benefit.

WHEREAS, the said J. C. LeMay was in the month of May, 1885, the owner of four (4) mares, of the value of eight hundred dollars (\$800), which said mares were then infected incurably with contagious and infectious glanders; and,

WHEREAS, the said J. C. LeMay, in the early part of May, 1885, notified N. H. Paaren, then State Veterinarian, of the fact that he believed his said mares were so glandered, and requested the said Paaren to, at once, examine them for the purpose of ascertaining whether or not they were so glandered, as was the legal duty of the said Veterinarian, being so notified; and,

WHEREAS, said Veterinarian failed to promptly examine said mares, or cause the same to be examined by some person legally authorized so to do, as was his legal duty, and did not examine them until the 13th day of August, 1885, when he did examine said mares, and did decide that they were incurably infected with contagious and infectious glanders, and did direct that they be destroyed within three days from the said 13th day of August, 1885, which was done in pursuance of said order; and,

WHEREAS, for more than a month from and after the time said Veterinarian was notified of the condition of said animals, the law allowing the owner of animals slaughtered under like circumstances, compensation for the same, remained in full force, and the premises considered, said animals should have been examined and slaughtered within said period; and,

WHEREAS, the said J. C. LeMay is, under the circumstances, justly entitled to compensation for his said mares; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three hundred dollars be, and the same is hereby, appropriated to the use and benefit of the said J. C. LeMay, in full payment for his said four (4) mares so destroyed by order of said State Veterinarian.

§ 2. Upon a release being filed by the said J. C. LeMay with the Auditor of Public Accounts, of all damages sustained by him by reason of the destruction of said mares by said order of said Veterinarian, the Auditor of Public Accounts shall draw his warrant for the sum of three hundred dollars on the State Treasurer, payable to the said J. C. LeMay out of any funds not otherwise appropriated in the State treasury, and the State Treasurer shall pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED. June 17, 1887.

LINCOLN HOMESTEAD.

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| <p>§ 1. Appoints a board of trustees to receive the property in trust for the State.</p> <p>§ 2. Care and custody.</p> | <p>§ 3. Expenditure of moneys for keeping in repair; to keep it open and employ a custodian.</p> <p>§ 4. Appropriates \$3,800.</p> <p>§ 5. Report of board.</p> |
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AN ACT to create a board of trustees to take and hold the title to the homestead of Abraham Lincoln, in the city of Springfield, in the State of Illinois, in trust for the State of Illinois, and to provide for the care and custody thereof, and to appropriate money for paying the custodian to keep and exhibit said homestead and the relics and curiosities there collected.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor, Secretary of State, Auditor, Treasurer, and Superintendent of Public Instruction, of the State of Illinois, and their successors in office, shall constitute a board of trustees, and, by the name and style of the Lincoln Homestead Trustees, shall have power to receive a conveyance from Robert T. Lincoln and his wife, of Chicago, Illinois, of the homestead of the late Abraham Lincoln, and situate at the corner of Eighth and Jackson streets, in the city of Springfield, in the State of Illinois, and to hold the same in perpetuity, but in trust for the State of Illinois; to execute in said name and style, and deliver to the said Robert T. Lincoln, a contract covenanting with the said Robert T. Lincoln and his heirs, that said homestead shall be forever kept in good repair and free of access to the public, under such regulations as they may deem wise, for the proper preservation of the property and relics and curiosities there collected.

§ 2. Said board shall have full authority over and control of said homestead; shall have power to contract with reference to the proper care and custody thereof, and of the relics and curiosities there collected, and with reference to repairs of the said homestead, to the employment of persons to exhibit the same to the public, and in said name and style may sue and be sued in reference to any matters appertaining to the powers and trusts hereby created.

§ 3. It shall be the duty of said trustees to use the moneys that may from time to time be appropriated by the General Assembly, so far as can be done with such moneys, to keep said premises in good repairs; to keep the same open and free of access to the public at all seasonable hours on week days, and to employ a custodian to care for said premises, and exhibit the same and the relics and curiosities there collected to the public.

§ 4. There is hereby appropriated the sum of three thousand eight hundred dollars to defray the expenses of repairing said premises and employing custodians and carrying out the purposes of this act, for the period of two years after the approval of this act, and to be paid out of any moneys in the treasury of the State not otherwise appropriated, on warrants of the Auditor upon the Treasurer, on the direction of a majority of said board, from time to time as the same may be required for the purposes of this act.

§ 5. Said board shall report to each General Assembly before the twentieth day of the session, a detailed account of all their transactions, and of all expenditures made by them, and also such recommendations as they may deem proper for the consideration of the General Assembly.

APPROVED June 16, 1887.

LINCOLN MONUMENT.

§ 1. Appropriates \$10,000 for repairs. | § 2. How drawn.

AN ACT making an appropriation for the repairs of the Lincoln Monument, near Springfield, Illinois.

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, or as much thereof as may be required, be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of repairing the Lincoln Monument at Oak Ridge Cemetery near Springfield, Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for said sum, in favor of and payable to the order of the treasurer of the Lincoln Monument Association, having the care of and control of said monument, upon bills of particulars certified to by the Executive Committee of the Lincoln Monument Association, approved by the Governor.

APPROVED June 13, 1887.

LIVE STOCK COMMISSIONERS.

§ 1. Appropriates the sum of \$35,398.78 for the payment of damages for animals slaughtered by order of the board. | § 2. Emergency.

AN ACT to appropriate the money turned into the State treasury by the Board of Live Stock Commissioners, the proceeds of the sale of the healthy carcasses of cattle slaughtered in Chicago, by order of the board, on account of exposure to pleuro-pneumonia, for the payment of damages for animals slaughtered under the provision of law.

WHEREAS, the Board of Live Stock Commissioners of the State of Illinois, in the discharge of their duties as provided by law, have slaughtered a large number of cattle in the city of Chicago, on account of the existence of pleuro-pneumonia therein, and the exposure of cattle thereto, and have received in addition to the expense incurred in said slaughter, the sum of \$35,398.78, as the net proceeds of the sales of the carcasses and hides of such of said animals as were pronounced healthy on post-mortem examination, which amount has been paid by the board into the State treasury; and

WHEREAS, the balance remaining of the fund appropriated by the Thirty-fourth General Assembly for the payment of such slaughtered animals is insufficient to pay all claims arising out of the aforesaid slaughter, and that will arise before another appropriation is available, and said claims have accrued to the owners and have been certified to the Governor by the board; 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 sum of \$35,298.78 (being the amount paid into the State treasury by the said Board of Live Stock Commissioners as above) for the payment of damages awarded for animals slaughtered on order of the Board of Live Stock Commissioners, under existing laws.

§ 2. Whereas, as set forth in the preamble of this act, an emergency now exists, this act shall be in force from and after its passage.

APPROVED March 30, 1887.

LIVE STOCK COMMISSIONERS.

§ 1. Appropriates \$15,000 for the expenses of the board until June 30, 1887.

AN ACT making appropriation to enable the Board of Live Stock Commissioners to carry out the provisions of law until July 1, 1887.

WHEREAS, the appropriation of ten thousand dollars made by the Thirty-fourth General Assembly to pay the expenses of the Board of Live Stock Commissioners for two years would have been barely sufficient for that purpose under ordinary circumstances; and

WHEREAS, the recent outbreak of pleuro-pneumonia in Chicago and Cook county necessitated the constant attendance of the said board at Chicago since the 18th day of September, 1885, and the constant employment of several veterinarians in investigating and eradicating the dread disease, thus entailing a heavy expense; and

WHEREAS, that appropriation of ten thousand dollars is now exhausted, and the Board of Live Stock Commissioners have no funds to pay the expenses of further prosecuting the investigation and eradication of the said disease, and other contagious diseases among domestic animals in the State, until another appropriation is available; and

WHEREAS, a suspension of this work would cause a great loss and damage to the live stock interests of the State and render useless all that has been hitherto done in this regard; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of fifteen thousand dollars (\$15,000), or so much thereof as shall be necessary, be and the same is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for the purpose of carrying out the provisions of "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," approved June 27, 1885, in force July 1, 1885, or any amendments thereto, till July 1, 1887:

Provided, that no part of this sum shall be used for the payment of damages for animals slaughtered under the provisions of that act.

§ 2. Whereas, as shown in the foregoing preamble, an emergency now exists, this act shall be in force from and after its passage.

APPROVED February 4, 1887.

LOGAN MONUMENT.

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| <p>§ 1. Names a board of commissioners, to erect a monument to the memory of Gen. John A. Logan.</p> | <p>§ 2. Provides that the commissioners shall receive no compensation for services.</p> <p>§ 3. Appropriates \$50,000 for a monument.</p> |
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AN ACT to appropriate fifty thousand dollars (\$50,000) to erect a monument to John A. Logan, and for the appointment of commissioners therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Henry W. Blodgett, William C. Goudy, Robert T. Lincoln, John M. Palmer, Milton Hay, Richard S. Tuthill, William H. Harper, Melville W. Fuller, John R. Walsh, Oliver A. Harker, William S. Morris and George W. Smith be, and they are hereby, constituted commissioners to erect a monument in honor of John A. Logan, deceased, at such point in the city of Chicago, or elsewhere in the State of Illinois, as may be selected by his widow, and they are hereby authorized and empowered to receive proposals and to contract for the completion of such monument, and to receive subscriptions therefor: *Provided*, that such commissioners shall not obligate the State of Illinois to exceed the sum named in section three of this act.

§ 2. Such commissioners shall receive no compensation for their services.

§ 3. For the purpose of defraying the cost of such monument, beyond such amounts as may be received by voluntary contribution, the sum of fifty thousand dollars (\$50,000) is hereby appropriated out of the State treasury, and the Auditor of Public Accounts is hereby authorized to draw his warrant on the State treasury for such amount, out of the moneys in the treasury not otherwise appropriated, upon the certificate of a majority of such commissioners from time to time during the progress of the work.

APPROVED February 10, 1887.

LOGAN MONUMENT.

§ 1. Amends section 1 of the original act by authorizing park commissioners to grant permission to erect said monument in a public park.

° 2. Adds section 4 to the original act, an "emergency" clause.
 § 3. Amends the title of the original act.
 § 4. Emergency.

AN ACT to amend section 1, to add section 4 and to amend the title of an act entitled "An act to appropriate fifty thousand dollars (\$50,000) to erect a monument to John A. Logan, and for the appointment of commissioners therefor," approved February 10, 1887, and to add the emergency clause to said act as section 4.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an act entitled "An act to appropriate fifty thousand dollars (\$50,000) to erect a monument to John A. Logan and for the appointment of commissioners therefor," approved February 10, 1887, be and the same is hereby amended so as to read as follows:

"SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Henry W. Blodgett, William C. Goudy, Robert T. Lincoln, John M. Palmer, Milton Hay, Richard S. Tuthill, William H. Harper, Melville W. Fuller, John R. Walsh, Oliver A. Harker, William S. Morris and George W. Smith be and they are hereby constituted commissioners to erect a monument in honor of John A. Logan, deceased, at such point in the city of Chicago, or elsewhere in the State of Illinois, as may be selected by his widow, and they are hereby authorized and empowered to receive proposals and to contract for the completion of such monument, and to receive subscriptions therefor: *Provided*, that such commissioners shall not obligate the State of Illinois to exceed the sum named in section three of this act: *And, provided, further*, that if the place selected by the widow of said John A. Logan for the site of such monument shall be located in or upon any public park or boulevard under the government and control of any board of park commissioners, such board of park commissioners shall be and they are hereby authorized, empowered and directed to allow such monument to be placed upon the site so selected by said widow, and to provide that such monument shall be made the permanent resting place of the remains of said John A. Logan, and of his said widow after her death."

§ 2. That said act named in the caption hereto be and the same is hereby further amended by adding the emergency clause thereto as section 4, so as to read as follows:

"Section 4. Whereas, an emergency exists, this act shall take effect and be in force from and after its passage."

§ 3. That the title of said act be so amended as to read as follows:

"An act to appropriate fifty thousand dollars (\$50,000) to erect a monument to John A. Logan, for the appointment of commissioners therefor, and to provide for the location of the same in or upon a

public park or boulevard under the government and control of a board of park commissioners, and to provide for making the same the permanent resting place of the said John A. Logan and of his widow after her decease."

§ 4. Whereas an emergency exists, this act shall take effect and be in force from and after its passage.

APPROVED May 31, 1887.

JOHN A. LYLE.

§ 1. Appropriates \$3,000.

§ 2. How drawn.

AN ACT making an appropriation for the relief of John A. Lyle, who was disabled through the premature discharge of a piece of ordnance belonging to the State Arsenal.

WHEREAS, at a soldiers' re-union, held at Sterling, Illinois, on the 20th day of February, A. D. 1874, John A. Lyle, who served three years in Company "E," 92d Regiment Illinois Mounted Infantry, was deprived of both arms, through the premature discharge of a piece of ordnance belonging to the State of Illinois, and furnished for said occasion by proper requisition; and

WHEREAS, said piece of ordnance was unsafe to handle, for reason of being honeycombed so that it held fire, thereby causing a premature discharge, and the loss to the said John A. Lyle of both of his arms, as aforesaid; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three thousand dollars (\$3,000) be appropriated out of the treasury out of any funds not otherwise appropriated, for the purpose of compensating the said John A. Lyle, in full, for all damages that may have accrued to him through the premature discharge of said piece of ordnance.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum in this act specified, to the order of said John A. Lyle, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED June 6, 1887.

PETER MCGEE.

§ 1. Appropriates \$1,500.

| § 2. How drawn.

AN ACT to make an appropriation for the relief of Peter McGee, who was disabled by the premature discharge of a cannon belonging to the State of Illinois, at a re-union of the Army of the Tennessee.

WHEREAS, said cannon was honeycombed and unfit for use; and

WHEREAS, said Peter McGee by said premature discharge lost his right hand and use of arm, and was otherwise disabled; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of fifteen hundred dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the relief of said Peter McGee, which sum shall be in full for all damages he sustained through the premature discharge of said cannon.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the sum of fifteen hundred dollars to the order of the said Peter McGee, and the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

This bill having remained with the Governor ten days after the adjournment of the General Assembly, and he having failed to approve it, or to file it with his objections in my office before the expiration of said ten days, it has thereby become a law.

Witness my hand this 28th day of June, 1887.

HENRY D. DEMENT,

Secretary of State.

COSTS IN TRIAL OF MICHAEL MOONEY.

§ 1. Appropriates \$8,705.63 to reimburse Lake county.

AN ACT making an appropriation to pay certain expenses incurred in the trial of Michael Mooney for a crime committed in the Penitentiary at Joliet.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That eight thousand seven hundred and five dollars and sixty-three cents be, and the same is hereby appropriated out of the State treasury to pay to the county of Lake costs arising from the prosecution of Michael Mooney for a crime committed in the Penitentiary at Joliet.

§ 2. The Auditor of Public Accounts is hereby directed to draw his warrant on the State treasury for said amount, out of the moneys of the treasury, not otherwise appropriated, payable to the treasurer of the county of Lake.

APPROVED June 2, 1887.

NATIONAL GUARD, MEMORIAL HALL.

§ 1. Appropriates \$72,404.07, as follows:

- ¶ 1. \$1,700 for removing flags to memorial hall and for enlarging cases.
- ¶ 2. \$60,704.07 to pay for services and contingent expenses of the National Guard in 1886.

¶ 3. \$10,000 to pay the expenses of the National Guard until June 30, 1887.

AN ACT to provide for the expenses of moving flags and trophies to the new Memorial Hall, and to pay for the alterations and extension of cases and for the furniture and fixtures of said Memorial Hall; to pay the Illinois National Guard for services in St. Clair and Cook counties during the year 1886; to pay for blankets; and to pay the incidental expenses of such services, including a clothing allowance to each enlisted man; and to pay the expenses of the Illinois National Guard for the year ending June 30, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums, or so much thereof as may be required, are hereby appropriated to the Adjutant General, to be expended by him, for the purposes hereinafter named, to-wit:

First—To pay the expenses of moving the flags and trophies to the new Memorial Hall, and to pay for the alteration and extension of cases, and for the furniture and fixtures of said Memorial Hall, the sum of seventeen hundred dollars (\$1,700.00).

Second—To pay the Illinois National Guard for services in St. Clair and Cook counties during the year 1886; to pay for blankets; and to pay the contingent expenses incurred by said service, including a clothing allowance of five dollars to each enlisted man performing said service, the sum of sixty thousand seven hundred and four dollars and seven cents (\$60,704.07).

Third—To pay the expenses of the Illinois National Guard for the year ending June 30, 1887, the sum of ten thousand dollars (\$10,000.00).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified, upon presentation of proper vouchers duly certified to by the Adjutant General, and approved by the Governor, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. Whereas, the appropriations above recited are necessary for the expenses incurred in quelling riots, and by the use of the Illinois National Guard in aiding the civil power to execute the law; and, whereas, no appropriation has been made for the payment of the sums aforesaid, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED February 16, 1887.

NATIONAL GUARD.

§ 1. Appropriates \$140,000 per annum and | § 2. How drawn.
 \$5,000 special.

AN ACT to provide for the ordinary and contingent expenses of the Illinois National Guard.

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 the same are hereby appropriated to meet the ordinary and contingent expenses of the Illinois National Guard from July 1, 1887, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly: For the expenses of the Illinois National Guard, one hundred and thirty-five thousand dollars (\$135,000) per annum; for fencing, improvement, repair and extension of the State camp grounds, five thousand dollars (\$5,000) per annum; for the repairs of State Arsenal (unless the General Assembly should consider it in the interest of economy to sell the Arsenal and grounds and erect a new one), five thousand dollars (\$5,000).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the proper funds.

APPROVED June 17, 1887.

JOLIET PENITENTIARY.

§ 1. Appropriates \$136,000 for current ex- | § 2. How drawn.
 penses, and to enable the commis-
 sioners to keep the convicts em-
 ployed.

AN ACT to provide for the expenses of the Illinois State Penitentiary at Joliet, and to keep the prisoners therein employed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred and thirty-six thousand dollars (\$136,000), or so much thereof as may be necessary, be and the same is hereby appropriated as a fund to defray such portion of the current expenses of the Illinois State Penitentiary at Joliet, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, as the earnings of convict labor in said penitentiary may be insufficient to defray; also to enable the commissioners of said penitentiary to keep employed all prisoners who may be left without employment by the expiration of any contracts now in force; and the commissioners of said penitentiary are hereby authorized to expend so

much of the amount hereby appropriated as may be necessary for tools, machinery, fixtures and raw material, sufficient to keep employed all prisoners in said penitentiary who may become idle as herein stated, and to provide for sale of goods therein manufactured; and said commissioners shall employ said prisoners at such occupation or occupations as are best adapted to secure their health, discipline and reformation.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the moneys herein appropriated, upon the order of the board of commissioners of the said penitentiary, signed by the president and attested by the secretary, with the seal of the said institution thereto attached.

APPROVED June 15, 1887.

JOLIET PENITENTIARY.

§ 1. Appropriates for repairs and improvements, per annum, \$7,500 and \$30,000 special.

AN ACT making appropriations for repairs and improvements in the Illinois State Penitentiary at Joliet.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and the same are hereby, appropriated for the Illinois State Penitentiary at Joliet, for the purposes hereinafter named, and for no other:

§ 2. For painting, relaying floors, repairing walls, roofs, buildings, steam and water pipes, engines, boilers and machinery, and making such other repairs as may be required to keep the buildings, walls, grounds and appurtenances of the said penitentiary in as good condition as they now are, the sum of seven thousand five hundred (\$7,500) dollars per annum, or so much thereof as may be necessary, from the first day of July, 1887, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 3. For putting in steam pumps and such pipes and hydrants throughout the yard as may be necessary to protect the property and buildings of said penitentiary from fire, the sum of six thousand (\$6,000) dollars; or so much thereof as may be necessary.

§ 4. For constructing, completing and furnishing one school building at the end of the east cell house of the said penitentiary, and a similar school building at the end of the west cell house of said penitentiary, according to the plans and specifications submitted by the commissioners, the sum of fourteen thousand (\$14,000) dollars or so much thereof as may be necessary.

§ 5. For purchasing, fitting up and setting five (5) new steel tubular boilers, to replace the same number of condemned boilers now in use for furnishing necessary steam for cooking, heating, ventilation and motive power in said penitentiary the sum of ten thousand (\$10,000) dollars, or so much thereof as may be necessary.

§ 6. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the moneys herein appropriated, upon the order of the commissioners of said penitentiary, signed by the president and attested by the secretary, with the seal of the said penitentiary thereto attached.

APPROVED June 15, 1887.

JOLIET PENITENTIARY—PURCHASE OF LAND.

§ 1. Authorizes the commissioners to purchase a certain tract of land.		§ 2. Appropriates \$8,000. § 3. How drawn.
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AN ACT *authorizing the Commissioners of the Illinois State Penitentiary at Joliet to purchase land for the use of the said penitentiary, and to make appropriations therefor.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Commissioners of the Illinois State Penitentiary at Joliet be and they are hereby authorized to purchase for the use of said penitentiary the following described tracts or lots of land adjoining the grounds of said penitentiary, to-wit: The southeast quarter of the northeast quarter of section three (3), township thirty-five (35) north of range ten (10) east of the third principal meridian, containing forty (40) acres more or less, with all the improvements and appurtenances thereto belonging; also, one (1) acre more or less, in the southwest corner of lot three (3), assessor's subdivision of section three (3), township thirty-five (35) north of range ten (10) east of the third principal meridian, described as follows: Commencing at a point in the middle of the highway, being the southwest corner of said lot three (3),-thence north along middle of said highway two hundred and three (203) feet, thence east thirteen (13) rods, thence south two hundred and three (203) feet, thence west thirteen (13) rods to place of beginning; both of said tracts or lots of land being situated in the county of Will, State of Illinois.

§ 2 The sum of eight thousand (\$8,000) dollars, or so much thereof as may be necessary, is hereby appropriated for the purchase of the real estate described in this act, and for no other purpose.

§ 3. The Commissioners of the Illinois State Penitentiary at Joliet shall present to the Governor the abstracts of title, and all other papers necessary to show that the present owner or owners of said lands can make good and valid title to the same, and upon his certifying his approval of said purchase, said commissioners are authorized to make requisition upon the Auditor, who shall draw his warrant upon the Treasurer of State for the amount necessary to pay for the said real estate, not to exceed the amount appropriated by this act.

APPROVED June 15, 1887.

SOUTHERN PENITENTIARY.

§ 1. Appropriates \$77,500 per annum and \$6,200 special.

AN ACT making an appropriation for the ordinary and other expenses of the Southern Illinois Penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts, or so much thereof as may be necessary, be and the same are hereby appropriated to the Southern Illinois Penitentiary, for the purposes hereinafter named, and no other:

For ordinary expenses for the two years ending June 30, 1889—and to enable the commissioners of said penitentiary to keep employed all prisoners who may be left without employment by the expiration or forfeiture of any contracts now in force; and the commissioners of said penitentiary are hereby authorized to expend so much of the amount hereby appropriated as may be necessary for tools, machinery, fixtures and raw material, sufficient to keep employed all prisoners in said penitentiary who may become idle, as herein stated, and to provide for the sale of goods therein manufactured; and said commissioners shall employ said prisoners at such occupation or occupations as are best adapted to secure their health, discipline, and reformation—seventy-five thousand dollars (\$75,000) per annum.

For one steam boiler, one thousand two hundred dollars (\$1,200).

For repairs, two thousand five hundred dollars (\$2,500) per annum.

For contingent fund, five thousand dollars (\$5,000).

§ 2. The moneys herein appropriated shall be due and payable to the commissioners of the Southern Illinois Penitentiary, or their order, only on the terms and in the manner now provided by law.

APPROVED June 15, 1887.

SOUTHERN PENITENTIARY.

§ 1. Appropriates for building purposes | § 2. How drawn.
\$79,397.54.

AN ACT making appropriations for continuing the work of constructing the Southern Illinois Penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts, or so much thereof as may be necessary, be and are hereby appropriated to the Southern Illinois Penitentiary for the purposes hereinafter mentioned, and for no other:

For building south cell-house, seventy-five thousand dollars (\$75,000).

For vegetable house and refrigerator, four thousand fifteen dollars and twenty-four cents (\$4,015.24).

For completing sewer, three hundred eighty-two dollars and thirty cents (\$382.30).

§ 2. The moneys herein appropriated shall be due and payable to the commissioners of said penitentiary, in sums not to exceed ten thousand dollars (\$10,000) at one time: *Provided*, that after the sum of ten thousand dollars (\$10,000) shall have been drawn, no further sum shall be drawn until said commissioners shall have filed with the Auditor proper vouchers, accompanied by abstracts approved by the Governor of the State, showing in what manner the money previously drawn has been expended.

APPROVED June 15, 1887.

MRS. R. A. PURDIE.

§ 1. Appropriates \$2,500.

| § 2. How drawn.

AN ACT to make an appropriation for the relief of Mrs. R. A. Purdie, whose husband, private in Co. I, 4th Regiment Illinois National Guard, was wounded while in sham battle by order of his superior officers, and died in consequence thereof fifteen days thereafter.

WHEREAS, R. A. Purdie, private in Co. I, 4th Regiment Illinois National Guard, was wounded, while in sham battle by order of his superior officers, at Buffalo Rock, near Ottawa, LaSalle county, on the 12th day of August, 1885, and died from the effects of such wound on the 27th day of the same month, and left a widow and four minor children without any means of support; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand and five hundred dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the relief of said Mrs. R. A. Purdie.

§ 2. The Auditor of Public Accounts is hereby directed to draw his warrant on the State Treasurer for the sum of two thousand and five hundred dollars, to the order of said Mrs. R. A. Purdie, and the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED June 14, 1887.

OWNERS OF SLAUGHTERED ANIMALS.

§ 1. Appropriates \$6,411.

| § 2. To whom payable.

AN ACT to appropriate the amounts due to the owners of animals that were slaughtered prior to July 1, 1885, and whose claims were duly approved, in accordance with the provisions of law.

WHEREAS, there are several unpaid claims that were approved in accordance with the provisions of law, enacted by the 33d General Assembly; and

WHEREAS, the appropriation made to meet the anticipated claims was not sufficient, and was exhausted in paying like claims before these claims were presented; and

WHEREAS, the 34th General Assembly repealed the said law, and enacted another providing in a different manner for the adjustment of such claims, so that appropriations made therefor could not be applied to pay claims under the former act; and

WHEREAS, the claimants fully complied with the requirements of law, and the claims were duly approved as therein provided, and would have been paid as all similar claims were paid, had said appropriation not been exhausted; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of six thousand four hundred and eleven dollars (\$6,411) be and the same is hereby appropriated out of any money in the State treasury not otherwise appropriated, to pay said claims.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer as follows, to-wit: To the order of John Boyed the sum of three thousand dollars; to the order of W. F. Whitson and son the sum of one hundred and twenty-five dollars; to the order of Mrs. M. G. Clark the sum of one thousand one hundred and twenty dollars; to the order of D. B. Moore the sum of seventy dollars; to the order of C. A. Keifer the sum of ninety dollars; to the order of D. H. and S. S. Tripp the sum of six hundred dollars; to the order of F. H. Bowran the sum of twenty-five dollars; to the order of O. J. Bailey the sum of one thousand and seventy dollars; to the order of J. L. Barrick the sum of one hundred and fifty-five dollars, and to the order of J. S. O'Neal the sum of one hundred and fifty-six dollars, and the above sums shall be in full satisfaction of said claims. And the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED June 10, 1887.

OWNERS OF QUARANTINED COWS.

§ 1. Appropriates \$26,607.79 for damages sustained by sundry parties named. | § 2. In full of all claims; how drawn.

AN ACT to reimburse the owners of cows that were quarantined by the State Board of Live Stock Commissioners in September, 1886, for the cost thereby incurred.

WHEREAS, the State Board of Live Stock Commissioners, on or about the 19th day of September, A. D. 1883, quarantined certain milch cows in distillery sheds in the city of Chicago, Cook county, in this State, as exposed to contagious pleuro-pneumonia; and

WHEREAS, the said board, for reasons sufficient to them, did not then appraise or slaughter said cattle, but continued them in quarantine from that time until December, when said board had them appraised and slaughtered; and

WHEREAS, during said period of time the owners were required to feed and care for said cattle at their, the owner's expense, and to continue to do so after all control and use of said cattle was denied them by said board; and

WHEREAS, the owners were prohibited from disposing of the milk of said cows, from and after the 12th day of October, A. D. 1886, whereby all proceeds or profits of the business was cut off, and expenses amounting to about twenty cents per diem for each cow, besides the time of the owners was continued; and having ascertained that the following sums are equitable allowances which should be paid by the State to the following parties who have suffered as aforesaid; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$2,624.40 be and the same is hereby appropriated to pay Michael Killeen for his damages suffered as aforesaid.

§ 2. That the sum of \$1,153.60 be and the same is hereby appropriated to pay John J. Clancy for his damages suffered as aforesaid.

§ 3. That the sum of \$1,083 be and the same is hereby appropriated to pay John H. Prehler for his damages suffered as aforesaid.

§ 4. That the sum of \$1,026 be and the same is hereby appropriated to pay George Prehler for his damages suffered as aforesaid.

§ 5. That the sum of \$1,000 be and the same is hereby appropriated to pay Edward Fitzgerald for his damages suffered as aforesaid.

§ 6. That the sum of \$1,242.60 be and the same is hereby appropriated to pay D. G. Brown for his damages suffered as aforesaid.

§ 7. That the sum of \$830 be and the same is hereby appropriated to pay Michael Bowler for his damages suffered as aforesaid.

§ 8. That the sum of \$1,520.00 be and the same is hereby appropriated to pay Annie F. Flynn for her damages suffered as aforesaid.

§ 9. That the sum of \$1,766.05 be and the same is hereby appropriated to pay John Burns for his damages suffered as aforesaid.

§ 10. That the sum of \$700.00 be and the same is hereby appropriated to pay Edward Riley for his damages suffered as aforesaid.

§ 11. That the sum of \$781.20 be and the same is hereby appropriated to pay Daniel Shay for his damages suffered as aforesaid.

§ 12. That the sum of \$434.60 be and the same is hereby appropriated to pay Lawrence Archibald for his damages suffered as aforesaid.

§ 13. That the sum of \$416.00 be and the same is hereby appropriated to pay August Bucchholtz for his damages suffered as aforesaid.

§ 14. That the sum of \$240.30 be and the same is hereby appropriated to pay Adolph Abel for his damages suffered as aforesaid.

§ 15. That the sum of \$479.40 be and the same is hereby appropriated to pay Tobias Schnegg for his damages suffered as aforesaid.

§ 16. That the sum of \$707.60 be and the same is hereby appropriated to pay Charles Niles for his damages suffered as aforesaid.

§ 17. That the sum of \$1,216.00 be and the same is hereby appropriated to pay James Quigley for his damages suffered as aforesaid.

§ 18. That the sum of \$4,445.72 be and the same is hereby appropriated to pay Simon Ryan for his damages suffered as aforesaid.

§ 19. That the sum of \$907.20 be and the same is hereby appropriated to pay P. Kennedy for his damages suffered as aforesaid.

§ 20. That the sum of \$2,418.66 be and the same is hereby appropriated to pay Morris Ryan for his damages suffered as aforesaid.

§ 21. That the sum of \$700.00 be and the same is hereby appropriated to pay Denis Foley for his damages suffered as aforesaid.

§ 22. That the sum of \$336.60 be and the same is hereby appropriated to pay Timothy Fitzpatrick for his damages suffered as aforesaid.

§ 23. That the sum of \$124.50 be and the same is hereby appropriated to pay Michael Keller for his damages suffered as aforesaid.

§ 24. That the sum of \$470.20 be and the same is hereby appropriated to the estate of George Keller, deceased, for his damages suffered as aforesaid.

§ 25. The sums herein appropriated shall be in full satisfaction of all claims for damages by said parties, in respect to said cattle, and the Auditor of Public Accounts shall issue warrants on the State Treasurer for the amounts herein appropriated to the respective parties or their legal representatives, and the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED June 14, 1887.

REFORM SCHOOL.

§ 1. Appropriates as follows:		
For ordinary expenses, per annum,		For repairs, per annum, \$1,000.
\$50,000.		For library, per annum, \$300.
		For rebuilding front steps, \$1,000.

AN ACT making appropriations to the State Reform School.

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 named:

For ordinary expenses, fifty thousand dollars per annum, payable quarterly in advance, from the first of July, 1887, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For an artesian well, three thousand dollars.

For rebuilding the front steps of the main building, one thousand dollars.

For repairs and improvements, one thousand dollars per annum.

For boys' library, three hundred dollars per annum.

§ 2. The moneys herein appropriated shall be paid to the trustees in the manner provided by law.

APPROVED June 8, 1887.

REFORM SCHOOL.

§ 1. Appropriates \$30,000 for keeping the inmates employed. | § 2. How drawn.

AN ACT making an appropriation to the State Reform School.

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 Reform School, at Pontiac, the sum of thirty thousand dollars, to purchase machinery and materials, and as a working capital, to enable the trustees of said school to employ the inmates at productive labor on State account: *Provided*, that not to exceed seven thousand dollars shall be used to purchase machinery.

§ 2. The money herein appropriated shall be paid to the trustees on their order in the manner provided by law.

APPROVED June 13, 1837.

SCHOOL EXHIBIT AT NATIONAL EXPOSITION 1887.

§ 1. Appropriates \$2,500 to the Illinois Teachers' Association to aid the schools of the State to present an exhibit of their work, at the National Exposition, at Chicago, in 1887.

AN ACT making an appropriation to enable the schools of the State to exhibit properly specimens of their work at the National Educational Exposition, to be held in Chicago July 7 to 16, 1887.

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 sum of two thousand five hundred dollars, to aid the schools of the State to present a proper exhibit of their work at the National Educational Exposition to be held in Chicago July 7 to 16, 1887.

§ 2. The Auditor is hereby authorized and required to draw his warrant on the Treasurer of the State for the said sum of two thousand five hundred dollars, payable to Richard Edwards, S. H. Peabody, A. R. Sabin, W. L. Steele, C. J. Kinnie, Charles W. Tufts and John Hull, or to such person as they may designate, a committee representing the Illinois Teachers' Association, who are authorized to expend the same or such part thereof as may be necessary for the purpose above named, and whose duty it is hereby made to render to the Governor of the State, within sixty days after the close of such exposition, a full and true account, in itemized detail, of the money so expended, and to return any unexpended balance to the State Treasurer.

APPROVED June 9, 1887.

STATE DEBT.

§ 1. Appropriates \$1,145 for the payment of a State bond.	§ 2. How drawn. § 3. Emergency.
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AN ACT to make an appropriation to pay the amount due upon a certain five hundred dollar State bond, of class known as "New Internal Improvement Interest Stock, payable after 1877."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eleven hundred and forty-five dollars (\$1,145) be, and the same is hereby, appropriated out of any funds in the State treasury not otherwise appropriated, for the purpose of paying a State bond of the denomination of five hundred dollars (\$500), and of the class of State bonds known as "New Internal Improvement Interest Stock, payable after 1877," and interest on the same from July 1, 1857, to January 1, 1879.

§ 2. That the Auditor of Public Accounts be, and hereby is, authorized and directed to draw his warrant upon the State Treasurer for said sum of eleven hundred and forty-five dollars (\$1,145), payable to the legal holder of said bond upon presentation of the same for payment and cancellation.

§ 3. That, whereas there is no appropriation with which to pay said bond, and as said bond has been presented for payment, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED April 29, 1887.

REPAIRS UPON THE STATE HOUSE.

§ 1. Appropriates \$20,500, to be expended by the Secretary of State.	§ 3. How drawn.
§ 2. How the appropriation shall be expended.	§ 4. Emergency.

AN ACT making an appropriation for repairs upon the State House.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of twenty thousand five hundred dollars (\$20,500), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for making the necessary repairs upon the State House. The sum hereby appropriated to be expended by the Secretary of State, upon estimates furnished him by the architect, as follows:

For repairing the dome, \$7,500.

For repairing cornice at base of dome, \$1,000.

For repairing roof outside of dome, \$1,000.

For regrading and repairing sub-basement, \$7,500.

For relaying sewers and connecting down-spouts, \$2,500.

For repairing outside wall, damaged by fire, \$1,000.

Said Secretary of State shall not be bound absolutely by the estimates furnished, and when the appropriation exceeds the estimate in any item, the excess may be used in supplying any deficiencies that may occur in the estimates in other items; but the total cost of the repairs herein authorized shall not be greater in the aggregate than the appropriation hereby made, nor shall any expense or liability be incurred by said Secretary of State beyond said sum.

§ 2. The said Secretary of State is hereby authorized to draw the money hereby appropriated from time to time, as may be necessary, by presenting to the Auditor a requisition signed by said Secretary of State, and approved by the Governor; and the Auditor is hereby authorized and directed to draw his warrant upon the Treasurer for the amount named in the requisition.

§ 3. Whereas, by reason of the necessity for a portion of the repairs hereby authorized being made without delay, in order that further damage may not result, an emergency exists, and this act shall be in force from and after its passage.

APPROVED June 14, 1887.

LOSSES IN STATE HOUSE CAUSED BY FIRE.

§ 1. Appropriates \$2,482.

| § 2. Designates the parties to whom payable'

AN ACT to reimburse certain contractors on the State House for losses sustained by them in repairing the damage caused by fire therein on December 25, 1886.

WHEREAS, on December 25, 1886, a fire occurred in room twelve (12) of the first floor of the State House, the origin of which is unknown; and,

WHEREAS, the several contractors hereinafter named had completed their work, and were waiting to have it accepted by the State House Commissioners at the time of said fire; and,

WHEREAS, in order to repair the damage caused by said fire, the following amounts were expended by the firms having the contract for said work, to-wit: P. M. Almini \$220, The Phillipson Decorative Company \$815, Davidson & Sons \$397, George Warren \$145, Cudell & Lehmann \$905; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand four hundred and eighty-two dollars be and the same is hereby appropriated out of any money in the State treasury not otherwise

appropriated, to pay said contractors and reimburse them for their said respective losses aforesaid sustained by them by reason of said fire.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer as follows, viz: To the order of P. M. Almini for the sum of two hundred and twenty dollars, to the order of The Phillipson Decorative Company for the sum of eight hundred and fifteen dollars, to the order of Davidson & Sons for the sum of three hundred and ninety-seven dollars, to the order of George Warren for the sum of one hundred and forty-five dollars, and to the order of Cudell & Lehmann for the sum of nine hundred and five dollars. And the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED June 15, 1887.

STATE GOVERNMENT—PAPER AND STATIONERY.

§ 1. Appropriates \$10,000 for printing paper and stationery until June 30, 1887. | § 2. How drawn.
| § 3. Emergency.

AN ACT to provide for the necessary expenses of the State government, incurred or to be incurred, and now unprovided for, until the first day of July, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sum, or so much thereof as may be necessary, be and the same is hereby appropriated for the purposes herein specified, to meet the necessary expenses of the State government, incurred or to be incurred, and now unprovided for, until the first day of July, 1887: For the purchase on contract as required by law, and other necessary expenses connected therewith, of printing paper and stationery, for the use of the General Assembly, and the executive departments, the sum of ten thousand dollars (\$10,000), payable on bills of particulars certified to by the Board of Commissioners of State Contracts, approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the Treasurer for the sum hereby appropriated, upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

§ 3. Whereas, the above appropriation is necessary for the transaction of the business of the State, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED February 17, 1887.

STATE GOVERNMENT—PRINTING, BINDING, AND HEATING STATE HOUSE.

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| <p>§ 1. Appropriates \$40,000 for deficiency in printing, binding and heating funds.</p> <p>¶ 1. \$25,000 for public printing.</p> <p>¶ 2. \$10,000 for public binding.</p> | <p>¶ 3. \$5,000 for heating department.</p> <p>§ 2. How drawn.</p> <p>§ 3. Emergency.</p> |
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AN ACT to provide for the necessary expenses of the State government, incurred or to be incurred, and now unprovided for, until the first day of July, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums, or so much thereof as may be necessary, be and the same are hereby appropriated for the purposes herein specified, to meet the necessary expenses of the State government, incurred or to be incurred, and now unprovided for, until the first day of July, 1887:

First—The sum of twenty-five thousand dollars (\$25,000) for public printing, to be paid according to the contract for public printing, upon the certificate of the Board of Commissioners of State Contracts, and approved by the Governor.

Second—The sum of ten thousand dollars (\$10,000) for public binding, to be paid according to the contract for public binding, upon the certificate of the Board of Commissioners of State Contracts, and approved by the Governor.

Third—The sum of five thousand dollars (\$5,000) for heating, fuel, pay of engineers and firemen of the State House, and other incidental expenses thereof, to be paid upon bills of particulars, certified to by the Secretary of State and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums herein appropriated, upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

§ 3. Whereas, the above appropriations are necessary for the transaction of the business of the State, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED March 8, 1887.

STATE GOVERNMENT—PRINTING.

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| <p>§ 1. Appropriates \$10,000 for public printing.</p> <p>§ 2. How drawn.</p> | <p>§ 3. Emergency.</p> |
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AN ACT to provide for the necessary expenses of the State government incurred or to be incurred, and now unprovided for, until the first day of July, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sum, or so much thereof as may be necessary, be and the same is hereby

appropriated for the purpose hereinafter specified, to meet the necessary expenses of the State government, incurred or to be incurred, and now unprovided for, until the first day of July, 1887, to-wit: the sum of ten thousand dollars (\$10,000) for public printing, upon the certificate of the Board of Commissioners of State Contracts, and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sum herein appropriated, upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

§ 3. Whereas, the above appropriation is necessary for the transaction of the business of the State, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED May 18, 1887.

STATE GOVERNMENT, ORDINARY AND CONTINGENT EXPENSES.

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| <p>§ 1. Appropriates for the ordinary and contingent expenses of the State government, \$1,402,700.00 per annum, and \$100,890.22 special, as follows:</p> <p>1-5. \$10,500.00 to the Governor, per annum.</p> <p>6-7. \$37,200.00 per annum, to the Secretary of State, for clerk hire, office expenses, index department, janitors and watchmen, care of the State House and grounds, etc., and \$2,500 special for vault furniture.</p> <p>8. Heating department of State House, \$15,000 per annum, and \$10,000 special.</p> <p>9. Lighting the State House, \$6,000 per annum.</p> <p>10. Library, per annum, \$2,400.</p> <p>11. Paper and stationery, per annum, \$15,000.</p> <p>12. Printing, \$15,000; binding, \$10,000 per annum.</p> <p>13. Copying and distributing laws, \$2,300.</p> <p>14. Supreme court reports, estimated at \$6,000.</p> <p>15. \$10,000 per annum to the Auditor, for clerk hire, porters and messengers, office expenses; \$3,500 special for vault furniture and printing.</p> <p>16. State suits, per annum, \$2,000.</p> <p>17. Conveying convicts to penitentiary, per annum, \$20,000.</p> <p>18. Fugitives from justice, per annum, \$15,000, and for rewards for arrests, \$3,000.</p> <p>19. Conveying offenders to the Reform School, per annum, \$5,000.</p> <p>20. State Board of Equalization, per annum, \$10,000.</p> <p>21. \$9,000 per annum, to the State treasurer for clerk hire, messenger and watchmen and office expenses.</p> | <p>22. Refunding taxes, etc., \$1,500, estimated.</p> <p>23. \$5,300 to the Superintendent of Public Instruction for clerk hire, office expenses, etc., and \$500 special.</p> <p>24. Interest on school fund, per annum, \$57,000.</p> <p>25. State school fund, per annum, \$1,000,000</p> <p>26. \$6,000 per annum, to the Attorney General for clerk hire, stenographer, janitor, and office expenses.</p> <p>27. \$7,100 per annum to the Adjutant General for clerk hire, office expenses, janitors, watchmen, etc.</p> <p>28. Board of Public Charities, per annum, \$7,500.</p> <p>29. Appellate and Supreme courts, per annum, \$21,850; special, \$7,700.</p> <p>30. Museum of Natural History, per annum, \$1,000.</p> <p>31. Railroad and Warehouse Commissioners, per annum, \$9,800; special, \$3,000.</p> <p>32. Southern Penitentiary, for library, per annum, \$350.</p> <p>33. Joliet Penitentiary, for library, per annum, \$300.</p> <p>34. Bureau of Labor Statistics, per annum, \$7,500; special, \$300.</p> <p>35. Live Stock Commissioners, per annum, \$90,000.</p> <p>36. Fish Commissioners, per annum, \$9,500; special, \$1,000.</p> <p>37. State Board of Health, per annum, \$9,000; special contingent, \$40,000.</p> <p>38. Lieutenant Governor, for postage, \$50.</p> <p>39. Committees 36th General Assembly, \$3,000.</p> <p>40. Electric light plant in the State House, \$3,943.22.</p> |
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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, or so much thereof as may be necessary respectively for the purposes hereinafter named, be and 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 two thousand dollars (\$2,000) per annum shall be subject to the order of the Governor for defraying of such public expenses of the State government as are unforeseen by the General Assembly, and not otherwise provided for by law; payment to be made from time to time upon bills of particulars certified to by the Governor.

Second—The sum of four thousand dollars (\$4,000) per annum, for private secretary to the Governor, for the performance of such official duties of the Governor as may be required of him, and for clerk hire in the executive office, payable monthly as hereinafter provided.

Third—A sum not to exceed eight hundred dollars (\$800) per annum for postage, expressage, telegraphing, and other incidental expenses connected with the Governor's office, to be paid on bills of particulars certified to by the Governor.

Fourth—To the Governor, for one porter, the sum of seven hundred dollars (\$700) per annum, payable monthly.

Fifth—To the Governor, for repairs and care of executive mansion and grounds, and for heating and lighting the executive mansion, three thousand dollars (\$3,000) per annum, to be paid on bills of particulars certified to by the Governor.

Sixth—To the Secretary of State, for clerk hire in his office, the sum of ten thousand five hundred dollars (\$10,500) per annum; for two porters or messengers, the sum of seven hundred dollars (\$700) each per annum; for stenographer and type-writer, the sum of eight hundred dollars (\$800) per annum; and for laborers, janitors, policemen and watchmen of the State House, who shall perform such duties as shall be assigned to them by the Secretary of State, the sum of six thousand dollars (\$6,000) per annum—all payable upon monthly pay-rolls, duly certified to by the Secretary of State. To the Secretary of State, for repairs, postage, expressage, telegraphing and other incidental expenses of his office, a sum not exceeding three thousand dollars (\$3,000) per annum; and for the payment of all necessary incidental expenses incurred by the Secretary of State in the care and custody of the State House and grounds and other State property, and in repairs and improvements of the same, and for the performance of such other duties as may be imposed upon him by law, and for which no other appropriation has been made, the sum of twelve thousand five hundred dollars (\$12,500) per annum—all payable upon the bills of particulars certified to by the Secretary of State and approved by the Governor.

For comparing copy for the public printer of the laws and joint resolutions, editing the same, preparing head notes thereto, and for indexing the volume of laws, and making a table of contents when printed; for comparing the copy for the printer for the printed volumes of the journals of the Senate and House, making indexes thereto when printed, and for superintending the printing thereof; for preparing a table of contents to the volumes of reports, and for making and keeping proper indexes to the executive records and all public files and documents in the office of the Secretary of State as required by law, the sum of three thousand dollars (\$3,000) per annum—payable to the Secretary of State on his order.

Seventh—To the Secretary of State, for the purpose of fitting up the vaults in his office with fire-proof iron boxes and book racks, the sum of twenty-five hundred dollars (\$2,500), or so much thereof as may be necessary, to be paid upon bills of particulars certified to by the Secretary of State and approved by the Governor.

Eighth—For heating, fuel and pay of engineers and firemen of the State House, and other incidental expenses thereof, the sum of fifteen thousand dollars (\$15,000) per annum, or so much thereof as may be needed. For repairs to heating department, including raising of boilers, overhauling and resetting same, ten thousand dollars (\$10,000), or so much thereof as may be necessary, payable on bills of particulars certified to by the Secretary of State and approved by the Governor.

Ninth—For lighting the State House and other incidental expenses thereof, the sum of six thousand dollars (\$6,000) per annum, or so much thereof as may be necessary, to be paid on bills of particulars certified to by the Secretary of State and approved by the Governor.

Tenth—To the Secretary of State, for the purchase of books and for the incidental expenses of the State Library, the sum of fifteen hundred dollars (\$1,500) per annum, payable on bills of particulars certified to by the Board of Commissioners of the State Library. For salary of assistant librarian the sum of nine hundred dollars (\$900) per annum, payable monthly.

Eleventh—For the purchase on contract, as required by law, and other necessary expenses connected therewith, of printing paper and stationery, for the use of the General Assembly and the executive departments, the sum of fifteen thousand dollars (\$15,000) per annum, payable on bills of particulars certified to by the Board of Commissioners of State Contracts, and approved by the Governor.

Twelfth—For public printing, the sum of fifteen thousand dollars (\$15,000), or so much thereof as may be required, but that no portion of said sum shall be paid for printing done under the present contract of H. W. Rokker & Co. For public binding ten thousand dollars (\$10,000) per annum, or so much thereof as may be required. The public printing and binding to be paid for according to contract, upon the certificate of the Board of Commissioners of State Contracts, and approved by the Governor.

Thirteenth—For copying the laws, journals and joint resolutions of the General Assembly, as provided by law, six hundred dollars (\$600). For distribution of laws, journals and other State documents, and incidental expenses connected therewith, the sum of five hundred dollars (\$500), and for expressage and postage on same, twelve hundred dollars (\$1,200), payable as provided by law.

Fourteenth—Such sum as may be necessary to enable the Secretary of State to purchase such volumes of the reports of the decisions of the Supreme Court as he is, or may be, required by law to purchase, to be paid on bills of particulars, certified to by the Secretary of State and approved by the Governor.

Fifteenth—To the Auditor of Public Accounts, for necessary clerk hire, the sum of seven thousand five hundred dollars (\$7,500) per annum, and for two porters or messengers the sum of seven hundred dollars (\$700) each, per annum, all payable upon monthly pay-rolls duly certified to by the Auditor of Public Accounts. To the Auditor of Public Accounts for repairs, postage, express charges, telegraphing and other incidental expenses incurred in the discharge of his duties, a sum not exceeding one thousand five hundred dollars (\$1,500) per annum, and for fitting up vaults with fire proof iron boxes and book racks the sum of twenty-five hundred dollars (\$2,500) or so much thereof as may be necessary, and the sum of one thousand dollars per annum, or so much thereof as may be necessary, to pay for the printing of the tax blanks, circulars and other miscellaneous printing, if needed in connection with the business of the Auditor's office, payable upon bills of particulars certified to by the Auditor and approved by the Governor: *Provided*, no part of the amount hereby appropriated shall be used to pay the expenses of the insurance department of said Auditor of Public Accounts, and he shall report the annual expenses of said insurance department to each General Assembly hereafter.

Sixteenth—A sum not exceeding two thousand dollars (\$2,000) per annum for costs and expenses of State suits, to be paid upon bills of particulars, certified to by the Auditor and approved by the Governor.

Seventeenth—A sum not exceeding twenty thousand dollars (\$20,000) per annum, or so much thereof as may be necessary, for conveying convicts to the penitentiary and from and to the penitentiary in cases of new trial, or when used as witnesses in criminal trials, to be paid on the warden's certificate, at the compensation fixed by the general laws; the Auditor to compute the distance by the nearest railroad route.

Eighteenth—For the payment of the expenses provided for by law for the apprehension and delivery of fugitives from justice, fifteen thousand dollars (\$15,000) per annum, or so much thereof as may be necessary, to be paid on the evidence required by law, certified and approved by the Governor; and the sum of three thousand dollars (\$3,000) for rewards for arrests of fugitives from justice, to be paid upon bills of particulars, having the order of the Governor indorsed thereon.

Nineteenth—The sum of five thousand dollars (\$5,000) per annum, or so much thereof as may be needed, for conveying juvenile offenders to the Reform School at Pontiac, payable on the superintendent's certificate of delivery at the rate of compensation allowed by law; the Auditor to compute the distance by the nearest railroad route.

Twentieth—To the State Board of Equalization, for paying expenses, a sum not to exceed ten thousand dollars (\$10,000) per annum, payable in the manner provided by law.

Twenty-first—To the State Treasurer, for clerk hire, the sum of four thousand dollars (\$4,000) per annum; and the sum of three thousand two hundred dollars (\$3,200) per annum, for two night and two day watchmen; and the sum of eight hundred dollars (\$800) per annum, for messenger and clerk; all payable upon monthly pay rolls, duly certified to by the Treasurer. To the State Treasurer for repairs, express charges, postage, telegraphing and other necessary incidental expenses connected with his office, a sum not to exceed one thousand dollars (\$1,000) per annum, payable upon bills of particulars certified to by him and approved by the Governor.

Twenty-second—Such sums as may be necessary to refund the taxes on real estate sold or paid in error, and for over-payment of collector's accounts under laws governing such cases, to be paid out of the proper funds.

Twenty-third—To the Superintendent of Public Instruction the sum of three thousand one hundred dollars (\$3,100) per annum for clerk hire; and for a janitor, porter and messenger, who shall also perform the duties of clerk, when not otherwise employed, the sum of seven hundred dollars (\$700) per annum; all payable upon monthly pay rolls duly certified to by the Superintendent of Public Instruction. To the Superintendent of Public Instruction, for periodicals and educational works, and other necessary expenses of said office, a sum not exceeding fifteen hundred dollars (\$1,500) per annum, and for refurnishing office, and for increase of professional library, five hundred dollars (\$500), payable on bills of particulars, certified to by him and approved by the Governor. Appropriations made by this clause to be paid out of the State school fund.

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

Twenty-fifth—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 for the distribution of said fund to the several counties, and for the payment of the salaries and expenses of county superintendents of schools, as now provided by law. The Auditor shall issue his warrants to the State Treasurer, on the proper evidence that the amount distributed has been paid to the county school superintendents.

Twenty-sixth—To the Attorney-General, for clerk hire, the sum of two thousand five hundred dollars (\$2,500) per annum; and steno-

grapher, who shall also act as clerk, eight hundred dollars (\$800) per annum; and for a porter and messenger, who shall also act as porter and messenger for the Supreme Court Reporter, the sum of seven hundred dollars (\$700) per annum; payable upon monthly pay-rolls, duly certified to by the Attorney-General. To the Attorney-General, for telegraphing, postage and other necessary expenses incurred in the discharge of his duties, including furniture for, and repairs to office, a sum not to exceed two thousand dollars (\$2,000) per annum; payable on bills of particulars certified to by him and approved by the Governor.

Twenty-seventh—To the Adjutant General, for clerk hire in his office, the sum of three thousand dollars (\$3,000) per annum: *Provided*, that in the employment of clerks and assistants in the Adjutant General's office, preference shall be given to Union soldiers, their widows and orphans; and for the ordnance sergeant employed in the care of the State property at the State arsenal, the sum of eight hundred dollars (\$800) per annum; also the sum of seven hundred dollars (\$700) per annum, for janitor and messenger for the Adjutant General's office; also the sum of seven hundred dollars (\$700) per annum, for the custodian employed in the care of the battle flags and trophies deposited in Memorial Hall; also the sum of seven hundred dollars (\$700) per annum, for a watchman and laborer at Camp Lincoln, all payable upon monthly pay-rolls duly certified to by the Adjutant General. To the Adjutant General the sum of one thousand dollars (\$1,000) per annum, for telegraphing, postage, express, repairs, and making new cases in vault, and other necessary incidental expenses of his office; and the sum of two hundred dollars (\$200) per annum, or so much of it as may be necessary, for the repair, preservation and safe keeping of such additional flags and trophies as may be deposited in Memorial Hall, to be paid upon proper vouchers approved by the Governor.

Twenty-eighth—To the Board of Public Charities, for salary of secretary, a sum not to exceed three thousand dollars (\$3,000) per annum; and for clerk hire and necessary incidental expenses of the board, a sum not to exceed four thousand five hundred dollars (\$4,500) per annum, payable on bills of particulars certified to by them and approved by the Governor.

Twenty-ninth—There is hereby appropriated to defray the incidental and contingent expenses of the Supreme Court, to-wit: For stationery, repairs, furniture, expressage, printing and law books to be purchased under the direction of the Justices of the Supreme Court, and other expenses deemed necessary by the court, the following sums: To the Northern Grand Division, the sum of seventeen hundred and fifty dollars (\$1,750) per annum, and in addition the sum of two hundred dollars (\$200) for building necessary outhouses; to the Central Grand Division, the sum of seventeen hundred and fifty dollars (\$1,750) per annum; to the Southern Grand Division, seventeen hundred and fifty dollars (\$1,750) per annum; and for refurnishing, carpeting, and fitting up the court and conference rooms used by the court, in the Capitol building, the sum of one thousand dollars (\$1,000); there is also appropriated to the Southern Grand Division, the sum of one thousand dollars (\$1,000) for the

purchase of law books; all payable upon bills of particulars, certified to by at least two of the justices of said court. There is also appropriated for the pay of the librarians of the several grand divisions of said court, who shall also act as librarians for the Appellate Courts when in session in their respective grand divisions, the following sums: To the Northern and Southern Grand Divisions, each, the sum of five hundred dollars (\$500) per annum; and to the Central Grand Division, the sum of one thousand dollars (\$1,000) per annum, payable upon the certificate of at least two of the justices of said court. There is also appropriated the sum of four hundred dollars (\$400) per annum, each, to the Northern, Southern and Central Grand Divisions of said court for the pay of janitors to perform such duties as shall be determined by said justices, and to be paid upon the order of at least two of the justices of said court. There is also hereby appropriated to defray the incidental and contingent expenses of the Appellate Courts of this State, to-wit: To the First District, for rent of court rooms, including fuel and light, the sum of five thousand dollars (\$5,000) per annum, and to the First District for stationery, postage, expressage, repairs, furniture, and other expenses deemed necessary by said court, the sum of twelve hundred dollars (\$1200) per annum; to the Second District, to the Third District, and to the Fourth District, each, the sum of one thousand dollars (\$1,000) per annum, for stationery, fuel, lights, postage, expressage, repairs, furniture and other expenses deemed necessary by the respective courts; these sums to be paid upon bills of particulars certified to by the clerks of the respective courts and upon the order of at least two of the judges of the respective court for which the expense was incurred. Also the sum of four hundred dollars (\$400) per annum to each of the Second, Third and Fourth Districts, for the pay of janitors to perform such duties as shall be determined by the judges of the respective courts, to be paid upon the order of at least two of the judges of said courts for their district; also the sum of five thousand and five hundred dollars (\$5,500), to be expended in purchasing law books for the library of the Appellate Court of the First District, said books to be purchased under the direction of the judges of said court, and the sum of five hundred dollars (\$500) per annum, for the salary of the librarian of said court, to be paid upon the order of at least two of the judges of said court; also the sum of one thousand dollars (\$1,000) per annum, for the purchase and rebinding of law books for the law library in the Capitol building, under the direction of the judges of the Appellate Court for the Third District.

Thirtieth—For the salary of the curator of the Illinois State Museum of Natural History, the sum of two thousand dollars (\$2,000) per annum; for salary of one assistant, the sum of eight hundred dollars (\$800) per annum; and for the salary of one janitor nine hundred dollars (\$900) per annum, payable monthly. For the contingent and necessary expenses of the curator, including traveling expenses on business connected with his office, the sum of three hundred dollars (\$300) per annum, payable on bills of particulars duly certified to and approved by the Governor.

Thirty-first—To the Railroad and Warehouse Commissioners, for the incidental expenses of their office, including care, stationery, postage and telegraphing, extra clerk hire and for secretary's salary, 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 authority of the State under any law now in force, or hereafter to be enacted, empowering or instructing the Board of Commissioners, including the fees of experts employed, the sum of five thousand dollars (\$5,000) per annum, or such part thereof as may be needed for such purposes. For the printing and publication of schedules of reasonable maximum rates of charges for the transportation of passengers and freights and cars, made or revised for any or all of the railroads of the State, as provided by law, the sum of three thousand dollars (\$3,000), or so much thereof as may be needed for such purpose. For the printing and publication of railroad maps of Illinois to be bound with annual reports, and for distribution of the same, the sum of eight hundred dollars (\$800) per annum, to be paid upon bills of particulars, certified to by the commissioners and approved by the Governor.

Thirty-second—The sum of three hundred and fifty dollars (\$350) per annum for the purchase of books for the library of the Southern Illinois Penitentiary at Chester, to be paid upon bills of particulars having the order of the Governor endorsed thereon.

Thirty-third—The sum of three hundred dollars (\$300) per annum for the purchase of books for the library of the Illinois State Penitentiary at Joliet, to be paid upon bills of particulars having the order of the Governor endorsed thereon.

Thirty-fourth—To the Commissioners of Labor Statistics, for the purpose of procuring, tabulating and publishing industrial statistics, as contemplated by law, for clerical services, the employment of canvassers and the incidental and office expenses of the board; for defraying the expenses of the mine inspection service, and for the per diem and traveling expenses of the commissioners, the sum of five thousand dollars (\$5,000) per annum, or so much thereof as may be necessary; also the sum of three hundred dollars (\$300) to defray the expenses of the biennial examination for mine inspectors; and the sum of twenty-five hundred dollars (\$2,500) per annum for the salary of the secretary of the board, the whole to be expended in the manner defined by law.

Thirty-fifth—For paying damages for animals diseased or exposed to contagion slaughtered and for property necessarily destroyed, and for expenses of disinfection of premises, when such disinfection is practicable under the provisions of any law of this State for the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, the sum of seventy-five thousand dollars (\$75,000) per annum, or so much thereof as may be necessary; also, any sums of money that may be received by the Board of Live Stock Commissioners as the net proceeds of the sales of the healthy carcasses of animals slaughtered under the provisions of the law and paid by them into the State treasury, to be

paid only in the manner and on the conditions provided in said law: *Provided*, that the amount paid for animals slaughtered shall not exceed their actual cash value, and in no case shall the sum paid for any one animal exceed seventy-five dollars (\$75) for cattle, and one hundred dollars (\$100) for animals of the equine species. Also to the Board of Live Stock Commissioners the sum of fifteen thousand dollars (\$15,000) per annum, or as much thereof as may be necessary, for the payment of the necessary expenses incurred in the discharge of their duties as prescribed by law, including the per diem and expenses of the State and Assistant State Veterinarians, the salary of secretary, and the sum of five dollars (\$5) per day to each member of the board appointed and acting under the law approved June 27, 1885, in force July 1, 1885, for the actual number of days heretofore employed by them in such duties, and for which they have not heretofore received compensation.

Thirty-sixth—The sum of seven thousand five hundred dollars (\$7,500) per annum, or so much of it as may be necessary, to the Fish Commissioners of the State, to be used by them in pursuance of law. The sum of two thousand dollars (\$2,000) per annum, or as much thereof as may be necessary, for the personal and traveling expenses of the Fish Commission, or such persons as may be authorized by them, in enforcing the laws relative to fishways over dams and for the protection of fish. The sum of one thousand dollars (\$1,000) to build and equip an office and storage boat for the use of the commission; all expenditures to be upon bills of particulars certified to by a majority of the Commissioners and approved by the Governor.

Thirty-seventh—To the State Board of Health, for salary of secretary three thousand dollars (\$3,000) per annum; for necessary office expenses, including expenses incurred in attending meetings of the board, and in making sanitary inspections, two thousand dollars (\$2,000) per annum, six hundred dollars (\$600) of which per annum shall be applied as the salary of a messenger and janitor of the board; for salary of assistant secretary, and additional clerk hire, four thousand dollars (\$4,000) per annum. Also the sum of forty thousand dollars (\$40,000) as a contingent fund to be used only with the consent and concurrence of the Governor, upon the recommendation and advice of the board, in case of the outbreak, or threatened outbreak of any epidemic or malignant disease such as Asiatic cholera, small-pox, yellow fever, or to defray the expense of preventing the introduction of such diseases, or their spread from place to place within the State, and in suppressing outbreaks which may occur, and in investigating their causes and methods of prevention, also special investigations, when required by the sanitary necessities of the State; and any necessary expenditures from this sum shall be paid on the order of the president of the board, attested by the secretary and approved by the Governor.

Thirty-eighth—To the Lieutenant Governor, for postage, telegraphing, stationery and other incidental expenses, the sum of fifty dollars (\$50) payable upon his order.

Thirty-ninth—The sum of three thousand dollars (\$3,000) or so much thereof as may be necessary, to pay the expenses of committees of the Thirty-sixth General Assembly, such expenses to be certified as may be provided by resolution of either house.

Fortieth—To pay for electric light plant, which shall include lamps, wire fixtures and labor, as per estimate filed with the Secretary of State, the sum of three thousand nine hundred and forty-three dollars and twenty-two cents, vouchers therefor to be certified to 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 the presentation of proper vouchers; and all sums herein appropriated for the pay of clerks, secretaries, porters, messengers, janitors, watchmen, policemen, laborers, engineers, firemen, stenographers, curators and librarians, shall, when not otherwise provided by law, be paid upon monthly pay-rolls duly certified to respectively by the heads of departments, bureaus or boards of commissioners requiring the services of such employes; and the State Treasurer shall pay the same out of the proper funds in the treasury, not otherwise appropriated. Said warrants shall be drawn in favor of, and payable to, the order of the person entitled thereto.

APPROVED June 15, 1887.

STATE LABORATORY OF NATURAL HISTORY AND STATE ENTOMOLOGIST.

§ 1. Appropriates as follows:

Office and incidental expenses, per annum, \$1,000.

Library per annum, \$2,000.

Salary of Director, per annum, \$2,000.

Salary of Assistants, per annum, \$3,000.

Publication of Bulletins, \$300.

Illustration of biennial report, \$500.

§ 2. How drawn.

AN ACT making an appropriation for the ordinary expenses of the State Laboratory of Natural History, for the improvement of the library thereof, and for the expenses of the State Entomologist's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated to the State Laboratory of Natural History, for the field work and the office and incidental expenses, the sum of one thousand dollars (\$1,000.00) per annum.

For the improvement of the library, the sum of one thousand dollars (\$1,000.00) per annum.

For the salary of the director, the sum of two thousand dollars (\$2,000.00) per annum.

For the pay of the assistants, the sum of three thousand dollars (\$3,000.00) per annum.

For the publication of bulletins, the sum of three hundred dollars (\$300.00) per annum.

For the illustration of the biennial report of the State Entomologist, the sum of five hundred dollars (\$500.00).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, upon the order of the president of the board of trustees of the University of Illinois, attested by its secretary, and with the corporate seal of the University: *Provided*, that no part of said sums shall be due and payable to said institution until satisfactory vouchers in detail, approved by the Governor, shall be 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 expenditures of the sums appropriated under this act.

§ 3. This act shall be, and continue, in force from the first day of July, A. D. 1887, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

APPROVED June 10, 1887.

SAMUEL STEWART.

§ 1. Appropriates \$136.50.

AN ACT for the payment to Samuel Stewart for services rendered by himself and teams, in the organization of the 56th Regiment of the Illinois Volunteers, in the years 1861 and 1862.

WHEREAS, Robert Kirkham, Colonel of the 56th Regiment Illinois Volunteers, did employ Samuel Stewart and team, at the rate of two dollars per day, to haul commissaries while said regiment was being organized at Shawneetown, Illinois, and to do such other work as was required of him, the said Samuel Stewart, in and about the organization of the said regiment; and,

WHEREAS, the said Samuel Stewart did perform said services under said contract from the 6th day of December, 1861, to the 21st day of February, A. D. 1862, for which service said Samuel Stewart has not been paid; and,

WHEREAS, there is now justly due the said Samuel Stewart the sum of one hundred and fifty-four dollars for said service, together with six per cent. per annum thereon, from the 21st day of February, A. D. 1862; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred and thirty-six dollars and fifty cents (\$136.50) be, and the same is, hereby appropriated out of any moneys now in the treasury not otherwise appropriated, for the purpose of paying said Samuel Stewart the sum due him as aforesaid.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for said sum, in favor of and payable to the order of the said Samuel Stewart.

APPROVED June 16, 1887.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

§ 1. Appropriates \$500 for deficiency in office expenses. | § 2. How drawn.
| § 3. Emergency.

AN ACT to provide for a deficiency in the ordinary and contingent expenses of the Department of Public Instruction.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five hundred dollars, or so much thereof as may be necessary, be and is hereby appropriated to meet a deficiency in the ordinary and contingent expenses of the Department of Public Instruction; said appropriation to be paid out of the school funds to the Superintendent of Public Instruction on bills of particulars certified by him and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the said sum in favor of the officer aforesaid.

§ 3. Whereas, an emergency exists on account of a deficiency in the appropriation heretofore made for the above purposes, therefore this act shall take effect and be in force from and after its passage.

APPROVED June 14, 1887.

STATE NORMAL UNIVERSITY.

§ 1. Appropriates one-half of the interest on the college and seminary fund, and \$21,000 annually. | § 2. How drawn.

AN ACT to make an appropriation for the ordinary and other expenses of the Illinois State Normal University, at Normal.

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 State Normal University, in addition to one-

half of the interest of the college and seminary funds, which is hereby appropriated, the further sum of twenty-one thousand dollars per annum, payable quarterly in advance, for the payment of salaries, for the purchase of fuel, for additions to the library, for school apparatus, for furniture, for expenses of the Board of Education, and for incidental expenses: *Provided*, that the expenses of model school connected with and forming a part of the said State Normal University, shall be paid out of the receipts for tuition of pupils in said school, and not from the above appropriation or any part thereof.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid sums of money, upon the order of the Board of Education of the State of Illinois, signed by the president and attested by the secretary of said board, with corporate seal of said institution: *Provided*, that satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the Auditor of Public Accounts for the expenditures, ordinary and extraordinary, of the preceding quarter, and that no part of the money herein appropriated shall be due and payable until such vouchers shall have been filed.

APPROVED June 3, 1887.

JOHN B. TUCKER.

§ 1. Appropriates \$2,000.

§ 2. How drawn.

AN ACT to appropriate two thousand dollars (\$2,000) for the relief of John B. Tucker, of Hardin county, Illinois, a gallant Union soldier who lost both arms while in the service of his country, in the accidental discharge of a cannon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand dollars (\$2,000) be and the same is hereby appropriated out of the State treasury to John B. Tucker, of Hardin county, Illinois, late a private soldier in the 15th regiment of Kentucky cavalry, in the late civil war, and afterwards by re-enlistment in Company B, of the 1st Green River Battalion of Kentucky Volunteers, in the service of the United States, [who] while in the line of duty, in obedience to the orders of his superior officers, accidentally had both arms shot off by the accidental firing of a cannon.

§ 2. The Auditor of Public Accounts shall draw his warrant on the treasury of the State of Illinois for two thousand dollars

(\$2,000), hereby appropriated, in favor of said John B. Tucker. The Treasurer shall pay said sum of money on presentation of said warrant.

This bill having remained with the Governor ten days after the adjournment of the General Assembly, and he having failed to approve it, or to file it with his objections in my office before the expiration of said ten days, it has thereby become a law.

Witness my hand this 28th day of June, 1887.

HENRY D. DEMENT,
Secretary of State.

SOUTHERN NORMAL UNIVERSITY.

§ 1. Appropriates as follows:

One half of the interest on the college and seminary fund, per annum.
For salaries, \$14,506.44 per annum.
For repairs, per annum, \$1,000.
For fuel, per annum, \$1,000.

For apparatus, per annum, \$500.
For museum, per annum, \$500.
For care of grounds, per annum, \$600.
For engineer and janitor, per annum, \$960.
For trustees expenses, per annum, \$500.

§ 2. How drawn.

AN ACT making an appropriation for the ordinary expenses of the Southern Illinois Normal University at Carbondale, Jackson county, Illinois.

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 Southern Illinois Normal University, at Carbondale, Jackson county, in addition to the one-half of the interest on college and seminary fund, which is hereby appropriated, the further sum of fourteen thousand five hundred and six dollars and forty-four cents (\$14,506.44) per annum for the payment of salaries; the sum of one thousand dollars (\$1,000) per annum for repairs; the sum of one thousand dollars (\$1,000) per annum for fuel; the sum of one thousand dollars (\$1,000) per annum for library; the sum of five hundred dollars (\$500) per annum for apparatus; the sum of five hundred dollars (\$500) per annum for museum; the sum of six hundred dollars (\$600) per annum for care of grounds; the sum of nine hundred and sixty dollars (\$960) per annum for engineer and janitor; the sum of five hundred dollars (\$500) per annum for trustees' expenses; and these several sums shall be payable quarterly in advance, from the first day of July, 1887, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for said sums upon the order of the trustees of said Southern Illinois Normal University signed by their president and attested by their secretary with the corporate seal attached: *Provided*, that satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the Auditor of Public Accounts for all expenses,

ordinary and extraordinary, of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

APPROVED June 10, 1887.

UNIVERSITY OF ILLINOIS.

§ 1. Appropriates \$9,250 to the University of Illinois for taxes, repairs, instruction, library, etc. | § 2. How drawn.

AN ACT making appropriations for the University of Illinois.

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 University of Illinois, at Urbana, for the payment of taxes accruing in the years 1886 and 1887 on lands owned and held by the State for the use of the said institution, in the county of Gage, in the State of Nebraska, and in the counties of Pope, Kandiyohi and Renville, in the State of Minnesota, the sum of one thousand seven hundred and fifty dollars (\$1,750) per annum.

For current repairs and improvements in buildings and grounds of the said university, during the years 1887 and 1888, the sum of two thousand dollars (\$2,000) per annum.

For the purchase of apparatus and materials for the several scientific departments of the university for the years 1887 and 1888, one thousand five hundred dollars (\$1,500) per annum.

For the current expenses of the practical education of students in the mechanical shops of the said university for the years 1887 and 1888, one thousand five hundred dollars (\$1,500) per annum.

For the university library and museum for the years 1887 and 1888, to-wit: For the purchase of books and publications, and for binding the same, one thousand five hundred dollars (\$1,500) per annum; for collecting, preparing and mounting specimens for the cabinets of geology, mineralogy and natural history, one thousand dollars (\$1,000) per annum.

For the current expenses of instruction in the several departments of the university for the years 1887 and 1888, sixteen thousand dollars (\$16,000) per annum.

For the purchase of machinery for the equipment of a laboratory of mining, engineering and metallurgy, two thousand dollars (\$2,000) per annum.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, payable out of any money in the treasury, and not otherwise appropriated, upon the order of the president of the board of trustees of the said University of Illinois, attested by its secretary, and with the corporate seal of the university: *Provided*, that no part of the said sums shall be due and payable to the said

institution until satisfactory vouchers in detail, approved by the Governor, shall be 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 expenditures of the sums appropriated under this act.

APPROVED June 8, 1887.

BANKS AND BANKING.

SAVINGS INSTITUTIONS.

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| <p>§ 1. Articles of association: how executed.</p> <p>§ 2. Articles of association executed in duplicate, and forwarded to the superintendent of the banking department; notice of intention to organize published; endorsement of the superintendent; filing articles in the office of the superintendent of banking, and the office of the Secretary of State; Secretary of State shall issue certificate of incorporation; certificates of incorporation shall not be issued to two associations of the same name; certificate shall be recorded in the recorder's office of the county in which the corporation is located.</p> <p>§ 3. Defines the powers of the corporation.</p> <p>§ 4. First board of trustees.</p> <p>§ 5. Board of trustees, officers and agents, compensation and salaries of the two latter.</p> <p>§ 6. Compensation of trustees: trustees prohibited from borrowing funds of the association or becoming endorser for others.</p> <p>§ 7. By-laws, rules and regulations—Officers, agents and employes shall give bond.</p> <p>§ 8. Meetings of the board of trustees; quorum.</p> <p>§ 9. Vacancies in the board for cause.</p> <p>§ 10. Deposits of money for investment.</p> <p>§ 11. Investments and loans.</p> <p>§ 12. Reserve funds; banks of deposit for the funds; loans on pledge of securities.</p> <p>§ 13. Real estate; conditions upon which may purchase, hold, sell and convey.</p> <p>§ 14. Loans upon real estate; expenses of examination of title; insurance, etc., paid by borrower.</p> | <p>§ 15. Banking powers prohibited; penalties for making investments not authorized by this act.</p> <p>§ 16. Withdrawal of funds by depositors; limit of amount of funds received from any one person or corporation.</p> <p>§ 17. Rate of interest or dividends to depositors.</p> <p>§ 18. Compensation to trustees.</p> <p>§ 19. Annual reports.</p> <p>§ 20. Verification of reports; penalties for failure to report.</p> <p>§ 21. Report of superintendent of banking department to the General Assembly.</p> <p>§ 22. Supervision and examination by the superintendent of the banking department of associations organized under this act.</p> <p>§ 23. Associations shall be required to conform to the requirements of this law in the conduct of their affairs, and any refusal or neglect shall be reported by the superintendent to the Attorney-General; proceedings in case of violation of law or accident.</p> <p>§ 24. Savings banks and other corporations, incorporated under the laws of this State, and receiving saving funds, may avail themselves of the provisions of this act.</p> <p>§ 25. The Governor shall appoint a superintendent of the banking department; term of office; the Auditor shall act until superintendent shall be appointed; oath and bond; salary; how paid; vacancy, for cause.</p> <p>§ 26. Seal of office, clerks and examiners of the office of superintendent.</p> <p>§ 27. Savings fund for the payment of the expenses of the execution of this act; how constituted.</p> |
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AN ACT to provide for the organization of Savings Societies or Institutions for Savings, for their supervision and for the administration of their affairs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any thirteen or more persons, citizens of this State, two-thirds of whom shall reside in

the county where the proposed society shall be located, associating themselves together for the purpose of organizing a savings society or institution for savings, in accordance with the provisions of this act, shall, under their hands and seals, execute articles of association, setting forth:

First—The name assumed.

Second—The location, designating the city, village or town.

Third—The name, residence, occupation and postoffice address of each member.

Fourth—A declaration that each member will accept the responsibilities and faithfully discharge the duties of a trustee thereof, according to the provisions of this act.

Fifth—That said trustees are in the aggregate the owners of at least one hundred thousand dollars worth of real estate, in fee simple, and unincumbered, situated in the county where such society is to be established, and that the title to such real estate has not been acquired for the purpose of making this application.

§ 2. Such articles shall be executed in duplicate, and duly acknowledged before an officer, in the manner provided for the acknowledgment of deeds, and verified by the affidavit of at least two of the persons executing the same, and sent to the superintendent of the banking department. A notice of intention to organize such corporation shall be published at least once a week for four consecutive weeks previous to filing such articles, in some newspaper of largest circulation published in the city, town or village where such corporation is proposed to be located, or nearest thereto, which notice shall specify the matter set forth in the articles under the first, second and third clauses of section one of this act; and if there be any corporation doing business as a savings bank in such county a copy of such notice shall be sent to each of them at least fifteen days before filing said articles with the superintendent. If the superintendent shall be satisfied that proper publication and service in good faith of the notice aforesaid has been made, that the incorporators, or a portion of them, are responsible as to character, financial ability and general fitness for the discharge of the duties appertaining to such a trust, and that the organization proposed will be a public benefit, he shall endorse his recommendation thereon, retaining one copy to be filed in his office, and shall file one copy in the office of the Secretary of State, who shall issue, under his hand and seal of state, to the persons recommended by the superintendent, a certificate incorporating such persons under this act by the name assumed, making a part thereof a copy of all papers filed in his office in and about the organization thereof; but no certificate shall be issued to two associations bearing the same name, and no person shall be named therein who shall not have duly made and acknowledged the declaration prescribed by sub-division four of section one of this act, which certificate so issued shall be recorded in a book for that purpose in the office of the recorder of deeds of the county where such corporation is located. Any such corporation that shall not begin business within one year after authorization shall forfeit its rights and privileges under this act.

§ 3. Upon the filing of such certificate for record as aforesaid, the persons named therein, and their successors, shall thereupon and thereby be duly and lawfully constituted a body corporate and politic, by the name in such certificate mentioned, and by that name shall have perpetual succession, may sue and be sued, complain and defend in any court of law or equity, and shall be vested with all the powers and charged with all the liabilities conferred and imposed by this act, and may make and use a common seal, and alter or renew the same at pleasure.

TRUSTEES.

§ 4. The persons named in the certificate issued as aforesaid shall be the first trustees of such corporation, and all vacancies in the office of trustee shall be filled by the board, by ballot, without unnecessary delay, and the vote of the majority of the remaining members of the board shall be necessary to elect a trustee.

§ 5. The business of every such corporation shall be managed and directed by a board of trustees of not less than thirteen, who shall select from their number a president and two vice-presidents, and may elect from their number, or otherwise, such other officers and agents as they may deem expedient; and a vote of a majority of the full board shall be requisite for the appointment of any officer receiving a salary therefrom, or to fix or to increase the salary of any officer, but such majority shall be composed exclusive of any trustee receiving any salary or compensation for services as an officer of said corporation.

§ 6. No trustee shall, as such, directly or indirectly, receive any pay or emolument for his services, except as provided in section eighteen, and no trustee, officer or servant of such corporation shall, directly or indirectly, for himself or as the agent or partner of others, borrow any of the funds of the said corporation or in its custody, or in any manner use the same, except to make necessary current payments, or to make investments, or to deposit for safety under the direction and by authority of the board of trustees; nor shall any trustee, officer or servant of such corporation be an endorser or surety, or in any manner be an obligor, for moneys loaned by or borrowed of such corporation.

§ 7. The board of trustees of any such corporation shall have power, from time to time, to make such by-laws, rules and regulations as they may think proper for the election of officers, for prescribing their respective powers and duties, and the manner of discharging the same; for the appointment and duties of committees, and generally for transacting, managing and directing the affairs of the corporation: *Provided*, such by-laws, rules and regulations be not repugnant to nor inconsistent with the provisions of this act, to the constitution and laws of this State or of the United States. The trustees of any such society shall have the power, and it shall be their duty, to require of the officers, clerks and agents of the society such bond for their fidelity and the faithful performance of their duties as they shall deem necessary, or as shall be required by the superintendent of the banking department; such bonds shall

be made payable to the people of the State of Illinois for the use of any person interested, and shall be filed with and approved by such superintendent.

MEETINGS.

§ 8. Regular meetings of the board of trustees shall be held as often as once in each month, for the purpose of receiving the reports of their officers and committees, and for the transaction of other business. A quorum at any regular, special or adjourned meeting shall consist of not less than seven trustees, of whom the president or presiding vice-president shall be one, but less than a quorum may adjourn from time to time, or until the next regular meeting.

VACANCY IN OFFICE.

§ 9. Whenever a trustee of such corporation shall remove from the State, or shall borrow, directly or indirectly, any of the funds of the association of which he is trustee, or become a surety or guarantor for any money borrowed of or loan made by such corporation, or upon his failure to attend regular meetings of the board, or to perform any of the duties devolved upon him as such trustee, for six successive months, without having been excused by the board for such failure, the office of such trustee shall thereupon become vacant; but the trustee vacating his office for failure to attend meetings or to discharge his duties, may, in the discretion of the board, be eligible to re-election.

MONEY RECEIVED FOR INVESTMENT.

§ 10. It shall be lawful for any such corporation to receive any sums of money for accumulation and safe keeping that may be offered for that purpose by any person, corporation or society, and to invest, hold and repay the same, and declare, credit and pay dividends thereon as herein authorized and provided, and not otherwise.

INVESTMENTS AND LOANS.

§ 11. All sums so received and the income derived therefrom, and all moneys intrusted to any such corporation by order of court or other lawful authority, shall be invested only as follows:

First—In stocks or bonds or interest-bearing notes or obligations of the United States, or securities for the payment of which the faith of the United States is pledged.

Second—In stocks or bonds of this State bearing interest.

Third—In stocks or bonds of any State in the Union which has not, within three years previous to making such investment by such corporation, defaulted in the payment of any part of either principal or interest thereof.

Fourth—In the municipal obligations of any city, county, town or village of this State.

Fifth—In the stock or bonds of any city or county in the New England States or States of New York, New Jersey, Pennsylvania,

Ohio, Indiana, Michigan, Iowa, Missouri, Kansas, Nebraska, Wisconsin or Minnesota, issued pursuant to the authority of any law of such State: *Provided*, the entire bonded indebtedness of such city or county shall not exceed five per cent. of the assessed value of the taxable property therein, as shown by the last assessment preceding the investment.

Sixth—In the stocks of any bank, banking association or trust company in the State, organized under any law or laws of this State or of the United States: *Provided*, no such corporation shall hold more than ten per cent. of the stock of any such bank or trust company, nor more than twenty-five per cent. of its funds shall be invested in such securities.

Seventh—In the mortgage bonds of any railroad company of approved credit, located in any of the States aforesaid, which has paid dividends of not less than five per centum per annum regularly on its entire capital stock for not less than five consecutive years next preceding such investment, and which are first lien upon the railroad pledged to secure the same, or in the consolidated mortgage bonds of any railroad company chartered by this State, authorized to be issued to retire the entire bonded debt of such company, or in the collateral trust bonds of any railroad company chartered in this State where the underlying bonds pledged to secure them are a first lien upon the property mortgaged: *Provided*, said company has paid dividends as aforesaid: *And provided, further*, that no savings corporation shall hold more than ten per cent. of its funds in the bonds of any one railroad company, nor more than twenty-five per cent. of its funds shall be invested in railroad securities.

Eighth—In bonds or notes and mortgages on unincumbered real estate located in any of the States aforesaid, worth at least twice the amount loaned thereon, but not to exceed sixty per cent. of the whole amount of its funds shall be so loaned or invested; nor shall more than thirty per cent. of the whole amount of its funds be so invested on real estate located outside of the State of Illinois, but in case the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not be more than one-third of its actual value; and no investment in any bond and mortgage shall be made except upon the report of a committee charged with the duty of investigating the same, who shall certify to the value of the premises mortgaged or to be mortgaged, according to their best judgment, and such report shall be filed and preserved among the records of the institution.

Ninth—In real estate, subject to the provisions of section thirteen of this act.

§ 12. It shall be the duty of the trustees of any such corporation, as soon as practicable, to invest such fund of money, by purchase or otherwise, in the securities named in section eleven of this act, except that for the purpose of meeting current payments and expenses in excess of the receipts, any of the securities may be sold or pledged; and there may be kept an available fund of not exceeding twenty per cent. of the whole amount of its assets, and the same, or any part thereof, together with the current receipts over

the payments, may be kept on hand or on deposit in any bank or banking association in the State of Illinois, organized under any law or laws of this State or of the United States, or with any trust company incorporated by any law of this State; but the sum so deposited in any one bank or trust company shall not exceed twenty-five per cent. of the paid up capital and surplus; or such available fund, or any part thereof, may be loaned upon pledge of any of the securities named in the last preceding section of this act, but not exceeding ninety per cent. of the cash market value of such securities so pledged, nor in excess of the par value thereof. And should any of the securities so held in pledge depreciate in value after making any loan thereon, it shall be the duty of the trustees to require the immediate payment of such loan, or of a part thereof, or additional security therefor, so that the amount loaned shall at no time exceed ninety per cent. of the market value of the securities pledged therefor.

§ 13. It shall be lawful for such corporation to purchase, hold, sell and convey real estate, only as follows:

First—A plat whereon is erected or to be erected a building or buildings requisite for the convenient transaction of its business, and from portions of which, not required for its own use, a revenue may be derived, the cost not to exceed five per cent. of the whole fund of such corporation, except by written permission of the superintendent of the banking department.

Second—Such as shall be purchased by it at sales upon the foreclosure of mortgages held by such corporation, or upon judgments or decrees rendered for debts due to it, or in settlements to secure such debts, or for tax-liens; and all such real estate mentioned in this clause shall be sold by such corporation within five years after the same shall be vested in it, unless the superintendent shall extend the time in writing within which such sale shall be made. And such corporation may, with the approval of the superintendent had in writing, change its location within the limits of the city or town wherein it may be established, and in effecting such change may purchase such additional plat, under the provisions of subdivision one of this section, as it may require, and its former site shall be sold, as provided in subdivision two of this section.

§ 14. In making loans upon real estate, the expenses of searches, examinations and certificates of title or appraisals of value, and of drawing, perfecting and recording papers, shall be paid by the borrower, and whenever buildings are included in the valuation of any real estate upon which a loan shall be made, they shall be insured by the mortgagor for the benefit of the mortgagee or his assigns during the continuance of the loan, and it shall be lawful for such corporation to renew such insurance in the same or any other companies, from year to year, or otherwise, as the trustees may elect. The necessary charges and expenses paid therefor shall be paid by such borrower, and until so paid shall be an additional lien upon the mortgaged premises, recoverable, with interest from the time of payment, as part of the moneys secured to be paid by such mortgage.

BANKING PROHIBITED.

§ 15. It shall be unlawful for any such corporation to deal or trade in real estate except as provided in section eleven of this act, or to deal or trade in any goods, wares, merchandise or commodities whatever, except as authorized by the terms of this act, and except such personal property as may be necessary in the transaction of its business as by this act authorized; or to loan money upon or to discount or deal in notes, bills of exchange or other personal security, or to transact any banking business, whether of issue, deposit or discount, and no such corporation shall be deemed a bank or company having or exercising banking powers. And the investment in any securities not named in this act, or amendments thereto, shall be deemed a misdemeanor on the part of the trustees authorizing or officers making the same, who shall be subject to fine in any sum not more than five hundred dollars for each offense.

WITHDRAWALS.

§ 16. The sum entrusted to the care of any such corporation may be withdrawn at such time or times after demand, and after such previous notice and under such regulations as the board of trustees shall from time to time provide, on production of and proper entry in the pass-book at the time of such payment; which regulations shall be put up in some conspicuous place in the room where the business of such corporation shall be transacted, and may be printed in the pass-books. The trustees may provide for making payments in case of loss of pass-book or other exceptional case, where its production may produce loss or serious inconvenience to the parties, such right to cease, however, whenever so directed by the superintendent. Money standing in the name of a minor may, at the discretion of the trustees, be paid to such minor, and the same shall be a valid payment. And every such corporation shall have the right to limit the aggregate amount which they will receive from any one person or society to such sum as they may deem expedient, and may, in their discretion, refuse to receive any sum offered, and may also at any time return all or any part of any sum received: *Provided*, that the aggregate amount that may be received from any one individual or corporation shall not exceed three thousand dollars, exclusive of dividends; but this limitation shall not apply to moneys arising from judicial sales or trust funds, or to moneys of administrators, executors, guardians, religious or charitable institutions, or if received pursuant to the order of a court of record.

DIVIDENDS AND SURPLUS.

§ 17. It shall be the duty of the trustees of every such corporation to regulate the rate of interest or dividends, not to exceed four per cent. per annum upon the amounts received from and to the credit of the persons or parties entrusting money to their care and management, in such manner that such persons shall receive, as nearly as may be, all the profits of such corporation, after deducting the necessary expenses, and reserving such amount as the

trustees may deem expedient as a surplus, which, to the amount of fifteen per cent. of the entire fund in their charge, the trustees may gradually accumulate and hold to meet any contingency or loss from depreciation of securities or otherwise: *Provided, however*, that the trustees of any such corporation may classify their depositors according to the character, amount and duration of their dealings with the corporation, and regulate the interest or dividends allowed in such manner that each depositor shall receive the same ratable portion of interest or dividends as all others of his class. No dividend shall be declared until the trustees of such corporation cause an examination to be made, and find that the amount thereof has actually accrued, and no dividend or interest shall be paid or credited except semi-annually nor unless authorized by a vote, duly entered on the minutes by ayes and nays, after such examination. And whenever the surplus amounts to fifteen per cent. of the entire fund, as aforesaid, the trustees shall, at least once in three years, divide equitably the accumulation beyond such authorized surplus as an extra dividend, in excess of the regular dividends herein authorized. Notices posted conspicuously in the room where the business of such corporation is transacted shall be equivalent to personal notice to each person or other party interested. In determining the per cent. of surplus so held, the interest-bearing stocks and bonds shall not be estimated above their par value, or above the market value, if below par; its bonds, loans and mortgages not in arrears of interest for a longer period than two years, at their face; its real estate and tax liens at not above cost; and all other investments at such valuation as the superintendent shall determine.

COMPENSATION OF TRUSTEES.

§ 18. It shall be lawful for trustees acting as officers or committees of such corporation, whose duties require and receive their regular and faithful attendance at or for the institution, to receive such compensation as in the opinion of a majority of the board of trustees shall be just and reasonable; but such majority shall be exclusive of any trustee to whom such compensation shall be voted. But it shall not be lawful to pay trustees, as such, for their attendance at meetings of the board more than five dollars each for any regular monthly meeting at which they are personally present.

REPORTS.

§ 19. Every such corporation shall, on or before the first day of November in each year, make a report in writing to the superintendent of the banking department, and in such form as he shall prescribe, of its condition on the morning of the first day of July preceding. Such report shall state the amount loaned upon bond and mortgage, together with a list thereof; the par value and estimated market value of all stock or bond investments, designating each particular kind and amount invested in each; the amount loaned upon the pledge of securities, with a statement of the securities held as collateral for such loans; the amount invested in

real estate, giving cost of same; the amount of cash on hand and on deposit in banks or trust companies, with their names and the amount deposited in each; the amount of all other assets, including accrued interest not enumerated above, and such other information as the superintendent may require. Such report shall also state all the liabilities on the morning of the said first day of July; the amount due to depositors, which shall include any dividend to be credited to them for the six months ending on that day, and any other claims against such corporation which are or may be a charge upon its assets. Such report shall also state the amount deposited during the fiscal year ending that day, and the amount withdrawn during the same period; the whole amount of interest received or earned and the amount of dividends credited to depositors, together with the amount of each semi-annual credit of interest; the number of accounts opened or re-opened, the number closed during such year, and the number of open accounts at the end of such year, and also a statement like that provided for in paragraphs third and fifth in section one of this act, and such other information as the superintendent may require.

EXAMINATION.

§ 20. The report shall be verified by oath of the two principal officers of the institution, and the statement of assets shall be verified by the oath of a majority of the trustees who examine the same pursuant to the requirements of this section. And any wilful false swearing in regard to such report, or any report made to the superintendent pursuant to the provisions of this act, shall be deemed perjury, and be subject to the prosecutions and punishments prescribed by law for that offense. It shall be the duty of the trustees, by a committee of not less than three of such trustees, on or about the first day of July in each year, to thoroughly examine the books, vouchers and assets of such institution, and its affairs generally; and the statement of assets and liabilities reported to the superintendent for the first day of July in such year shall be based upon such examination; but nothing herein contained shall be construed as prohibiting the trustees from requiring such examinations at such other times as they shall prescribe. Any such corporation failing to furnish to the superintendent any report or statement required by this act, shall forfeit the sum of one hundred dollars per day for every day such report or statement shall be so withheld; and the said superintendent may maintain an action, in his name of office, to recover such penalty, and when collected the same shall be paid into the treasury of the State, and be applied to the expenses of the banking department; but the superintendent may, for sufficient cause, extend the time for making such report, not exceeding thirty days.

§ 21. It shall be the duty of superintendent of banking department, on or before the first day of February in each assembly year, to communicate to the Legislature a statement of the condition of every such corporation from which a report has been received for

the two preceding years; also, the name and location of savings corporations authorized by him during the two previous years, with the date of their incorporation.

SUPERVISION.

§ 22. It shall be the duty of the said superintendent, once in two years, either personally or by one or more competent persons to be appointed by him, to visit and examine every such corporation in this State. The superintendent shall also have power, in like manner, to examine any such corporation whenever, in his judgment, it may be deemed necessary or expedient. The said superintendent and every such examiner shall have power to administer an oath to any person whose testimony may be required on any such examination, and to compel the appearance and attendance of any such person for the purpose of such examination, by summons, subpoena or attachment, in the manner now authorized in respect to the attendance of persons as witnesses in the courts of record of this State; and all books and papers which it may be deemed necessary to examine by the superintendent or examiner so appointed shall be produced, and their production may be compelled in like manner. The expense of every such special examination, if any, shall be paid by the corporation examined, in such amount as the superintendent shall certify to be just and reasonable; but whenever such special examination shall be made by the superintendent in person, or by one or more of the regular clerks in his department, no charge shall be made except for necessary traveling and other actual expenses. The result of any such examination shall be certified by the examiner, or one of them, upon the records of the corporation examined, and the results of all the regular examinations during the previous two years shall be embodied in the biennial reports of the superintendent required by this act to be submitted to the Legislature.

§ 23. Whenever it shall appear to the said superintendent, from any such examination or report, that any such corporation has committed any violation of law, or is conducting its business in an unsafe or unauthorized manner, he shall, by an order under his hand and seal, direct the discontinuance of such illegal and unsafe or unauthorized practices, and strict conformity with the requirements of the law, and with safety and security in its transactions; and whenever any such corporation shall refuse or neglect to make any such report as is hereinbefore required, or to comply with any such order as aforesaid, or whenever it shall appear to the superintendent that it is unsafe or inexpedient for any such corporation to continue to transact business, or that extraordinary withdrawals of money are jeopardizing the interests of remaining depositors, or that any trustee or officer has abused his trust or been guilty of misconduct or malversation in his official position injurious to the institution, or that it has suffered a serious loss by fire, burglary, repudiation or otherwise, he shall communicate the facts to the Attorney General, who shall thereupon institute such proceedings as the nature of the case may require. Such proceedings may be for an order restraining such institution from paying out more than ten per cent.

of its funds in any six months, or until the further order of the court, or for the removal of one or more of the trustees, or for the transfer of the corporate powers to other persons, or the consolidation and merger of the corporation with any other savings corporation that may be willing to accept of the trust, or for a *pro rata* per cent. apportionment among the depositors of the loss suffered by debiting their accounts therewith, or for such other or further relief or correction as the particular facts communicated to him shall seem to require. And the court before which such proceedings shall be instituted shall have power to grant such orders, and in its discretion, from time to time, to modify or revoke the same and to grant such relief as the evidence, situation of the parties and the interests involved shall seem to require; and whenever in such proceedings an order shall be granted restraining such corporation from paying out or disposing of any moneys or property of or held by such corporation, the superintendent may, and if directed by the court, shall take temporary possession of all the assets, property and rights of or held by such corporation, and hold such possession until restored to the trustees, or until further order of the court.

§ 24. All savings banks or institutions for savings or other corporations incorporated under the authority of this State, and doing business in receiving or investing savings deposits, availing themselves of this act, may exercise the powers, be governed by the rules and be subject to the duties, liabilities and provisions contained in this act, so far as the same are consistent with the provisions of their respective charters, although they have a capital stock or bond for the additional security of their depositors, and pay dividends thereon; and any such corporation may, by vote, at its annual meeting, or at a meeting called for the purpose, become reorganized and incorporated under this act, or may accept any provision of this act which is inconsistent with any provision of its charter in lieu of such inconsistent provision: *Provided*, that nothing herein contained shall require any such corporation to change any of its investments theretofore made. Any corporation availing itself of the provisions of this act, may provide for the return of the whole or any part of its capital stock and surplus to the stockholders: *Provided*, such repayment shall be no greater in amount at any time than the net surplus thereafter accumulated. The charter and corporate powers and rights of any such corporation reorganizing under this act may, if so desired and voted at the meeting, be held in suspense and may be resumed by the incorporators thereof or their successors and assigns, at pleasure. All the acts and proceedings of the intention to avail themselves of any provisions of this act shall be certified in writing, under the hand of the president and the corporate seal of such corporation, attested by the treasurer or secretary thereof, and upon the filing of such certificate in the office of the superintendent of the banking department, the powers and provisions hereby conferred and thereby accepted shall immediately take effect.

MISCELLANEOUS PROVISIONS.

§ 25. It shall be the duty of the Governor, by and with the advice and consent of the Senate, to appoint a superintendent of the banking department, to hold office for four years, and he shall also fill any vacancy for any unexpired term. Until such superintendent shall be appointed and qualified the Auditor shall act as superintendent. Before entering upon his duties the superintendent shall take an oath, as in cases of other civil officers, and shall execute a bond to the People of the State of Illinois, in the penal sum of ten thousand dollars, with sureties to be approved by the Governor and Auditor, conditioned to the strict and faithful discharge of the duties of his office, according to law. His compensation shall be two thousand dollars per annum, payable out of the treasury, from the savings fund, which is hereby appropriated therefor; and the Auditor shall draw his warrant on the State treasury therefor, at the written request of such superintendent. No officer of any bank, trust company or savings institution shall be eligible to said office. And if said superintendent, at any time, shall become indebted or obligated to any bank, trust company or savings institution, or shall engage or be interested in the sale of securities as a business, or in the negotiation of loans for others, his office shall become vacant.

§ 26. The superintendent is hereby authorized to have a seal of office, and from time to time to employ so many clerks and examiners as may be necessary to discharge in a proper manner the duties imposed upon him by this act; and their salary shall be paid to them monthly, out of the treasury of the State, from the savings fund, upon the certificate of the superintendent and warrant of the Auditor. The superintendent shall, in his annual report to the Legislature, state the names of the clerks and examiners so employed, and the compensation allowed to them severally.

§ 27. For the purpose of defraying the expenses incurred in the performance by the superintendent of the general duties, including regular examinations, imposed upon him by this act, each savings corporation organized under this act shall pay five dollars, and the residue of such expenses shall be paid by savings corporations whose funds exceeds one hundred thousand dollars, in proportion to the amount of assets severally held and reported by them, and the sums so contributed shall be paid into the treasury of the State and constitute the savings fund. If any such savings corporation shall, after due notice, refuse or neglect for thirty days to pay its allotted share of such charges, the said superintendent may maintain an action, in his name of office, against such corporation for the recovery of such charges.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this 23d day of May, A. D. 1887.

HENRY D. DEMENT,
Secretary of State.

STATE BANKING SYSTEM.

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| <p>§ 1. After the ratification of this act by a vote of the people, corporations with banking powers may be formed.</p> <p>§ 2. Application to organize made to the Auditor.</p> <p>§ 3. Directors or managers, election.</p> <p>§ 4. Officers and employes; list of stockholders; annual election of directors; vacancies.</p> <p>§ 5. Examination by the Auditor; certificate to do business; record of certificate in county recorder's office; organization completed.</p> <p>§ 6. Liability of stockholders; list of stockholders filed in recorder's office; transfer of stock.</p> <p>§ 7. Reports to the Auditor; publication of reports.</p> <p>§ 8. Annual examinations.</p> <p>§ 9. Corporate powers.</p> | <p>§ 10. Limitation of loans.</p> <p>§ 11. Capital stock; impairment of capital stock.</p> <p>§ 12. Change of name, place of business, increase or decrease of directors or capital stock, and consolidation; special meetings called for that purpose; changes may be made at regular meeting; banks heretofore organized subject to the provisions of this act; publication of changes.</p> <p>§ 13. Report of proceedings for consolidation forwarded to the Auditor.</p> <p>§ 14. Changes of name, etc., heretofore made, confirmed.</p> <p>§ 15. Dissolution and surrender of charter; publication of certificate of dissolution.</p> <p>§ 16. Secretary of State shall submit this act to vote according to law.</p> |
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AN ACT concerning corporations with banking powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That on a ratification of this act by a vote of the people in accordance with the constitution of this State, it shall be lawful to form banks and banking associations for the purpose of discount and deposit, and to buy and sell exchange and do a general banking business, excepting only issuing bills to circulate as money, and shall have power to loan money on personal and real security and accept and execute trusts.

§ 2. When any association of persons desire to avail themselves of the provisions of this act, they may apply to the Auditor for permission to organize, stating their place of business, the amount of capital and name under which they desire to organize and the time for which such association shall continue, which statement shall be under their hands and seals and acknowledged before some officer authorized by law to acknowledge deeds; and the Auditor shall issue to them a permit to organize. But no permit shall be issued to more than one association of the same name; and all persons or associations formed under this act shall have their capital stock divided into shares of one hundred dollars each.

§ 3. As soon as may be after receipt of authorization, books of subscription to the capital stock may be opened, and when the capital stock shall have been fully subscribed for, a meeting of the subscribers to the stock of such association shall be called (each subscriber having had at least three days' notice) for determination of the number and election of directors to serve as managers for one year, and until their successors are elected. And no director shall be elected unless he shall have received votes representing at least a majority of the shares of the association; and the voting may be done by person or by proxy, and at such election the subscribers or stockholders shall have the right to vote for the number of shares

owned or subscribed by him for as many persons as there are directors to be elected, or to cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall deem proper.

§ 4. The directors so elected may proceed to organize by the election of one of their number as president, and may appoint the necessary officers and employes and fix their salaries; to carry on the business of the association and make by-laws (not inconsistent with this act) for the government of the association; and they shall take and subscribe to an oath, such as the Auditor shall prescribe, of fealty to the association of which they are directors, and that they will not knowingly violate the provisions of this act. And they will cause to be kept suitable books of record of all the transactions of the association, and shall furnish to the Auditor lists of the stockholders and copies of any other records the Auditor may require. And there shall be an annual meeting of the stockholders for the election of directors each year on the first Monday in January, unless some other date shall be fixed in the by-laws of the association. Any omission to elect directors shall not impair any of the rights and privileges of the association or of any person in any way interested, but the existing directors shall hold office until their successors are elected and qualified, as in such cases may be by by-law provided. Vacancies may be filled by a two-thirds vote of the remaining directors.

§ 5. When the directors have organized, as in section 4 of this act, and the capital stock of such association shall have been all fully paid in and record of the same laid before the Auditor, he shall by himself or some competent person of his appointment make a thorough examination into the affairs of such association, and if satisfied the authorized capital has been paid in, and that the association has the full amount dedicated to the business, and when they pay into the Auditor's office the reasonable expenses of such examination, he shall give them a written or printed certificate, under seal, authorizing them to commence the business designated in section one of this act. And said certificate, and the permit issued in accordance herewith, duly certified by said Auditor, shall be filed and recorded in the office for the recording of deeds in the county where such bank is organized, and the original, or a certified copy thereof, shall be evidence in all courts of the existence and authority of said corporation to do business. Upon the recording of said certificate and permit said bank shall be deemed fully organized and may proceed to business.

§ 6. The shareholders of each association formed under the provisions of this act shall be held individually responsible equally and ratably, and not one for the other, for all contracts, debts and engagements of such person or association to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares, and it is hereby made the duty of the president and cashier within thirty days after organization to file in the office of the recorder of deeds of the county in which

such bank is located, a certified list of all the stockholders, giving the number of shares of stock held by each, and thereafter a certificate of all transfers of stock not later than ten days after such transfer. No transfer of stock shall operate as a release of liability provided in this section until the transfer is so recorded and even such action shall not release his liability on his unpaid stock.

§ 7. Any and all persons and associations, organizing under the provisions of this act, shall make to the Auditor a report according to the form which may be prescribed by him, verified by oath or affirmation of the president or cashier of such association, which report shall exhibit in detail, and under appropriate heads, the resources and liabilities of such bank or association before the commencement of business on the morning of any day he may choose; and he shall call for such reports at least once every three months of each year, and the officers of said bank shall transmit the same to the Auditor within five days after receiving call for the same; and any bank failing to make and transmit such report or to comply with any provisions of this act, shall be subject to a penalty of one hundred dollars for each day, after five days, that such report is delayed beyond that time. And he shall cause such report to be published at the expense of such bank in some newspaper published in the city or town where such bank is located; or if no newspaper is published in such town, then in the nearest newspaper to such town. Every such quarterly report shall be accompanied with a fee of five dollars to defray the expenses of examining the same and preparing it for publication.

§ 8. The Auditor, as often as he shall deem necessary or proper, and at least once in each year, shall appoint a suitable person or persons to make an examination of the affairs of every bank established under the provisions of this act, which person shall not be a stockholder or officer or employé of any bank which he may be directed to examine, and who shall have power to make a thorough examination into all the affairs of the bank, and in so doing to examine any of the officers or agents or employés thereof on oath, and shall make a full and detailed report of the condition of the bank to the Auditor; and the bank shall not be subject to any other visitorial power than such as may be authorized by this act, except such as are vested in the several courts of law and chancery. And every person appointed to make such examination shall receive for his services at the rate of ten dollars for each day by him employed in such examination, and two dollars for each twenty-five miles he shall necessarily travel in the performance of his duty, which shall be paid to them by the bank examined.

§ 9. Associations organized under this act shall be bodies corporate and politic for the period for which they may be organized, may sue and be sued, may have a common seal which they may alter or renew at pleasure, may own, possess and may carry as assets the real estate necessary in which to do its banking business, and such other real estate to which it may obtain title in the collection of its debts, but shall not carry in its assets any real estate except its banking house for a period of more than five years after acquiring title to the same.

§ 10. The total liabilities to any association, of any person, or of any company or firm, for money borrowed, including in the liabilities of a company or firm the liabilities of the several members thereof, shall at no time exceed one-tenth part of the amount of capital of such association actually paid in. But the discount of bills of exchange drawn in good faith, against actually existing values, and the discount of commercial or business paper actually owned by the person negotiating the same, shall not be considered as money borrowed.

§ 11. Associations may be organized under this act in incorporated towns, villages, or cities of not to exceed five thousand population, with a capital stock of not less than twenty-five thousand dollars, and in all cities, villages or incorporated towns of not to exceed ten thousand population with a capital stock of not less than fifty thousand dollars; and should the capital of any bank organized under this act become impaired, the Auditor shall give notice to the president to have the impairment made good by assessment of the stockholders, or a reduction of the capital stock of such bank, if the reduction should not bring the capital below the provision of this section; and if the capital stock of said bank shall remain impaired for thirty days after notice by the Auditor, he shall have power, and it is hereby made his duty, to enter suit against each stockholder in the name of the People of the State of Illinois, for the use of said bank, for his or her *pro rata* proportion of such impairment, and when collected shall pay over the amount thereof to said bank, and the judgment in such case shall be for the amount claimed, with all costs and reasonable attorney's fees, which fees shall be fixed by the court; or he may in his discretion file a bill in the circuit court of the county in which said bank is located, in the name of the People of the State of Illinois, against said bank and its stockholders, for the appointment of a receiver for the winding up of the affairs of said bank. And said court, upon the presentation of said bill, and upon being made satisfied that the capital of said bank has become impaired, shall immediately appoint a competent and disinterested person as such receiver, and shall determine and fix his bonds, and shall prescribe his duties. And said cause shall proceed as other cases in equity.

§ 12. Whenever the board of directors, managers or trustees of any corporation having any banking powers existing by virtue of any general or special law of this State, or any corporation with banking powers hereafter organized under the provisions of this act, may desire to change the name, to change the place of business, to increase or decrease the capital stock, to increase or decrease the number of directors, managers or trustees or to consolidate such corporation with any other corporation having banking powers which may hereafter exist, they may call a special meeting of the stockholders of such corporation for the purpose of submitting to a vote of such stockholders the question of such change of name, change of place of business, increase or decrease of number of directors, managers or trustees, increase or decrease of capital stock, or consolidation with some other corporation, as the case may be: *Provided*, that in changing the name of any corporation under the

provisions hereof, no name shall be assumed or adopted by any corporation organized under the laws of this State without the consent of such other corporation, and that in no case shall the capital stock be diminished to the prejudice of the creditors of such corporation, or the number of directors, managers or trustees be reduced to less than five or increased to more than eleven. Such special meeting shall be called by delivering personally, or by depositing in the postoffice, at least thirty days before the time fixed for such meeting, a notice properly addressed to each stockholder, signed by a majority of said directors, managers or trustees, stating the time, place and object of such meeting. A general notice of the time, place and object of such meeting shall also be published for three successive weeks in some newspaper printed in or nearest to the county in which the principal business office of said corporation is located. At any such meeting stockholders may vote in person or by proxy, each stockholder being entitled to one vote for each share of stock held by him, and votes representing two-thirds of all the stock of the corporation shall be necessary for the adoption of the proposed change of name, place of business, number of directors, managers or trustees, amount of capital stock, or consolidation with some other company. At any regular meeting, or at the time and place specified in said notice of a special meeting called for that purpose, said propositions or any of them may be submitted to a vote, and if it shall appear that two-thirds of all the votes represented by the whole stock of such corporation are in favor of the propositions, or any of them, so submitted, a certificate thereof, verified by the affidavit of the president, and under seal of the corporation, shall be filed in the office of the Auditor, and a like certificate filed for record in the office of the recorder of deeds of the county where the principal business office of such corporation is located, and upon the filing of such certificate the changes proposed and voted for at such meeting, as to name, place of business, increase or decrease of capital stock, or number of directors, managers or trustees, or consolidation with some other company, shall be and is hereby declared accomplished in accordance with the said vote of the stockholders: *And, provided, further,* that any corporation with banking powers availing itself of or accepting the benefits of, or formed under, this act, and all corporations with banking powers existing by virtue of any special charter or general law of this State, shall be subject to the provisions and requirements of this act in every particular, as if organized under this act. Such corporation shall, upon the filing of said certificate, cause to be published in some newspaper in or nearest the county in which their principal office is located a notice of such changes of organization for three successive weeks. Such change of name, place of business, increase or decrease of capital stock, increase or decrease of number of directors, managers or trustees, or consolidation of one corporation with another, shall not affect suits pending in which such corporations or corporation shall be parties, nor shall such changes affect causes of action, nor the rights of persons in any particular; nor shall suits brought against such corporation by its former name be abated for that cause.

§ 13. All corporations with banking powers consolidating as provided in section 12, shall forward to the Auditor the complete proceeding of their consolidation, a list of the stockholders, and such other records as the Auditor may require, when the Auditor shall proceed as provided in section 5 of this act in regard to the organization of new banks, and until he shall so proceed, and such consolidated corporation shall comply with all the provisions of such section, it cannot begin business.

§ 14. In all cases where any corporation having any banking powers existing under and by virtue of any general or special laws of this State, has, prior to the passage of this act, changed its name or its place of business, or increased or decreased its capital stock, or the number of its directors, managers or trustees in the manner provided by an act of the General Assembly of this State, entitled "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies," approved and in force March 26, 1872, such change or changes are hereby ratified and confirmed and made valid and legal in all respects as if made in pursuance of the provisions of this act.

§ 15. Any association organized under this act, or any corporation with banking powers organized in pursuance of any general or special law of this State, or any consolidated corporation with banking powers as provided for by this act, on depositing with the Auditor an amount of money equal to the whole amount of debts and demands against it, including the expenses of this proceeding, may determine its affairs, distribute its assets among its stockholders, resign its charter or certificate of incorporation, and close up its business, by a resolution passed at a meeting of its stockholders called for such purpose. The Auditor shall cause a copy of such resolution to be published in some newspaper published in the city or village where such bank or corporation is located, or if no newspaper shall there be published, then in the newspaper nearest to such city or village, and the Auditor shall in such publication also give notice that the notes and demands against such bank or corporation will be redeemed by him, and if any outstanding notes or other demands are not presented in one year, such bank may deposit with the Auditor or elsewhere under his direction and subject to his order, on interest, a sum sufficient to meet such outstanding demands, which, when presented to the Auditor, shall be paid by him out of such sum, and after six years from the day on which the publication of the dissolution was first made, the Auditor shall return to the stockholders, to be among them distributed, the remainder of any sum so deposited. The Auditor shall be entitled to two per cent. of all money paid out by him, under the provisions of this section, where the amount so paid on account of any one bank or corporation shall not exceed five thousand dollars, and one per cent. after that.

§ 16. It shall be the duty of the Secretary of State for this State to submit this act to a vote of the people for their ratification, according to article XI, section 5, of the Constitution of this State,

at the next general election, and the question shall be "For the general banking law," or "Against the general banking law." And if approved by a majority of the votes cast at such election for or against such law, the Governor shall thereupon issue his proclamation that this act is then in force.

APPROVED June 16, 1887.

BETS, WAGERS AND POOLS.

BOOK-MAKING AND POOL-SELLING PROHIBITED.

§ 1. Prohibits the keeping of pool rooms, and fixes penalties therefor. Fair and racing grounds during the meeting of associations exempt.

AN ACT to prohibit book-making and pool-selling.

SECTION 1. *Be it enacted by the People of [the] State of Illinois, represented in the General Assembly:* That any person who keeps any room, shed, tenement, tent, booth or building, or any part thereof, or who occupies any place upon any public or private grounds within this State with any book, instrument or device for the purpose of recording or registering bets or wagers, or of selling pools, or any person who records or registers bets or wagers, or sells pools upon the result of any trial or contest of skill, speed or power of endurance of man or beast, or upon the result of any political nomination, appointment or election; or being the owner, lessee or occupant of any room, shed, tenement, tent, booth or building, or part thereof, knowingly permits the same to be used or occupied for any of these purposes, or therein keeps, exhibits or employs any device or apparatus for the purpose of recording or registering such bets or wagers, or selling of such pools, or becomes the custodian or depository for hire, or privilege, of any money, property, or thing of value staked, wagered, or pledged upon any such result, shall be punishable by imprisonment in the county jail for a period not longer than one year, or by fine not exceeding \$2,000, or both: *Provided, however,* that the provisions of this act shall not apply to the actual enclosure of fair or race track associations that are incorporated under the laws of this State, during the actual time of the meetings of said associations, or within twenty-four hours before any such meetings.

APPROVED May 31, 1887.

BUCKET-SHOPS.

PROHIBITS GAMBLING IN GRAIN, PRODUCE, ETC.

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| § 1. Makes it unlawful for any person, firm or corporation, to keep a "bucket-shop" or place for dealing in grain, stocks, produce, etc., on margins; penalties. | § 2. Defines this act.
§ 3. Requires contracts to be made.
§ 4. Makes owner of building liable. |
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AN ACT to suppress bucket-shops and gambling in stocks, bonds, petroleum, cotton, grain, provisions or other produce.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any corporation, association, co-partnership or person to keep or cause to be kept within this State any bucket-shop, office, store or other place wherein is conducted or permitted the pretended buying or selling of the shares of stocks or bonds of any corporation, or petroleum, cotton, grain, provisions or other produce, either on margins or otherwise, without any intention of receiving and paying for the property so bought, or of delivering the property so sold; or wherein is conducted or permitted the pretended buying or selling of such property on margins; or when the party buying any of such property, or offering to buy the same, does not intend actually to receive the same if purchased, or to deliver the same if sold; and the keeping of all such places is hereby prohibited. And any corporation or person, whether acting individually or as a member or as an officer, agent or employé of any corporation, association or co-partnership, who shall be guilty of violating this section, shall, upon conviction thereof, be fined in any sum not less than \$200 and not more than \$500; and any person or persons who shall be guilty of a second offense under this statute, in addition to the penalty above prescribed, shall, upon conviction, be imprisoned in the county jail for the period of six months, and if a corporation, shall be liable to forfeiture of its charter. And the continuance of such establishment after first conviction shall be deemed a second offense.

§ 2. It shall not be necessary, in order to commit the offense defined in section 1 of this act, that both the buyer and the seller shall agree to do any of the acts therein prohibited, but the said crime shall be complete against any corporation, association, co-partnership or person thus pretending or offering to sell, or thus pretending or offering to buy, whether the offer to sell or buy is accepted or not; and any corporation, association, co-partnership or person who shall communicate, receive, exhibit or display, in any manner, any such offer to so buy or sell, or any statements or quotations of the prices of any such property, with a view to any such transaction as aforesaid, shall be deemed an accessory, and, upon conviction thereof, shall be fined and punished the same as the principal and as provided in section one of this act.

§ 3. It shall be the duty of every commission merchant, co-partnership, association, corporation or broker doing business as such to furnish, upon demand, to any customer or principal for whom such commission merchant, broker, co-partnership, corporation or association has executed any order for the actual purchase or sale of any of the commodities hereinbefore mentioned, either for immediate or future delivery, a written statement containing the names of the parties from whom such property was bought, or to whom it shall have been sold, as the case may be, the time when, the place where and the price at which the same was either bought or sold; and in case such commission merchant, broker, co-partnership, corporation or association shall refuse promptly to furnish such statement upon reasonable demand, the fact of such refusal shall be *prima facie* evidence that such property was not sold or bought in a legitimate manner.

§ 4. Whoever knowingly permits any of the illegal acts aforesaid in his building, house, or in any outhouse, booth, arbor or erection of which he has the care or possession, shall be fined not less than \$500 nor more than \$1,000; and any penalty so adjudged shall be a lien upon the premises on or in which such unlawful acts are carried on or permitted. It is the intention of this act to prevent, punish and prohibit, within this State, the business now engaged in and conducted in places commonly known and designated as bucket-shops, and also to include the practice now commonly known as bucket-shopping by persons, corporations, associations or co-partnerships, who ostensibly carry on the business or occupation of commission merchants or brokers in grain, provisions, petroleum, stocks and bonds. And it shall be the duty, under this act, of all the judges of the several circuit courts in this State, and of the judges of the criminal court of Cook county, at every regular term thereof, to charge all regularly impaneled grand juries to make due investigation and report upon all violations of the provisions of this act.

APPROVED June 6, 1887.

CEMETERIES.

COUNTY.

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| § 1. Trustees, appointed by county boards. | § 5. Former trustees. |
| § 2. Organization and officers. | § 6. Removal of trustees. |
| § 3. Duties of the treasurer. | § 7. Compensation. |
| § 4. Surveys and plat; sale of lots; management. | |

AN ACT to provide for the proper care and management of county cemetery grounds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That where any grounds have heretofore or may hereafter be conveyed to any county in this State

for burial places, it shall be lawful for the board of supervisors in counties under township organization, and the county commissioners in counties not under township organization, to appoint three trustees to take charge and control of such grounds.

§ 2. It shall be the duty of such trustees, as soon as may be, after their appointment, to hold a meeting and organize, by appointing one of their number president, and another one of their number clerk, whose duty it shall be to keep a record of their official acts in a book to be provided for that purpose, and the trustees shall also appoint a treasurer, who may or may not be one of their number, who, before entering upon the duties of his office, shall give bond, with security, payable to the People of the State of Illinois, for the use and benefit of the county in which the grounds are situated, in such sum as the judge of the county court may require for his approval, for the safe care and management of all the moneys which may come into his possession, as such treasurer.

§ 3. It shall be the duty of the treasurer to keep a correct account of all moneys received and paid out by him, in a book to be provided for that purpose, and to loan, at interest, on notes with approved security, all amounts not necessary to be reserved for expenses, to keep the grounds in good repair, under the direction of the trustees, and shall make settlement with the trustees in January of each year, and the trustees or county board of supervisors, or commissioners in counties not under township organization, may, at any other time, require the treasurer, as often as they may deem best, to make full report, and for a failure to make satisfactory report may be discharged and some other shall be appointed in his place, and suit shall be commenced on his bond, whenever deemed necessary for the safety of the funds that shall have been received by him in his official capacity.

§ 4. The trustees provided for in this act may cause any such grounds to be surveyed into lots, streets and alleys of such size and shape as they think best for proper management thereof, and cause a plat of the survey to be made and recorded in the recorder's office of the proper county, and may also sell and make deeds of conveyance of any lots, or parts of lots, for family or individual use for burials, at such price, and such terms, as they may think best, to create a fund to keep the grounds in good repair, and purchase, where necessary, additional grounds thereto, and any sale so made shall vest the purchaser, or his legal representatives, with the right to make any improvements on the part so purchased as he may desire, subject to any general rules or regulations of the trustees. The trustees shall also have the right to decide and direct the depth all graves shall be dug, and to set apart any portion of the grounds for the burial of paupers.

§ 5. Where any county board has heretofore appointed trustees to take charge of county cemetery grounds, and such trustees have performed any acts by virtue of their appointment, which would not be inconsistent with the provisions of this law, such acts are hereby legalized, and the treasurer and trustees so appointed shall be hereafter subject and governed by the provisions of this act.

§ 6. The county board shall have the power to remove from office any trustee appointed by it, and to fill all vacancies which may in any way occur.

§ 7. The compensation of the trustees and treasurer mentioned in the foregoing sections of this act, shall be fixed by the board of supervisors in counties under township organization, and by the county commissioners in counties not under township organization, of the respective counties.

APPROVED June 17, 1887.

CHARITABLE INSTITUTIONS, STATE.

CENTRAL HOSPITAL FOR THE INSANE.

§ 1. Trustees authorized to sell a certain tract of land; expending proceeds. | § 2. Appraisement.

AN ACT authorizing the Board of Trustees of the Illinois Central Hospital for the Insane, located at Jacksonville, to sell and convey certain lands to the city of Jacksonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Board of Trustees of the Illinois Central Hospital for the Insane, located at Jacksonville, Illinois, shall have power, and the same is hereby given them, to sell and convey to the city of Jacksonville, in the State of Illinois, for use by said city in connection with said city's pumping works and water works, a certain tract of four acres of land, more or less, situated near the present pumping works of said city, located on Superior avenue in said city, and now held and controlled by said board of trustees for the use of said hospital. The said board of trustees shall further have power to expend in the purchase of other lands, for the use of said hospital, all sums of money that may be realized from the sale to said city of the four acres of land above mentioned.

§ 2. The Governor shall appoint three discreet and competent persons, residents of the city of Jacksonville, who shall make, under oath, a fair and impartial appraisement of the value of the lands in question, and the board of trustees are hereby authorized to sell and convey said lands to said city, upon the payment by said city to said board of the amount or sum at which the said lands shall be by said persons valued and appraised.

APPROVED June 16, 1887.

HOSPITALS FOR THE INSANE.

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| § 1. Requires superintendents of hospitals for the insane to make semi-annual reports to county clerks of the number of patients confined in the hospital from such county. | § 2. Penalties for failure to comply with this act. |
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AN ACT to require superintendents of hospitals for the insane to make reports to the county clerks of the various counties in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That each superintendent of any hospital for the insane in this State shall, hereafter, on the first day of January and July, of each year, furnish the clerk of the county court of the proper county thereof, with a full and complete list of all insane patients confined in said hospital from said county, stating the date of admission of each, whether said patients be paupers, the present physical and mental condition of each; also giving the names of such as may have died or been discharged since last report, with date of such death or discharge.

§ 2. Any such superintendent failing to comply with the foregoing section shall be liable to a fine of one hundred dollars for each failure, to be collected by suit before a justice of the peace of the county wherein such hospital is situate, on complaint of such clerk of the county court, or other person having relatives or friends confined in said hospital.

APPROVED June 8, 1887.

REPORT OF TRUSTEES.

- § 1. Amends section 28 of the act of 1875 by requiring reports to be made September 1 biennially up to June 30 preceding.

AN ACT to amend section 28 of an act entitled "An act to regulate the State charitable institutions and the State Reform School, and to improve their organization and increase their efficiency," approved April 15, 1875.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 28 of an act entitled "An act to regulate the State charitable institutions and the State Reform School, and to improve their organization and increase their efficiency," approved April 15, 1875, be and the same is hereby amended to read as follows:

"Section 28. On or before the first day of September 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 June 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 and 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."

APPROVED June 16, 1887.

SOLDIERS AND SAILORS' HOME.

§ 1. Amends section 3, act of 1885, by making a two years' residence in the State necessary before admission to the Home.

AN ACT to amend section three of an act entitled "An act to establish and maintain a Soldiers and Sailors' Home in the State of Illinois," and provide for the maintenance thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section three of "An act to establish a Soldiers and Sailors' Home," approved June 26, 1885, in force July 1, 1885, be amended to read as follows:

"Section 3. The object of the Soldiers and Sailors Home shall be to provide a home and subsistence for honorably discharged ex-soldiers and sailors who served in the war of the rebellion and the Mexican war, who are now and shall be prior to the time they may apply, *bona fide* residents of the State for two years, and who are not now inmates of National Soldiers and Sailors' Homes claiming residence in this State, who may have become disabled through the exigencies of such service, or who by reason of old age or other disabilities are disqualified from earning a livelihood: *Provided*, that soldiers who are in the poorhouses of this State shall be admitted to the Home in the first instance."

Therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED June 15, 1887.

CHILDREN.

ABANDONMENT.

§ 1. Children under 1 year old, penalty for abandonment.

AN ACT to prevent the abandonment of children and to provide a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That when any child under the age of one year shall be abandoned by its parents, guardian or any other person having legal control or custody thereof, such person or persons shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than three hundred dollars, or more than one thousand dollars, or by imprisonment in the penitentiary not exceeding three years, or by both fine and imprisonment, in the discretion of the court.

APPROVED June 16, 1897.

CITIES, TOWNS AND VILLAGES.

ALDERMEN.

§ 1. Amends section 2, article 3, of the act of 1872, for the incorporation of cities and villages by fixing the number of aldermen to be elected, when not elected on the minority plan.

AN ACT to amend section two (2), of article three (3), of an act entitled "An Act to provide for the incorporation of cities and villages," approved April 10, 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 (2), of article three (3), of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 2. The number of aldermen, when not elected by the minority representation plan, shall be as follows: In cities not exceeding three thousand inhabitants, six aldermen; exceeding three thousand but not exceeding five thousand, eight aldermen; exceeding five thousand and not exceeding ten thousand, ten aldermen; exceeding ten thousand and not exceeding thirty thousand, fourteen aldermen; and two additional aldermen for every twenty thousand inhabitants over thirty thousand: *Provided, however,* that in cities of over 350,000 inhabitants, there shall be elected forty-eight aldermen and no more, unless additional territory shall be annexed to

such city after such city shall have been divided into wards on the basis of forty-eight aldermen; in which case, and as often as new territory shall be annexed to such city as aforesaid, containing, or which shall afterwards contain, fifteen thousand inhabitants or more, the city council of such city may authorize the legal voters of such newly annexed territory to elect two aldermen, who shall be additional to said forty-eight aldermen, and who shall possess all the qualifications of and be elected at the time and in the manner provided in the said act of which this is an amendment, and may designate said new territory as a ward of said city, and if any such annexed territory has less than ten thousand inhabitants, then the common council shall annex it to any ward or wards which it adjoins: *Provided, further*, that whenever, after such new territory shall have been annexed as aforesaid, said city shall be re-districted, the number of wards at the time said city is re-districted shall be preserved and the city council thereof may, in its discretion, change the boundary between such new ward and the original territory of the city, and make said new ward larger or smaller to comply with the requirements of said act as to compactness and equality of inhabitants: *And provided, further*, if it shall appear, from any census heretofore or hereafter taken, that any city has the requisite number of inhabitants to authorize it to increase the number of aldermen, it shall be the duty of the city council thereof to proceed without delay and re-district such city in accordance with the provisions hereof and to call and hold its next city election in accordance with such new re-districting: *Provided*, that at such election, the aldermen who hold over shall be considered aldermen for the new wards respectively in which their residence shall be."

APPROVED May 20, 1887.

PETITION TO INCORPORATE.

§ 1. Amends section 1 of the act of 1872, by providing that the question of incorporation upon proper petition may be submitted at the next municipal election, or at a special election.

AN ACT to amend section one (1) of an act entitled "An act to revise the law in relation to the incorporation of cities and villages," approved April 10, 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 one (1) of an act entitled "An act to revise the law in relation to the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 1. That any city now existing in this State may become incorporated under this act in the manner following: Whenever one-eighth of the legal voters of such city, voting at the last pre-

ceding municipal election, shall petition the mayor and council thereof to submit the question, as to whether such city shall become incorporated under this act, to a vote of the electors in such city, it shall be the duty of such mayor and council to submit such question to a vote of the electors of said city at the next ensuing municipal election of said city or at a special election, and to give the notice required by law."

APPROVED June 17, 1887.

POLICE DISTRICTS.

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| <p>§ 1. Provides that the territory embraced within the limits of adjoining cities, towns and villages in the same county shall constitute a police district.</p> | <p>§ 2. Authorizes the police force to operate in any part of the district.</p> <p>§ 3. Emergency.</p> |
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AN ACT to define police districts, and the powers and the duties of the police therein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the territory which is embraced within the limits of adjoining cities, villages and incorporated towns, within any county in this State, shall be a police district.

§ 2. It shall be lawful for the police of any city, village or incorporated town in such district, to go into any part of such district to suppress riot, to preserve the peace and protect the lives, rights and property of citizens, and for such purposes it shall be the duty of the mayor of any city, the president or the president and board of trustees of any village, or incorporated town in such district, and the chiefs of police therein, to use the police forces under their control anywhere in such district.

§ 3. Whereas an emergency exists, this act shall be in force from and after its passage.

APPROVED May 13, 1887.

SPECIAL ASSESSMENTS.

- § 1. Amends article 9 of the act of 1872, for the incorporation of cities and villages by authorizing that the payment of special assessments for local improvements may be paid in installments.

AN ACT to amend article nine of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, by adding thereto the following sections:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That article nine of an act entitled "An act to provide for the incorporation of cities and vil-

lages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended by adding thereto the following sections, viz.:

"Section 55. That the amount of any special assessment for any local improvement in any city, incorporated town or village may be divided into installments, when so provided by the ordinance providing for the said improvement, the first of which shall not exceed the sum of twenty-five per cent. of the total of said assessment, and which shall be due and payable from and after confirmation of said assessment. The remaining portion of said assessment, after deducting the said first installment, shall be divided into four equal annual installments, which said installments shall be payable annually thereafter, and collected in the same manner that other assessments are now collected. Each of said four last named installments shall bear interest at the rate of six per cent. per annum from and after the first day of July next succeeding the confirmation of said assessment: *Provided*, that when said confirmation shall not be had before the first day of March in any year, that said four last named installments shall not bear interest until the first day of July in the following year after the said confirmation: *Provided*, that in cities containing a population of fifty thousand or more, this and the following sections shall not apply except in cases where any such special assessments shall exceed in the aggregate the sum of fifteen thousand dollars.

"Section 56. That any installment or installments which may be assessed against any tract, lot, block or piece of land may be paid at any time before maturity, in which case interest shall be charged only to the time of payment, and upon such payment the property for which said payment is made shall be discharged from the lien to the extent of such payment.

"Section 57. Whenever any city, incorporated town or village desires to make the collection of any special assessment, as aforesaid, by installments, under the provision of this act, the ordinance providing for said improvement shall also state that the same shall be collected by installments, and fix the amount of the first installment.

"Section 58. Upon the assessment roll to be returned by the commissioners shall be designated, in appropriate columns, first the amount of each installment, second the total amount of the assessment, which said items shall be carried out and set opposite each tract, lot or piece of property so assessed.

"Section 59. The notice to be given by the collector as now provided for by law when the assessment is under the provisions of this act, in addition to what is now required shall contain the amount of each installment, the rate of interest deferred installments bear, the date of payment, and that the whole of said assessment, or any installment thereof, may be paid at any time at the option of the owner or owners of said lot, block, piece or tract.

"Section 60. The order of confirmation that shall be entered upon the return of any such assessment roll shall apply to all of the installments thereof, and may be entered in one order.

“Section 61. The warrant for the collection of any such special assessment to be made hereunder shall contain a copy of such certificate of the judgment, describing the lots, blocks, tracts or parcels of lands assessed and the respective amounts assessed upon each lot, tract, piece or parcel of land and the year in which each installment is payable.

“Section 62. Proceedings for judgment and sale against lots, tracts, pieces and parcels of land for which the assessment has not been paid shall be had in the same manner as now provided upon each installment in the respective years in which they become due and payable, and the laws now in force in so far as they are applicable shall apply.

“Section 63. Payment for any improvement done or performed under the provisions of this act shall be made in the following manner: From the amount of the first payment, when it shall be collected, shall first be paid all the costs of making the said assessment, including court costs. The remainder of said payment shall then be paid to the person or persons entitled thereto on the contract for said work. The amount remaining due upon the contract for said improvement shall then be divided into four equal parts, and the authorities of any city, incorporated town, or village, shall issue a voucher to the person or persons entitled thereto for each part, payable in same order and manner that the installments are payable, and said vouchers shall bear the same rate of interest per annum that the said installments bear. Said vouchers shall be made payable to the order of the person or persons entitled thereto, and state the improvement and the installment for which they are issued. They shall also contain the following: In consideration of the issuing of this voucher, I hereby for sel, heirs, executors, administrators and assigns, accept the same in full payment of the amount herein stated, and relinquish any and all claims or liens I may have against the (city, incorporated town, or village) of for the work mentioned herein, or for the payment of this voucher, except from the collection of the installment herein named.
(Signature of person receiving the same.)

“Section 64. Any person or persons accepting the vouchers, as provided herein, for work done or performed upon any local or public improvement, shall have no claim or lien upon the city, incorporated town, or village, in any event, for the payment of said vouchers or the interest, except from the collection of the installments for which said vouchers are issued: *And, provided,* that this section shall apply to all holders of any of said vouchers, whether the original contractor or their assigns.

“Section 65. If upon the payment of the money and issuance of the vouchers, as provided for in the last section hereof, there shall be any surplus remaining of said special assessment over and above the payment aforesaid, it shall be the duty of the proper authorities of said city, incorporated town, or village, to at once cause the respective installments to be credited with their respective proportion of said surplus, and in case any person or persons have, before said credit has been entered, paid his assessment or any part thereof,

without having received the benefit of said credit, the proper authorities shall at once cause notice of such over-payment to be sent by mail to the person by whom such over-payment was made, and upon proper proofs the same shall be repaid.

“Section 66. In case said special assessment shall be made for the purpose of paying the compensation awarded for the taking or damaging of private property for public use, payments may be made as provided herein in the case of contracts let, and the acceptance by the owner of any lot, piece or tract taken or damaged of the vouchers issued shall be deemed payment to said owner or owners of said compensation, and upon proof thereof, an order of possession may be entered as is now provided: *Provided*, that after a special assessment has been confirmed to pay for property taken or damaged for public use, the city council in cities and the president and board of trustees in villages may appropriate and advance a sufficient amount to pay the compensation awarded, or so much of the same as shall not have been paid by acceptance of vouchers as herein provided: *Provided, however*, that such appropriation and advancement shall in no way affect the collection of said assessment, but the same shall be collected in the same manner as though said appropriation had not been made: *And, provided, further*, that when such assessment shall have been collected, that the same, together with the interest thereon, shall be paid into the general fund of said city, incorporated town, or village, in liquidation of the amount so advanced.

“Section 67. In all cases where special assessments shall have been made, but not confirmed, it shall be lawful for any city, incorporated town, or village, through its legislative body, to provide by ordinance that said assessment may be collected by installments, under the provisions of this act.

“Section 68. It is hereby declared that an emergency exists, and therefore this act shall be in force from and after its passage.”

APPROVED April 29, 1887.

LOCAL IMPROVEMENTS.

§ 1. Amends section 19, article 9, act of 1872, by requiring the improvements to be set out in the ordinance or by reference to maps or plats on file.

AN ACT to amend section 19 of article 9 of an act entitled “An act to provide for the incorporation of cities and villages,” approved April 10, 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 nineteen (19) of article nine (9) of an act entitled “An act to provide for the incorporation of cities and villages,” approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

“Section 19. Whenever such local improvements are to be made wholly or in part by special assessment, the said council in cities, or board of trustees in villages, shall pass an ordinance to that effect, specifying therein the nature, character, locality and description of such improvement, either by setting forth the same in the ordinance itself or by reference to maps, plats, plans, profiles or specifications thereof on file in the office of the proper clerk, or both: *Provided*, that whenever any such ordinance shall provide only for the building or renewing of any sidewalk, the owner of any lot or piece of land fronting on such sidewalk shall be allowed fifteen days after the time at which such ordinance shall take effect in which to build or renew such sidewalk opposite his land, and thereby relieve the same from assessment: *Provided*, that the work so to be done shall in all respects conform to the requirements of such ordinance.

APPROVED June 17, 1887.

USE OF STREETS BY STREET RAILWAY COMPANIES.

§ 1. Amends ¶ 90 of section 1, article 5, of the act of 1872, for the incorporation of cities and villages, in relation to the petition for the use of the streets for street railways.

§ 2. Emergency.

AN ACT to amend section one of article five of “An act to provide for the incorporation of cities and villages,” approved April 10, 1872, and in force July 1, 1872.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, as follows: That section one of article five of an act entitled “An act to provide for the incorporation of cities and villages,” be amended so as to read as follows, viz:

SECTION 1. The city council in cities, and president and the board of trustees in villages, shall have the following powers:

First—To control the finances and property of the corporation.

Second—To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation.

Third—To levy and collect taxes for general and special purposes on real and personal property.

Fourth—To fix the amount, terms and manner of issuing and revoking licenses.

Fifth—To borrow money on the credit of the corporation for corporate purposes, and issue bonds therefor, in such amounts and form and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate to exceed five (5)

per centum on the value of the taxable property therein, to be ascertained by the last assessment for the State and county taxes previous to the incurring of such indebtedness; and before or at the time of incurring any indebtedness, shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years after contracting the same.

Sixth—To issue bonds in place of or to supply means to meet maturing bonds, or for the consolidation or funding of the same.

Seventh—To lay out, to establish, open, alter, widen, extend, grade, pave or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public grounds, and vacate the same.

Eighth—To plant trees upon the same.

Ninth—To regulate the use of the same.

Tenth—To prevent and remove encroachments or obstructions upon the same.

Eleventh—To provide for the lighting of the same.

Twelfth—To provide for the cleansing of the same.

Thirteenth—To regulate the openings therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels and drains, and erecting gas lights: *Provided, however,* that any company heretofore organized under the general laws of this State, or any association of persons organized, or which may be hereafter organized for the purpose of manufacturing illuminating gas to supply cities or villages, or the inhabitants thereof, with the same, shall have the right, by consent of the common council (subject to existing rights), to erect gas factories, and lay down pipes in the streets or alleys of any city or village in this State, subject to such regulations as any such city or village may by ordinance impose.

Fourteenth—To regulate the use of sidewalks and all structures thereunder; and to require the owner or occupant of any premises to keep the sidewalks in front of, or along the same, free from snow and other obstructions.

Fifteenth—To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage or any offensive matter in, and to prevent injury to any street, avenue, alley or public ground.

Sixteenth—To provide for and regulate crosswalks, curbs and gutters.

Seventeenth—To regulate and prevent the use of streets, sidewalks and public grounds for signs, sign posts, awnings, awning posts, telegraph poles, horse troughs, racks, posting hand bills and advertisements.

Eighteenth—To regulate and prohibit the exhibition or carrying of banners, placards, advertisements or hand bills in the streets or public grounds, or upon the sidewalks.

Nineteenth—To regulate and prevent the flying of flags, banners or signs across the streets or from houses.

Twentieth—To regulate traffic and sales upon the streets, sidewalks and public places.

Twenty-first—To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation.

Twenty-second—To regulate the numbering of houses and lots.

Twenty-third—To name and change the name of any street, avenue, alley or other public place.

Twenty-fourth—To permit, regulate or prohibit the locating, constructing or laying a track of any horse railroad in any street, alley or public place; but such permission shall not be for a longer time than twenty years.

Twenty-fifth—To provide for and change the location, grade and crossings of any railroad.

Twenty-sixth—To require railroad companies to fence their respective railroads, or any portion of the same, and to construct cattle guards, crossings of streets and public roads, and keep the same in repair, within the limits of the corporation. In case any railroad company shall fail to comply with any such ordinance, it shall be liable for all damages the owner of any cattle or horses or other domestic animal, may sustain by reason of injuries thereto while on the track of such railroad, in like manner and extent as under the general laws of this State relative to the fencing of railroads; and actions to recover such damages may be instituted before any justice of the peace or other court of competent jurisdiction.

Twenty-seventh—To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property in the use of such railroads. To compel such railroads to raise or lower their railroad tracks to conform to any grade which may, at any time, be established by such city, and where such tracks run lengthwise of any such street, alley or highway, to keep their railroad tracks on a level with the street surface, and so that such tracks may be crossed at any place on such street, alley or highway. To compel and require railroad companies to make and keep open, and to keep in repair, ditches, drains, sewers and culverts along and under their railroad tracks, so that filty or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural drainage of adjacent property shall not be impeded.

Twenty-eighth—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Twenty-ninth—To construct and keep in repair culverts, drains, sewers, and cess pools, and to regulate the use thereof.

Thirtieth—To deepen, widen, dock, cover, wall, alter or change channel of water-courses.

Thirty-first—To construct and keep in repair canals and slips for the accommodation of commerce.

Thirty-second—To erect and keep in repair public landing places, wharves, docks and levees.

Thirty-third—To regulate and control the use of public and private landing places, wharves, docks and levees.

Thirty-fourth—To control and regulate the anchorage, moorage and landing of all water craft and their cargoes within the jurisdiction of the corporation.

Thirty-fifth—To license, regulate and prohibit wharf-boats, tugs and other boats used about the harbor, or within such jurisdiction.

Thirty-sixth—To fix the rate of wharfage and dockage.

Thirty-seventh—To collect wharfage and dockage from all boats, rafts or other craft landing at or using any public landing place, wharf, dock or levee within the limits of the corporation.

Thirty-eighth—To make regulations in regard to use of harbors, towing of vessels, opening and passing of bridges.

Thirty-ninth—To appoint harbor masters, and define their duties.

Fortieth—To provide for the cleansing and purification of waters, water-courses and canals, and the draining or filling of ponds on private property, whenever necessary to prevent or abate nuisances.

Forty-first—To license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions, shows and amusements, and to revoke such license at pleasure.

Forty-second—To license, tax and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, and all others pursuing like occupations, and to prescribe their compensation.

Forty-third—To license, regulate, tax and restrain runners for stages, cars, public houses, or other things or persons.

Forty-fourth—To license, regulate, tax or prohibit and suppress billiard, bagatelle, pigeon-hole or any other tables or implements kept or used for a similar purpose in any place of public resort, pin alleys and ball alleys.

Forty-fifth—To suppress bawdy and disorderly houses, houses of ill-fame or assignation, within the limits of the city, and within three miles of the outer boundaries of the city; and also to suppress gaming and gambling houses, lotteries, and all fraudulent devices and practices, for the purpose of gaming or obtaining money or property; and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

Forty-sixth—To license, regulate and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor, the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license: *Provided*, that the city council in cities, or president and board of trustees in villages, may grant permits to druggists for the sale of liquors for medicinal, mechanical, sacramental and chemical purposes only, subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance: *Provided, further*,

that in granting licenses, such corporate authorities shall comply with whatever general law of the State may be in force relative to the granting of licenses.

Forty-seventh—The foregoing shall not be construed to affect the provisions of the charter of any literary institution heretofore granted.

Forty-eighth—And the city council in cities, and president and board of trustees in villages, shall also have the power to forbid and punish the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor to any minor, apprentice or servant, or insane, idiotic or distracted person, habitual drunkard, or person intoxicated.

Forty-ninth—To establish markets and market-houses, and provide for the regulation and use thereof.

Fiftieth—To regulate the sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and to provide for place and manner of selling the same.

Fifty-first—To prevent and punish forestalling and regrating.

Fifty-second—To regulate the sale of bread in the city or village; prescribe the weight and quality of the bread in the loaf.

Fifty-third—To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other provisions.

Fifty-fourth—To regulate the inspection, weighing and measuring of brick, lumber, fire-wood, coal, hay, and any article of merchandise.

Fifty-fifth—To provide for the inspection and sealing of weights and measures.

Fifty-sixth—To enforce the keeping and use of proper weights and measures by vendors.

Fifty-seventh—To regulate the construction, repairs and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

Fifty-eighth—To regulate places of amusement.

Fifty-ninth—To prevent intoxication, fighting, quarreling, dog fights, cock fights, and all disorderly conduct.

Sixtieth—To regulate partition fences and party walls.

Sixty-first—To prescribe the thickness, strength and manner of constructing stone, brick and other buildings, and construction of fire escapes therein.

Sixty-second—The city council, and the president and trustees in villages, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected or placed or repaired, without permission, and to direct that all and any buildings within the fire limits, when the same shall have been damaged by fire, decay or otherwise, to the extent of fifty per cent. of the value, shall be torn down or removed, and to prescribe the manner of ascertaining such damage.

Sixty-third—To prevent the dangerous construction and condition of chimneys, fire places, hearths, stoves, stove-pipes, ovens, boilers and apparatus used in and about any building and manufactory, and to cause the same to be removed or placed in a safe condition, when considered dangerous; to regulate and prevent the carrying on of manufactories dangerous in causing and promoting fires; to prevent the deposit of ashes in unsafe places, and to cause all such buildings and inclosures as may be in a dangerous state to be put in a safe condition.

Sixty-fourth—To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other implements for prevention and extinguishment of fires, and provide for the use and management of the same by voluntary fire companies or otherwise.

Sixty-fifth—To regulate and prevent storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops and other places, and the building of bonfires; also to regulate and restrain the use of fire-works, fire-crackers, torpedoes, Roman candles, sky-rockets and other pyrotechnic displays.

Sixty-sixth—To regulate the police of the city or village, and pass and enforce all necessary police ordinances.

Sixty-seventh—To provide for the inspection of steam boilers.

Sixty-eighth—To prescribe the duties and powers of a superintendent of police, policemen and watchmen.

Sixty-ninth—To establish and erect calaboozes, bridewells, houses of correction and workhouses for the reformation and confinement of vagrants, idle and disorderly persons, and persons convicted of violating any city or village ordinance, and make rules and regulations for the government of the same, and appoint necessary keepers and assistants.

Seventieth—To use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the county board.

Seventy-first—To provide by ordinance in regard to the relation between all the officers and employés of the corporation in respect to each other, the corporation and the people.

Seventy-second—To prevent and suppress riots, routs, affrays, noises, disturbances, disorderly assemblies in any public or private place.

Seventy-third—To prohibit and punish cruelty to animals.

Seventy-fourth—To restrain and punish vagrants, mendicants and prostitutes.

Seventy-fifth—To declare what shall be a nuisance, and to abate the same; and to impose fines upon parties who may create, continue or suffer nuisances to exist.

Seventy-sixth—To appoint a board of health, and prescribe its powers and duties.

Seventy-seventh—To erect and establish hospitals and medical dispensaries, and control and regulate the same.

Seventy-eighth—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

Seventy-ninth—To establish and regulate cemeteries, within or without the corporation, and acquire lands therefor, by purchase or otherwise, and cause cemeteries to be removed, and prohibit their establishment within one mile of the corporation.

Eightieth—To regulate, restrain and prohibit the running at large of horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax on dogs.

Eighty-first—To direct the location and regulate the management and construction of packing houses, renderies, tallow chandleries, bone factories, soap factories and tanneries, within the limits of the city or village, and within the distance of one mile without the city or village limits.

Eighty-second—To direct the location and regulate the use and construction of breweries, distilleries, livery stables, blacksmith shops and foundries within the limits of the city or village.

Eighty-third—To prohibit any offensive or unwholesome business or establishment within, or within one mile, of the limits of the corporation.

Eighty-fourth—To compel the owner of any grocery, cellar, soap or tallow chandlery, tannery, stable, pig-sty, privy, sewer, or other unwholesome or nauseous house or place, to cleanse, abate, or remove the same, and to regulate the location thereof.

Eighty-fifth—The city council, or trustees of a village, shall have power to provide for the taking of the city or village census; but no city or village census shall be taken by authority of the council or trustees oftener than once in three years.

Eighty-sixth—To provide for the erection and care of all public buildings necessary for the use of the city or village.

Eighty-seventh—To establish ferries, toll bridges, and license and regulate the same, and from time to time fix tolls thereon.

Eighty-eighth—To authorize the construction of mills, mill-races and feeders on, through or across the streets of the city or village, at such places and under such restrictions as they shall deem proper.

Eighty-ninth—The city council shall have power, by condemnation or otherwise, to extend any street, alley or highway over or across, or to construct any sewer under or through any railroad track, right of way, or land of any railroad company (within the corporate limits); but where no compensation is made to such railroad company the city shall restore such railroad track, right of way or land to its former state, or in a sufficient manner not to have impaired its usefulness.

Ninetieth—The city council or board of trustees shall have no power to grant the use of or the right to lay down any railroad tracks

in any street of the city to any steam, dummy, electric, cable, horse or other railroad company, whether the same shall be incorporated under any general or special law of the State now or hereafter in force, except upon the petition of the owners of the land representing more than one-half of the frontage of the street, or so much thereof as is sought to be used for railroad purposes; and when the street or part thereof sought to be used shall be more than one mile in extent, no petition of land owners shall be valid unless the same shall be signed by the owners of the land representing more than one-half of the frontage of each mile and of the fraction of a mile if any in excess of the whole miles measuring from the initial point named in such petition, of such street or of the part thereof sought to be used for railroad purposes.

Ninety-first—To tax, license and regulate auctioneers, distillers, brewers, lumber yards, livery stables, public scales, money changers and brokers.

Ninety-second—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams and horses.

Ninety-third—To regulate and prohibit the keeping of any lumber yard, and the placing or piling or selling any lumber, timber, wood or other combustible material, within the fire limits of the city.

Ninety-fourth—To provide, by ordinance, that all the paper, printing, stationery, blanks, fuel, and all the supplies needed for the use of the city, shall be furnished by contract, let to the lowest bidder.

Ninety-fifth—To tax, license and regulate second-hand and junk stores, and to forbid their purchasing or receiving from minors, without the written consent of their parents or guardians, any article whatsoever.

Ninety-sixth—To pass all ordinances, rules, and make all regulations proper or necessary to carry into effect the powers granted to cities or villages, with such fines or penalties as the city council or board of trustees shall deem proper: *Provided*, no fine or penalty shall exceed \$200.00, and no imprisonment shall exceed six months for one offense.

§ 2. Whereas, some question exists as to the necessity of a petition signed by the property owners to authorize the granting to companies organized under what is known as the Horse and Dummy Act the right to use streets; therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED March 30, 1887.

WARDS.

§ 1. Amends section 4, article 4, act of 1872, by authorizing cities under special charters to divide the city into wards the same as under the general law.

AN ACT to amend section four (4) of article four (4) of chapter twenty-four (24) of the Revised Statutes of Illinois, entitled "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 four (4) of article four (4) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, be and the same is hereby amended so as to read as follows:

"Section 4. [WARDS.] The city council of any city in this State, whether organized under this act or under any special law of this State, may, from time to time, divide the city into one-half as many wards as the total number of aldermen to which the city is entitled; and one alderman shall annually be elected in and for each ward, to hold his office for two years, and until his successor is elected and qualified. In the formation of wards, the population of each shall be as nearly equal and the ward shall be of as compact and contiguous territory as practicable."

APPROVED June 17, 1887.

ELECTION OF THE PRESIDENT OF THE BOARD OF TRUSTEES.

§ 1. Creates the office of president of the board of trustees of villages and towns, and provides for an election annually.	§ 2. Repeals acts in conflict.
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AN ACT concerning villages and incorporated towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in addition to the trustees and officers required by law, a president of each and every village and incorporated town shall hereafter be elected annually by the voters of such village or town, at the regular election of such village or town, commencing with the election of such village or town held in the year A. D. 1858, and such president of any village or incorporated town shall hold his office for the term of one year and until his successor is elected and qualified. The president of any village or incorporated town shall be president of the board of trustees thereof, and shall preside at all meetings of said board, and shall have the same powers and perform the same duties as are or may be given by law to the president of boards of trustees in villages, but he shall not vote except in case of a tie, when he shall give the casting vote.

§ 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

APPROVED June 9, 1887.

ITINERANT MERCHANTS.

§ 1. Councils in cities and Boards of Trustees in villages may tax, regulate and suppress.

AN ACT to extend the powers of the city council in cities, and the president and board of trustees in villages and incorporated towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the city council in cities, and the president and board of trustees in villages and incorporated towns, shall have power to license, tax, regulate, suppress or prohibit itinerant merchants and transient venders of merchandise.*

APPROVED June 16, 1887.

FIREMEN'S PENSION FUND.

§ 1. Cities, villages and incorporated towns of 50,000 inhabitants or over, may create a Firemen's Pension Fund; treasurers of such cities, towns and villages, *ex-officio* treasurers of such fund.

§ 2. Board of trustees; organization.

§ 3. Control of fund; assessment of members of fire department; record of proceedings.

§ 4. Rewards, gifts and bequests shall constitute part of the fund; permanent fund.

§ 5. Investment of fund.

§ 6. Interest on fund applicable for the payment of pensions.

§ 7. Eligibility to pension on account of disability; limit of amount.

§ 18. Eligibility to pension on account of dependence.

§ 9. Beneficiaries under the act of 1877, for relief of disabled members, entitled to the benefits of this act.

§ 10. Eligibility to pension on account of long service.

§ 11. Application of this act.

§ 12. Treasurer of board custodian of fund; bond.

§ 13. Funds paid over by cities, villages and towns.

§ 14. Warrants drawn upon the pension fund.

§ 15. Report of board to cities, villages and towns of the condition of fund annually.

§ 16. Pension moneys exempt from levy and execution.

§ 17. Repeals all acts in conflict.

AN ACT to create a board of trustees of the firemen's pension fund; to provide and distribute such fund for the pensioning of disabled firemen, and the widows and minor children of deceased firemen; to authorize the retirement from service and the pensioning of members of the fire department, and for other purposes connected therewith, in cities, villages or incorporated towns, whose population exceeds fifty thousand inhabitants, having a paid fire department.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That in all cities, villages or incorporated towns, whose population exceeds fifty thousand, having a paid fire department, one (1) per centum of all revenues collected or received by such cities, villages or incorporated towns from licenses issued by such cities, villages or incorporated towns, shall be set apart by the treasurer of such cities, villages or incorporated towns, to whom the same shall be paid, as a fund for the pensioning of disabled and superannuated members of the fire depart-*

ments, and of the widows and orphans of deceased members of the fire departments of such cities, villages or incorporated towns. The treasurers of such cities, villages or incorporated towns shall be, *ex-officio*, treasurers of such fund.

§ 2. The treasurer, clerk, attorney, marshal, or chief officer of the fire department, and the comptroller of such city, village or incorporated town, shall constitute and be a board by the name of the "Board of Trustees of the Firemen's Pension Fund." The said board shall select from their number a president and secretary: *Provided*, that in villages and incorporated towns the "Board of Trustees of the Firemen's Pension Fund" shall consist of the president of the board of trustees, the town or village clerk, the town or village attorney, and the chief officer of the fire department.

§ 3. The said board shall have the exclusive control and management of the fund mentioned in the first section of this act, and of all money donated, paid or assessed for the relief or pensioning of disabled or superannuated firemen, their widows or orphans, and shall assess each member of the fire department not to exceed one per centum of the salary of such member: *Provided* said one per centum shall not exceed twenty dollars per annum, to be deducted and withheld from the monthly pay of each member so assessed, the same to be placed by the treasurer of such city, village or incorporated town, who shall be *ex-officio* treasurer of such board, to the credit of such fund, subject to the orders of such board. The said board shall make all needful rules and regulations for its government in the discharge of its duties, and shall hear and decide all applications for relief or pensions under this act, and its decisions on such applications shall be final and conclusive, and not subject to review or reversal except by the board: *Provided*, that nothing herein contained shall render the payment of any sum of money or annuity, which may be awarded by the board, obligatory on the board or chargeable against it as a legal right. The board shall cause to be kept a record of all its meetings and proceedings.

§ 4. All rewards in moneys, fees, gifts and emoluments that may be paid or given for or on account of extraordinary services by said fire department, or any member thereof (except when allowed to be retained by said member, or given to endow a medal or other permanent or competitive award), shall be paid into said pension fund. And the said board of trustees may take by gift, grant, devise or bequest, any money, real estate, personal property, right of property, or other valuable thing, the annual income of which shall not exceed one hundred thousand dollars in the whole; and such money, real estate, personal property, right of property, or other valuable thing so obtained shall, in like manner, be paid into said pension fund and treated as a part thereof: *Provided*, that the sum of two hundred thousand dollars, which may be received and accumulated under the provisions of this act (aside from such gifts, grants, devices or bequests), shall be, when so received and accumulated, retained as a permanent fund, the annual income of which may be made available for the uses and purposes of such pension fund.

§ 5. The said board of trustees shall have power to draw such pension fund from the treasury of such city, village or incorporated town, and may invest such fund, or any part thereof, in the name of the "Board of Trustees of the Firemen's Pension Fund," in interest-bearing bonds of the United States, of the State of Illinois, of any county of this State, or of any township or any municipal corporation of the State of Illinois. And all such securities shall be deposited with the treasurer of said city, village or incorporated town as *ex-officio* treasurer of said board, and shall be subject to the order of said board.

§ 6. The interest received from any such investment of said fund, after said fund shall have reached the sum of two hundred thousand dollars, shall be applicable to the payment of pensions under this act. And when such interest shall become so applicable, it shall be in the power of the council of said city, village or incorporated town to diminish such annual rate of one (1) per centum from licenses, so that said income from interest and from licenses shall meet the requirements of the pension lists as provided by this act.

§ 7. If any member of the fire department of any such city, village or incorporated town shall, while in the performance of his duty, become and be found, upon an examination by a medical officer ordered by said board of trustees, to be physically or mentally permanently disabled so as to render necessary his retirement from all service in said fire department, such board of trustees shall have the power to retire such permanently disabled member from all service in such fire department: *Provided*, no such retirement on account of disability shall occur unless said member has contracted said disability while in the service of said department, or unless he shall have, at the time of said retirement on account of such disability, have served for ten years continuously, and upon such retirement, the said board of trustees may order the payment to such permanently disabled member, monthly, from said pension fund, of a sum equal to one-half of the monthly compensation allowed such member as salary at the date of his retirement: *Provided*, that no pension paid under this act shall exceed the sum of one thousand dollars per annum.

§ 8. If any member of such fire department shall, while in the performance of his duty, be killed, or die from the effects of any injury thus received, or of any disease thus contracted; or if any member of such fire department shall, after ten years continuous service therein, die from any cause contracted in the service, and such member so killed or dying from said injuries or disease, or after said term of continuous service or during retirement, as heretofore provided, shall leave a widow or minor child or children under sixteen years of age, said board of trustees may authorize and direct the payment from said pension fund of the following sums, monthly, to-wit: To such widow, while unmarried, thirty dollars; to the guardian of such minor child or children, six dollars for each of said children while under the age of sixteen years: *Provided*, that there shall not be paid into the family of any deceased member more than one-half of the amount of the monthly

salary of such deceased member at the time of his decease, or, if retired, at the time of his retirement: *Provided*, the total payments to any one family shall not exceed an amount equal to one-half of the amount attached to the rank the deceased member held; and in no case shall exceed the amount of one thousand dollars per annum: *And, provided further*, that if at any time there shall not be sufficient money to the credit of said pension fund to pay to each person entitled to the benefit thereof, the full amount per month as hereinbefore stated, then, and in that event, an equal percentage of said monthly payment shall be made to each beneficiary thereof, until said fund shall be so replenished as to warrant the renewal of payments in full to each of said beneficiaries.

§ 9. The widows and orphans of deceased firemen and retired members of the fire department, who are now entitled to pension or annuity under the provisions of an act entitled "An act for the relief of disabled members of the police and fire departments in cities and villages," approved May 24, 1877, as amended, shall be entitled to the benefits, pensions and annuities provided for by this act: *Provided*, such persons shall thereupon cease to receive pensions, relief or benefits under said act of May 24, 1877.

§ 10. Any member of the fire department of any such city, village or incorporated town, after having served twenty-five years of consecutive service in such fire department, and having arrived at the age of fifty years, may make application to said board of trustees to be retired from active service in said fire department; and it shall be the duty of said board of trustees, upon an examination and recommendation of a medical officer appointed by said board, and their finding that such member is disqualified, physically or mentally, for further active service, to order said member to be retired; and upon such retirement said board of trustees may authorize the payment to such retired member, monthly, from said pension fund, of a sum equal to one-half of the monthly compensation allowed such member as salary at the date of his retirement: *Provided*, no such payment shall exceed the sum of one thousand dollars per annum, or such less sum in proportion to the number of members so retired as the condition of said fund will warrant. And said board shall have the power to assign such applicants for retirement to the performance of light duty upon full pay, in lieu of such retirement upon half pay. And after the death of such member, his widow and children under sixteen years of age, if any surviving him, shall be entitled to the pensions provided in this act; but nothing in this or any other section of this act shall warrant the payment of any annuity to any widow of a deceased member of said department after she shall have remarried.

§ 11. This act shall apply to all persons who are now, or shall hereafter become, members of such fire departments, and all such persons shall be eligible to the benefits secured by this act.

§ 12. The treasurer of the board shall be the custodian of said pension fund, and shall secure and safely keep the same, subject to the control and direction of the board; and shall keep his books

and accounts concerning said fund in such manner as may be prescribed by the board; and the said books and accounts shall always be subject to the inspection of the board or any member thereof. The treasurer shall, within ten days after his election or appointment, execute a bond to the city, village or incorporated town, with good and sufficient securities, in such penal sum as the board shall direct, to be approved by the board, conditioned for the faithful performance of the duties of his office, and that he will safely keep, and well and truly account for, all moneys and property which may come into his hands as such treasurer; and that on the expiration of his term of office, he will surrender and deliver over to his successor all unexpended moneys and all property which may have come to his hands as treasurer of such fund. Such bond shall be filed in the office of the clerk of such city, village or incorporated town, and in case of a breach of the same, or the conditions thereof, suit may be brought on the same in the name of such city, village or incorporated town, for the use of said board, or of any person or persons injured by such breach.

§ 13. It shall be the duty of the mayor or the president of the board of trustees and clerk, or the comptroller, if there be one, and the officer or officers of such city, village or incorporated town, who are or may be authorized by law to draw warrants upon the treasurer of such city, village or incorporated town, upon request made in writing by said board, to draw warrants upon the treasurer of such city, village or incorporated town, payable to the treasurer of said board, for all funds in the hands of the treasurer of such city, village or incorporated town, belonging to said pension fund.

§ 14. All moneys ordered to be paid from said pension fund to any person or persons, shall be paid by the treasurer of said board only upon warrants signed by the president of the board and countersigned by the secretary thereof; and no warrant shall be drawn except by order of the board duly entered in the records of the proceedings of the board. In case the said pension fund, or any part thereof, shall, by order of said board or otherwise, be deposited in any bank, or loaned, all interest or money which may be paid or agreed to be paid on account of any such loan or deposit, shall belong to and constitute a part of said fund: *Provided*, that nothing herein contained shall be construed as authorizing said treasurer to loan or deposit said fund, or any part thereof, unless so authorized by the board.

§ 15. The board of trustees shall make report to the council of said city, village or incorporated town of the conditions of said pension fund, on the first day of January in each and every year.

§ 16. No portion of said pension fund shall, either before or after its order of distribution by said board to such disabled members of said fire department, or to the widow or guardian of such minor child or children, or a deceased or retired member of such department, be held, seized, taken, subjected to or detained or levied on by virtue of any attachment, execution, injunction, writ, interlocutory or other order or decree, or any process or proceeding whatever issued out of or by any court of this State for the payment or satisfaction, in whole or in part, of any debt, damages,

claim, demand or judgment against such member, or his said widow, or the guardian of said minor child or children of any deceased member; but the said fund shall be sacredly held, kept, secured and distributed for the purpose of pensioning the persons named in this act, and for no other purpose whatever.

§ 19 [17]. All acts or parts of acts inconsistent with this act are hereby repealed.

APPROVED May 13, 1887.

POLICE PENSION FUND.

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| <p>§ 1. Sets apart certain moneys to constitute a Police Pension Fund.</p> <p>§ 2. Board of commissioners to disburse the fund.</p> <p>§ 3. Eligibility to pension on account of service.</p> <p>§ 4. Eligibility to pension on account of disability.</p> <p>§ 5. Evidence of disability.</p> <p>§ 6. Dependent family of policemen killed in service entitled to pension; pension to families of deceased members after ten years service.</p> <p>§ 7. Removal of disability.</p> | <p>§ 8. Forfeiture of pension for cause.</p> <p>§ 9. Board shall hold quarterly meetings; officers of the board; duties of officers; certificates, record and list of persons entitled to pension.</p> <p>§ 10. Powers of the board defined.</p> <p>§ 11. Annual report of treasurer of cities and villages of the amount of moneys received and paid out under the provisions of this act; bond of treasurer.</p> <p>§ 12. Beneficiaries of the act of 1877, for the relief of disabled members of the Police and Fire Departments in cities and villages, shall be beneficiaries under this act.</p> |
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AN ACT to provide for the setting apart, formation and disbursement of a police pension fund, in cities, villages and incorporated towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in each city, village, or incorporated town in this State having a population of fifty thousand inhabitants or more, there shall be paid to the treasurer thereof, and by him and the comptroller (if there be one) set apart, the following moneys, to constitute a police pension fund, viz:

1. Two per centum of all moneys received from licenses for the keeping of saloons or dram shops.
2. Three-fourths of all moneys received for taxes, or from licenses, upon dogs.
3. All moneys received from fines imposed upon members of the police force of said city, village or town, for violations of the rules and regulations of the police department.
4. All proceeds of sales of unclaimed stolen property.
5. One-fourth of all moneys received from licenses granted to pawnbrokers, second-hand dealers and junk stores.
6. All moneys received as fees and from fines for carrying concealed weapons.
7. One-half of all costs collected in money for violations of city ordinances.
8. All rewards given or paid to members of such police force except such as shall be excepted by the chief officer of police.

9. One per centum per month, which shall be paid by, or deducted from the salary of, each and every member of the police force of such city, village or town: *Provided*, no such member shall be compelled to pay more than two dollars per month from his salary.

§ 2. The president of the board of trustees, the comptroller, the city, village or town clerk, the superintendent or chief officer, or in his absence or inability to act, then the officer next in authority to him of the police department, the city, village or town treasurer, and the city, village or town attorney of any such city, village or town, shall *ex-officio* be and constitute a board of commissioners, to provide for the disbursement of said fund or funds, and designate the beneficiaries thereof as herein directed, which board shall be known as the board of police pension fund commissioners of such city, village or town.

§ 3. Whenever any person, at the time of the taking effect of this act, or thereafter, shall have been duly appointed and sworn, and have served for the period of twenty years or more upon the regularly constituted police force of any such city, village or town of this State, which now is, or hereafter may be, subject to the provisions of this act, said board shall order and direct that such person shall, after becoming fifty years of age and his service upon such police force shall have ceased, be paid from such fund a yearly pension equal to one-half the amount of the salary attached to the rank which he may have held on said police force for one year next preceding the expiration of said term of twenty years.

§ 4. Whenever any person, while serving as a policeman in any such city, village or town, shall become physically disabled while in, and in consequence of, the performance of his duty as such policeman, said board shall, upon his written request, or without such request if it deem it for the good of said police force, retire such person from active service and order and direct that he be paid from said fund a yearly pension, not exceeding one-half the amount of the salary attached to the rank which he may have held on said police force for one year next preceding such retirement: *Provided*, that whenever such disability shall cease such pension shall cease.

§ 5. No person shall be retired as provided in the next preceding section, or receive any benefit from said fund, unless there shall be filed with said board certificates of his disability, which certificates shall be subscribed and sworn to by said person, and by the police surgeon (if there be one), and two practicing physicians of such city, village or town, and such board may require other evidence of disability before ordering such retirement and payment as aforesaid.

§ 6. Whenever any member of the police force of such city, village or town shall lose his life while in the performance of his duty, or receive injuries from which he shall thereafter die, leaving a widow or child or children under the age of sixteen years, then upon satisfactory proof of such facts made to it, such board shall order and direct that a yearly pension equal to one-half the amount

of the salary attached to the rank which such member held on said police force at the time of his death, shall be paid to such widow during her life, or if no widow, then to such child or children, until they shall be sixteen years of age: *Provided*, if such widow or child, or children, shall marry, then such persons so marrying shall thereafter receive no further pension from such fund. Whenever any member of the police force shall die, after ten years' service therein, and while still in the service of such city, village or town, as such policeman, leaving a widow, or child or children under the age of sixteen years, then upon satisfactory proof of such facts made to it, said board may order and direct that such pension as said board may deem proper, not exceeding one-half the amount of the salary attached to the rank which he held at the time of his death, shall be paid to such widow, or if there be no widow, then to such child or children, until they shall be sixteen years of age, said pension to cease upon marriage, as provided above.

§ 7. Any person retired for disability under this act, may be summoned to appear before the board herein provided for, at any time thereafter, and shall submit himself thereto for examination as to his fitness for duty, and shall abide the decision and order of such board with reference thereto. And all members of the police force who may be retired under the provisions of this act, except those who voluntarily retire after twenty years' service, shall report to the chief of police of the city, village or town where so retired, on the second Tuesday of each and every month, and in cases of emergency may be assigned to, and shall perform, such duty as said chief of police may direct, and such persons shall have no claim against the city, village or town for payment for such duty so performed.

§ 8. Whenever any person who shall have received any benefit from said fund shall be convicted of any crime or misdemeanor, or shall become an habitual drunkard, or shall become a non-resident of this State, or shall fail to report himself for examination for duty as required herein, unless excused by the board, or shall disobey the requirements of said board under this act, in respect to said examination or duty, then such board shall order that such pension allowance as may have been granted to such person shall immediately cease and determine, and such person shall receive no further pension, allowance or benefit, under this act.

§ 9. The board herein provided for shall hold quarterly meetings on the second Tuesdays of April, July, October and January of each year, and upon the call of its president; it shall select from its members a president and secretary, who shall hold such respective positions until their successors are elected; it shall issue certificates, signed by its president and secretary, to the persons entitled thereto, of the amount of money ordered paid to such persons from such fund by said board, which certificates shall state for what purpose such payment is to be made; it shall keep a record of all its proceedings, which record shall be a public record; it shall, on the Tuesday named above, or at each quarterly meeting, send to the treasurer of its city, village or town, and to the comptroller or city, village or town clerk, a written or printed list

of all persons entitled to payments from the fund herein provided for, stating the amount of such payments and for what granted, as ordered by such board, which list shall be certified and signed by the president and secretary of such board, and by the secretary thereof attested under oath. A majority of all the members of said board shall constitute a quorum, and have power to transact business: *Provided*, that no resolution shall be passed, or order made, by such board for the payment of money, unless by the affirmative vote of a majority of all the members thereof.

§ 10. The board herein provided for shall, in addition to other powers herein granted, have power—

1—To compel witnesses to attend and testify before it upon all matters connected with the operation of this act, in the same manner as is or may be provided by law for the taking of testimony before masters in chancery, and its president, or any member of said board, may administer oaths to such witnesses.

2—To appoint a clerk and define his duties.

3—To provide for the payment from said fund of all its necessary expenses, including clerk hire, printing, and witness fees: *Provided*, that no compensation or emolument shall be paid to any member of said board for any duty required or performed under this act.

4—To make all needful rules and regulations for its guidance in conformity with the provisions of this act.

§ 11. On the third Tuesday of April of each year, the treasurer of every such city, village or town shall make a sworn report to the board herein provided for, and to the mayor and city council of such city, or the president of, and the board of trustees of, such city, village or town, of all moneys received and paid out by him on account of said fund during the previous year, and of the amount of said fund then in his hands; and all surplus of said fund then remaining in his hands, exceeding the average amount per year paid out by him on account of said fund during the three years next preceding, shall be by him transferred to and become a part of the funds of every such city, village or town, and no longer under the control of said board or subject to its order; and whenever this act shall take effect in any such city, village or town, the treasurer thereof shall give a new bond the same as now is or hereafter may be required by law, which new bond, when so given and the sureties thereon, shall be for the security of such fund, the same as other funds belonging to any such city, village or town. Payments provided for in this act shall be made by such treasurer quarterly, upon proper vouchers.

§ 12. All members of the police force, and any widow or child or children of such members of any such city, village or town, who, upon the taking effect of this act, shall be entitled to receive any benefit under an act entitled "An act to amend an act for the relief of disabled members of the police and fire departments in cities and villages," approved May 24, 1877, in force July 1, 1877, as amended by act approved May 10, 1879, in force July 1, 1879, shall receive no payments or benefits under said act, but shall in lieu thereof be entitled to the benefits provided for in this act. But

if at any time there shall not be sufficient moneys belonging to such fund to pay the allowances of such board to its beneficiaries, then they shall be paid *pro rata* from such fund, but no allowance or order of such board shall be held to create any liability against any such city, village or town, except upon the fund so set apart as aforesaid for the payment thereof.

APPROVED April 29, 1887.

CHICAGO DRAINAGE DISTRICT.

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| <p>§ 1. Organizes the city of Chicago into a drainage district, under the act of 1885.</p> <p>§ 2. Cut-off drain or ditch to be constructed north of Chicago as part of drainage system, from Desplaines River to Lake Michigan.</p> | <p>§ 3. Water diverted by cut-off.</p> <p>§ 4. Dam may be constructed across Mud Lake Valley.</p> <p>§ 5. Right of way.</p> <p>§ 6. Compensation for damages and cost of improvements, how provided for.</p> |
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AN ACT to organize the city of Chicago into a drainage district, and to define the powers and duties of the corporate authorities thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the city of Chicago is hereby organized as a drainage district, and the corporate authorities of such city may exercise the powers conferred by an act entitled "An act to vest the corporate authorities of cities and villages with power to construct, maintain and keep in repair drains, ditches, levees, dykes and pumping works for drainage purposes, by special assessment upon the property benefited thereby," approved June 22, 1835, and are hereby vested with the further powers hereinafter granted.

§ 2. Such corporate authorities may lay out, construct and maintain a cut-off drain or ditch for the diversion of the flood waters of the Desplaines River into Lake Michigan, at some point north of the city of Chicago, for the relief and in aid of the drainage system established or to be established within said district, the location and route, dimensions and capacity of such cut-off to be determined by said corporate authorities. If the location of such cut-off shall occupy a portion of the North Branch of the Chicago River, said North Branch may be widened and deepened as shall be required. Such cut-off or diversion may be so constructed and maintained as to answer the purpose of a drain for the lands through which it shall pass, and such corporate authorities may allow said lands to be drained into the same upon such terms and conditions as they may determine: *Provided*, such corporate authorities shall not be allowed to interfere with any right of drainage which the owners of land have or would have, if such cut-off had not been made.

§ 3. No more of the water of the Desplaines River shall be diverted by any such cut-off than the excess above the ordinary water mark in said stream. At the point of diversion there shall be constructed and maintained such dams and sluices as shall control and regulate the amount of such diversion at all times. During dry weather no water shall be diverted in Lake Michigan, and during

floods no more water shall be allowed to pass said point of diversion down the river than three thousand (3,000) cubic feet per second.

§ 4. Such corporate authorities may construct and maintain, if the same shall be found desirable and expedient, a dam across what is known as the Mud Lake Valley on or near the west line of sections six and seven, township thirty-eight north, range thirteen east of the third principal meridian, of such dimensions and elevation as may be determined upon.

§ 5. Such corporate authorities may acquire by purchase, gift, condemnation or otherwise all the real and personal property, rights of way and easements within or without the district necessary for the construction and maintenance of the works hereby authorized, and shall have the same control and jurisdiction of the property without as of that within the district. They shall have the right to construct the cut-off herein authorized, across, under, over, along or upon any water-course, street, highway, public ground, railroad or turnpike, which the route of the same may intersect or touch; but shall not interrupt the use thereof longer, nor to a greater extent, than shall be necessary for the purpose.

§ 6. Whenever it shall be necessary to take or damage private property, for any purpose contemplated by this act, whether within or without said drainage district, the compensation therefor may be ascertained and the proceedings for the condemnation thereof may be had in the manner provided in article nine of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and the cost of constructing and maintaining the improvements herein provided for may be defrayed by special assessment upon the property benefited thereby, within such district only, said assessments to be levied and collected as provided in said article nine.

APPROVED June 6, 1887.

CONVEYING REAL ESTATE FOR SCHOOL PURPOSES.

§ 1 Authorizes corporate authorities of cities, towns and villages under special charters to convey real estate for school sites, to school trustees of the township.

AN ACT to permit towns, cities and villages incorporated by special charter to convey real estate for school purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any town, city or village incorporated by a special charter granted by the General Assembly of the State of Illinois, holding title to or having an interest in any real estate, may, by proper deed of conveyance, executed by the corporate authorities of said town, city or village, when authorized by ordinance, sell and convey the same to the trustees of schools of the township in which such real estate is situated, to be used as a school site for the school district in which such real estate is situated.

APPROVED May 21, 1887.

 LOCKPORT.

§ 1. Repeals section 4, act 1869, amending the charter.

AN ACT to repeal section number four (4) of "An act to amend the charter of the village of Lockport," passed, February 12, 1853, amended and in force February 26, 1869.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section number four of "An act to amend the charter of the village of Lockport," in force February 26, 1869, be and the same is hereby repealed.

APPROVED June 15, 1887.

TRENTON.

§ 1. Repeals the charter of the town of Trenton.

AN ACT to repeal an act to incorporate the town of Trenton, in the county of Clinton and State of Illinois.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an act entitled "An act to incorporate the town of Trenton, in the county of Clinton and State of Illinois," approved February 16, 1865, be and the same is hereby repealed.

APPROVED June 15, 1887.

 CLERKS OF COURTS.

BOOKS OF RECORD, DOCKETS AND INDICES, OPEN TO THE PUBLIC.

§ 1. Amends section 16 act 1874, by providing that all persons shall have free access to such records, dockets and papers, and to make memoranda and abstracts thereof.

AN ACT to amend section sixteen (16) of an act entitled "An act to revise the law in relation to clerks of courts," approved March 25, 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 sixteen (16) of an act entitled "An act to revise the law in relation to clerks of courts," approved March 25, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

"Section 16. The respective clerks of the circuit courts, the superior court of Cook county, and the county court, shall keep in their offices the following books, to-wit:

First—A general docket upon which shall be entered all suits in the order in which they are commenced.

Second—Two well-bound books to be denominated, "Plaintiff's Index to Court Records," and "Defendant's Index to Court Records," to be ruled and printed substantially in the following manner:

Plaintiff's.		Defendant's.		Kind of Action.		Term Com- menced.		Record Book.		Pages.	
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Term Disposed of.		Date of Judgment.		Judgment Docket.		Execution Docket <i>fl fa</i> .		Execution Docket Alias.		Execution Docket Pluries.	
				Book.	Page.	Book.	Page.	Book.	Page.	Book.	Page.
Fee Book.		Certificate of Levy.		Certificate of Sale.		Certificate of Redemption.		Satisfied or not Satisfied.		Number of Case.	
Book.	Page.	Book.	Page.	Book.	Page.	Book.	Page.				

In which all cases shall be entered in alphabetical order, by the name of each plaintiff and defendant. Said books shall set forth the names of the parties, kind of action, term commenced, the record books and pages on which said cases are recorded, the term disposed of, date of judgment, books and pages of the judgment dockets, execution dockets, fee books, certificates of levy, sale and redemption, records on which they are entered, satisfied or not satisfied, and number of case. The defendant's index shall be ruled and printed in the same manner as the plaintiff's, except the parties shall be reversed.

Third—Proper books of record, with indices, showing the names of all the parties to any suit or judgment therein recorded, with a reference to the page where it is recorded.

Fourth—A judgment and execution docket, in which all final judgments and decrees shall be minuted at the time they are entered, or within sixty days thereafter, in alphabetical order, by the name of every person against whom the judgment or decree is entered, showing, in the proper columns ruled for that purpose, the names of the parties, the date, nature of the judgment or decree, amount of debt, damages and costs in separate items, for which it is issued, to whom issued, when returned, and the manner of its execution; a blank column shall be kept, in which may be entered a note of the satisfaction or other disposition of the judgment or decree, and when satisfied by execution or otherwise, or set aside or enjoined, the clerk shall enter a minute thereof in such column, showing how

disposed of, the date, and the book and page where the evidence thereof is to be found. Such dockets may be searched by persons at all reasonable times, without fee.

Fifth—A fee book, in which shall be distinctly set down, in items, the proper title of the cause, and heads, the cost of each suit, including clerk's, sheriff's and witness fees, stating the name of each witness having claimed his attendance during the term, with the number of days he attended at each term. It shall not be necessary to insert the costs in the judgment or decree; but whenever a suit is determined and final judgment entered, the costs of each party litigant shall be made up and entered in such fee book, which shall be considered a part of the record and judgment, subject, however, at all times to be corrected by the court; and the prevailing party shall be considered as having recovered judgment for the amount of the costs so taxed in his favor, and the same shall be included in the execution issued upon such judgment or decree, and a bill thereof accompanying each execution. If any clerk shall issue a fee bill, or a bill of costs, with the execution, without first entering the same in his fee book, or if any such bill of costs or fee bill shall be issued which shall not be in substance a copy of the recorded bill, the same shall be void. Any person having paid such bill of costs or fee bill, may recover from the clerk the amount thereof, with costs of suit, in any court of competent jurisdiction.

Sixth—The clerk's, judge's and bar docket, as provided by section fourteen of the act in relation to practice in courts of record, with the alphabetical indices thereto, by the name of each plaintiff and defendant.

Seventh—Such other books of record and entry as are provided by law, or may be required in the proper performance of their duties. All records, dockets and books required by law to be kept by such clerks shall be deemed public records, and shall at all times be open to inspection without fee or reward. And all persons shall have free access for inspection and examination to such records, dockets and books, and also to all papers on file in the different clerk's offices, and shall have the right to take memoranda and abstracts thereof."

APPROVED June 16, 1887.

CORPORATIONS.

BUILDING, LOAN AND HOMESTEAD ASSOCIATIONS.

§ 1. Amends section 11, act of 1879, by exempting stocks and notes of such corporations from taxation.

AN ACT to amend section 11 of an act entitled "An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such association," in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 11 of an act entitled "An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such association," be amended so as to read as follows:

"Section 11. Corporations organized under this act being of the nature of co-operative associations, therefore no premiums, fines, nor interest on such premiums that may accrue to said corporation according to the provisions of this act, shall be deemed usurious, and the same may be collected as other debts of like amount may be collected by law in this State; and all money paid to such corporation being at once loaned out and placed into taxable property, and the shares of stock and notes provided for in this act being simply evidence as to where such money has been placed, therefore such stock and notes shall not be subject to taxation."

APPROVED June 16, 1887.

BUILDING, LOAN AND HOMESTEAD ASSOCIATIONS.

§ 1. Amends sections 8 and 10 of the act of 1879. § 8—Amended so as to permit the premiums bid for a loan to be paid in installments. § 10—Amended by adding the proviso.

AN ACT to amend sections eight (8) and ten (10) of an act entitled "An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such associations," in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections eight (8) and ten (10) of an act entitled "An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such associations," in force July 1, 1879, be and the same are hereby so amended as to read as follows:

"Section 8. The board of directors shall hold such stated meetings, not less frequently than once a month, as may be provided by

the by-laws, at which the money in the treasury, if one hundred dollars or more, shall be offered for loan in open meeting; and the stockholders who shall bid the highest premium for the preference or priority of the loan, shall be entitled to receive a loan of one hundred dollars for each share of stock held by said stockholder; the said premium bid may be deducted from the loan in one amount, or may be paid in such proportionate amounts or installments, and at such times during the existence of the shares of stock borrowed upon, as may be designated by the by-laws of the respective associations: *Provided*, that no loan shall be made by said corporation except to its own members, nor in any sum in excess of the amount of stock held by such members borrowing: *And, provided*, that such stockholder may borrow such fractional part of one hundred dollars as the by-laws may provide. Good and ample real estate security, unincumbered, except by prior loans of such association, shall be given by the borrower to secure the repayment of the loan: *Provided, however*, that the stock of such association may be received as security to the amount of the withdrawal value of such stock."

"Section 10. A borrower may repay a loan at any time, and in the event of the repayment thereof before the expiration of the eighth year after the organization of the association, or the date of issue of the series of stock in such association on which the loan may have been made, there shall be refunded to such borrower one-eighth of the premium paid for every year of the said eight years then unexpired: *Provided*, that where the said premium has not been deducted from the loan, but paid in installments, there shall be no premium refunded; and any mutual building, loan and home-stead association which may have heretofore been incorporated under the laws of the State of Illinois, may avail itself of all the powers conferred by this act."

APPROVED June 17, 1887.

CHANGING NAMES, PLACES OF BUSINESS, ETC.

- § 1. Amends section 1, act of 1872, by authorizing eleemosynary or religious corporations to change the manner of electing trustees, and to permit the alumni to vote for trustees.

AN ACT to amend section 1 of an act entitled "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies, so as to enable eleemosynary or religious corporations to change the time and manner of electing directors, and to allow the alumni to vote in the election of the trustees, or a part thereof," 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 of an act entitled "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies, so as to enable eleemosynary or religious corporations to change the time and manner of electing directors, and to allow the alumni to vote in the election of the trustees, or a part thereof," approved and in force March 26, 1872, be and the same is hereby amended so as to read as follows:

"Section 1. That whenever the board of directors, managers or trustees of any corporation existing by virtue of any general or special law of this State, or any corporation hereafter organized by the virtue of any law of this State, may desire to change the name, to change the place of business, to increase or decrease the capital stock, to increase or decrease the number of directors, managers or trustees, or to consolidate said corporation with any other corporation now existing, or which may hereafter be organized, they may call a special meeting of the stockholders of such corporation, for the purpose of submitting to a vote of such stockholders the question of such change of name, change of place of business, increase or decrease of number of directors, managers or trustees, increase or decrease of capital stock, or consolidation with some other corporation, as the case may be, and further, that eleemosynary or religious corporations, for educational purposes, acting under the general law, or by virtue of special charter, are authorized to change the time and manner of electing the trustees, and to allow the alumni of said corporations to vote in the election of the trustees, or a part thereof: *Provided*, that in changing the name of any other corporation under the provisions hereof, no name shall be assumed or adopted by any corporation similar to, or liable to be mistaken for, the name of any other corporation organized under the laws of this State, without the consent of such other corporation; and that in no case shall the capital stock be diminished to the prejudice of the creditors of such corporation, or the number of directors, managers or trustees be reduced to less than five, or increased to more than eleven: *And provided, further*, that no corporation shall, by virtue hereof, change its place of business from any town, county or municipality, or any of the inhabitants thereof, or any person or persons interested therein, shall have donated or in any manner contributed any money, or other valuable thing, to induce such corporation to locate in such town, county or municipality: *And provided, further*, that the provisions of this act in reference to the consolidation of corporations shall only apply to corporations of the same kind and engaged in the same general business, and carrying on their business in the same vicinity; and that no more than two corporations now existing shall be consolidated into one under the provisions hereof."

APPROVED June 14, 1887.

CO-OPERATIVE ASSOCIATIONS FOR PROFIT.

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| <p>§ 1. Corporations may be organized as co-operative associations in any branch of industry; statement filed with Secretary of State; license; name.</p> <p>§ 2. Subscription to capital stock.</p> <p>§ 3. Organization may be completed when ten shares have been subscribed.</p> <p>§ 4. Report of commissioners; final certificate of organization; record of certificate; limitation.</p> <p>§ 5. Corporate powers.</p> <p>§ 6. Directors; officers; by-laws.</p> <p>§ 7. Compensation of directors and officers; duties of the secretary.</p> <p>§ 8. Value of shares of stock; payable in installments; forfeiture by non-payment; reissue of forfeited shares.</p> <p>§ 9. Assignment of stock; liability; vote of shares.</p> <p>§ 10. Dividends based on product of shareholder; piece and hour work; appeals</p> <p>§ 11. Employment of labor other than shareholders prohibited; substitutes.</p> <p>§ 12. Estate of shareholder; substitute.</p> | <p>§ 13. Increase of membership.</p> <p>§ 14. Power reserved to the State.</p> <p>§ 15. Corporate existence continued after expiration of charter to close affairs; dissolution shall not effect liability.</p> <p>§ 16. Books of account open to shareholders.</p> <p>§ 17. Failure to elect directors, effect.</p> <p>§ 18. Assessments for unpaid stock.</p> <p>§ 19. Indebtedness in excess of capital stock.</p> <p>§ 20. Payment of dividend by insolvent company.</p> <p>§ 21. Monthly meetings of directors.</p> <p>§ 22. Monthly meetings of shareholders; quorum.</p> <p>§ 23. By-laws—adoption, amendment and repeal.</p> <p>§ 24. Forfeiture of charter; liability of members for indebtedness.</p> <p>§ 25. Courts shall have power to dissolve associations; receivers.</p> <p>§ 26. Record evidence.</p> |
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AN ACT to provide for the incorporation of co-operative associations for pecuniary profit.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any number of persons, not less than three nor more than seven, may desire to become incorporated as a co-operative association for the purpose of prosecuting any branch of industry, they shall make a statement to that effect under their hands and seals, duly acknowledged, before some officer in the manner provided for the acknowledgment of deeds, setting forth the name of the proposed corporation, its capital stock, its location, and duration of the association, and the particular branch of industry which they intend to prosecute, which statement shall be filed in the office of the Secretary of State. The Secretary of State shall thereupon issue to such persons a license as commissioners to open books for subscription to the capital stock of such association, at such time and place as they may determine. No license shall be issued to two associations of the same name. The name of the city, village or town, in which the association may be located, shall form no part of the name.

§ 2. No person shall be permitted to subscribe more nor less than one share to the capital stock of such association, nor shall any person be permitted in any manner to own or control more or less than one share in such association.

§ 3. As soon as ten shares or more of the capital stock shall be subscribed, the commissioners shall convene a meeting of the subscribers for the purpose of electing directors, adopting by-laws and transacting such other business as shall properly come before them. Notice thereof shall be given by depositing in the postoffice, properly addressed to each subscriber, at least ten days before the time fixed, a written or printed notice, stating the object, time and place of such meeting. Directors of associations, organized under this act

shall be elected, classified and hold their office for such period of time as is provided by general law governing the election and classification of directors, trustees or managers of corporations.

§ 4. The commissioners shall make a full report of their proceedings, including therein a copy of the notice provided for in the foregoing section, a copy of the subscription list, a copy of the by-laws adopted by the association, and the names of the directors elected and their respective terms of office, which report shall be sworn to by at least a majority of the commissioners, and shall be filed in the office of the Secretary of State. The Secretary shall thereupon issue a certificate of the complete organization of the association, making a part thereof a copy of all papers filed in his office in and about the organization of the corporation, and duly authenticated under his hand and seal of State; and the same shall be recorded in the office of the recorder of deeds in the county in which the principal office of such association is located. Upon the recording of said copy the association shall be deemed fully organized and may proceed to business. Unless such association shall be organized and shall proceed to business within three years after the date of such license, the license to form such association shall be deemed revoked, and all proceedings thereunder shall be void.

§ 5. Associations formed under this act shall be bodies corporate and politic for the period for which they are organized; may sue and be sued; may have a common seal, which they may alter or renew at pleasure; may own, possess and enjoy so much real and personal estate as shall be necessary for the transaction of their business, and may sell and dispose of the same when, in the opinion of the shareholders, it is not required for the uses of the association. They may borrow money at legal rates of interest and pledge their property, both real and personal, to secure payment thereof, and may have and exercise all powers necessary and requisite to carry into effect the objects for which they may be formed.

§ 6. The corporate powers shall be exercised by a board of directors, the number of which shall be fixed by the by-laws of the association, but the number may be increased or diminished by a majority of the shareholders at any properly called meeting. The officers of the association shall consist of a president, vice-president, secretary and treasurer, to be elected by the shareholders at their annual meeting, as may be provided for in the by-laws of the association, who shall be elected at some regular meeting of the shareholders, as may be by by-laws provided. All by-laws of the association shall be adopted by the shareholders of the association.

§ 7. No officer or director shall receive any compensation for his services, except such as may be provided for in the by-laws of the association. It shall be the duty of the secretary to be present at all meetings of the directors, and meetings of the shareholders, and faithfully make and preserve a record of all the proceedings of such meetings, which record shall be kept in a suitable place accessible to the inspection of any shareholder. He shall be the book-keeper of the association; shall keep the accounts between the association and the individual shareholders, officers and agents

thereof, and between the association and all parties with whom it may transact business, and such other duties as may be imposed upon him by the by-laws of the association.

§ 8. The shares of stock shall not be less than \$50, nor more than \$2,000 per share, and subscriptions therefor shall be made payable to the association and in installments, and at such time or times as shall be determined by the shareholders, and an action may be maintained in the name of the association to recover any installment which shall remain due and unpaid for the period of thirty days after personal demand therefor; or, in cases where personal demand is not made, within thirty days after a written or printed notice has been deposited in the postoffice, properly directed to the postoffice address of the shareholder. The association may, by by-laws, prescribe other penalties for a failure to pay the installments that may from time to time become due, but no penalty working forfeiture of stock, or the amount paid thereon, shall be declared against any shareholder until the personal demand or written or printed notice, above provided for, shall have been made. Whenever a share of stock shall be forfeited, such share shall then become the property of the association, and may be re-issued to any person not already holding a share. But any proceeds received from such re-issue, over and above the amount due on said share, by the association, shall be paid to the delinquent shareholder.

§ 9. Every assignment or transfer of stock, on which there remains any portion unpaid, shall be recorded in the books of the association, and each shareholder shall be liable, jointly with the association as well as severally, for the debts of the association, to the extent of the amount that may be unpaid upon the share held by him. No assignor of a share shall be released from any such indebtedness by reason of any assignment of his share, but shall remain liable therefor jointly with the assignee and the association or severally, until the stock is fully paid up. Every assignee of a share shall be liable for the amount unpaid thereon, the same as if he had been an original shareholder. No assignment shall be made to any person who already holds a share. No assignee or transferee of stock shall have any equitable or legal title in the same, or have the right to vote at any shareholders' meeting until such assignment or transfer shall be recorded as above provided for. On no question shall any shareholder have more than one vote.

§ 10. All dividends of profits made by any association, incorporated under this act, shall be made in proportion to the amount of work performed, or product produced by each shareholder, and the association shall decide by by-law whether each shareholder's work or product shall be measured by the piece or by the day or hour, or may classify the work and measure some by the piece, some by the day and some by the hour, as the exigencies of the case may demand. The association shall also provide by by-law how different kinds of piece-work shall be rated, and how piece-work shall be rated with day or hour work; shall provide how and by whom all kinds of work shall be received as properly executed from the shareholders for the association; shall provide the manner of giving out material to the different shareholders with which to

work, and as to what position or location shall be assigned to each shareholder and by whom. Should any shareholder be dissatisfied with the decision upon his work, or with the material given him, or the position or location assigned him, he may appeal to the association at some regular meeting of the shareholders, whose decision shall be final. The association may provide by by-law how such appeal may be conducted. If, in any kind of industry, it should be impossible to assign all shareholders to equally advantageous positions or locations in work, the association may provide that shareholders shall periodically change places, or provide any other method of equalizing such matters in accordance with justice and equity.

§ 11. It shall be unlawful for the association to hire any person to engage in the principal business for which the association was organized to prosecute, it being the intent of this act that such labor shall be performed by the shareholders of the association to preserve the co-operative feature. It shall be lawful for any shareholder, in case he shall be detained from work by sickness of self or family, or very urgent business, to employ and furnish a competent substitute to perform such labor as would be assigned to the absent shareholder; and in such case the dividends shall be made to such shareholder the same as if he was present performing his labor himself. The association shall not be liable in any manner for the pay of such substitute.

§ 12. Whenever any shareholder may die, his share shall become a personal asset of his estate, and may be sold by his legal representative to any person, or may be awarded as a dividend of the estate to any person competent to work the share, or to any devisee or legatee competent to work the share, not already a shareholder, and the same may be assigned or transferred in the same manner and subject to the same regulations prescribed in section 9 of this act. Such legal representative shall have the right to furnish a competent substitute to work the share of such deceased person for the space of two years after the death of the deceased, unless the same shall have been sooner sold or awarded as an estate dividend, or devise or legacy, as in this section provided, and during the time such substitute may be furnished, such legal representative, for the use of the estate, shall be entitled to vote, receive dividends and shall inure to all the benefits to which the deceased, if living and working his share, would have been entitled. Whenever such share shall become a part of the widow's allowance in the course of the administration of the estate of any deceased shareholder, she may furnish a competent substitute to work such share, and shall be entitled to all privileges, dividends, etc., to which her husband would have been entitled, so long as she may desire to hold such share. She shall also have the privilege to sell the same whenever she may desire under the provisions of section 9, of this act.

§ 13. Any association, licensed to operate under this act, may increase its membership of shareholders in such manner as it may by by-law provide, not inconsistent with any of the provisions of this act.

§ 14. The General Assembly hereby reserves the power to prescribe such regulations and provisions governing any and all associations incorporated under this act, as it may deem advisable, such regulations and provisions to be binding on associations incorporated at the time such regulations may be made, as well as those thereafter incorporated.

§ 15. All associations organized under this act, whose powers may have expired by limitation or otherwise, shall continue their corporate capacity during the term of two years, for the purpose only of collecting debts due the association, and selling and conveying the property and effects thereof, and during such time shall be capable of prosecuting and defending suits in law or equity. The dissolution, for any cause whatever, of any association incorporated under this act shall not take away or impair any remedy given against such association, its shareholders, officers or agents, for any liabilities incurred previous to dissolution.

§ 16. It shall be the duty of the directors of any association to cause to be kept at its principal office or place of business in this State, correct books of account of all its business, and every shareholder of such association shall have the right at all reasonable times, by himself or his attorney, to examine the records and books of account of the association.

§ 17. A failure to elect directors or officers, or both, on the day designated in the by-laws, or on the day for which notice was given for election, shall not have the effect of dissolving the association, but such election may be held at any time after proper notice.

§ 18. All assessments or installments of the unpaid or partly unpaid shares of stock of any association shall be levied by the directors in accordance with the provisions of the by-laws, but any assessment or installment required to be paid shall be levied *pro rata* upon all the shares of stock.

§ 19. If the indebtedness of any association shall exceed the amount of its capital stock, the directors and officers of such association, assenting thereto, shall be individually liable for such excess to the creditors of such association.

§ 20. If the directors or other officers or agents of any association shall declare and pay any dividend, when such association is insolvent, or any dividend the payment of which would diminish the amount of the capital stock, all directors, officers and agents assenting thereto shall be jointly and severally liable for all debts of such association then in existence, and for all which shall thereafter be contracted while they shall respectively continue in office.

§ 21. The board of directors shall hold stated meetings not less frequent than once each month, as may be provided by the by-laws, and when such officers shall be present at any meeting, however called or notified, or shall sign a written consent on the record of such meeting, the acts of such meeting shall be as valid as if legally called and notified. All directors' meetings must be held within the limits of this State.

§ 22. The shareholders of every association shall hold regular meetings not less frequently than once each month, as may be provided by the by-laws, and shall be presided over by the president of the association, or, in his absence, the vice-president shall preside, and in his absence the meeting may elect a president *pro tempore*, who shall preside during that meeting. It shall require a majority of all the shareholders entitled to vote to be present, either in person or by written proxy, to constitute a quorum to transact business, but a smaller number may adjourn from time to time if they desire, or until the next regular meeting.

§ 23. No by-law shall be adopted, amended or repealed except by an affirmative vote of a majority of all the shareholders entitled to vote. Such vote shall be taken by a call of the roll of shareholders by the secretary of the meeting, noting the responses, whether aye or no, opposite their respective names, and which vote shall be spread upon the records of the proceedings. Votes upon other questions may be *viva voce*, showing of hands or a division of the house, unless three shareholders, by themselves or proxy, shall call for the ayes and noes, when, in such case, the roll shall be called and the aye and no vote taken. If, in calling the roll upon any question, less than a quorum votes, the pending question shall still remain as undecided until a quorum shall vote upon the question. Any proposition to amend, repeal or enact any by-law must set forth the by-law as amended, or the one repealed or the new one proposed, and be read at large in open meeting, and its consideration postponed until the next meeting, unless a majority of all the shareholders of the association shall, on an aye and no vote, be in favor of considering the question at once.

§ 24. If any association, or its authorized agents, shall do or refrain from doing any act which shall subject it to a forfeiture of its charter or corporate powers, or shall allow any execution or decree of any court of record for a payment of money after demand made by the officer, to be returned "no property found," or to remain unsatisfied thirty days after such demand, or shall dissolve or cease doing business, leaving debts unpaid, suits in equity may be brought against all persons who are shareholders at the time, and liable in any way for the debts of the association, by joining the corporation in such suit; and after the assets of the corporation shall have been exhausted, each shareholder may be required to pay his *pro rata* share of such debts to the amount of his unpaid stock, or to any extent to which he may by law have become individually liable.

§ 25. Courts of equity shall have full power, on good cause shown, to dissolve or close up, or take charge of the business of any association for the benefit of the creditors, to appoint a receiver therefor, who shall have authority, by the name of the receiver of such association (giving the name), to sue in all courts, and do all things necessary to close up its affairs, or to make the money charged against it and restore it back to the shareholders of the association, as may be commanded by the decree of court. Said receiver shall be a citizen of the State of Illinois, and shall enter

into bonds payable to the people of the State of Illinois for the use of all parties interested, in such penalty and with such sureties as the court may, in the decree or order appointing the same, require.

§ 26. The certified copy of any articles of incorporation and changes thereon, under the great seal of the State of Illinois, shall be taken and received in all courts and places as *prima facie* evidence of the facts themselves.

APPROVED May 31, 1887.

FOR THE APPREHENSION OF HORSE THIEVES AND OTHER CRIMINALS.

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| <p>§ 1. Corporations may be formed.</p> <p>§ 2. Articles of incorporation filed with the county recorder of deeds.</p> <p>§ 3. Corporate powers.</p> <p>§ 4. Constitution and by-laws.</p> <p>§ 5. May call upon the peace officers; may elect special constables; names to be recorded.</p> | <p>§ 6. Articles of association shall be recorded and a record of the names of members kept.</p> <p>§ 7. Companies heretofore organized.</p> <p>§ 8. Repeals all acts in conflict.</p> |
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AN ACT to amend an act entitled "An act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons," returned by the Governor July 7, 1885, to the Secretary of State, without his approval or veto, and is therefore now in force.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "An act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons," be, and the same is hereby, amended to read as follows:

"Section 1. That any number of citizens, not less than ten (10), are hereby authorized to form themselves into a company for the purpose of detecting and apprehending of horse thieves, incendiaries and all other criminals against the laws of the State of Illinois, as hereinafter provided. Such number of citizens forming articles of association shall be charter members and may add to their number, or expel members according to the provision of their constitution and by-laws.

"Section 2. Persons forming any such company, shall each subscribe to articles of association in which shall be set forth the name of said company and their place of meeting. Said articles of association shall be filed and recorded with the recorder of deeds in the county in which the meeting of such company is fixed by said articles of association, and a certified copy of such record shall be received as evidence in any court of this State of the existence of such company.

"Section 3. Whenever said articles of association shall be filed, as above provided, the said company, under the name and style which they may designate, shall be a body politic and corporate,

and by such name may sue and be sued, plead and be impleaded in any court of competent jurisdiction in this State, and shall have succession during any time, may have and use a common seal and alter the same at pleasure.

“Section 4. Such companies shall have power to adopt a constitution and by-laws for their government, and enforce obedience to the same, which constitution and by-laws shall be consistent with the constitution and laws of this State and the United States.

“Section 5. Such companies shall have power to call to their aid the peace officers of this State in accordance with law in the pursuit and apprehension of criminals and the recovery of stolen property, and at any regular meeting may elect any number of their members as they deem best to act as special constables, and shall hold their office for one year, and shall have all the rights and privileges of constables when engaged in the pursuit of criminals and the recovery of stolen property. Each company so electing special constables shall, by their president and secretary, make a list of such persons so elected, which list shall state the names and residence of each person so elected as special constables, which list shall be filed and recorded in the office of the recorder of deeds in the county in which said company exists. A certified copy of such record shall be evidence in any court in this State of the existence of such special constables. In case of vacancies occurring by death, or otherwise, of any of the special constables in any company, said company can fill the vacancies by election, and having the same recorded as herein provided for the election of special constables.

“Section 6. It shall be the duty of any company so forming articles of association to provide a suitable book for the recording of its articles of association and the name of each member as subscribed to the articles of association, and the names of all new members, the date the same were taken in, the names of all members withdrawn or expelled, the date of the same, and in a separate place the names of the members elected as special constables, with the date of their election and the date of the filing of the list of their election, which book, when sworn to by their secretary to be a correct record for the purpose it is kept, shall be evidence in any court of the legal members belonging thereto.

“Section 7. Such companies heretofore organized under an act of the General Assembly of this State in 1874, authorizing the formation of corporations for other than profit, or any act amendatory thereof, or by an act entitled “An act for the formation of companies for the detection and apprehension of horse thieves and other felons,” in force July 7, 1885, shall have all the rights and benefits of this act during their existence, provided such companies heretofore organized shall comply with the provisions of the fifth section of this act in relation to the election of special constables, and having the same recorded as therein provided, and of the provisions of the sixth section of this act, in relation to providing and keeping a book of record of the names of members and the articles of association, charter or permit.

“Section 8. All acts and parts of acts in conflict with this act are hereby repealed.”

This bill having remained with the Governor ten days after the adjournment of the General Assembly, and he having failed to approve it, or to file it with his objections in my office before the expiration of said ten days, it has thereby become a law.

Witness my hand this 28th day of June, A. D. 1887.

HENRY D. DEMENT,
Secretary of State.

RECEIVERS.

§ 1. Provides how service of process may be had on the receivers of corporations.

AN ACT in regard to the serving of process on receivers of corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the receiver or receivers of any incorporated company may be served with process by leaving a copy of such process with such receiver or receivers, if he or they can be found in the county in which the suit is brought; if he or they shall not be found in the county, then by leaving a copy of such process with any clerk, secretary, superintendent, general agent, engineer, conductor, station agent, or any agent in the employ of such receiver or receivers.

APPROVED June 3, 1887.

REINCORPORATION.

§ 1. Corporations organized under general law entitled to re-incorporate under same name.

AN ACT to amend an act entitled “An act concerning corporations,” approved April 18, 1872, in force July 1, 1872, by adding thereto a section to be numbered twenty-eight and one-half (28½.)

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled “An act concerning corporations,” approved April 18, 1872, in force July 1, 1872, be and is hereby amended by adding thereto the following section to be numbered twenty-eight and one-half (28½.)

Section 28½. It shall be unlawful for the Secretary of State to issue a license for any person or persons to incorporate under the name of any heretofore existing corporation organized under any general law of this State, until the expiration of thirty days from and after the expiration of the existence of such corporation: *Provided*, that the corporation enjoying such name shall have the exclusive privilege of becoming incorporated under the same name at any time within the said thirty days, according to the provisions of the act to which this is an amendment.

APPROVED June 16, 1887.

SURETY COMPANIES.

§ 1. Authorizes companies organized under the laws of this or any other State, for that purpose, to become surety for any person or corporation, required by law to give bond, upon approval of the officer charged with that duty.

§ 2. Companies liable for the acts of their agents.

§ 3. Where action shall be brought.

AN ACT to enable corporations created for that purpose, to transact a surety business in this State and to become the surety on bonds required by law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any company with a paid up capital of not less than two hundred and fifty thousand dollars, incorporated and organized under the laws of this or any State of the United States, for the purpose of transacting business as surety on obligations of persons or corporations, and which has complied with all the requirements of the law regulating the admission of insurance companies to transact business in this State, may transact such surety business in this State, and may also, upon production of evidence of solvency and credit, satisfactory to the judge, head of department, or other officer authorized to approve such bond, be accepted as surety upon the bond of any person or corporation required by the laws of this State to execute a bond, and if such surety company shall furnish satisfactory evidence of its ability to provide all the surety required by law, no additional surety may be exacted, but other surety may, in the discretion of the official authorized to approve such bond, be required, and such surety may be released from its liability on the same terms and conditions as are by law prescribed for the release of individuals, it being the true intent and meaning of this act to enable corporations, created for that purpose, to become the surety on all bonds required by law, subject to all the rights, conditions and liabilities of private parties: *Provided*, that the licensing of any company authorized to transact a surety business in this State, shall cease and determine, who shall remove or make application to remove into any United States court, any action or proceedings commenced in any of the State courts of this State upon any claim or cause of action arising out of any business transaction in fact done in this State, any permission, consent, agreement, condition or provision incorporated in any contract, mortgage, note, bond, obligation or policy of surety authorizing or consenting to such removal, to the contrary notwithstanding.

§ 2. Any company which shall execute any bond as surety under the provisions of this act, shall be estopped in any proceedings to enforce the liability, from denying the authority of the agent or officer executing such bond and undertaking such liability by and on behalf of such company.

§ 3. All actions brought against any company or corporation organized or doing business under this act, may be brought in any county where the cause of action occurred, or where the plaintiff or

complainant resides, or in any county where the company or corporation does business, and process may be directed to any county in this State for service and return.

APPROVED May 13, 1887.

TRUST COMPANIES.

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| <p>§ 1. Trust companies may be appointed trustees the same as natural persons.</p> <p>§ 2. Courts may appoint as receivers assignees, etc.</p> <p>§ 3. Liability on investments.</p> <p>§ 4. Interest on deposits.</p> <p>§ 5. Compensation.</p> <p>§ 6. Deposit with the Auditor to secure creditors.</p> <p>§ 7. Abstracts of title securing mortgages; fees for examining.</p> <p>§ 8. Certificate of the Auditor as to deposit.</p> <p>§ 9. Annual statement filed with Auditor; items.</p> | <p>§ 10. Report verified by affidavit.</p> <p>§ 11. Inquiries may be made by Auditor, concerning company's affairs; additional reports.</p> <p>§ 12. Annual examination by the Auditor.</p> <p>§ 13. Violations of law or doing an unsafe business; duties of the Auditor.</p> <p>§ 14. False statement; revocation of authority to do business.</p> <p>§ 15. Penalties for violation of this act.</p> <p>§ 16. Publication of annual statement.</p> <p>§ 17. Fees to be paid the State.</p> <p>§ 18. Dissolution.</p> <p>§ 19. Repeals laws in conflict.</p> |
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AN ACT to provide for and regulate the administration of trusts by trust companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any corporation which has been or shall be incorporated under the general incorporation laws of this State, being an act entitled "An act concerning corporations," and all amendments thereof, for the purpose of accepting and executing trusts, and any corporation now or hereafter authorized by law to accept and execute trusts, may be appointed assignee or trustee by deed, and executor, or trustee by will, and such appointment shall be of like force as in case of appointment of a natural person.

§ 2. Whenever application shall be made to any court in this State for the appointment of any receiver, assignee, executor, or trustee, it shall be lawful for such court to appoint any such corporation as such trustee, receiver, assignee or executor.

§ 3. Such corporations shall not be required to give any bond or security in case of any appointment hereinbefore provided for, except as hereinafter provided, but shall be responsible for all investments which shall be made by it, of the funds which may be entrusted to it for investment by such court, and shall be further liable as natural persons in like positions now are, and as hereinafter provided. The amount of money which any such corporation shall have on deposit at any time shall not exceed ten times the amount of its paid up capital and surplus, and its outstanding loans shall not at any time exceed said amount.

§ 4. Such company shall pay interest upon all moneys held by it by virtue of this act, at such rate as may be agreed upon at the time of its acceptance of any such appointment, or as shall be provided by the order of the court.

§ 5. Such corporations shall be entitled to, and shall be allowed proper compensation for all the services performed by them under the provisions of this act, but such compensation shall not exceed that allowed to natural persons for like services.

§ 6. Each company, before accepting any such appointment or deposit, shall deposit with the Auditor of Public Accounts, for the benefit of the creditors of said company, the sum of \$200,000 in stocks of the United States, or of this State, or in mortgages on improved and productive real estate in this State, being first liens thereon, and the real estate being worth at least twice the amount loaned thereon. The stocks and securities so disposed, may be exchanged from time to time for other securities receivable as aforesaid. Said stocks of the United States or of this State to be registered in the name of said Auditor, officially, and all said securities to be subject to sale and transfer, and to the disposal of the proceeds by said Auditor only on the order of a court of competent jurisdiction, and as hereinafter provided in section 18. So long as the company so depositing shall continue solvent, such company shall be permitted to receive from the said Auditor the interest or dividends on said deposits.

§ 7. When any part of such deposit is made in bonds and mortgages, it shall be accompanied by full abstracts of titles and searches and shall be examined and approved by or under the direction of the Auditor. The fees for an examination of title by counsel, to be paid by the company making the deposit, shall not exceed \$20 for each mortgage, and the fee for each appraiser, not exceeding two, besides expenses, shall be \$5 for each mortgage.

§ 8. It shall not be lawful for any such company to accept any trust or deposit as hereinbefore provided, after the passage of this act, without first procuring from the Auditor of Public Accounts a certificate of authority stating that such company has complied with the requirements of this act in respect to such deposit.

§ 9. Such companies shall file with the said Auditor, during the month of January of each year, as tatement, under oath, of the condition of such company on the thirty-first day of December next preceding, exhibiting the following items in the following form:

(a). The assets of said company, specifying:

First—The description and market value, or as nearly as may be, of the real estate owned by such company.

Second—The amount of cash on hand and deposited in banks to the credit of said company, specifying in what banks such deposits are.

Third—The amount of cash in the hands of agents and in course of transmission.

Fourth—The amount of loans secured by mortgages and bonds constituting a first lien on real estate, on which there shall be less than one year's interest due or owing and the amount of such interest.

Fifth—The amount of such loans on which there shall be more than one year's interest due or owing, and the amount of such interest.

Sixth—The amount due the company on which judgments have been obtained.

Seventh—The amount of stocks and bonds of this State and of the United States, of any incorporated city of this State, and of any other stocks and bonds owned by such company, specifying the amount, number of shares, and the par and market value of each kind of stock or bonds.

Eighth—The amount loaned upon the pledges of securities, with a statement of the securities so held by such company, and the par and market value of such securities.

Ninth—The amount of all other assets of such company, including accrued interest not enumerated above.

(b.) The liabilities of such company, specifying:

First—The capital stock paid in.

Second—The surplus on hand.

Third—The undivided profits.

Fourth—The deposits held by such company.

(c.) A list and brief description of the trusts held by such company, the source of the appointment thereto, and the amount of real and personal estate held by such company by virtue thereof, except that mere mortgage trusts wherein no action has been taken by such company, shall not be included in such statement. The said report shall also be in such form and contain such statements, returns and information, as to the affairs, business condition and resources of the corporation, as the said Auditor of State may, from time to time, prescribe or require.

§ 10. Such report shall be verified by the affidavit of one of the managing officers, and two of the directors or trustees of said company, who shall also state in such affidavit that they have examined the assets and books of said company for the purpose of making said report. Any false swearing in regard to such report shall be deemed perjury, and shall be subject to the punishments prescribed by law for such offense.

§ 11. The Auditor of Public Accounts is hereby authorized and empowered to address any inquiries to any such company, or the officers thereof, in relation to its doings and condition, or any other matter connected with its affairs, and it shall be the duty of any company or person so addressed, to promptly reply in writing to such inquiries. The Auditor may also require reports from any such corporation at any time he may deem desirable.

§ 12. It shall be the duty of said Auditor annually, either personally or by one or more competent persons to be appointed by him, to visit and examine every such corporation in this State. The Auditor shall also have power, in like manner, to examine any such corporation, whenever, in his judgment, it may be deemed necessary or expedient. The said Auditor and every such examiner shall have power to administer an oath to any person whose testimony may be required on any such examination, and to compel the appearance and attendance of any such person for the purpose of examination, by summons, subpoena or attachment, in the manner now authorized in respect to the attendance of persons as witnesses in the courts of record in this State; and all books and papers which may be deemed necessary to examine by the Auditor or examiner so appointed shall be produced, and their production may be compelled in like manner. The expense of every examination, if any, shall be paid by the corporation examined, in such amount as the Auditor shall certify to be just and reasonable; but whenever such special examination shall be made by the Auditor in person, or by one or more of the regular clerks in his department, no charge shall be made except for necessary traveling and other actual expenses. On every examination, inquiry shall be made as to the condition and resources of the corporation generally, the mode of conducting and managing its affairs, the action of its directors or trustees, the investment of its funds, the safety and prudence of its management, the security afforded to those by whom its engagements are held, and whether the requirements of its charter and of the laws have been complied with in the administration of its affairs. The result of any such examination shall be certified by the examiner, or one of them, upon the records of the corporation examined, and the result of all the examinations during the preceding two years shall be embodied in the report of the Auditor required by this act to be submitted to the Legislature. Such report shall give the date to which such report refers, the amount of capital returned by each of said corporations, the whole amount of its debts and liabilities, the total sum of its resources, and such other information as such Auditor may deem useful.

§ 13. Whenever it shall appear to the said Auditor, from any such examination or report, that any such corporation has committed any violation of law, or is conducting its business in an unsafe or unauthorized manner, he shall, by an order under his hand and seal, direct the discontinuance of such illegal and unsafe or unauthorized practices, and strict conformity with the requirements of the law and with safety and security in its transactions; and whenever any such corporation shall refuse or neglect to make any such report as is hereinbefore required, or to comply with any such order as aforesaid, or whenever it shall appear to the Auditor that it is unsafe or inexpedient for any such corporation to continue to transact business, or that extraordinary withdrawals of money are jeopardizing the interests of remaining depositors, or that any trustee or officer has abused his trust or been guilty of misconduct or malversation in his official position, injurious to the institution, or that it has suffered a serious loss by fire, burglary, repudiation

or otherwise, he shall communicate the facts to the Attorney General, who shall thereupon institute such proceedings against the corporation as the nature of the case may require.

§ 14. If the Auditor shall at any time have satisfactory evidence that any annual statement or other report required or authorized by this act, made or to be made by any officer or officers of such corporation, is false, it shall be the duty of the said Auditor to immediately revoke the certificate of authority granted on behalf of such corporation, and mail a copy of such revocation to said corporation and the clerk of every court of record in this State. Such revocation shall not be set aside until satisfactory evidence shall be given to said Auditor that such corporation is, in substance and in fact, in the condition set forth in such statement or report, and that all the requirements of this act have been complied with. Such revocation shall be sufficient cause for the removal of such company from any appointment held by it under the provisions of this act.

§ 15. Any violation of any of the provisions of this act shall subject the party violating the same to a penalty of \$500 for each offense, and the additional sum of \$100 per day during which any such company shall fail to file its said report after the last day of January in each year.

§ 16. The said Auditor shall cause a proper abstract of the statements of assets and liabilities reported under section eleven [nine] of this act, to be published once in each week for three successive weeks in two newspapers of general circulation, the one printed in the city of Springfield, and the other in the county seat of the county wherein the principal office of the respective company is located, such publication to be paid for by said company.

§ 17. There shall be paid by every company to whom this act shall apply, the following fees: For filing the original application and receiving the deposit required by section eight [six] of this act, the sum of \$30; for filing the annual statement required, \$10; for the certificate of authority, \$2; for every copy of a paper filed in the Auditor's office, the sum of 20 cents per folio; for affixing the seal of said office to said copy and certifying the same, \$1.

§ 18. Any company which desires to retire from business under this act shall furnish to the Auditor satisfactory evidence of its release and discharge from all the obligations and trusts hereinbefore provided for, whereupon he shall revoke his certificate to such company and return its securities.

§ 19. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

APPROVED June 15, 1887.

COUNTIES.

COOK COUNTY COMMISSIONERS.

§ 1. Amends section 59, by providing for the election of 15 commissioners on a general ticket annually. Adds section 59½ providing that the voter may designate one commissioner as president. Amends section 60 by providing that the term of office shall begin in December annually after election.

AN ACT to amend sections 59 and 60 of the act entitled "An act to revise the law in relation to counties," approved March 31, 1874, as amended by the act of May 20, 1879, and to amend said act by adding a section in relation thereto to be known as section 59½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 59 and 60 of the act entitled "An act to revise the law in relation to counties," approved March 31, 1874, as amended by the act of May 20, 1879, in force July 1, 1879, be and the same is hereby so amended as to read as follows:

"Section 59. On Tuesday after the first Monday of November A. D. 1887, there shall be elected by the legal voters of Cook county, fifteen commissioners who shall hold their office for the term of one year. And on Tuesday after the first Monday in November, A. D. 1888, and every year thereafter, the legal voters of Cook county shall elect fifteen commissioners who shall hold their office for the term of one year. Ten of said commissioners shall be elected from the city of Chicago by the legal voters of said city, and five of said commissioners shall be elected from the towns outside of said city by the legal voters of said towns.

"Section 59½. Every legal voter in said county may vote for and designate (upon his ballot cast for county commissioners) one of the candidates for commissioner to be president of the county board, and the person who shall receive the highest number of such votes shall be declared elected president of said board.

"Section 60. The terms of office of said commissioners shall begin on the first Monday of December after their election, and they shall hold their office respectively until their successors are elected and qualified. Each of the commissioners shall have been a resident of said county for five years next preceding his election."

APPROVED June 10, 1887.

COOK COUNTY COMMISSIONERS.

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| <p>§ 1. Amends section 61 and 62 of the act of 1874. Section 61. Commissioners shall take the constitutional oath. Duties defined:</p> <ol style="list-style-type: none"> 1. Meetings; President. 2. President may not vote as commissioner. 3. Appropriations; resolution or motion making appropriations must be made in writing; veto power of the president; passage over veto; shall take effect if not approved or vetoed in six days. 4. Powers and restrictions of the board. 5. Power of committees; appropriations of over \$500 shall be by $\frac{2}{3}$ vote. | <ol style="list-style-type: none"> 6. Annual appropriation bill; publication; special appropriations prohibited, except in certain cases; fixed charges against county. 7. Committees on Finance and Public Service, and Superintendent of Public Service, who shall purchase all supplies. 8. Contracts for materials, supplies and work. 9. Appointment of officers and employes and their compensation. <p>Section 62. County clerk shall be clerk of the board; <i>ex-officio</i> comptroller of financial affairs; duties as comptroller defined; report; fiscal year.</p> |
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AN ACT to amend sections sixty-one (61) and sixty-two (62) of an act entitled "An act to revise the law in relation to counties," approved March 31, 1874, as amended by the act of May 20, 1879, relative to Cook county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections sixty-one (61) and sixty-two (62) of an act entitled "An act to revise the law in relation to counties," approved and in force March 31, 1874, as subsequently amended by the act of May 20, 1879, be and the same are each hereby so amended as to read, respectively, as follows:

"Section 61. The said commissioners shall, severally, before they enter upon the discharge of their duties, take the oath of office prescribed by the constitution, and they shall be known as the Board of Commissioners of Cook County, and as such board shall possess the powers, perform the duties and be subject to the rules, regulations and restrictions hereinafter specified, that is to say:

First—Said board of commissioners shall hold regular meetings on the first Monday of December, January, February, March, June and September in each year, and (unless the election or designation of a president shall be otherwise provided for by law) said commissioners shall, at their first meeting in December, organize said board of commissioners by the election of one of their number as president, who shall hold his office until the day next preceding the first Monday in December next after his election. It shall be the duty of the president of the board of commissioners to call special meetings of the board whenever in his opinion the same may be necessary; and he shall preside at all of the meetings of said board, and generally perform the duties usually performed by a presiding officer: *Provided*, that in the absence of the president, or of his inability to act, a president *pro tempore* may be elected, who shall during such absence or inability possess all the powers and perform all the duties by law vested in and required of the president.

Second—The president of the board of commissioners shall have the same privilege of voting as any other commissioner; but he shall not have a casting vote upon any question upon which he has voted as commissioner.

Third—All resolutions or motions whereby any money shall be appropriated, or by virtue of which any contract shall be made, or any act done which may, directly or indirectly, or in any manner whatever, create any pecuniary liability on the part of said county, shall be submitted to said board of commissioners in writing, or reduced to writing, before any vote shall be taken thereon; and if adopted by the board the same shall not take effect until after the same shall have been approved in writing by the president of said board, except as hereinafter provided. It shall be the duty of the clerk of said board to deliver to the president thereof, upon his request, the original (or a copy) of each resolution or motion so passed or adopted by said board as aforesaid, within one day after its passage or adoption; and in case the president approves thereof he shall sign the same and it shall thereupon be in full force and effect. In case the president shall not approve any such resolution or motion, he shall, within five days after the receipt of the same, as aforesaid, return it to the clerk of said board, with his objections thereto in writing. Such veto by the president may extend to any one or more items or appropriations contained in any resolution making an appropriation, or to the entire resolution; and in case the veto only extends to a part of such resolution making an appropriation, the residue thereof, not embraced within the veto, shall take effect and be in force from the time of the receipt by said clerk of such veto of such part. Upon the return of any such resolution or motion by the president, with his objections thereto, as aforesaid, the vote by which the same was passed shall be reconsidered by the board of commissioners as to so much thereof as may have been vetoed; and if, after such reconsideration, four-fifths of all the members elected to the board shall agree to pass the same by yeas and nays, to be entered on the journal, the same shall take effect, notwithstanding the president may have refused to approve thereof. In case the president shall fail or omit to either sign and approve, or return with his objections as aforesaid, any such motion or resolution, which shall have been passed or adopted by the board within six days after it shall have been so passed or adopted, the same shall take effect without the approval of the president.

Fourth—Said board of commissioners shall have the management of the affairs of said Cook county in the manner provided by law, and may exercise the same powers, perform the same duties, and shall be subject to the same rules, regulations and penalties prescribed by law for the board of supervisors in other counties, except as herein otherwise provided; and shall also be subject to the rules, regulations and restrictions herein provided.

Fifth—The said board of commissioners shall have no power or authority to delegate to any committee or other person or persons the "power to act" when such "power to act" shall involve the letting of any contract or the expenditure of public money exceeding the sum of five hundred dollars (\$500), and any action of said board, or of any committee thereof, or of any other person or persons in violation of this section, shall be null and void. No money shall be appropriated, or ordered paid by said county commission-

ers, beyond the sum of five hundred dollars (\$500), unless such appropriation shall have been authorized by a vote of at least two-thirds of the members elected to the said county board.

Sixth—Said board of commissioners shall, within the first quarter of each fiscal year, adopt a resolution, to be termed the annual appropriation bill, in and by which resolution said board shall appropriate such sums of money as may be necessary to defray all necessary expenses and liabilities of said Cook county, to be by said county paid or incurred during and until the time of the adoption of the next annual appropriation bill under this section: *Provided*, that said board shall not expend any money or incur any indebtedness or liability on behalf of said county in excess of the percentage and several amounts now limited by law, and based on the limit prescribed in the constitution, when applied to the last previous assessment. Said appropriation bill shall specify the several objects and purposes for which such appropriations are made, and the amount appropriated for each object or purpose. The vote of said board of commissioners upon said appropriation bill shall be taken by yeas and nays, and the same shall be entered upon the journal. Said appropriation bill shall not take effect until after it shall have been once published in a newspaper published in Chicago, and said board shall provide for and cause said appropriation bill to be so published as aforesaid. After the adoption of such appropriation bill or resolution, said board of commissioners shall not make any further or other appropriation prior to the adoption or passage of the next succeeding annual appropriation bill; and the said board of commissioners shall have no power, either directly or indirectly, to make any contract or do any act which shall add to the county expenditures or liabilities in any year, any thing or sum over and above the amount provided for in the annual appropriation bill for that fiscal year. No contract shall hereafter be made, or expense or liability incurred by the said board of commissioners, or any member or committee thereof, or by any person or persons for or on its behalf, notwithstanding the expenditure may have been ordered by said board of commissioners, unless an appropriation therefor shall have been previously made by said board in manner aforesaid: *Provided, however*, that nothing herein contained shall prevent the board of commissioners, by a concurring vote of four-fifths of all the commissioners (said vote to be taken by yeas and nays and entered upon the journal) from making any expenditures or incurring any liability rendered necessary by any unforeseen casualty by fire, flood or otherwise, happening after the annual appropriation bill shall have been passed or adopted. Nor shall anything herein contained be construed to deprive the board of power to provide for and cause to be paid from the county funds, any charge upon said county imposed by law, without the action of the board of commissioners, including fixed salaries of officers required by law to be paid from the county treasury, and to pay jurors' fees and other charges fixed by law.

Seventh—The board of commissioners shall establish and provide for the appointment of a committee on finance and a committee on public service. There shall be a superintendent of public service to

be appointed by the president, by and with the advice and consent of the board of commissioners, who shall hold his office for one year and until his successor is appointed; he may be suspended or removed by the president; he shall give a sufficient bond for the faithful performance of his duties, and be subject to the oversight and supervision of the committee on public service; he shall employ such assistants as may be authorized by the board of commissioners, and they shall be subject to suspension or removal by the president. It shall be the duty of the superintendent, under authority of the board of commissioners, to purchase, receive and distribute all supplies necessary for the use and service of Cook county and its various institutions, of whatever nature, except those which are by law otherwise expressly provided for; and to keep accurate accounts of and vouchers for the same, which shall be open to the inspection of the president and the committee on public service, and to the public; he shall also perform all other duties relative to the public service which may be assigned to him by the board of commissioners, who shall make and maintain regulations for the conduct and government of the department of public service, not inconsistent with this act.

Eighth—All contracts for supplies, material and work for the county of Cook shall be let to the lowest responsible bidder, after due advertisement; but if, in case of any emergency, it is necessary to purchase supplies not exceeding in amount \$500, such purchase may be made by the superintendent in the open market, on authority given to him by the board of commissioners or the committee on public service. All contracts for supplies, material or work for Cook county, shall be approved by the board of commissioners and signed by the president of the board, the superintendent of public service and the comptroller. Supplies shall be issued only on the requisitions of the responsible officers of the county institutions, now or hereafter established by law, approved by the committee of public service.

Ninth—All regular and permanent officers and employes of the county of Cook, except those whose election or appointment is otherwise provided for by law, shall be appointed at the December meeting of each year, or subsequently, if necessary, and their term shall not exceed one year, ending on December 31st, and until their successors are appointed and qualified, and they may be removed by the board at any time. Vacancies may be filled in like manner. Their salaries or rate of compensation shall be fixed by the board of commissioners prior to their appointment, and shall not be changed during their term of office; the board of commissioners shall also determine whether any and what amount of bond they shall give.

“Section 62. The county clerk of Cook county shall be clerk of the board of county commissioners; and all laws applicable to the county clerks of other counties under township organization, shall be applicable to him. He shall, also, *ex-officio*, be the comptroller of the county financial affairs, and as such shall have charge of all deeds, mortgages, contracts, judgments, notes, bonds, debts and choses in action belonging to the said county, except such as are

directed by law to be deposited elsewhere, and shall carefully preserve the same; he shall, subject to the approval of the board of commissioners, revise, audit and settle all accounts in which the county is concerned, either as debtor or creditor, or where provision for the settlement thereof is not otherwise provided for by law, and the settlement of which is not especially committed to some other authority: *Provided*, that no payment of any account so settled or adjusted shall be made except by the order of the county board, after approval by the finance committee. He shall have the power, in making such settlements and adjustments, and for the purpose of ascertaining the true state of any balance or balances so due, to require any claimant or claimants to deposit and file with him, as such comptroller, a statement in writing, under oath, as to any fact, matter or thing concerning the correctness of any account, claim or demand presented. He shall open and keep, in a clear, methodical manner, a complete set of books, under the direction of the president of the board and the finance committee thereof, wherein shall be stated, among other things, the appropriations for the fiscal year for each distinct object and branch of expenditure, and also the estimated receipts from each and every source of revenue, so far as he can ascertain the same. Said books, and all papers, vouchers, contracts, bonds, receipts and other things kept in said office, shall be subject to the examination of the president of the board and of the finance committee. It shall be his duty, at the close of each fiscal year, to place to the credit of a general fund all unexpended appropriations for such year, but which shall not include the amount required to liquidate contracts or liabilities entered into by virtue or authority of such appropriation, and which remain unpaid at the close of the fiscal year: *Provided*, that no such disposition shall be made of any trust fund or funds that by law are specific and under the direct control of officers specially appointed for their disbursement. He shall make out an annual statement for publication, on or before the first day of February in each year, giving a full and detailed statement of all the receipts and expenditures during the fiscal year. Such statements shall also detail all the liabilities and resources of said county, the condition of all unexpended appropriations and contracts unfulfilled, and the balance of money then remaining in the treasury, with all sums due and outstanding, and the amounts unaccounted for, and all other things necessary to exhibit the true financial condition of the county, which statement, when examined and approved by the finance committee, shall be published by him as aforesaid. He shall, also, on or before the first Monday of February, in each year, before the annual appropriations are made by the county board, submit to the board a report of the estimates necessary, as nearly as may be, to defray the expenses of the county government during the current fiscal year; he shall in said report classify the different objects and branches of said county expenditure, giving, as nearly as possible, the amount required for each class, and for this purpose it shall be the duty of all county officers and heads of departments to make and furnish the comptroller, on his request, statements of the condition and expenditure of their respective departments and offices, with any desired alterations or improvements

and the probable expense thereof. It shall be the duty of any committee of the board charged with the expenditure of money for buildings or improvements to make and furnish him a similar statement, and of all contracts already made and unfinished, and the amount of any unexpended appropriations of the preceding year. The comptroller shall, in such report, also 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 county debts payable during the fiscal year, and when and where payable. He shall also make and publish monthly statements, giving full and detailed accounts of all moneys received and expended for the public service of the county. He shall sign all warrants drawn upon the treasurer, which shall be countersigned by the president of the board, and the same shall state therein the particular fund or appropriation to which the same is chargeable. No money shall be paid out of the county treasury except upon such warrants so drawn; nor shall any warrant be issued except against an appropriation theretofore made by the county board in accordance with section 61 of this act. The president of the board of commissioners, the county clerk, as comptroller, the treasurer and the finance committee shall meet in the month of January to compare and revise all statements made by the comptroller, treasurer and the other accounting officers and committees, and the comptroller shall embody the result of such action in his report to the board of commissioners. The fiscal year of said county of Cook shall commence on the first day of January and end on the thirty first day of December of each year, so long as the law requires the board of commissioners to be elected in the month of November: *Provided, however,* that if at the time this amendatory act takes effect there is in force, or may thereafter be in force, a law requiring or authorizing said commissioners to be elected in the month of April instead of November, then and in that case the fiscal year of said county shall begin on the first day of June in each year and end on the thirty-first day of May next thereafter; and also, in that event the regular meetings of said board of commissioners shall be held on the first Mondays of May, June, July, August, September and February instead of the months specified for such meetings in the preceding section 61; and corresponding changes shall be made in the other dates or months specified in said section 61, as well as in the provisions of this section preceding this proviso, thus: January shall be changed to June, February to July, and December to May; and all acts or things so required to be done or performed, or begin or terminate, in said months of January, February and December, respectively, shall be done and performed, or begin or terminate, in the months of June, July and May, respectively."

APPROVED June 14, 1887.

APPROVAL OF OFFICIAL BONDS.

§ 1. County boards in counties under township organization may appoint committees to act for the board.

AN ACT to authorize boards of supervisors in counties under township organization to appoint a committee to approve official bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where official bonds are required by law to be approved by the board of supervisors in counties under township organization, such board may select a committee for that purpose, which committee shall have full power and authority to act, and its acts have the same force and effect as if done by the board in session.

APPROVED June 17, 1887.

APPELLATE COURTS.

JURISDICTION.

§ 1. Amends section 8 by adding the last proviso.

AN ACT to amend section eight (8) of an act entitled "An act to establish Appellate courts," approved June 2, 1877, in force July 1, 1877.

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 entitled "An act to establish Appellate courts," approved June 2, 1877, in force July 1, 1877, be and the same is hereby amended so as to read as follows:

"Section 8. The said Appellate courts created by this act shall exercise appellate jurisdiction only, and have jurisdiction of all matters of appeal or writs of error from the final judgments, orders or decrees of any of the circuit courts, or the Superior Court of Cook county, or county courts, or from the city courts in any suit or proceeding at law, or in chancery other than criminal cases, not misdemeanors, and cases involving a franchise or freehold or the validity of a statute. Appeals and writs of error shall lie from the final orders, judgments or decrees of the circuit and city courts, and from the Superior Court of Cook county, directly to the Supreme Court, in all criminal cases and in cases involving a franchise or freehold or the validity of a statute. In all cases determined in said Appellate courts, in actions *ex-contractu* wherein the amount involved is less than one thousand dollars (\$1,000), exclusive of costs, and in all cases sounding in damages, wherein the judgment

of the court below is less than one thousand dollars (\$1,000), exclusive of costs, and the judgment is affirmed or otherwise finally disposed of in the Appellate Court, the judgment, order or decree of the Appellate Court shall be final, and no appeal shall lie or writ of error be prosecuted therefrom: *Provided*, the term *ex-contractu* as used in this section shall not be construed to include actions involving a penalty. In all other cases appeals shall lie and writs of error may be prosecuted from the final judgments, orders or decrees of the Appellate courts to the Supreme Court: *Provided, also*, that in any case a majority of the judges of the Appellate Court shall be of opinion that a case decided by them involving a less sum than one thousand dollars (\$1,000), exclusive of costs, also involves questions of law of such importance, either on account of principal or collateral interests, as that it should be passed upon by the Supreme Court, they may in such cases grant appeals and writs of error to the Supreme Court on petition of parties to the cause, in which case the said Appellate Court shall certify to the Supreme Court the grounds of granting said appeal: *And provided, further*, that in all actions where there was no trial on an issue of fact in the lower court, appeals and writs of error shall lie from the Appellate courts to the Supreme Court where the amount claimed in the pleadings exceeds one thousand dollars (\$1,000)."

APPROVED June 6, 1887.

CIRCUIT COURTS.

JUDGES COOK COUNTY.

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| <p>§ 1. Provides for the election of six additional judges of the circuit court of Cook county.</p> | <p>§ 2. Fixes time of election and term of office, after first election under this act.</p> <p>§ 3. Emergency.</p> |
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AN ACT to provide for an increase of the number of judges of the Circuit Court of Cook county.

WHEREAS, it appears by a canvass of this State, commonly known as the school census, taken in the year 1886, pursuant to law, that the number of inhabitants of the said county of Cook was over nine hundred and sixteen thousand (916,000), and that thereby said county is entitled by section 23, article 6, of the constitution of this State to six additional judges; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an election be held by the qualified electors of said county of Cook on the first Monday of June, next after this act shall take effect, for six additional judges of the circuit court, whose term of office shall expire upon the first Monday in June, 1891, upon the election and qualification of their successors in office.

§ 2. Upon said first Monday of June, 1891, and every six years thereafter, there shall be elected at the same time and in the same manner as the other judges of said circuit court, six judges successors in office of the judges by this act authorized to be elected.

§ 3. All acts in conflict herewith are hereby repealed; and whereas the docket of said court being much overcrowded, an emergency exists. This act shall go into effect upon its passage.

APPROVED May 4, 1887.

JUDGES MAY HEAR AND DECIDE CASES BY AGREEMENT BETWEEN PARTIES.

§ 1. Controversies between parties by agreement; terms of agreement. | § 2. Judge shall hear without delay; appeals not allcwed.

AN ACT to enable parties to avoid delay in the administration of justice.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any two or more persons or corporations may appear in person or by attorney in any circuit court (or in the Superior Court of Cook County) and submit to any judge thereof, orally, and without formal pleadings, any matter in controversy, having first entered into a written agreement (to be entered of record) and substantially in the following form, to-wit:

"In the circuit [court] of.....county.

First—We (here insert names) do hereby mutually agree to submit to Judge (here insert name), of said court, certain matters in controversy between us for his determination, without a jury, he to hear the same forthwith and to enter the judgment or decree of the court therein within (here insert number of days or "forthwith") days after such hearing is concluded.

Second—That said judgment or decree shall contain a statement as to what matters in controversy were so submitted, and such statement thereof shall be conclusive.

Third—That no record except of this agreement and of such judgment or decree shall be made as to the matters in controversy so submitted, or as to the proceedings had on the hearing thereof.

Fourth—That such judgment or decree may be enforced in like manner as other judgments and decrees of such court.

Fifth—That we each to the other hereby waive all right of appeal from such judgment or decree and release all errors that may intervene in the hearing of the matter so submitted, and in the entering up of the judgment or decree therein, and agree that this release of errors may be plead in bar of any writ of error that may be sued out as to such judgment or decree.

Witness our hands and seals, thisday of....., A. D....

[SEAL.]

[SEAL.]

Such agreement shall be signed by the parties in person or by duly authorized attorney in fact, and when so executed shall be of binding force upon the parties thereto in all the courts of this State.

§ 2. It shall be the duty of such judge to proceed and in a summary manner to hear and determine the matters so submitted, and he shall enter a judgment or decree therein, within the time fixed in said agreement, which said judgment or decree shall be final and conclusive, and may be enforced in like manner as other judgments or decrees of such court, but no appeal shall be allowed therefrom.

APPROVED June 17, 1887.

SHORT-HAND REPORTERS.

§ 1. Judges may appoint reporters.

§ 2. Duties of reporters; compensation; transcript charged as costs.

§ 3. Oath of office.

AN ACT to authorize the judges of the circuit courts to appoint short-hand reporters for the taking and preservation of evidence and to provide for their compensation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the several judges of the circuit courts in this State be and they are hereby authorized to appoint a short-hand reporter for their respective courts, whose duty shall be as hereinafter specified. The reporter so appointed shall hold his position during the pleasure of the judges appointing him; not, however, to extend beyond the time the judges making such appointment shall be elected for: *Provided, however,* that in case of the absence or disability of the reporter so appointed, the presiding judge may appoint any other reporter to act in his place during such absence or disability.

§ 2. The said reporter shall cause full phonographic notes of the evidence in all trials in the court for which he is so appointed to be taken down, and one transcript of the same, if desired by either party to the suit or by their attorney or by the judge of the court, to be forthwith correctly made and furnished to the party so desiring it. The compensation of the reporter for taking such phonographic notes shall be fixed by the judges appointing him at any sum not exceeding five dollars per day. The presiding judge of the court shall furnish to said reporter at the close of each term of court a certificate showing the amount per diem due him, and upon presentation to the county treasurer of such county he shall pay the same out of any funds of such county in his hands. Said

reporters shall be allowed to charge not to exceed fifteen cents per one hundred words for making transcripts of said short-hand notes, to be paid in the first instance by the party on whose behalf such transcript is ordered, and allowed and taxed as costs in the suit, and the transcript when so paid for by the party ordering it and the charges for the same is taxed as costs, the same shall be filed and remain with the papers in the case: *Provided, however,* that when the judge trying the cause shall, of his own motion, order a transcript of said short-hand notes as hereinbefore provided, he may direct the payment of the charges therefor and the taxation of the same as costs in such manner as to him may seem just: *Provided, always,* that the charges for making but one transcript may be taxed as costs; the party first ordering the transcript shall have the preference, unless it shall be otherwise ordered by the court.

§ 3. Said reporter shall, before entering upon the duties of his office, take and subscribe the official oath to faithfully discharge the duties of his office to the best of his knowledge and ability.

APPROVED May 31, 1887.

TERMS FILED—FIFTH CIRCUIT.

§ 1. Amends section 6 of the act of 1879, fixing the terms of court in the fifth circuit.

AN ACT to amend section six (6) of an act entitled "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of Cook county," approved May 24, 1879, in force July 1, 1879, as amended by act approved June 30, 1885, in force July 1, 1885.

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 concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of Cook county," approved May 24, 1879, in force July 1, 1879, as amended by act approved June 30, 1885, in force July 1, 1885, be and the same is amended so as to read as follows:

"Section 6. In the county of Sangamon on the first Mondays of September, November, January, March and May; in the county of Montgomery on the first Monday of November and third Monday of January and April: *Provided,* that the January term in Montgomery county and May term in Sangamon county shall have no jury summoned, unless the same is done on the written order of the judge. In the county of Macoupin on the third Monday in February and first Monday in June and third Monday in September. In the county of Christian on the first Monday in March, last Monday in June, first Monday in August and third Monday in

November: *Provided*, that the said June term shall be devoted exclusively to the trial of chancery causes, and the trial or transaction of any business in criminal and civil cases not requiring a jury, and no jury shall be impaneled for said June term. In the county of Fayette on the third Tuesday after the first Tuesday in February, and the fourth Tuesday after the third Tuesday in August. In the county of Shelby on the first Tuesday of April, and on the eighth Tuesday after the third Tuesday of August."

APPROVED May 7, 1837.

TERMS FIXED, 6TH CIRCUIT.

§ 1. Amends section 7, act of 1879, by changing the terms in the 6th circuit.

AN ACT to amend section seven of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, be, and the same is, hereby amended so as to read as follows:

"Section 7. [SIXTH CIRCUIT.] In the county of Adams on the third Monday in January and fourth Monday of March, and on the third Monday of May, and on the third Monday of June and third Monday of September, and on the fourth Monday of October. In the county of Hancock on the first Mondays of March, June and October. In the county of McDonough on the first Tuesday of February, the second Tuesday of May and the second Tuesday of September: *Provided*, that the May term shall be devoted exclusively to the trial of chancery causes, and to the trial or transaction of any business in civil and criminal cases not requiring a jury, and no jury shall be impaneled for said May term. In the county of Brown on the fourth Tuesday in February and the first Tuesday in October. In the county of Fulton on the second Tuesday of March, the third Tuesday of August and the first Tuesday of December: *Provided*, that the March term shall be devoted exclusively to the trial of chancery causes, and the trial or transaction of any business in civil and criminal cases not requiring a jury, and no grand or petit jury shall be impaneled for said March term. In the county of Pike on the first Tuesday of April and the first Tuesday of November. In the county of Schuyler on the fourth Tuesday in April and the third Tuesday in October."

APPROVED June 3, 1887.

COUNTY COURTS.

PROBATE TERMS FIXED, IN ALL COUNTIES—LAW TERMS IN ALEXANDER, BUREAU, HARDIN, VERMILION.

§ 1. Amends section 6, act 1874, by fixing the terms of county courts for all probate business on the first Monday of the month.

Amends section 10, by fixing the terms in Alexander county.

Amends section 14, by fixing the terms in Bureau county.

Amends section 43, by fixing the terms in Hardin county.

Amends section 99, by fixing the terms in Vermilion county.

Amends section 109½ in regard to the adjournment of law terms.

AN ACT to amend sections six (6), ten (10), and fourteen (14), forty-three (43), ninety-nine (99), and one hundred and nine and one-half (109½) 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, and as amended May 22, 1877 and June 18, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections six (6), ten (10), fourteen (14), forty-three (43), ninety-nine (99) and one hundred nine and one-half (109½) 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, and as amended May 22, 1877, and June 18, 1883, be, and the same is, hereby amended to read as follows, to-wit:

"Section 6. The terms of county courts for all probate business shall commence on the first Monday of each month, and shall be always open for the transaction of all probate business, and for hearing applications for the discharge of insolvent debtors from arrest or imprisonment, and all matters cognizable at such probate terms shall also be cognizable at the law terms of such courts."

"Section 14. Bureau on the first Mondays of January, June and October in each year."

"Section 10. Alexander on the first Monday of March, July and November."

"Section 43. Hardin on the first Monday of February, June and October."

"Section 99. Vermilion on the first Mondays of January, April and September."

"Section 109½. The court shall continue open from day to day until the business before it is disposed of, but may, when required for the proper disposition of business, adjourn its regular law term to any day prior to the first day of the next regular law term thereof."

APPROVED June 15, 1887.

TERMS—CRAWFORD COUNTY.

§ 1. Amends section 25, act 1874, by changing the terms in Crawford county.

AN ACT to amend section twenty-five of an act entitled "An act to extend the jurisdiction of county courts and provide for the practice thereof, to fix the time for holding 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 twenty-five 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 same and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be so amended as to read as follows:

"Section 25. Crawford, June and December."

APPROVED June 3, 1887.

TERMS—PIATT COUNTY.

§ 1. Amends section 82 of the act of 1874, changing the terms in Piatt county.

AN ACT to amend section eighty-two (82) 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.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section eighty-two (82) 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, in force July 1, 1874, be so amended as to read as follows:

"Section 82. Piatt in November, April and July."

Whereas, an emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED March 16, 1887.

TERMS—SANGAMON.

§ 1. Changes the time of holding the county court in Sangamon county. | § 2. Emergency.

AN ACT to amend an act entitled "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, and to fix the time for holding the same, and to repeal an act therein named,'" approved March 23, 1874; approved April 6, 1875.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled "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, and to fix the time of holding the same, and to repeal an act therein named,'" approved March 26, 1874; approved April 6, 1875, be and the same is hereby amended so as to read as follows:

"Sangamon, on the third Monday in January, May and September."

§ 2. For the reason that a term of said court intervenes between this time and the first day of July next, an emergency exists, and that this bill shall be in force from and after its passage.

APPROVED March 25, 1887.

TERMS—SCOTT COUNTY.

§ 1. Amends section 94, act of 1874, by changing the terms in Scott county.

AN ACT to amend section 94 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 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 94 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 repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be so amended as to read as follows:

"Section 94. Scott in January and July."

APPROVED June 10, 1887.

TERMS—WABASH COUNTY.

§ 1. Amends section 100, act 1874, changing the terms in Wabash county.

AN ACT to amend section one hundred (100) 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; as amended by an act approved May 22, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one hundred (100) 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, as amended by an act approved May 22, 1877, in force July 1, 1877, be and the same is hereby amended so as to read as follows:

"Section 100. Wabash, in January and July."

APPROVED March 31, 1887.

TERMS—WILL COUNTY.

§ 1. Amends section 106 of the act of 1874, fixing the terms of court in Will county.

AN ACT to amend section 106 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.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one hundred and six (106) 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 hereby amended so as to read as follows:

"Section 106. Will, in March, July and November."

APPROVED April 15, 1887.

TERMS—WOODFORD COUNTY.

§ 1. Changes time of holding in Woodford county.

AN ACT to amend section 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, 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 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, in force July 1, 1874, be so amended as to read as follows:

"Section 109. Woodford, October, February and June."

APPROVED May 4, 1887.

CRIMINAL CODE.

ARREST ON INDICTMENT—BAIL.

§ 1. Amends sections 1, 3 and 4, Division 12, so as to authorize the officers making an arrest upon a *capias*, may admit the person arrested, if bailable, to bail in vacation.

AN ACT to amend sections one (1), three (3) and (4), of division XII of an act entitled "An act to revise the law in relation to criminal jurisprudence," 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), three (3) and (4), of division xii, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be, and the same are, hereby amended so as to read as follows:

"Section 1. When an indictment is found as a true bill, if the offense is bailable, the court shall make an order fixing the amount of bail to be required of the accused."

"Section 3. When the offense is bailable the clerk shall endorse on the process the amount of bail required by the order of the court, and if the court orders the process returnable forthwith, the *capias* shall require the accused to be arrested and brought immediately into court.

“Section 4. The sheriff, or in case of his absence or inability, the coroner or some one of the constables of the county to which the *capias* is directed, shall arrest the person named in the warrant, and, if the offense is bailable and the writ is not returnable forthwith, let him to bail if sufficient bail is offered, or if the offense is not bailable or sufficient bail not offered, take his body to the jail of the county where the *capias* is returnable, and deliver him, together with the *capias*, to the keeper of the jail, there to remain until discharged in due course of law. If the process is returnable forthwith, the accused shall be immediately brought into court, when he shall either be committed, bailed or tried, as the court may direct; but if the court shall not be in session when the officer makes the arrest, so that the accused may be let to bail in open court, such officer may let him to bail conditional for his appearance on the day to which the court stands adjourned, if sufficient bail is offered. The sheriff or other officer, taking such bail, shall be authorized and required to administer oaths for the purpose of ascertaining the sufficiency of the bail offered.”

APPROVED June 14, 1897.

CONSPIRACY.

§ 1. Amends section 46, act of 1874, by making what is commonly known as the “boycott” conspiracy under the law.

AN ACT to amend section 46 of division 1, of “An act to revise the law in relation to criminal jurisprudence,” 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 section 46 of division 1, of “An act to revise the law in relation to criminal jurisprudence,” approved March 27, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

“Section 46. [TO DO ILLEGAL ACT.] If any two or more persons conspire or agree together, or the officers or executive committee of any society or organization or corporation shall issue or utter any circular or edict as the action of or instruction to its members, or any other persons, societies, organizations or corporations for the purpose of establishing a so-called boycott or black list, or shall post or distribute any written or printed notice in any place, with the fraudulent or malicious intent wrongfully and wickedly to injure the person, character, business or employment or property of another, or to obtain money or other property by false pretenses, or to do any illegal act injurious to the public trade, health, morals, police, or administration of public justice, or to prevent competition in the letting of any contract by the State or the authorities of any counties, city, town or village, or to induce any person not to enter into such

competition, or to commit any felony, they shall be deemed guilty of a conspiracy; and every such offender, whether as individuals or as the officers of any society or organization, and every person convicted of conspiracy at common law, shall be imprisoned in the penitentiary not exceeding five years, or fined not exceeding \$2,000, or both."

APPROVED June 16, 1887.

CONSPIRACY.

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| <p>§ 1. Liability of all parties to a conspiracy.</p> <p>§ 2. Public speaking, writing or publishing in aiding and abetting or inciting to revolution, riot, violence or resistance to law, shall be deemed conspiracy.</p> | <p>§ 3. All parties connected with a conspiracy guilty of the crime committed by either or any of them.</p> <p>§ 4. Proof of conspiracy.</p> <p>§ 5. Construction of this act.</p> |
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AN ACT entitled "*An act to further define conspiracy and to punish the same, and crimes committed in pursuance thereof, and relating to the rule of evidence therein.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That if two or more persons shall conspire to do an unlawful act, dangerous in its character to human life or to person or property, or if its accomplishment will necessarily or probably require the use of force and violence, which may result in the taking of human life or injury to person or property, every party to such conspiracy shall be held criminally liable for whatever offense any one or more of his co-conspirators shall commit in furtherance of the common design.

§ 2. If any person shall, by speaking to any public or private assemblage of people, or in any public place, or shall by writing, printing or publishing, or by causing to be written, printed, published or circulated, any written or printed matter, advise, encourage, aid, abet, or incite a local revolution, or the overthrowing or destruction of the existing order of society by force or violence, or the resistance to and destruction of the lawful power and authority of the legal authorities of this State or of any of the towns, cities or counties of this State, or resistance to the same, by force and violence, or by any of the means aforesaid shall advise, abet, encourage or incite the disturbance of the public peace, and by such disturbance attempt at revolution or destruction of public order or resistance to such authorities shall thereafter ensue, and human life is taken or any person is injured, or property is destroyed by any person or by any of the means employed to carry into effect the purpose so advised, encouraged, aided, abetted or incited as aforesaid; every person so aiding, advising, encouraging, abetting or inciting the same shall be deemed as having conspired with the person or persons who actually commit the crime, and shall be

deemed a principal in the perpetration of the same and be punished accordingly, and it shall not be necessary for the prosecution to show that the speaking was heard or the written or printed matter aforesaid was read or communicated to the person or persons actually committing the crime, if such speaking, writing, printing or publishing is shown to have been done in a public manner within this State.

§ 3. If two or more persons conspire to overthrow the existing order of society by force or violence, or to bring about a local revolution by force, or to destroy or resist and overcome the legal authorities of the State or of any county, city or town thereof, and a human being is killed, or person injured, or property destroyed, by any of the persons engaged in such conspiracy, or by any one who may participate with them in the unlawful design and purpose, in furtherance of the object of such conspiracy, then all persons who may have conspired together as aforesaid, together with all persons who may actively participate in carrying into effect their common design, shall be deemed guilty of the crime committed by any one or more of such persons so conspiring or acting with such conspirators in the common design, and shall be punished accordingly; notwithstanding the time and place for the bringing about such revolution or overthrowing of public order, or the destruction or overcoming of such authorities had not been definitely agreed upon by such conspirators, but was left to the exigencies of the time, or the judgment of co-conspirators or some one or more of them.

§ 4. Hereafter it shall not be necessary in order to establish a conspiracy, as aforesaid, to prove that the parties charged ever came together and entered into any agreement, combination or arrangement to accomplish a criminal or unlawful purpose, but it shall be sufficient if it appears that the parties charged were actually pursuing, in concert, the unlawful purpose, whether acting separately or together, at the same or different times, by the same or different means, providing that the acts of each were knowingly tending to the same unlawful result.

§ 5. Nothing in this act contained shall be construed as repealing by implication or otherwise any law now in force in this State.

APPROVED June 16, 1887.

PROSTITUTION OF FEMALES.

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| <p>§ 1. Inducing females to enter houses of prostitution.</p> <p>§ 2. Unlawfully detaining for prostitution.</p> <p>§ 3. Keepers of houses of prostitution prohibited from permitting females under 18 from remaining.</p> | <p>§ 4. Enticing or inducing to come to this State for purposes of prostitution.</p> <p>§ 5. This act shall not interfere with any other act.</p> |
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AN ACT to prevent the prostitution of females.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whoever within this State shall, by, or under any false pretense, entice, induce or procure any unmarried female of a chaste life, and conversation, residing or being in this State, to enter a house of prostitution or any dance house, garden or premises where prostitution, fornication or concubinage is practiced or allowed in this State, or shall entice, induce or procure such unmarried female to leave this State and go to any other State or Territory of the United States, or any foreign State or Territory, for the purpose of prostitution or fornication, or to enter any house, garden or premises where prostitution or fornication is practiced or allowed, and whoever aids, assists or abets any person or persons in committing aforesaid offenses or either of them, on conviction, shall be imprisoned in the penitentiary not less than one nor more than ten years.

§ 2. Whoever shall unlawfully detain or confine any female, by force, false pretense or intimidation, in any room, house, building or premises in this State, against the will of such female, for purposes of prostitution or with intent to cause such female to become a prostitute, and be guilty of fornication or concubinage therein, or shall by force, false pretense, confinement or intimidation attempt to prevent any female so as aforesaid detained, from leaving such room, house, building or premises, and whoever aids, assists or abets by force, false pretense, confinement or intimidation, in keeping, confining or unlawfully detaining any female in any room, house, building or premises in this State, against the will of such female, for the purposes of prostitution, fornication or concubinage, shall on conviction, be imprisoned in the penitentiary not less than one nor more than ten years.

§ 3. Whoever, being the keeper of a house of prostitution, or assignation house, building or premises in this State where prostitution, fornication or concubinage is allowed or practiced, shall suffer or permit any unmarried female under the age of eighteen years, of chaste life and conversation, to live, board, stop or room in such house, building or premises, shall, on conviction, be imprisoned in the penitentiary not less than one nor more than five years.

§ 4. Whoever shall entice, induce or procure to come into this State, any unmarried female under the age of eighteen years, for the purpose of prostitution, fornication or concubinage, or to enter any house of prostitution in this State, shall, on conviction, be imprisoned in the penitentiary not less than one nor more than five years.

§ 5. The passage of this act shall not affect section one of division one of the Criminal Code, entitled "Abduction of Females," or any indictment heretofore, or that may hereafter be found under said act.

APPROVED June 17, 1887,

RAPE.

§ 1. Amends section 237, act of 1874, by fixing the age of "consent" in females at 14 years; and criminal liability in males at 16 years with and 14 years without consent of the female.

AN ACT to amend section two hundred and thirty-seven of division one of an act entitled "An act to revise the law in relation to criminal jurisprudence," 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 section two hundred and thirty-seven of division one of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be, and the same is amended so as to read as follows:

"Section 237. Rape is the carnal knowledge of a female, forcibly and against her will. Every male person of the age of sixteen years and upwards, who shall have carnal knowledge of any female person under the age of fourteen years, either with or without her consent, shall be adjudged to be guilty of the crime of rape: *Provided*, that every male person of the age of fourteen years and upwards, who shall have carnal knowledge of a female forcibly and against her will, shall be guilty of the crime of rape. Every person convicted of the crime of rape shall be imprisoned in the penitentiary for a term not less than one year, and may extend to life."

APPROVED June 9, 1887.

ELECTIONS.

§ 1. Amends sections 2, article 8, act of 1885, by authorizing election commissioners to act as commissioners *ex-officio* in any other city, town or village in the same county, adopting the election law of 1885.

AN ACT to amend section 2 of article VIII of an act entitled "An act regulating the holding of elections and declaring the result thereof, in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of article VIII of an act entitled "An act regulating the holding of elections and

declaring the result thereof, in cities, villages and incorporated towns in, this State," approved June 19, 1885, in force July 1, 1885, be amended to read as follows:

"Section 2. Whenever any city, village or incorporated town may adopt this act, and which city, village or incorporated town shall lie within any county in which another city shall have previously thereto adopted this act, then in such case the commissioners of elections appointed, or which may be appointed for such last mentioned city, shall also be *ex-officio* commissioners of election for such first mentioned city, village or incorporated town, and shall have and exercise the same powers as if specially appointed for such city, village or town."

APPROVED June 17, 1887.

INMATES OF SOLDIERS' AND SAILORS' HOMES.

§ 1. Inmates of homes shall vote in the district in which the home is located.

AN ACT to enable inmates of soldiers' and sailors' homes within the State of Illinois to vote at elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every honorably discharged soldier or sailor, who shall have been an inmate of any soldiers' and sailors' home within the State of Illinois for ninety days or longer, and who shall have been a citizen of the United States and resided in this State one year, in the county where any such home is located ninety days, and in the election district thirty days next preceding any election, shall be entitled to vote in the election district in which any such soldiers' and sailors' home, in which he is an inmate thereof as aforesaid, is located, for all officers that now are or hereafter may be elected by the people, and upon all questions that may be submitted to the vote of the people: *Provided*, that he shall declare upon oath, if required so to do by any officer of election in said district, that it was his *bona fide* intention at the time he entered said home to become a resident thereof.

APPROVED June 16, 1887.

QUALIFICATION—OFFENSES AND PENALTIES.

- § 1. Amends section 70 by making it conform to section 83 as amended by this act. Amends section 82 by defining the offenses and penalties for interfering with or bribing voters. Amends section 83 by providing for disfranchisement of voters who accept or solicit bribes, and prescribing further penalties; offering to vote before term of disfranchisement has expired.

AN ACT to amend sections seventy (70), eighty-two (82) and eighty-three (83) of "An act in regard to elections, and to provide for filling vacancies in elective offices," in force July 1, 1872, the same being chapter forty-six (46) of the Revised Statutes of the State of Illinois, A. D. 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections seventy, eighty-two and eighty-three of "An act in regard to elections, and to provide for filling vacancies in elective offices," in force July 1, 1872, the same being chapter forty-six of the Revised Statutes of the State of Illinois, A. D. 1874, be and the same are hereby amended so as to read as follows:

"Section 70. No person who has been legally convicted of any crime, the punishment of which is confinement in the penitentiary, or who shall be convicted and sentenced under section eighty-three of this act, shall be permitted to vote at any election, unless he shall be restored to the right to vote by pardon, or by the expiration of the term of his disfranchisement under section eighty-three of this act.

"Section 82. Whoever wilfully aids or abets any one not legally qualified to vote at an election in voting or attempting to vote at such election; or

Second—Furnishes an elector with a ticket or ballot informing him that it contains a name different from that which appears thereon, with intent to induce him to vote contrary to his inclinations; or

Third—Changes a ballot of an elector, with intent to deprive such elector of voting for such person as he intended; or

Fourth—By unlawful means prevents or attempts to prevent any voter from attending or voting at an election; or

Fifth—Gives, or offers to give, any valuable thing or bribe to any judge or clerk of an election, as a consideration for some act to be done or omitted to be done contrary to his official duty in relation to such election, shall, on conviction thereof, be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court. And any judge or clerk who shall receive, request or demand any bribe or reward forbidden by this act, shall upon conviction, be liable to the same penalties as are prescribed in this act for the giving or offering to give such bribe or reward.

"Section 83. Any person who shall solicit, request, demand or receive, directly or indirectly, any money, intoxicating liquor or other thing of value, or the promise thereof, either to influence his

vote, or to be used, or under the pretense of being used to procure the vote of any other person or persons, or to be used at any poll or other place prior to or on the day of an election for or against any candidate for office, or for or against any measure or question to be voted upon at such election, shall be deemed guilty of the infamous crime of bribery in elections, and upon conviction thereof, in any court of record, shall be sentenced to disfranchisement by the judge of such court for a term of not less than five nor more than fifteen years, and to the county jail not less than three months nor more than one year, and to pay the cost of prosecution and stand committed to the county jail until such costs shall be fully paid. That for a conviction of a second offense under this section, the first being alleged and proven, such second offender shall be, by the sentence of the court, forever thereafter disfranchised and deprived of the right to vote at an election in this State, and be imprisoned in the county jail not less than one year, and be committed to jail in default of payment of costs of prosecution until such costs are fully paid. Prosecutions may be had under this section by indictment in the circuit court, or by information in the county courts, and the effect of a sentence of disfranchisement in either of said courts, both having jurisdiction of offenses hereunder, shall be to deprive such persons sentenced of the right to vote at any general or special election, or town meeting within this State for the period of time fixed by the court where such person shall be convicted under this section. Any candidate or other person paying, furnishing or promising to pay or furnish or bribing such person, with money, intoxicating liquor or other thing of value, or the promise thereof, shall not be liable to punishment therefor, but shall be a competent witness and compelled to testify in prosecutions under this section. Solicitation by any person of a loan of money, or the purchase of anything of value, or of liquor by the drink or treat to influence or affect his vote, or any other subterfuge, shall be deemed a violation hereof.

Second—Any person who shall have been legally convicted and disfranchised by a court of competent jurisdiction, who shall, before the expiration of his term of disfranchisement, vote or offer to vote at any general or special election, or town meeting within this State, shall, upon indictment and conviction thereof in a court of competent jurisdiction, be confined in the penitentiary for a term of years not less than one, nor more than ten years.”

§ 2. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED June 17, 1887.

TOWN AND SCHOOL OFFICERS.

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| § 1. Elections for town and school officers in cities, towns and villages which have adopted the city election law of 1885, in those portions of the school district without the city, town or village; how conducted. | § 2. Elections within such city, town or village; how conducted.
§ 3. Penalties for refusing or neglecting to act.
§ 3½. Repeal.
§ 4. Emergency. |
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AN ACT to regulate the holding of elections and declaring the result thereof for town, school township and school district purposes, where such town, school township or school district lies wholly within or partly within and partly without any city, village or incorporated town which has adopted or may adopt an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all elections hereafter held for town, school township or school district purposes in any town, school township or school district lying wholly within or partly within and partly without any city, village or incorporated town which has or may adopt an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, the legal authorities of such town, school township or school district shall locate the polling place or places, appoint the judges and clerks, and otherwise conduct the election in that portion or part of the town, school township or school district that lies without such city, village or incorporated town, in the manner now provided by law, except as hereinafter provided, but no one residing without such city, village or incorporated town shall vote at any polling place within, nor shall any one residing within vote at any polling place without, and the votes cast at the polling place or places without such city, village or incorporated town, shall be canvassed, certified and returned as is now provided by law in such cases, and in addition thereto a complete abstract of the votes cast shall be made, certified and returned to the election commissioners of such city, village or incorporated town.

§ 2. In all that part or portion of such town, school township or school district that lies within such city, village or incorporated town, or where the same lies wholly within any such city, village or incorporated town, the election shall be conducted by the election commissioners of such city, village or incorporated town in strict conformity with the said act approved June 19, 1885, mentioned in section one of this act, and when partly within and partly without any such city, village or incorporated town the election commissioners shall certify the returns received by them from the polling place or places without such city, village or incorporated town, to the proper officer or officers; and all the returns so certified and returned by the election commissioners shall be canvassed, together with the returns certified from polling places within, by the same

canvassing board, the results thereof declared, and certificates of election shall be issued thereon, the same as if all such votes had been cast in, certified and returned from such city, village or incorporated town: *Provided*, it shall not be necessary under this act for the election commissioners to make or cause to be made a revision of the registry for special elections, or elections to fill a vacancy in a single office.

§ 3. An officer who shall willfully refuse to perform any duty required by this act shall be guilty of a misdemeanor, and shall be liable to a fine of not less than one hundred dollars nor more than five hundred dollars, and on conviction shall be removed from office, by the order of court wherein such fine is assessed, and any person or combination of persons who shall under any pretense whatever attempt to establish a rival polling place, or otherwise attempt to obstruct or interfere with any election held or to be held under this act, shall be guilty of a felony, and on conviction shall be imprisoned in the penitentiary not less than one nor more than three years.

§ 3½. All acts or parts of acts in conflict with this act are hereby repealed.

§ 4. Whereas an emergency exists, therefore this act shall be in force from and after its passage.

APPROVED March 23, 1887.

EVIDENCE AND DEPOSITIONS.

COPIES OF ENTRIES.

§ 1. Amends section 23, act of 1872, by making it apply to swamp and overflowed lands sold by counties.

AN ACT to amend section 23 of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 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 twenty-three (23) of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 23. Copies of the books and entries of the sale of all lands or lots heretofore or that hereafter may be sold by this State or any of the officers thereof under any law of this State, certified to be true and correct copies of such books and entries by the proper person or officer in whose custody said books and entries

may properly be, shall be *prima facie* evidence of the facts stated in said books and entries. The certificate of such officer of the purchase of or issuing of a patent for any tract of land sold by this State or any agent of the same, shall be deemed and taken as evidence of title in the party certified to have made such purchase or obtained such patent, his heirs or assigns, unless a better and paramount title is exhibited for the same. The patent for land shall be deemed a better and paramount title in the patentee, his heirs and assigns, than such certificate, and when any swamp and overflowed lands and lots heretofore have been or hereafter may be sold under any law of this State by any proper person or officer of the county in which said lands lie, copies of the books and entries of the sales of such swamp and overflowed lands and lots certified to be true and correct copies of such books and entries by the proper person or officer in whose custody such books and entries may properly be, shall be *prima facie* evidence of the facts stated in such books and entries. The certificate of such officer of the sale or entry of any tract or tracts of such swamp and overflowed land or lots and of the execution of a deed for the same, giving the date of such sale or entry, the date of the execution of the deed, the name of the purchaser and description of the land, under the seal of his office, may, if the original deed be lost, or it be out of the power of the party wishing to use the same to produce it in evidence, and such original deed has never been recorded, be read in evidence in place of said original deed and shall be *prima facie* evidence of the execution and delivery of a proper deed for such land, and shall be deemed and taken as evidence of title in the person certified to have made such entry or purchase, his heirs and assigns, until a better and paramount title is exhibited for the same. And whenever it shall appear that the original deed upon any entry or sale of such swamp and overflowed lands is lost, or not in the power of the party wishing to use the same to produce in evidence, and the same had never been recorded as aforesaid and that the books and original entries of sale of such swamp and overflowed lands or lots have also been lost or destroyed, and the clerk of the county court or other proper officer shall have made return of such sales and entries to the Auditor of Public Accounts according to law, a certified copy of such return by the Auditor under his seal of office, may be used in evidence with the like force and effect as hereinbefore provided: *Provided*, that the party applying to the Auditor for such certificate shall pay a fee of one dollar for each certificate.

APPROVED June 17, 1887.

BREAKING SEAL.

§ 1. Amends section 32, act of 1872, by authorizing clerks of court to open sealed depositions when the endorsements therein are sufficiently clear to designate the contents.

AN ACT to amend section thirty-two (32) of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 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 thirty-two (32), of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, be, and the same is, hereby amended so as to read as follows:

"Section 32. It shall not be lawful for any party litigant, or the clerk of the court into which any deposition may be returned as aforesaid, to break the seal of the same, either in term time or in vacation, unless by written consent of the parties thereto or their attorneys, or by the order of the court duly entered of record. And if any such person or clerk shall presume to open any such deposition when taken and returned as aforesaid, without such consent or order of the court, as aforesaid, he shall be considered guilty of a contempt of court, and may be punished accordingly: *Provided*, that it shall not be considered an offense for the clerk to break open any such deposition, as aforesaid, when it is doubtful, from the indorsements made thereon, whether the same be a deposition or not; but in such case, it shall not be proper for such clerk to permit any person to examine any deposition which may be thus opened by mistake, until the consent of the parties or their attorneys is first had and obtained therefor, as aforesaid, or until the court shall have entered the order therefor as aforesaid."

APPROVED June 16, 1887.

EXEMPTIONS.

HOMESTEADS.

§ 1. Amends section 4, act 1873, by adding the proviso.

AN ACT to amend section four (4) of an act to amend an act entitled "An act to exempt the homestead from forced sale, and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress for rent," approved April 30, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four ($\frac{1}{2}$) of an act entitled an act to amend an act entitled "An act to exempt the homestead from forced sale and to provide for setting off the same, and

to exempt certain personal property from attachment and sale on execution, and from distress for rent," approved April 30, 1873, in force July 1, 1873, be and hereby is amended so as to read as follows:

"Section 4. No release, waiver or conveyance of the estate so exempted, shall be valid, unless the same is in writing, subscribed by said householder and his or her wife or husband, if he or she have one, and acknowledged in the same manner as conveyances of real estate are required to be acknowledged, or possession is abandoned or given pursuant to the conveyance; or, if the exemption is continued to a child or children, without the order of a court of competent jurisdiction directing a release thereof: *Provided*, that in all cases when such release, waiver or conveyance shall be taken by way of mortgage or security, the same shall only be operative as to such specific release, waiver or conveyance; and when the same includes different pieces of land, or the homestead is of greater value than one thousand dollars, said other lands shall first be sold before resorting to the homestead, and in case of the sale of such homestead, if any balance shall remain after the payment of the debt and costs, such balance shall, to the extent of one thousand dollars (\$1,000), be exempt, and be applied upon such homestead exemption in the manner provided by law."

APPROVED June 17, 1887.

PERSONAL PROPERTY.

§ 1. Amends section 2, act 1877, by requiring a schedule to be made in ten days, and requires the appraisers to fix a fair cash value on the property.

AN ACT to amend section 2 of an act entitled "An act to exempt certain personal property from attachment and sale on execution and from distress for rent," approved May 24, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of "An act to exempt certain personal property from attachment and sale on execution and from distress for rent," approved May 24, 1877, in force July 1, 1877, be amended so as to read as follows:

"Section 2. Whenever any debtor, against whom an execution, writ of attachment or distress warrant has been issued, desires to avail himself or herself of the benefit of this act, he or she shall, within ten days after notice of the execution, attachment or distress warrant, make a schedule of all of his or her personal property of every kind and character, including money on hand and debts due and owing to the debtor, and deliver the same to the officer having the execution, writ of attachment or distress warrant, which said schedule shall be subscribed and sworn to by the debtor, and any property owned by the debtor and not included in said schedule

shall not be exempt as aforesaid, and thereupon the officer having the execution, writ of attachment or distress warrant, shall summon three householders, who, after being duly sworn to fairly and impartially appraise the property of the debtor, shall fix a fair valuation upon each article contained in said schedule, and the debtor shall then select from such schedule the articles he or she may desire to retain, the aggregate value of which shall not exceed the amount exempted to which he or she may be entitled, and deliver the remainder to the officer having the writ, and the officer having such writ is hereby authorized to administer the oaths required herein of the debtor and appraisers."

APPROVED June 10, 1887.

EXPLOSIVES.

MANUFACTURE, TRANSPORTATION AND SALE.

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| <p>§ 1. Prohibits the importation, manufacture or sale in this State for an unlawful purpose; penalties.</p> <p>§ 2. Aiding or abetting; penalties.</p> <p>§ 3. Soliciting or contributing money or property for the manufacture, use and sale in an unlawful manner; penalties.</p> | <p>§ 4. License to manufacture and sell; manufacture within one mile of inhabited dwelling prohibited; penalties.</p> <p>§ 5. Storing within certain limits prohibited.</p> <p>§ 6. Record of purchasers to be kept; transportation companies shall keep record of consignors; packages marked "dangerous."</p> <p>§ 7. Frauds and deceptions; penalties.</p> |
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AN ACT to regulate the manufacture, transportation, use and sale of explosives, and to punish an improper use of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person, firm, company or corporation who shall make, manufacture, compound, buy or sell, or otherwise procure or dispose of, or bring within the limits of this State, any dynamite, or any nitro-chlorate, or other explosive compound, with the intent to use the same, or that the same may be used for unlawful injury to or the unlawful destruction of life or property in any place whatsoever, shall be deemed guilty of felony, and, upon conviction thereof, shall be punished by imprisonment for a term of not less than five years nor more than twenty-five years.

§ 2. Any person abetting or in any way assisting in making, manufacturing, compounding, buying, selling, procuring, disposing of, storing, removing or transporting any dynamite, nitro-chlorate, or other explosive compound, as above named, either by furnishing the materials, ingredients, skill, means or labor, or by acting as agent, or in any manner acting as accessory before the fact, knowing or having reason to believe that the same is intended to be used by any person or persons in any way for the unlawful injury

to or destruction of life or property, shall be deemed principal, and, upon conviction, shall be subject to the same punishment as provided in section one of this act.

§ 3 Any person soliciting or contributing money or other property for the manufacture, sale, transportation or use of said explosive compounds, knowing or having reason to believe that the same is intended to be used for any unlawful destruction of life or property, shall be deemed guilty of a felony, and, upon conviction, shall be punished by imprisonment not less than three nor more than twenty-five years.

§ 4. That no person, firm, company or corporation shall make, manufacture or compound, within the limits of this State, any dynamite, nitro-chlorate, or other explosive compounds, within one mile of any inhabited dwelling; and no person, firm, company or corporation shall make, manufacture or compound any dynamite, nitro-chlorate, or other explosive compound, without a permit for such purpose, signed by the county clerk of the county in which said manufacturing or compounding is desired to be done, and duly attested with the seal of said official; and the said official issuing the said permit shall keep a record of the names and residences of persons to whom such writ is issued. The officer authorized by this act shall not issue such permit unless the purpose for which said explosive or compound is to be manufactured is a lawful one. Any person, firm, company or corporation making any such compound without such permit shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine or imprisonment, or both, in the discretion of the court, such fine to be not less than two hundred dollars nor more than one thousand dollars, and for a second offense shall be deemed guilty of a felony, and be subject to imprisonment in the penitentiary for not less than one year nor more than five years, and a fine of not less than five hundred dollars nor more than two thousand dollars.

§ 5. That no person, firm, company or corporation shall store or keep any dynamite, nitro-chlorate, or other explosive compound, within three hundred yards of any inhabited dwelling if the same shall be located without any city, nor within the limits of any city, except in conformity with the existing ordinances governing the storage or keeping of such explosive compound. Any violation of the provisions of this section shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars.

§ 6. It shall be the duty of every person in this State who shall sell or otherwise dispose of any such explosive compound, as above described, to keep a record of the name and residence of every person to whom he disposes of any such explosive compound, and the kind and amount thereof, and the date of such transaction, and such record shall be preserved for not less than three years. All persons, firms, companies or corporations transporting any of the above compounds, shall keep a record of the names and residences of the person, firm, company or corporation forwarding such explosive compound, and of the kind and amount forwarded, together with the name and address of the person, firm, company or corporation to whom the same is forwarded, with the date of its receipt

and delivery, and no transportation company shall receive any such explosive compound for transportation, unless the same is marked "explosive," "dangerous," in plainly legible letters on the outside of each and every package. Any violation of the provisions of this section shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars. All records, as above described, shall, if any provision of this act shall hereafter be violated, be open to the inspection of the prosecuting attorney of any county where any such violation shall occur, for the purpose of detecting or convicting the person or persons guilty of such violation: *Provided, however,* that the provisions and restrictions of this law, so far as they shall, or may, relate to the manufacture, sale or transfer of any of the explosive articles herein enumerated, shall not apply to any such articles which shall be consigned to any point without the limits of this State, except that all packages shall be marked "explosive," "dangerous."

§ 7. Any person, firm, company or corporation, who by fraud, deception or misrepresentation shall procure the transportation of any such explosive compound in any public conveyance, shall be deemed guilty of felony, and upon conviction shall be punished by imprisonment in the penitentiary for the term of not less than one year, nor more than five years, and a fine of not less than five hundred dollars, nor more than two thousand dollars.

APPROVED June 16, 1887.

FEES AND COSTS.

COPIES OF PAPERS IN APPEAL CASES.

- § 1. Copies of papers in making up record in appeal cases to Appellate and Supreme Courts.

AN ACT concerning fees and costs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any party to any suit or proceeding in any court of record in this State, desires to take an appeal or prosecute a writ of error from any judgment or decree of such court, rendered in any such suit or proceeding, to the Appellate or Supreme Court, and shall present to the clerk of such court, where such judgment or decree was rendered, a fair copy of the bill of exceptions or certificate of evidence, or other papers not of record in such cause necessary to be transcribed, the clerk shall, in making up the transcript of the record for such

appeal or writ of error, be allowed three cents for each one hundred words, for comparing such copies with the originals, or with the record thereof, and for correcting any errors in the same: *Provided*, that in no case shall the fee for such services be less than one dollar; and he shall insert such copy in the record and certify to the same as a part thereof. And in counties of the second and third class, the party furnishing such transcript, and who shall be successful on such appeal or writ of error, shall recover as costs against the unsuccessful party not furnishing such transcript, ten cents for each one hundred words thereof, and in counties of the first class fifteen cents for each one hundred words thereof, together with such other costs as may be allowed by law: *Provided*, that the parties to such appeal or writ of error may, by agreement, have the original bill of exceptions or certificate of evidence, instead of a copy, incorporated in such transcript of the record, without paying or being liable to pay any fees or costs therefor.

APPROVED June 15, 1887.

FEES AND SALARIES.

CLERKS OF PROBATE COURTS, COUNTIES THIRD CLASS.

§ 1. Amends section 1 of the act of 1879 by fixing the fees of clerks of probate courts in counties of the third class, and repeals all acts in conflict with this act.

AN ACT to amend sections one (1) and three (3) of an act entitled "An act to provide for fees of clerks of probate courts in counties of the third class," approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and three (3) of an act entitled "An act to provide for fees of clerks of probate courts in counties of the third class," approved May 29, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows:

"Section 1. That the clerks of probate courts, in counties of the third class, shall be entitled to receive the fees herein specified, for the services mentioned, and such other fees as may be provided by law for other services not herein designated.

¶ For taking proof of last will and testament, or codicil when proved separately, and endorsing certificate of probate thereon, and for entering order admitting to probate last will and testament, or codicil, and granting letters testamentary, \$7.00.

For granting letters of administration, guardianship or conservatorship, \$5.00.

For filing for any purpose, 25 cents.

For taking and approving bond of executor or administrator, guardian, conservator, or any other bond required by law to be taken, \$1.00.

For certified copy of letters testamentary, of administration, of guardianship or conservatorship, \$1.00.

And in addition thereto 15 cents for each one hundred words contained in said will or codicil.

For issuing warrant to appraisers, \$1.00.

For taking and filing renunciation of executor, or of right to administer, 50 cents.

For filing and docketing each claim against estates, and for entering order allowing or dismissing same, \$1.50.

For entering order reinstating or refileing and redocketing each claim, \$1.50.

For filing and docketing proof of notice for adjustment of claims, \$1.00.

For filing and docketing assignment of claims or judgment, \$1.00.

On petition for appointment of conservator, and petition for sale of real estate by executor, administrator, guardian or conservator, docketing and filing the same, a docket fee of \$6.00.

For each cause tried by a jury, a jury fee of \$3.00 to be prepaid by the party calling for the jury; and in case of an application for appointment of a conservator, when a conservator is appointed, to be taxed against the estate of the person for whom the conservator is appointed; and in case of a claim the costs to be taxed against the unsuccessful party and collected as other taxed costs.

For entering order, docketing, filing and issuing citation, \$1.00.

For issuing and filing subpoena, 25 cents.

For issuing *dedimus potestatum*, \$1.00.

For issuing, docketing and filing execution, \$1.00.

For proof of heirship, \$1.00.

For writ of attachment for contempt of court, \$1.00.

For every certificate under seal of court issued by clerk except as herein otherwise provided, 50 cents.

For discharge of executors, administrators, guardians or conservators, or any sureties on their bonds, \$2.50.

For entering any order not herein otherwise provided for, 75 cents.

For issuing summons and filing same, 75 cents.

For administering each oath, 15 cents.

For recording all papers, instruments, documents and writings required by law or order of court to be recorded, for each one hundred words, 15 cents.

On application for the grant of letters testamentary, of administration, guardianship or conservatorship, it shall be the duty of the

applicant to state in his or her petition the value of all the real and personal estate of such deceased person, infant, idiot, insane person, lunatic, distracted person, drunkard or spendthrift, as the case may be, and on the grant of letters testamentary [of] administration, guardianship or conservatorship, there shall be paid to the clerk of said probate court from the proper estate, and charged as costs, a docket fee as follows:

When the estate does not exceed \$5,000, \$5.00.

When the estate exceeds \$5,000 and does not exceed \$20,000, \$10.00.

When the estate exceeds \$20,000 and does not exceed \$50,000, \$20.00.

When the estate exceeds \$50,000 and does not exceed \$100,000, \$50.00.

When the estate exceeds \$100,000 and does not exceed \$300,000, \$100.00.

When the estate exceeds \$300,000 and does not exceed \$1,000,000 \$250.

In all cases when such estate amounts to \$1,000,000 and upwards, \$1,000.00

In all cases where any deceased person shall leave him or her surviving a widow or children resident of this State who are entitled out of said estate to a widow's or child's award, and the entire estate real and personal of such deceased person shall not exceed \$2,000, and in case of any minor whose estate real and personal does not exceed the sum of \$1,000, and whose father is dead, and in all cases of any idiot, insane person, lunatic, or a distracted person, drunkard or spendthrift, when such person has a wife or infant child dependent on such person for support and the entire estate of such person shall not exceed the sum of \$2,000, the probate judge (by order of court) shall remit and release to such estate all of the costs herein provided for."

"Section 3. All acts or parts of acts in conflict with this act are hereby repealed."

APPROVED June 6, 1887.

COUNTY OFFICERS AND CLERKS OF COURTS IN COOK COUNTY.

§ 1. Amends section 31, act of 1874, by increasing salaries from \$3,000 to \$5,000 per annum.

AN ACT to amend section 31 of an act entitled "An act concerning fees and salaries, and to classify the several counties of this 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 31 of an act entitled "An act concerning fees and salaries, and to classify the

several counties of this State with reference thereto," approved March 29, 1872; title as amended by act approved March 28, 1874, be and the same hereby is amended so as to read as follows:

"Section 31. The clerks of all the courts of record, the treasurer, sheriff, coroner and recorder of deeds of Cook county, elected after the adoption of the present constitution of this State, shall receive as their only compensation for their services the following named salaries, to be paid out of the fees of their respective offices actually collected, to-wit:

The clerk of the circuit court the sum of five thousand dollars per annum.

The clerk of the superior court the sum of five thousand dollars per annum.

The clerk of the county court the sum of three thousand dollars per annum.

The county clerk the sum of two thousand dollars per annum.

The clerk of the criminal court the sum of five thousand dollars per annum.

The clerk of the probate court of Cook county the sum of five thousand dollars per annum.

The county treasurer the sum of four thousand dollars per annum.

The sheriff the sum of six thousand dollars per annum.

The coroner the sum of five thousand dollars per annum.

The recorder of deeds of Cook county the sum of five thousand dollars per annum.

The clerk of the superior court of Cook county, the clerk of the probate court of Cook county, and the county clerk, the clerk of the county court, the clerk of the circuit court, the county treasurer, the sheriff, coroner and recorder of deeds of Cook county, shall, from the time when their salaries or salary begins, as herein provided, each of them, in a book provided for the purpose, keep a full, true and minute account of all the fees and emoluments of his office, designating, in corresponding columns, the amount of all the fees and emoluments earned and payments received on account thereof, and shall also keep an account of all expenditures made by him on account of clerk hire, stationery and other necessary expenses; such accounts shall always be open to the inspection of the board of commissioners. Every such officer, respectively, shall, on the first day of June and the first day of December in each year, during the term of his office and while receiving a salary as herein provided, make to the chairman of the board of commissioners a report in writing, under oath, of all the fees and emoluments of his office, of every name and description whatsoever, and of all necessary expenses for clerk hire, stationery and other expenses for the half year, or fraction thereof, ending at the time of said report; such report shall state fully the manner in which such fees and emoluments accrued. It shall be the duty of said board of commissioners to audit such accounts as soon as may be, and

correct and adjust the same in accordance with the facts. The balance found in the hands of any such officer (except the county treasurer) over and above the amount due such officer as compensation for services, stationery, clerk hire and other necessary expenses as hereinbefore set forth, shall be paid over by such officer to the county treasurer as soon as his account shall have been audited, as aforesaid; and in the case of the county treasurer, the balance found in his hands shall be accounted for and paid out upon the order of the county board. And if, in the county of Cook, upon auditing of such accounts, there shall be found any balance due to the county of Cook from the county treasurer, the county of Cook shall account for and pay over to the city of Chicago its just proportion of the same. Deputy and assistant clerks shall be employed under the direction of the board of commissioners for said county, and shall be paid a salary, to be fixed by said board: *Provided*, that until the employment of such deputy or assistant clerk shall be authorized and his compensation fixed as aforesaid, a reasonable allowance may be made for any clerk, deputy or assistant necessarily employed by such officer."

APPROVED June 6, 1887.

WITNESS FEES AND MILEAGE.

§ 1. Amends section 47, act of 1872, by allowing witnesses in criminal cases, in foreign counties, the same mileage as in other cases.

AN ACT to amend section 47 of an act entitled "An act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, and in force July 1, 1872, amended by act approved March 28, 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 47 of an act entitled "An act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by an act approved March 28, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

"Section 47. Every witness attending in his own county upon trials in the courts of record shall be entitled to receive the sum of one dollar for each day's attendance and five cents per mile each way for necessary travel. For attending in a foreign county, going and returning, accounting twenty miles for each day's travel, for each day one dollar. Every witness attending for the purpose of having his deposition taken, one dollar, and the same mileage as provided in this section for witnesses in courts of records: *Provided*, no allowance or charge shall be made for the attendance of witnesses aforesaid, unless the witness shall make affidavit of the

number of days he or she actually attended, and that such attendance was at the instance of one or both of the parties or his attorney. In criminal cases where a witness shall be required to attend from a foreign county or State, he shall be allowed five cents per mile each way in full of all compensation, except the per diem for actual attendance upon such court, which shall be one dollar per day for each day's necessary attendance, to be paid out of the county treasury of the county where the crime was committed on the certificate of the clerk of the court where the trial is being had: *Provided*, he shall make affidavit of the distance traveled, that it was the usually traveled and most direct route, of the number of days' actual attendance, and that such attendance was at the instance of the State's attorney, or the accused or his attorney, to which shall be added the certificate of the judge that the amount is reasonable and that he was a material witness in the court."

APPROVED June 16, 1887.

FENCES.

BARB WIRE.

§ 1. Amends section 2 of the act of 1874 making barb wire a legal fence.

AN ACT to amend section 2 of "An act to revise the law in relation to fences," approved March 21, 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 two (2) of chapter fifty-four (54), be amended so as to read as follows:

"Section 2. Fences four and one-half feet high, and in good repair, consisting of rails, timber, boards, stone, hedges, barb wire, or whatever the fence viewers of the town or precinct where the same shall lie shall consider equivalent thereto, shall be deemed legal and sufficient fences: *Provided*, that in counties under township organization, the electors, at any annual town meeting, may determine what shall constitute a legal fence in the town; and in counties not under township organization, the power to regulate the height of fences shall be vested in the county board."

APPROVED May 4, 1887.

FISH AND GAME.

FISH.

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| <p>§ 1. Prohibits the catching of fish by seine, traps or other device, except upon certain conditions and at certain seasons of the year.</p> <p>§ 2. Seines, traps and other devices across waters in this State prohibited; fishing except by hook and line in dams prohibited.</p> <p>§ 3. Fishways over dams.</p> <p>§ 4. Taking and killing of fish by spear, lime, chemicals or explosives prohibited.</p> <p>§ 5. Brook trout.</p> <p>§ 6. Penalties for violation of this act.</p> <p>§ 7. Trespass.</p> | <p>§ 8. Enforcing this act.</p> <p>§ 9. In waters dividing counties.</p> <p>§ 10. Warrants by justices.</p> <p>§ 11. Hearing of complaint; jury trial; verdict.</p> <p>§ 12. Judgment and execution; payment of fines to informer, and to school fund.</p> <p>§ 13. Commitment of defendant to jail or work house in case no property is found.</p> <p>§ 14. Appeals.</p> <p>§ 15. Sheriffs and constables charged with the duty of enforcing this act.</p> <p>§ 16. All acts in conflict repealed.</p> |
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AN ACT to encourage the propagation and cultivation and to secure the protection of fishes in all the waters of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person to catch or kill any fish with any seine, or any other device used as a seine, in or upon any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water courses wholly within or running through the State of Illinois; nor shall the meshes of any weir, basket or trap, or any device used for catching fish in such waters not above prohibited, except for catching minnows for bait, be less than two inches square: *Provided, however,* that seining shall be lawful and allowed between the first day of July in each year and the first day of March in the following year, with seines, the meshes of which shall not be less than two inches square, in such rivers or streams as are used for navigation wholly within the State, and not above or beyond any private or corporate dams on said rivers or streams; and also in the navigable bays or lakes connected with such navigable streams wholly within the State, and not extending beyond the overflowed bottoms of such rivers or streams: *Provided, also,* that it shall be lawful for the fish commissioners, or persons authorized by them, to take fish in any way at any time they deem best for purposes of propagation or distribution.

§ 2. That no person shall place, cause to be placed or erected, any seine, weir, net, fish dam or other obstruction in or across any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water courses wholly within this State, in such manner as shall obstruct the free passage of fish up and down or through such water courses; and that it shall be unlawful for any person to catch or take fish, except minnows for bait, with any device other than a hook and line, within one-half mile of any dam constructed across any of the rivers or creeks of this State.

§ 3. That it shall be the duty of any person or persons who now own, or hereafter may erect, any dam or other obstruction across any of the rivers, creeks, streams, bayous or other water courses within this State, to place therein suitable fish-ways, in order that the free passage of fish up and down such waters may not be obstructed; and in case the owners, operators, lessors, or other persons operating, using or controlling any dam or other obstruction across any of the rivers, creeks, streams, bayous or other water courses of the State, shall fail or refuse, after ten days' notice by the fish commissioners of this State, or any one of them, to construct and maintain suitable fish-ways, as provided in this act, then the fish commissioners may construct, or cause to be constructed, suitable fish-ways, and recover in action of debt in the name of the People of the State of Illinois, before any justice of the peace, or any court of competent jurisdiction, double the cost of constructing said fish-way; said fund, in excess of the actual cost, shall be paid to the county superintendent of schools.

§ 4. That it shall be unlawful for any person or persons, at any time, to catch or kill any fish in any of the rivers, creeks, ponds, lakes, sloughs, bayous or other water courses within the jurisdiction of this State, by use of spear, lime, acid, medicinal or chemical compound or explosive.

§ 5. It shall be unlawful for any person or persons to take by any device or means whatsoever, brook trout from any of the streams, lakes or other water courses within the State, between the fifteenth day of July and the first day of April following, in each year, and at no time with any device whatever except a hook and line.

§ 6. Any person or persons violating any of the provisions of the preceding sections of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten (10) nor more than two hundred dollars (\$200) and cost of suit.

§ 7. Any person or persons who shall, for the purpose of fishing without the consent of the owner, trespass upon the lands of another, containing any fish pond or lake, whether natural or artificial, when and where the waters of such pond or lake are not directly connected with any water course of this State, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than ten nor more than one hundred dollars, and costs of suit for the first offense, and not less than thirty nor more than two hundred dollars for the second offense, and the same for each subsequent offense as for the second offense.

§ 8. To enforce the provisions of this act, all suits brought under the same shall be brought in the name of the People of the State of Illinois, and shall be brought on the complaint of any person or persons showing by affidavit that some section of this act has been violated, giving the names of the person or persons violating, if known, and if unknown, such affidavit shall state by some person or persons whose name or names are unknown, and such complaint shall be made before any justice of the peace of the county in which such violation has been made.

§ 9. Where such violation is alleged to have been committed upon that portion of a stream or water course which may be the dividing line between two counties, then the complaint may be made to any justice of the peace of either of such counties.

§ 10. If the justice before whom such complaint shall be made shall be satisfied that there is reasonable cause to justify the making of such complaint, he shall issue his warrant, directed to the sheriff or constable of such county, commanding him forthwith to arrest and bring before him, or in his absence, before some other justice of the peace within such county, the person or persons alleged to have been guilty of violating any of the sections of this act.

§ 11. Whenever any person or persons shall be brought before any justice of the peace, in the manner provided in this act, it shall be the duty of such justice to hear and determine the complaint. The person or persons so charged may demand a jury at any time before the commencement of the trial, and the case shall be tried as cases before justices in civil cases, and judgment shall be for conviction or acquittal of the defendant or defendants in the case. In case a jury is called, the form of the verdict shall be, if for conviction: "We, the jury, find the defendant guilty, and assess the fine at . . . dollars," and if for acquittal: "We, the jury, find the defendant not guilty." The justice shall pronounce judgment in accordance with the verdict.

§ 12. Whenever any judgment of conviction shall be rendered against any defendant or defendants, as above provided, execution shall issue forthwith on such judgment, and the sheriff or constable to whom the same shall be directed shall pay one-half of all penalties collected on such execution in payment of such judgment to the person or persons who shall have made the complaint, and the remaining one-half to the superintendent of schools of the county wherein such trial shall be had.

§ 13. Whenever any execution, issued as above provided, shall be returned "no property found," the justice issuing the same, or in case of his death or absence, any other justice having possession of the docket in which such judgment was entered, shall issue his warrant to the sheriff or any constable of such county, commanding him to take and deliver the defendant or defendants in the execution to the jailor of said county, who shall receive such defendant or defendants into his custody and commit him to the county jail of such county, or workhouse of such county whenever one exists, for a period of not less than ten nor more than sixty days, as the justice shall decide and direct in his warrant, but such defendant or defendants so arrested or committed shall be discharged at any time on payment of such fine and costs.

§ 14. Any defendant or defendants against whom such judgment of conviction shall be rendered, and, in case of acquittal, the party making the complaint, or any person who will give the necessary bond, shall have the right of appeal, on the same terms as in civil cases before justices, but no proceedings herein provided for shall be stayed until such appeal shall be fully perfected.

§ 15. It shall be the duty of all sheriffs, deputy sheriffs and constables of this State to look after the violations of any of the sections of this act; to make complaints where such violations come to their knowledge; and they shall have power to arrest any person or persons they may find in the act of violating any of the provisions of this act without a warrant, and keep him or them in custody until complaint can be made against him or them, as hereinbefore provided.

§ 16. All acts and parts of acts in conflict with this act are hereby repealed; but such repeal shall not disturb the status of the present Board of Fish Commissioners.

APPROVED May 31, 1887.

GAME—PROTECTION OF.

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| <p>§ 1. Prohibits the taking or killing for two years, of prairie chicken, partridge, pheasant or quail; quail shooting permitted in November and December of each year.</p> | <p>§ 2. Penalties for violation of this act.
 § 3. Dealing in and shipping game.
 § 4. Prosecutions under this act.</p> |
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AN ACT entitled "*An act for the protection of wild game.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person or persons, for the period of two years from and after the passage of this act, to hunt, pursue, kill, trap, net, destroy or attempt to kill, trap, net, ensnare or otherwise destroy any prairie hen or chicken, ruffed grouse (commonly called partridge), pheasant or quail: *Provided*, it shall not be unlawful to shoot quail between the first day of November and the thirty-first day of December of each year.

§ 2. And every person so offending shall, for each and every offense, be deemed guilty of a misdemeanor, and on conviction shall be fined in the sum of not less than twenty or more than forty dollars and costs of suit, and shall stand committed in the county jail until such fine and costs are paid: *Provided*, such imprisonment shall not exceed twenty days.

§ 3. No person or persons shall sell, or expose for sale, or have in his or their possession for the purpose of selling, or exposing for sale, any of the wild fowls or birds mentioned in section 1 of this act; and any persons so offending shall, on conviction, be fined and dealt with as specified in section two of this act: *Provided*, that inhabitants of villages and cities may receive and ship game from other States, and expose and sell the same on the markets in said villages and cities between the first of October and the first of February of the following year.

§ 4. All prosecutions under the provisions of this act shall be brought by any person in the name of the people of the State of Illinois, against any person or persons violating any of the provisions of this act, before any justice of the peace of the county in

which such violation is alleged to have taken place, or before any court of competent jurisdiction; and it is hereby made the duty of State's attorneys to see that the provisions of this act are enforced in their respective counties, and they shall prosecute all offenders on receiving information of the violations of any of the provisions of this act; and it is made the duty of sheriffs, deputy sheriffs, constables and police officers to inform against and prosecute all persons who there is probable cause to believe are guilty of violating any of the provisions of this act. Seventy-five per cent. of the amount recovered in any penal action under the provisions of this act, shall go to the school treasurer of the township in which this act shall have been violated, to be added to the school fund of such township, and twenty-five per cent. of the fine to the informer.

APPROVED June 9, 1887.

GUARDIANS AND WARDS.

INVESTMENT OF MONEY.

§ 1. Amends section 22, act 1872, by providing how wards' money shall be invested.

AN ACT to amend section twenty-two (22) of an act entitled "An act in regard to guardians and wards," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section twenty-two (22) of an act entitled "An act in regard to guardians and wards," approved April 10, 1872, be, and the same is hereby amended so as to read as follows, to-wit:

"Section 22. It shall be the duty of the guardian to put and keep his ward's money at interest upon security to be approved by the court, or by investing on approval of the court the same in United States bonds, or in the bonds of any county or city which are not issued in aid of railroads, and where the laws do not permit said counties or cities to become indebted in excess of five per cent. of the assessed valuation of property for taxation therein, and where the total indebtedness of such county or city does not exceed five per cent. of the assessed valuation of property for taxation at the time of such investment. Personal security may be taken for loans not exceeding one hundred dollars. Loans upon real estate shall be secured by first mortgage thereon and not to exceed one-half the value thereof. No mortgage loan shall be made for a longer time than three years nor beyond the minority of the ward: *Provided*, the same may be extended from year to year without the approval of the court. The guardian shall be chargeable with interest upon any money which he shall wrongfully or negligently allow to remain in his hands uninvested after same might have been invested."

APPROVED June 8, 1887.

INSOLVENT DEBTORS.

IMPRISONMENT FOR DEBT.

§ 1. Amends section 34 by providing that no person shall be imprisoned for a longer period than six months.

AN ACT to amend section thirty-four of an act entitled "An act concerning insolvent debtors," approved April 10, 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 thirty-four of an act entitled "An act concerning insolvent debtors," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 34. In any case where the defendant arrested upon final process shall not be entitled to relief under the provisions of this act, if the plaintiff will advance the jail fees and board in manner hereinbefore provided, the defendant may be imprisoned at \$1.50 per day, until the judgment shall be satisfied, and the officer making the arrest shall endorse the execution 'satisfied in full by imprisonment': *Provided*, that no person heretofore or hereafter imprisoned under the provisions of this act, shall be imprisoned for a longer period than six months from the date of arrest; and all persons imprisoned under the provisions of this act for the period of six months or more at the time this act takes effect, shall thereupon be immediately discharged: *Provided, however*, that no person shall be released from imprisonment under this act who neglects or refuses to schedule in manner and form as provided by this act."

APPROVED June 14, 1887.

INTOXICATING LIQUORS.

SALE OF.

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| <p>§ 1. Prohibits the sale of intoxicating liquors outside of cities, towns and villages in less quantities than 5 gallons.</p> <p>§ 2. Shift or device prohibited.</p> | <p>§ 3. Fines and imprisonments; how enforced.</p> <p>§ 4. Evidence required to convict under this act.</p> <p>§ 5. This act shall not be construed so as to conflict with the dram-shop act.</p> |
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AN ACT to regulate the sale of intoxicating liquors outside the incorporated limits of cities, towns and villages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whoever shall, outside of

the incorporated limits of any city, town or village, by himself or another, either as principal, clerk or servant, directly or indirectly sell, barter or exchange, or in any manner dispose of, for money or any thing of value, any intoxicating liquors of any kind in any less quantity than five gallons, and in the original package as put up by the manufacturer, shall, for each offense, be fined not less than fifty nor more than one hundred dollars, or imprisoned in the county jail not less than thirty nor more than ninety days, or both, in the discretion of the court.

§ 2. Any shift or device to evade the provisions of this act shall be held to be an unlawful selling.

§ 3. Any fine or imprisonment mentioned in this act may be enforced by indictment or information in any court of record having criminal jurisdiction, or the fine above may be sued for and recovered before any justice of the peace of the proper county in the name of the People of the State of Illinois, and in case of conviction the offender shall stand committed to the county jail until the costs and judgment are fully paid, or until discharged by order of the court before which the conviction was obtained.

§ 4. In all prosecutions under this act, by indictment or otherwise, it shall not be necessary to state the kind of liquor sold or to describe the place where sold, except as herein required, nor to show the knowledge of the principal to convict for the acts of an agent or servant, nor to state the name of the person to whom liquor is sold, and in all cases the persons to whom liquors shall be sold in violation of this act shall be competent witnesses.

§ 5. Nothing contained herein shall be construed so as to prevent county boards from granting license to keep dram shops as is now provided by law, and all persons keeping dram shops so licensed shall be exempt from the provisions of this act.

APPROVED May 4, 1887.

INSURANCE, FIRE.

COUNTY COMPANIES.

- § 1. Amends sec. 3, act of 1877, by fixing number of directors and regulating the election. Amends sec. 8 by changing terms and amount of policy. Amends sec. 11 by fixing the amount of loss to be adjusted by President and Secretary at \$200.

AN ACT to amend sections three (3), eight (8) and eleven (11) of an act entitled "An act to organize and regulate County Fire Insurance Companies," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections three (3), eight

(8) and eleven (11) of an act entitled "An act to organize and regulate County Fire Insurance Companies," approved June 2, 1877, in force July 1, 1877, be amended so as to read as follows:

"Section 3. The number of directors shall be not less than nine and not more than fifteen, a majority of whom shall constitute a quorum to do business, be elected from the corporators by ballot, of whom one-third shall be elected for one year, one-third for two years and one-third for three years, and until their successors are elected and qualified. All subsequent elections, except to fill vacancies, one-third of said board of directors shall be elected for three years; said election shall be held at the annual meeting of the company, which shall be on the first Tuesday after the first Monday in January in each year: *Provided*, that any company now incorporated and doing business under this act may at any time so change their mode of electing their board of directors at an annual meeting as to be in conformity with this act. In the election of the first board of directors each corporator shall be entitled to one vote. At every subsequent election every person insured shall be entitled to as many votes as there are directors to be elected and an equal additional number for every risk or risks he holds in the company, and may cast the same in person or by proxy, distributing them among the same or a less number of directors to be elected, or cumulating them upon one candidate, as he shall think fit."

"Section 8. Such company may issue policies only on detached dwellings, school houses, churches, barns (except livery, boarding and hotel barns) and other farm buildings, and such property as may properly be contained therein; also other property on the premises and owned by the insured, hay and grain in the stack, and live stock on the premises of the insured and anywhere in the county, for any time not exceeding five years, and not to extend beyond the limited duration of the charter, and for an amount not to exceed four thousand five hundred (\$4,500) dollars on any one risk. All persons so insured shall give their obligation to the company, binding themselves, their heirs and assigns, to pay their *pro rata* share to the company of the necessary expenses, and all losses by fire or lightning which may be sustained by any member thereof during the time for which their respective policies are written, and they shall also at the time of affecting the insurance pay such a percentage in cash and such other charges as may be required by the rules or by-laws of the company."

"Section 11. Every member of such company who may sustain loss or damage by fire or lightning shall immediately notify the president of such company, or, in his absence, the secretary thereof, stating the amount of damage or loss claimed, and if not more than two hundred dollars (\$200), then the president and secretary shall proceed to ascertain the amount of such loss or damage and adjust the same. If the claim for damage or loss shall be an amount greater than two hundred dollars (\$200), then the president of such company, or, in case of his absence, the secretary thereof, shall forthwith convene the directors of such company, whose duty it shall be, when convened, to appoint a committee

of not less than three disinterested members of such company to ascertain the amount of such damage or loss. If in either case there is a failure of the parties to agree upon the amount of such damage or loss, the claimant may appeal to the judge of the county court of the county in which the office of such company is located, whose duty it shall be to appoint three disinterested persons as a committee of reference, who shall have full authority to examine witnesses and to determine all matters in dispute, and shall make their award in writing to the president of such company, and such award shall be final. The pay of said committee shall be two dollars (\$2) per day for each day's service so rendered, and four cents for each mile necessarily traversed in the discharge of their duties, which shall be paid by the claimant, unless the award of said committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expenses shall be paid by the company."

APPROVED June 6, 1887.

FARMERS' COUNTY MUTUAL LIVE STOCK COMPANIES.

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| <p>§ 1. Not less than 25 persons residing in one county may incorporate.</p> <p>§ 2. Statement filed with Auditor; certificate; change of charter.</p> <p>§ 3. Directors; term of office; election.</p> <p>§ 4. Officers of the company.</p> <p>§ 5. Bonds of officers.</p> <p>§ 6. Powers.</p> <p>§ 7. Members; non-resident of county not eligible to the office of director.</p> <p>§ 8. Policies; how issued and paid.</p> <p>§ 9. Classification of risks.</p> | <p>§ 10. Risks on stock outside of county prohibited.</p> <p>§ 11. Notice of loss and proof.</p> <p>§ 12. Assessments to pay losses.</p> <p>§ 13. Notice of assessment.</p> <p>§ 14. Collection of losses and assessments upon process.</p> <p>§ 15. Annual statements.</p> <p>§ 16. Cancellation of policies; surrender of policies; unearned premium.</p> <p>§ 17. Annual reports to the Auditor; certificate to continue business; fees.</p> <p>§ 18. Dissolution.</p> |
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AN ACT to organize *Farmers' County Mutual Live Stock Insurance Companies.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any number of persons, not less than twenty-five, residing in any county in this State, who collectively shall own property of not less than fifty thousand dollars (\$50,000) in value, twenty thousand dollars (\$20,000) of which shall consist of insurable live stock which they desire to have insured, may form an incorporated company for the purpose of mutual live stock insurance against loss by death from any cause: *Provided*, that such loss by death shall not be the willful negligence on the part of the owner of such insured stock.

§ 2. Such persons shall file with the Auditor of Public Accounts a declaration of their intention to form a company for the purposes expressed in the preceding section, which declaration shall be signed by all the corporators, and shall contain

a copy of the charter proposed to be adopted by them. Such charter shall set forth the name of the corporation, and also the name of the city, town or village in which the business office of such company is to be located, and the intended duration of the company; and if it is found conformable to this act, and not inconsistent with the laws and constitution of this State, the Auditor shall thereupon deliver to such persons a certified copy of the charter, which, on being filed in the office of the county clerk of the county where the office of such company is to be located, shall be their authority to organize and commence business. Such certified copy of charter may be used in evidence for or against said company the same as the original: *Provided*, that such charter so obtained shall be subject to control of and modification by the General Assembly.

§ 3. The number of directors shall not be less than one nor more than five from any one township in the county; a majority of whom shall constitute a quorum to do business; to be elected from the incorporators by ballot, and hold their offices until their successors are elected and qualified. In the election of the first board of directors each corporator shall be entitled to one vote for each director. All subsequent elections except to fill vacancies shall be held at the annual meeting of the company, which shall be on the first Tuesday after the first Monday of January in each year, and every person insured shall be entitled to as many votes as there are directors to be elected; and may cast the same in person or by proxy, distributing them among the same or a less number of candidates than the number of directors to be elected, or accumulating them upon one candidate as he shall think fit.

§ 4. The directors shall elect from their number a president and a treasurer, and also elect a secretary who may or may not be a member of the company; all of whom shall hold their office for one year and until their successors are elected and qualified.

§ 5. The treasurer and secretary shall each give bonds to the company for the faithful performance of their duties, in such amounts as shall be prescribed by the board of directors.

§ 6. Such corporation and its directors shall possess the usual powers and be subject to the usual duties of corporations and directors thereof, and may make such by-laws not inconsistent with the constitution or laws of this State as may be deemed necessary for the management of its affairs in accordance with the provisions of this act; also to prescribe the duties of its officers and agents, and fix their compensation; and to alter and amend its by-laws when necessary.

§ 7. Any person owning insurable live stock in the county for which any such company is formed may become a member of such company by insuring therein; and if he resides in the county in which such company is located, shall be entitled to all the rights and privileges appertaining thereto; but no person not residing in the county in which the company is formed shall become a director of such company.

§ 8. Such company may issue policies only on horses, mules and cattle, (except horses used as street-car horses, livery horses, or any horse used on any race or trotting course), for a term not exceeding two years, and not to extend beyond the limited duration of the charter, and for an amount not to exceed one thousand dollars on any one animal. All persons so insured shall give their obligation to the company, binding themselves, their heirs and assigns to pay their *pro rata* share to the company of the necessary expenses, and of all losses by death which may be sustained by any member thereof during the time for which their respective policies are written; and they shall also, at the time of effecting their insurance, pay such percentage in cash, or secured note due thirty days after date, and such other charge as may be required by the rules or by-laws of the company.

§ 9. Any such company may classify the live stock insured therein at the time of issuing policies thereon, and also the different rates corresponding as nearly as may be to the greater or less risk carried by the company on any one or more animals.

§ 10. No such company shall insure any live stock beyond the limits of the county comprised in the formation of the company, nor shall they be held responsible for loss of stock when taken beyond the limits of this State.

§ 11. Every member of such company who may sustain loss by the death of his insured stock shall immediately notify the president of such company, or in his absence the secretary thereof, stating the amount of insurance on his animal or animals lost by death; also a statement setting forth the cause of death, if known, and shall also prove the death of such stock by the testimony of two witnesses.

§ 12. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash fund of the company, the president shall convene the directors of said company, who shall make an assessment upon all of the insured property at such uniform rate, as they shall deem necessary to meet the payment of losses.

§ 13. It shall be the duty of the president, when such assessment shall have been made, to immediately notify every person composing such company personally, by an agent, or by letter sent to his usual postoffice address, of such assessment, and the sum due from him as his share thereof, and of the time when, and to whom such payment is to be made; but such time shall not be less than twenty days nor more than thirty days from the date of such notice.

§ 14. Suits at law may be brought against any member of such company who shall neglect or refuse to pay any assessment made upon him by the provisions of this act; and the directors of any company so formed, who shall willfully refuse or neglect to perform the duties imposed upon them by the provisions of this act, shall be liable in their individual capacity to the person sustaining such loss. Suits at law may also be brought

and maintained against any such company by members thereof for losses sustained, if payment is withheld after such losses have become due.

§ 15. It shall be the duty of the secretary to prepare an annual statement showing the condition of such company on the 31st day of December, and present the same at the annual meeting of the company.

§ 16. Any member of such company may withdraw therefrom by surrendering his policy for cancellation at any time while the company continues the business for which it was formed, by giving notice in writing to the secretary thereof and paying his share of all claims then existing against said company: *Provided*, that by the withdrawal of any such member the number of members remaining in the company shall not be reduced below the original number of incorporators or that the assets will not be reduced below the amount at the time of the organization: *Provided, further*, that the company shall have power to cancel or terminate any policy by giving the insured notice to that effect: *Be it provided, further*, that any person removing his insured stock beyond the limits of this State may surrender his policy and receive from the company the unearned premium or rate charged, if any, less twenty-five per cent. This provision shall also apply to any policy cancelled by notice from the company.

§ 17. It shall be the duty of the president and secretary of every such company on the first day of January of each year, or within one month thereafter, to prepare, under their oath, and transmit to the Auditor of Public Accounts a statement of the condition of the company on the 31st day of December then next preceding, in such form as the Auditor may direct. If, upon examination, he is of the opinion that such company is doing business correctly in accordance with the provisions of this act, he shall thereupon furnish the company his certificate, which shall be deemed authority to continue business the ensuing year, subject, however, to subsequent provisions of this act. For such examination and certificate the company shall pay one dollar. Each company shall pay at the time of organization ten dollars for the Auditor's services, all of which shall be paid into the State treasury and applied to the insurance fund.

§ 18. Any such company may be proceeded against and dissolved in the manner and upon the same conditions as provided in case of other insurance companies incorporated in this State.

APPROVED June 16, 1887.

TOWNSHIP COMPANIES.

§ 1. Amends section 3 by fixing the number of directors and providing the manner of their election. Amends section 8 by describing the property to be insured and time and amount of policy. Amends section 11 by fixing the amount of loss to be adjusted by President and Secretary at \$200.

AN ACT to amend sections three, eight and eleven of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended by an act approved May 11, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections three, eight and eleven of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended by an act approved May 11, 1877, in force July 1, 1877, be amended so as to read as follows:

"Section 3. The number of directors shall not be less than nine nor more than fifteen, a majority of whom shall constitute a quorum to do business, to be elected from the corporators by ballot, of whom one-third shall be elected for one year, one-third for two years and one-third for three years, and until their successors are elected and qualified. At all subsequent elections, except to fill vacancies, one-third of said board of directors shall be elected for three years, said election to be held at the annual meeting of the company, which shall be on the first Tuesday after the first Monday in January in each year: *Provided*, that any company now incorporated and doing business under this act may at any time so change their mode of electing their board of directors, at an annual meeting, as to be in conformity with this act. In the election of the first board of directors each corporator shall be entitled to one vote. At every subsequent election every person insured shall be entitled to as many votes as there are directors to be elected, and an equal additional number for each \$500 that he may be insured in the company, and may cast the same in person or by proxy, distributing them among the same or a less number of directors to be elected, or cumulating them upon one candidate as he may think fit."

"Section 8. Such companies may issue policies only on detached dwellings, barns (except livery, boarding and hotel barns) and other farm buildings, school houses and churches, and such property as may be properly contained therein; also other property on the premises and owned by the insured, also live stock, hay and grain in the stack on the premises of the insured, and anywhere in the territory of the company, for any time not exceeding five years, and not to extend beyond the limited duration of the charter, and for an amount not to exceed four thousand five hundred dollars on any one risk. All persons so insured shall give their obligations to the company, binding themselves, their heirs and assigns to pay their *pro rata* share to the company of the necessary expenses, and of all losses by fire or lightning, which may be sustained by any member thereof during the time for which their respective policies

are written, and they shall also, at the time of effecting the insurance, pay such percentage in cash, and such other charge as may be required by the rules and by-laws of the company."

"Section 11. Every member of such company who may sustain loss or damage by fire or lightning shall immediately notify the president of such company, or in his absence the secretary thereof, stating the amount of damages or loss claimed, and if not more than two hundred dollars (\$200) then the president and secretary shall proceed to ascertain the amount of such loss or damage, and adjust the same. If the claim for damage or loss shall be an amount greater than two hundred dollars (\$200), then the president of such company, or in case of his absence the secretary thereof, shall forthwith convene the directors of such company, whose duty it shall be when convened to appoint a committee of not less than three disinterested members of such company to ascertain the amount of such damage or loss; if in either case there is a failure of the parties to agree upon the amount of such damage or loss, the claimant may appeal to the judge of the county court of the county in which the office of the company is located, whose duty it shall be to appoint three persons as a committee of reference, who shall have full authority to examine witnesses and to determine all matters in dispute, and shall make an award in writing to the president of such company, and such award shall be final; the pay of said committee shall be two dollars (\$2.00) per day for each day's service so rendered, and four cents for each mile necessarily traversed in the discharge of their duties, which shall be paid by the claimant, unless the award of said committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expenses shall be paid by the company."

APPROVED June 10, 1887.

INSURANCE, LIFE.

ORGANIZATION OF LIFE COMPANIES.

§ 1. Amends the act of 1869 by adding three sub-sections to section 1 and two sub-sections to section 2, providing for the incorporation of life insurance companies.

AN ACT to amend an act entitled "An act to organize and regulate the business of life insurance," approved March 26, 1869, by adding five additional sections thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled "An act to organize and regulate the business of life insurance," approved March 26, 1869, be amended by adding immediately after section one of said act the following sections:

“Section 1 *a*. Any number of persons, not less than nine, may organize an incorporated company to make insurance upon the lives of persons, and every insurance pertaining thereto, or connected therewith, and to grant or dispose of annuities.

“Section 1 *b*. The persons proposing to organize shall be designated as incorporators, and they shall file with the State Auditor a declaration, signed by each of the incorporators, setting forth their intentions to form a company for the purpose named in this act, which declaration shall comprise a copy of the charter they propose to adopt, and the said charter shall set forth the name of the company, the place where it is to be located, the mode and manner in which the corporate powers of the company are to be exercised, the manner of electing the trustees or directors and officers, a majority of whom shall be citizens of this State at the time of such election; the manner of filling vacancies; the amount of capital stock, and such other particulars as may be necessary to explain and make manifest the objects and purposes of the company, and the manner in which it is to be conducted. On the filing of such declaration as aforesaid, the Auditor shall submit the same to the Attorney General for examination, and if found by him to be in accordance with the provisions of this act, and not inconsistent with the laws and constitution of this State and of the United States, he shall certify to the same, and deliver it back to the Auditor, who shall cause said declaration, with the certificate of the Attorney General, to be recorded in a book to be kept for that purpose, and he shall furnish a certified copy of such declaration and certificate to the incorporators.

“Section 1 *c*. Whenever the incorporators who shall have received from the Auditor such certified copy, and shall have published the same in a newspaper published in the county in which such insurance company is proposed to be located, they may open books to receive subscriptions to the capital stock, and shall keep such books open until the amounts required are subscribed, and shall proceed to collect in such capital and complete the organization.”

§ 2. And said act shall be further amended by adding immediately after section two the following sections:

“Section 2 *a*. Whenever the incorporators shall have fully organized such company, and the said company shall have deposited with the Auditor the required amount of capital, it shall become his duty to furnish the incorporators with a certificate of deposit, which, with the certified copy of said declaration previously received from the Auditor, when filed for record in the office of the recorder of deeds in the county where such company is to be located, shall be the authority to commence business and issue policies, and the same, or a certified copy thereof, shall be evidence in all suits.

“Section 2 *b*. The incorporators, or the trustees or directors, as the case may be, of any company organized under this act, shall have power to make such by-laws not inconsistent with the constitution and laws of this State as may be deemed necessary for the government of the officers and the conduct of its affairs, and the same, when necessary, to alter or amend; and they, and their successors, may have a common seal, and may change and alter the

same at their pleasure; and such company, in its corporate name, may sue and be sued, may own so much real and personal estate as shall be necessary for the transaction of its business, and may sell and dispose of the same when deemed necessary, but all real estate acquired through the collection of debts shall not be held longer than five years. Each stockholder of any company organized under this act shall, in his individual capacity, be severally liable for all debts of such company to the amount of his unpaid stock."

APPROVED June 15, 1887.

ASSESSMENT SOCIETIES.

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| <p>§ 1. Corporations authorized.</p> <p>§ 2. Statement to be submitted to the Auditor and if approved filed with the Secretary of State.</p> <p>§ 3. Certificate of incorporation to be issued by the Secretary of State; change of articles of association.</p> <p>§ 4. Powers of such corporation.</p> <p>§ 5. Directors, trustees or managers; election; record; compensation of officers</p> <p>§ 6. Assessment notices.</p> <p>§ 7. Fraudulent certificates.</p> <p>§ 8. Surplus fund.</p> <p>§ 9. Association formed under this act not subject to insurance law; reports; associations and societies exempt.</p> <p>§ 10. Examinations by the Auditor.</p> <p>§ 11. Examinations by the Auditor upon request.</p> | <p>§ 12. Refusal or neglect to make annual statements, or making false statements.</p> <p>§ 13. Dissolution of associations for cause.</p> <p>§ 14. Voluntary dissolution; distribution of funds; transfer of membership; certificate of final dissolution filed in the office of the Secretary of State.</p> <p>§ 15. Penalties for refusing to comply with this act.</p> <p>§ 16. First annual statement.</p> <p>§ 17. Corporations of other States and Governments; license; revocation of license for cause.</p> <p>§ 18. Fee for license; examination of foreign associations; refusal or neglect of foreign associations to comply with this act; penalties.</p> |
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AN ACT to provide for the organization and management of Corporations, Associations or Societies for the purpose of furnishing Life Indemnity or Pecuniary Benefits to the beneficiaries of deceased members, or Accident or Permanent Disability Indemnity to members thereof. Title as amended by act approved June 16, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the title of an act entitled "An act to provide for the organization and management of corporations, associations or societies, for the purpose of furnishing life indemnity or pecuniary benefits to widows, orphans, heirs, relatives and devisees of deceased members, or accident or permanent disability indemnity to members thereof," approved June 18, 1883, and in force July 1, 1883, be and the same is hereby amended so as to read as follows: "An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits to the beneficiaries of deceased members, or accident or permanent disability indemnity to members thereof," and that the said act be and the same is hereby amended and revised so as to read as follows:

Section 1. That corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits upon the death of a member, to the widows, heirs, relatives, legal representatives or the designated beneficiaries of such deceased member, or for the purpose of furnishing accident or permanent disability indemnity to members thereof, and where members shall receive no money as profit, and where the funds for the payment of such benefits shall be secured, in whole or in part, by assessment upon the surviving members, may be organized, subject to the conditions hereinafter provided.

§ 2. Any five or more persons, citizens of the United States, a majority of whom shall be *bona fide* citizens and voters of this State, may associate themselves together as a body corporate, for which purpose they shall make, sign and acknowledge, before any officer authorized to take acknowledgments of deeds in this State, a certificate of association, in which shall be stated the name or title by which such corporation, association or society shall be known in law; the location of its principal business office (which office must be located in this State); the name and residence of the incorporators; the object of the corporation, with its plan of doing business clearly and fully defined; the number of its directors, trustees or managers, and the names of those selected to serve until its first annual meeting; the limits as to age of applicants for membership, which shall not exceed sixty-five years, and that medical examinations are required; and that *bona fide* applications have been secured for at least \$500,000, by not less than five hundred persons, who have each made application for membership in such proposed association or society, and have been duly examined and recommended by a reputable physician, and have each deposited with the parties asking such charter the sum of ten dollars as advance assessment for mortuary purposes, which certificate of association and applications, together with the certificate of some solvent bank or banks that all of such advance mortuary funds are deposited therein to be turned over to the treasurer of such association when organized, shall be submitted to the Auditor of Public Accounts, who shall carefully examine the same; and, if he shall find that the objects and purposes are fully and definitely set forth, and are clearly within the provisions of this act, and that the name or title is not the same or does not so closely resemble a title in use as to have a tendency to mislead the public, shall approve the same. If for either of the aforesaid, or other good and sufficient reasons, the said Auditor shall be unwilling to approve the certificate of association, he shall immediately inform the incorporators of the fact, stating his objections fully in writing. If the certificates and other documents are sufficient and satisfactory to the Auditor, he shall forthwith file the certificate of association, with his certificate of approval thereof, in the office of the Secretary of State.

§ 3. Upon the filing of the papers as aforesaid, the Secretary of State shall issue a certificate of organization of the corporation, association or society, making as a part thereof a copy of all papers filed in his office in and about the organization thereof, and duly authenticated under his hand and seal of State; and the same shall be recorded

in a book kept for that purpose in the office of the recorder of deeds of the county in which the principal place of business of such corporation, association or society is located. Any corporation, association or society organized under this act or the act hereby revised and amended may change its articles of association in the manner prescribed by its own rules; but no such change shall be of legal effect until a certificate setting forth fully and definitely the changes proposed shall have been submitted to and approved by the Auditor of Public Accounts and filed in the office of the Secretary of State, and a certified copy thereof recorded in the office of the recorder of deeds in which the original certificate of association was recorded. Any corporation, association or society organized under the act entitled "An act concerning corporations," approved April 18, 1872, as amended by [an] act approved and in force March 28, 1974, for the purpose of benefiting the widows, orphans, heirs and devisees of deceased members, may, in like manner, amend its articles of association in conformity to the provisions of this act.

§ 4. A corporation, association or society organized under the provisions of this act shall be a body corporate and politic, by the name stated in the certificate of organization, and by that name they and their successors may have succession, and shall be persons in law capable of suing and being sued; and may have power to make and enforce contracts in relation to the legitimate business of their corporation, association or society; may have and use a common seal, and may change or alter the same at pleasure, and they and their successors in their corporate name shall in law be capable of taking, purchasing, holding and disposing of real and personal estate for the purposes of their association or society; may make by-laws not inconsistent with the constitution and laws of this State or of the United States, which by-laws shall define the manner and form of electing directors, trustees or managers and officers of the corporation, association or society, and the qualifications and duties of the same, with terms of office not exceeding three years, also the qualifications and privileges of the members thereof.

§ 5. The affairs of all corporations, associations or societies organized or doing business under the provisions of this act shall be managed by not less than five directors, trustees or managers, a majority of whom shall be residents of the State of Illinois, who shall be elected from and by the members, at such time and place, and for such period not exceeding three years, as may be provided for in the by-laws, and may be eligible for re-election: *Provided*, that as near as practicable an equal number shall be elected each year. Whenever directors, trustees or managers shall be elected, a certificate under the seal of the corporation, giving the name and residence of those elected and the term of their office, shall be recorded in the office of the recorder of deeds where the certificate of organization is recorded. Vacancies in the board of directors, trustees or managers shall be filled in the manner provided in the by-laws, and upon filling any vacancy a like certificate shall be recorded. Such board of directors, trustees or managers shall fix the amount of salary or per cent. to be paid to all officers

and managers of such corporation, association or society in full compensation for their services, and it shall not be lawful for any officer or manager to take or receive any of the money or funds of such corporation, association or society in excess of the amount of salary or per cent. so fixed, and such salary or per cent. shall not be increased or decreased during the term for which such officers or managers are elected.

§ 6. Assessment notices sent to members by any association or corporation doing business in this State, shall state the object or objects for which the money to be collected is intended; the names, last address and amount of certificates of the deceased members, the amount to which the beneficiary of each is entitled or the amount which would be realized for the beneficiaries of each if all the members who are assessed would pay the assessment, and no part of the funds collected for the payment of death benefits shall be applied for any other purpose.

§ 7. Any agent, physician or other person, who shall knowingly secure, or cause to be secured, a certificate of membership on any person without his knowledge or consent, or by means of misrepresentations, false, fraudulent or untrue statements, be instrumental in securing a certificate of membership on any aged or infirm person, or in restoring to membership any person not in an insurable condition, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than \$100, nor more than \$1,000, or be imprisoned in the county jail not less than thirty days nor more than one year, or both, in the discretion of the court; and said certificate or renewal so secured shall be absolutely void.

§ 8. All corporations, associations, or societies transacting business under the provisions of this act, may provide, by by-laws, for the accumulation of a surplus, general or guarantee fund, which may be invested only in the corporate name of the association or society in United States, State, county, city, or other first-class convertible bonds or stocks, upon which interest has not been in default. Such funds, when so set apart, and so invested, shall, with the increase thereof, belong to such corporation, association or society, and not to the directors, trustees, managers or officers thereof; and shall be used only for mortuary benefits, without assessment, or applied in payment of future assessments, or otherwise used for the promotion of the object or objects for which said funds are specially provided and set apart, and such use shall not be deemed or construed to mean a profit received by members within the meaning of the statutes of this State: *Provided*, that nothing in this act shall be deemed or construed to authorize the payment of such funds to members as endowments, or as tontine profits, or as payments to members otherwise than for mortuary benefits, or accident, or permanent disability benefits, except upon the dissolution of the corporation.

§ 9. All corporations, associations or societies, organized under the provisions of this act, or that have heretofore been organized within this State, under any charter, compact or agreement or

statute of this State, for the purpose of furnishing life, accident or permanent disability indemnity or mortuary benefit on the assessment plan, in accordance with the provisions of the first section of this act, shall not be deemed insurance companies, nor subject to the laws of this State relating thereto, but shall comply with, and conform to all the requirements and provisions of this act; and shall, by their president and secretary, or like officers, make to the Auditor of Public Accounts annually, on or before the first day of March, in each and every year, a statement under oath, for the year ending on the thirty-first day of December next preceding, upon blanks furnished by the said Auditor, which blanks shall be such as will show its financial condition, assets, liabilities, total amount of indemnity in force, number of members, number whose memberships have terminated during the year and cause thereof, total receipts and sources thereof, total expenditures and objects thereof, and the average amount paid on each certificate, and shall pay to the said Auditor, upon filing said certificate, a fee of \$5, and the said Auditor shall publish said statement in his annual report: *Provided*, that nothing herein contained shall be held to apply to any organization of a purely social, religious or benevolent character, where no commissions are paid and no salaried officers or agents are employed; nor to any local association or society organized under, or subject to the control of a grand or supreme body, nor to any secret organization having subordinate lodges or councils which has been organized under the laws of this or any other State, and which is now permitted to do business in this State.

§ 10. The Auditor of Public Accounts shall have authority in person, or by an expert for that purpose appointed, to verify the statements aforesaid, by examination of the books and papers of the corporation, and make such other examination as he may deem necessary. The expense of such examination shall be paid by the corporation, association or society having its books examined, and shall not exceed the necessary traveling and hotel expenses of said Auditor or expert, and the reasonable compensation of such clerical assistance as may be required.

§ 11. The Auditor of Public Accounts shall, at the request of any corporation, association or society doing business under the provisions of this act in this State on the assessment plan, make an examination of such corporation, and shall furnish a certificate of the results of such examination, showing all its assets, and how invested, and such other particulars as may be deemed necessary to show the character and condition of said corporation, and the necessary expense of the said examination shall be paid by the corporation requesting the same.

§ 12. Whenever any corporation, association or society, organized or having transacted business under the provisions of this act, shall neglect or refuse to make its annual statements as required by this act, or whenever the said Auditor shall find, upon examination as provided in section 10 of this act, that any willfully false or untrue statements in any material respect have been made, or that the business of the corporation, association or society

has been conducted fraudulently, or in willful violation of any of the provisions of this act, or that the corporation has transacted business different from that authorized by its certificate of incorporation, he shall communicate the fact to the Attorney General, whose duty it shall be to apply to the circuit court where its principal office is located, for an order requiring the officers or directors, trustees or managers of such corporation to show cause why they should not be removed from office, or its business closed; and the court shall thereupon hear the allegations and proofs of the respective parties, and if it shall appear to the satisfaction of the said court that any one or more of them have been guilty of fraud or any material irregularity or violation of law to the injury of the said corporation, association or society, or of non-compliance with any of the provisions of this act, the court shall decree a removal from office of the guilty party or parties, which decree shall forever debar him or them from holding a similar office, and shall substitute a suitable person or persons to serve until the regular annual meeting, or until a successor or successors are regularly chosen or elected; or if it shall appear to the said court that the interests of its members or the general public so require, the court may decree a dissolution of such corporation, association or society, and a distribution of its effects.

§ 13. If the Auditor of Public Accounts shall find, upon examination, as provided in section 10 of this act, or if it shall appear from the annual statement filed in his office, as provided by section 9 of this act, that the number of members in good standing in any corporation, association or society organized under any law of this State, and amenable to the provisions of this act, is less than two hundred, or that the last mortuary assessment upon its members produced less than five hundred dollars for mortuary benefits, he shall communicate the fact to the Attorney General, whose duty it shall be to apply to the circuit court where its principal office is located for an order requiring the officers or directors, trustees or managers of such corporation to show cause why its business should not be closed. The court shall thereupon hear the allegations and proofs of the respective parties; and if the court shall find that the membership of said association is less than two hundred, or that the last mortuary assessment upon the members of said association produced less than five hundred dollars for mortuary benefits, it shall decree the dissolution of the corporation and a distribution of its funds and effects.

§ 14. Any corporation, association or society organized under any law of this State, and amenable to the provisions of this act, may also voluntarily dissolve its organization by a two-thirds vote of its entire membership, at any meeting called to consider such question by a written or printed notice sent to each member or certificate holder at least thirty days prior to the day fixed for said meeting. When a final dissolution has been agreed upon the directors, trustees or managers shall first pay all the debts and obligations of the corporation, association or society out of the funds of the corporation, and distribute the remainder among all the certificate holders in good standing at the date of

such meeting in proportion to the amount of benefit named in the certificate of each. No such distribution shall, however, be made until the directors, trustees or managers shall have filed a statement under oath, in the office of the recorder of deeds in the county where the business office is located, that all debts of the corporation, association or society are paid. And in case a distribution shall be made before filing such statement under oath, or if such statement shall be willfully false, the trustees, directors or managers shall be jointly and severally liable for the debts of such corporation, association or society. It shall also be lawful for the trustees, directors or managers, when a final dissolution has been agreed upon in the manner above provided, to apply the funds of such corporation, association or society remaining after paying all its debts, to the transfer of its members to any other corporation, association or society authorized under this act to transact business in this State, and to distribute the remainder, if any, as hereinbefore provided: *Provided, however,* that such transfer shall be by contract with the organization to which such transfer is to be made, and the said contract of such transfer shall first be submitted to and approved by a two-thirds vote of its members at the meeting herein provided for. And in case said transfer shall be approved, every certificate holder of the said corporation, association or society who shall file with the secretary thereof, within five days after said meeting, written notice of his preference to be transferred to some other corporation than that named in the contract, shall be accorded all the rights and privileges, if any, in aid of such transfer as would have been accorded under the terms of the said contract had he been transferred to the corporation named therein, and should any certificate holder not desire to be transferred to any other corporation, association or society he shall be entitled to and shall receive such proportionate share of the funds of such corporation, association or society as is herein provided for in case of dissolution without transfer of members. And it shall not be lawful for any corporation, association or society to transfer its members to any other corporation, association or society except as herein provided. When a final dissolution has been agreed upon, and all the debts and obligations of such corporation have been paid, and its funds distributed or its members transferred as herein provided for, the directors, trustees or managers shall file in the office of the Secretary of State a certificate thereof, under the seal of the corporation, stating fully all the acts performed under the provisions hereof. And upon the filing of said certificate such corporation shall cease to exist.

§ 15. Any officer, director, trustee or manager, or any other person having charge of the books and papers of any corporation conducting business under the provisions of this act, who shall willfully neglect or refuse to comply with the provisions of this act, shall be subject to a fine of not less than \$10 nor more than \$100 for each offense. Any person who shall act as agent, or be instrumental in securing or inducing any person to become a member of any assessment plan corporation, association or society that has not complied with the provisions of this act shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than \$10 nor more than \$50 for each offense, and shall be imprisoned

in the county jail located in the county where the conviction is secured, until such fine is paid, not exceeding thirty days for each conviction.

§ 16. The first statement to the Auditor of Public Accounts, as required under the provisions of section 9 of this act, shall be made on or before the first day of September, A. D. 1883, and shall embrace all the facts required by the provisions of this act, from the date of organization up to the thirty-first day of December, A. D. 1882. Any corporation, association or society failing or refusing to make the statement required by this section within the time specified, shall be proceeded against in the same manner and shall be subject to the same penalty as provided in section 12 of this act.

§ 17. Any corporation, association or society organized under the laws of any other State or government, except secret societies having subordinate lodges or councils, and which are now permitted to do business in this State for the purpose of furnishing life, accident or permanent disability indemnity upon the assessment plan, where benefits are paid to such as have an insurable interest only, or that is carrying on the business of life or accident insurance on the assessment plan, as provided in section 1, complying with the provisions of this act, shall be licensed by the Auditor of Public Accounts, upon the payment to him of a fee of \$25, to do business in this State, provided such corporation, association or society shall first deposit with the said Auditor a certified copy of its charter or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by its president and secretary, or like officers, showing a detailed account of expenses and income, the amount of life indemnity in force, its assets and liabilities in detail, number of members, and a certificate sworn to by the president and secretary, or like officers, setting forth that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership to the full limit named therein; a certificate from the State official charged with the enforcement of the insurance laws, or, if there be no such official, a certificate from the Attorney-General of its home State, certifying that corporations, associations or societies furnishing life indemnity on the assessment plan, and whose ordinary assessments are sufficient to pay its maximum certificate in full, and are chartered under the laws of this State, are legally entitled to do business in its home State; a copy of its policy or certificate of membership, application and by-laws, which must show that death losses are in the main provided for by assessments upon the surviving members; and it shall legally designate a person or agent residing in this State, to receive service of process for said corporation, or in default of such designation, service of process may be made upon the Auditor of Public Accounts of Illinois, who shall be deemed its agent for that purpose, and he shall immediately notify any corporation thus served. The license herein provided for shall be revoked by the Auditor of Public Accounts whenever, upon investigation, he is satisfied that such corporation is not paying or able to pay the maximum amount named in its certificates or policies in full. When any such license is

revoked, the Auditor shall give notice thereof by mail to the president and secretary of the corporation, and publish a notice thereof in a newspaper of general circulation published in the city of Springfield, and no new business shall be thereafter done by it or its agents in this State. When the laws or the rulings of the insurance officials of any other State or country shall impose any obligation upon any such corporation of this State or its agents, the like obligation shall be imposed on similar corporations and their agents of such State or country doing business in this State.

§ 18. Such corporations, associations or societies shall pay to the said Auditor, upon filing each annual statement, a fee of \$10; and in the event of its failure to make such statement on or before the first day of March of each year, the Auditor shall revoke its license, and thereafter, or until such statement is made, it shall be deemed to be doing business unlawfully in this State. When the Auditor of Public Accounts shall have reason to doubt the solvency of any foreign corporation, association or society acting under the provisions of this act, and when he is not fully satisfied with the certificate of the insurance commissioner, or other like officer, he may proceed to make an examination as provided in this act for the examination of corporations organized in this State; and should he find that it has made fraudulent or untrue statements, or that it is conducting its business in an irregular and illegal manner, or if he shall be of the opinion that any such corporation is in this State conducting its business fraudulently, or is not in good faith carrying out its contracts with its members in this State, he shall report the same to the Attorney General, who shall thereupon commence proceedings, by writ of *quo warranto*, against such corporation or association, requiring it to show cause why its license to do business in this State should not be revoked. And any such foreign corporation or association now doing business in this State, that shall refuse or neglect to comply with the provisions of this act within the space of ninety days after passage thereof, shall be deemed to be doing business unlawfully; and if any officer, agent or employé of any such corporation or association shall do business in this State, or assist in, or knowingly permit the same, unless such corporation or association has complied with the provisions of the laws of this State applicable to the same, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$50 nor more than \$1,000, or be imprisoned in the county jail not less than thirty days nor more than one year, or both, in the discretion of the court.

§ 19. All laws or parts of laws in conflict with this act are hereby repealed.

APPROVED June 16, 1887.

 JUDGMENTS AND EXECUTIONS.

IMPRISONMENT FOR DEBT.

§ 1. Amends section 65, act of 1872, by providing that no person shall be imprisoned for a longer period than six months.

AN ACT to amend section sixty-five 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, 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 sixty-five 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, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 65. When a debtor shall be arrested by virtue of an execution against his body he shall be conveyed to the county jail of the county of the officer who made the arrest, and kept in safe custody until he shall satisfy the execution or be discharged according to law. Immediately upon the arrest of the defendant the officer making the same shall give notice thereof to the plaintiff, his agent or attorney, if in the county: *Provided*, that no person heretofore or hereafter imprisoned under the provisions of this act, shall be imprisoned for a longer period than six months from the date of arrest. And all persons imprisoned under the provisions of this act for the period of one or more years at the time this act takes effect shall thereupon be immediately discharged: *Provided, however*, that no person shall be released from imprisonment under this act who neglects or refuses to schedule in manner and form as provided by 'An act concerning insolvent debtors,' approved April 10, 1872, in force July 1, 1872."

APPROVED June 17, 1887.

PERSONAL PROPERTY.

§ 1. Amends section 40, act of 1872, by adding the proviso.

AN ACT to amend section 40 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, 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 40 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," be and the same is hereby amended so as to read as follows:

"Section 40. All goods and chattels, real and personal, may be taken and sold on execution, except as otherwise provided by law: *Provided*, that when any officer shall levy an execution on live stock, or other personal property, and the same shall not be immediately replevied or restored to the debtor, such officer shall provide sufficient sustenance for the support of such live stock, and shall provide for the proper care and storage of such personal property, until the same shall be replevied, sold or discharged from such execution; said officer shall receive a reasonable compensation therefor to be ascertained and determined by the court out of which the writ issued, or any judge thereof in vacation, to be advanced to him from time to time by the plaintiff in the execution, and the amount of such compensation shall be collectable as a part of the costs in the case."

APPROVED June 16, 1887.

JURY COMMISSIONERS.

APPOINTMENT.

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| <p>§ 1. Petition for appointment; submitted to vote in the county; in case of favorable result at such election, appointment; term of office; oath of office; bond; renewal for cause.</p> <p>§ 2. Board shall prepare list of jurors.</p> <p>§ 3. Duties of the board; assistants and clerks; deputy commissioners.</p> | <p>§ 4. Selection of grand and petit juries.</p> <p>§ 5. Grand jury; names checked off jury list.</p> <p>§ 6. Compensation of commissioners, deputies, clerks; office expenses, etc.</p> |
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AN ACT entitled an act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That upon the petition of not less than one thousand electors of any county in this State, praying for the appointment of a jury commission for such county, the judges of the several courts of record of such county, or a majority of them, may in their discretion, cause the question of the appointment of such commission to be submitted to the vote of the electors of said county, on Tuesday after the first Monday of November, A. D. 1887, on not less than thirty days notice, prescribing the form of ballot, and the place and time of such election and stating the object thereof; said election to be conducted, returned and canvassed in the same manner and by the same officers prescribed by law in cases of general elections in such county; and if it shall

appear that a majority of the votes cast upon this question at such election is in favor of a jury commission in such county, then the said judges, or a majority of them, may choose three competent and discreet electors who shall not be by law exempt or disqualified from serving as jurors, and who shall be known as jury commissioners. Of the first three so chosen, one shall hold his office for one year, one for two years and one for three years, to be determined by lot, and every year thereafter one such officer shall be so chosen for the term of three years. Each of said commissioners before entering upon the duties of his office shall take and subscribe to an oath of office before one of said judges, and shall execute a bond to the People of the State of Illinois, in such sum and with such sureties as shall be required by such judge, and be by him approved, conditioned for the faithful discharge of his duties as such commissioner during his term of office. The majority of the judges of such county may remove either of such commissioners, assigning reasons therefor.

§ 2. The said commissioners, upon entering upon the duties of their office, and each year thereafter, shall prepare a list of all electors between the ages of twenty-one and sixty years, and possessing the necessary legal qualifications for jury duty, to be known as the jury list. The name of each person on said list shall be entered in a book or books to be kept for that purpose, and opposite said name shall be entered the age of said person, his occupation, if any, his place of residence, giving street and number, if any, whether or not he is a householder, residing with his family, and whether or not he is a freeholder.

§ 3. The said commissioners are empowered to provide a suitable room or rooms in which to transact their business, and with the approval of the judges or a majority of the same, to appoint a clerk and the requisite number of assistants. The clerk, if there be one, shall be on duty at the room or rooms of said commissioners each day during the sessions of the court; if there be no clerk, then one, at least, of said commissioners shall, in like manner, be present, if so ordered by the court. The said commissioners shall have power, with the approval of the judge or judges, to appoint a competent elector in each or any voting precinct or district, who shall be known as deputy jury commissioners, and whose duty it shall be to furnish said jury commissioners, from time to time, as required, a list of the qualified electors residing in said voting precinct or district, and such other information as may be required by said jury commissioners.

§ 4. The said jury commissioners shall, from time to time, select from said jury list the requisite number of names, which shall each be written on a separate ticket, with the age, place of residence and occupation of each, if known, the whole to be put into a box to be kept for that purpose and to be known as the jury box. In like manner they shall select the necessary number of names from said jury list and from among those who are freeholders and householders residing with their families, whose names shall each be written on a separate ticket, with the age, place of residence and occupation of each, if known, and put the whole into another box to be

kept for that purpose, and known as the ground [grand] jury box. The jurors so selected shall, as near as may be, be residents of different parts of the county, and of different occupations. And one or more of the judges of said court shall certify to the clerk of the court the number of jurors required at each term. The said clerk shall then repair to the office of the jury commissioners, and in the presence of at least two of said commissioners and also in presence of the clerk of said commissioners, if there be one, proceed to draw at random from said jury box, after the same shall have been well shaken, the necessary number of names, and shall certify the same to the sheriff, to be by him summoned according to law. If more jurors are needed during said term the court shall so certify, and they shall be drawn and summoned as above provided, forthwith.

§ 5. Whenever a grand jury shall be required by law, or by order of the judge, they shall be drawn from the grand jury box and summoned in like manner as provided in the last section. At the end of each term of court the said jury commissioners shall ascertain the names of all persons who have served and all who have been excused as jurors during said term, and the names of such as have served shall then be checked off from the said jury list and shall not again be placed in either jury box until all others on said list shall have served, or been found to be disqualified or exempt, and the names of all who have been excused shall again be placed in the jury box.

§ 6. The said jury commissioners, deputy jury commissioners, clerks and assistants shall be paid for their services by the county treasurer, of the several counties, such compensation as shall be fixed by the county board, upon warrants drawn by the clerk of the county board. The office expenses of said jury commissioners shall be paid in like manner: *Provided, however,* that the compensation of any such commissioner, deputy or clerk shall not exceed the sum of \$2,000 per annum: *Provided, further,* that in counties of the first class the compensation of said jury commissioners and deputies shall not exceed ten dollars each per annum; and in counties of the second class it shall not exceed fifty dollars each per annum; and in counties of the third class it shall not be less than five hundred dollars each per annum.

APPROVED June 15, 1887.

JUSTICES AND CONSTABLES.

APPEALS.

§ 1. Amends sec. 62, act 1872, as amended 1881, by inserting the words "and police magistrates."

AN ACT to amend section sixty-two as amended May 30, 1881, in force May 30, 1881, of "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named," 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 sixty-two as amended May 30, 1881, in force May 30, 1881, of "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872, [be amended so that the same shall read as follows:]

"Section 62. Appeals from judgments of justices of the peace and police magistrates to the circuit or county court, if such jurisdiction shall be conferred upon the county court by law, shall be granted in all cases except on judgments confessed, and in the county of Cook appeals may also be granted to the superior court of said county: *Provided*, the party praying for an appeal shall, within twenty days from the rendition of the judgment from which he desires to take an appeal, enter into bond with security to be approved and conditioned as hereinafter provided, in substance as follows:

Know all men by these presents, that we, A. B., and C. D., are held and firmly bound unto E. F. in the penal sum of (here insert double the amount of judgment and costs), lawful money of the United States, for the payment of which well and truly to be made, we bind ourselves, our heirs and administrators jointly, severally and firmly by these presents.

Witness our hand and seal this day of 18..

The condition of the above obligation is such that whereas the said E. F. did on the day of, A. D. 18.., before, a justice of the peace or police magistrate for district, city or village, recover a judgment against the above bonded A. B. for the sum of dollars (or for costs as the case may be) from which judgment the said A. B. has taken an appeal to the court in the county of..... Now if the said A. B. shall prosecute his appeal with effect, and pay whatever judgment may be rendered against him by said court upon the trial of said appeal, or by consent, or in case the appeal is dismissed, or in case the matter in controversy is settled between

the parties to the suit without a trial by the court appealed to, will pay the judgment rendered against him by said justice or police magistrate, and all costs that have been made before the justice or police magistrate, and all costs occasioned by said appeal, (or if the judgment appealed from is in favor of the appellant, omit the words judgment rendered against him by said justice or police magistrate), then the above obligation to be void, otherwise to remain in full force and effect.

A. B. [SEAL.]

C. D. [SEAL.]

Approved by me thisday of....., A. D. 18..

APPROVED June 13, 1887.

LIBRARIES.

IN CITIES, TOWNS AND VILLAGES

§ 1. Amends sec. 1 of the act of 1872, as amended in 1883, by increasing the amount of tax which may be levied in cities of less than 100,000 inhabitants to two mills on the dollar.

AN ACT to amend section one (1) of "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872.

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 to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, be amended so that the same shall read as follows:

"SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the city council of each incorporated city shall have the power to establish and maintain a public library and reading room for the use and benefit of the inhabitants of such city, and may levy a tax of not to exceed two mills on the dollar annually, on all the taxable property in the city; such tax to be levied and collected in like manner with the general taxes of said city, and to be known as the library fund: *Provided,* that in cities of over one hundred thousand inhabitants such tax shall not exceed one-half of a mill on the dollar annually; and the said annual library taxes in cities of over one hundred thousand inhabitants shall not be included in the aggregate amount of taxes as limited by section one (1) of article eight (8) of "An act for the incorporation of cities and villages," approved April 10, 1872, and the amendatory acts thereto."

APPROVED June 17, 1887.

LIENS.

MECHANICS'—STATEMENT OF ACCOUNT.

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| <p>§ 1. Amends section 4 by requiring creditors or contractors to file statement of account before suit can be brought. Amends section 28 by requiring that the statement and claim as provided in section 4 shall be in four months; suit thereon shall be begun in two years.</p> | <p>§ 52. The owner of property may require suit to be brought in 30 days.</p> <p>§ 53. Circuit clerks shall keep record of claims.</p> <p>§ 54. Satisfaction of claim, when paid.</p> |
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AN ACT to amend sections four and twenty-eight, and add sections fifty-two, fifty-three and fifty-four to "An act to revise the law relating to liens," 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 four and section twenty-eight of an act entitled "An act to revise the law relating to liens," in force July 1, 1874, be amended as follows; and that said act be further amended by adding thereto three additional sections, known as sections fifty-two, fifty-three and fifty-four, as hereinafter provided:

"Section 4. Every creditor or contractor who wishes to avail himself of the provisions of this act shall file with the clerk of the circuit court of the county in which the building, erection or other improvement to be charged with the lien is situated, a just and true statement, or account or demand due him after allowing all credits, setting forth the times when such material was furnished or labor performed, and containing a correct description of the property to be charged with the lien, and verified by an affidavit. Any person having filed a claim for a lien as provided in this section may bring a suit at once to enforce the same by bill or petition in any court of competent jurisdiction in the county where the claim for a lien has been filed."

"Section 28. No creditor shall be allowed to enforce a lien created under the provisions of this act as against or to the prejudice of any other creditor, or incumbrance or purchaser, unless a claim for a lien shall have been filed with the clerk of the circuit court, as provided in section four of this act, within four months after the last payment shall have become due and payable. Suit shall be commenced within two years after filing such claim with the clerk of the circuit court, or the lien shall be vacated."

"Section 52. Upon the written demand of the owner or his agent, or any person interested in said real estate, served on the person or his agent claiming the lien, requiring suit to be commenced to enforce the lien, such suit shall be commenced within thirty days thereafter or the lien shall be forfeited.

"Section 53. The clerk of the circuit court where such lien shall be filed shall endorse on every such claim for a lien filed, the date of filing, and make an abstract thereof in a book kept for that purpose, and properly indexed, containing the name of the person filing the lien, the amount of the lien, the date of filing, the name

of the person against whom the lien is filed, and a description of the property charged with the lien, and for which the person filing the lien shall pay one dollar to the clerk.

“Section 54. Whenever a lien has been claimed by filing the same with the clerk of the circuit court, and is afterwards paid, the person filing the same shall acknowledge satisfaction thereof in the proper book in such office in writing, and on neglect to do so for ten days after the claim has been paid, he shall forfeit to the owner the sum of twenty-five dollars.”

APPROVED May 31, 1887.

MECHANICS'—SUB-CONTRACTORS.

§ 1. Amends secs. 29 and 30, act of 1874, by making them conform to the provisions of section 35 as amended by this act. Amends section 35 by requiring original contractors, when any money is due and is to be drawn from the owner, to make sworn statements; and the owner shall retain the amount due to sub-contractors for work and materials. No liens shall accrue until statement is furnished; owner liable to sub-contractor if payment is made without such statement; penalties.

§ 2. Repeals certain sections.

AN ACT to amend sections twenty-nine (29), thirty (30) and thirty-five (35), and to repeal sections thirty-six (36), forty-two (42), forty-three (43) and forty-four (44) of an act entitled “An act to revise the law in relation to liens,” approved March 25, 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 twenty-nine (29), thirty (30) and thirty-five (25) of an act entitled “An act to revise the law in relation to liens,” approved March 25, 1874, in force July 1, 1874, be so amended as to read as follows:

“Section 29. Sub-contractors, Mechanics, Workmen, etc. Every sub-contractor, mechanic, workmen, or other person, who shall hereafter, in pursuance of the purposes of the original contract between the owner of any lot or piece of ground, or his agent and the original contractor, perform any labor or furnish any materials in building, altering, repairing, beautifying or ornamenting any house or other building or appurtenance thereto, on such lot or on any street or alley and connected with such building or appurtenance, shall have a lien for the value of such labor and materials upon such house or building and appurtenances, and upon the lot or land upon which the same stands, to the extent of the right, title and interest of such owner at the time of making the original contract for such house or the improvement, but the aggregate of all the liens hereby authorized shall not exceed the price stipulated

in the original contract between such owner and the original contractor for such improvements. In no case shall the owner be compelled to pay a greater sum for or on account of such house, building or other improvement than the price or sum stipulated in said original contract or agreement, unless payments be made to the original contractor, or to his order, in violation of the rights and interests of the persons intended to be benefited by section 35 of this act: *Provided*, if it shall appear to the court that the owner and contractor fraudulently, and for the purpose of defrauding sub-contractors, fixed an unreasonably low price in their original contract for the erection or repairing of such building, then the court shall ascertain how much of a difference exists between a fair price for the labor and material used in said building or other improvements and the sum named in said original contract. Said difference shall be considered a part of the contract, and be subject to a lien, but in no case shall the original contractors' time or profits be secured by this lien only so far as the sum named in the original contract or agreement.

"Section 30. Notice—Form. The person performing such labor or furnishing such material shall cause a notice in writing to be served on such owner or his agent, substantially in the following form:

To: You are hereby notified that I have been employed by to (here state whether to labor or furnish material, and substantially the nature of the undertaking or demand) upon your (here state the building and where situated in general terms), and that I shall hold the (building, or as the case may be,) and your interest in the grounds liable for the amount that (is or may become) due me on account thereof.

Date

Signature

Provided, such notice shall not be necessary where the sworn statement of the contractor provided for in section 35 of this act shall serve to give the owner true notice of the amount due, and to whom due."

"Section 35. The original contractor shall, whenever any payment of money shall become due from the owner, or whenever he desires to draw any money from the owner, lessee or his agent on such contract, make out and give to the owner, lessee or his agent, a statement, under oath, of the number, name of every sub-contractor, mechanics or workmen in his employ, or person furnishing materials, giving their names and the rate of wages or the terms of contract, and how much, if anything, is due or to become due to them or any of them for work done or materials furnished, and the owner, lessee or his agent shall retain out of any money then due or to become due to the contractor an amount sufficient to pay all demands that are due or to become due such sub-contractors, mechanics and workmen or person furnishing materials, as shown by the contractor's statement, and pay the same to them, according to their respective rights, and all payments so made shall, as between such owner and contractor, be considered the same as if paid to such original contractor. Until the statement provided for

in this section is made in manner and form as herein provided, the contractor shall have no right of action or lien against the owner on account of such contract, and any payment made by the owner before such statement is made, or without retaining sufficient money, if that amount be due or is to become due, to pay the sub-contractors, mechanics, workmen or persons furnishing materials, as shown by the statement, shall be considered illegal, and made in violation of the rights of the persons intended to be benefited by this act, and the rights of such sub-contractors, mechanics, workmen or persons furnishing material to a lien shall not be affected thereby. In order that the owner, lessee or his agent may be protected, he may, at any time during the progress of the work, demand in writing of the contractor the statement herein provided for, which shall be made by the contractor and given to the owner, lessee or his agent, and if such contractor fail to furnish such statement within five days after demand made, he shall forfeit to such owner the sum of fifty dollars (\$50) for every such offense, which may be recovered in any action of debt before any justice of the peace."

§ 2. That sections thirty-six (36), forty-two (42), forty-three (43) and forty-four (44) of said act, and all other acts or parts of acts in conflict herewith, be and the same are hereby repealed.

APPROVED June 16, 1887.

LOCKS AND DAMS.

IN ILLINOIS RIVER, CEDED TO UNITED STATES.

§ 1. Cedes the locks and dams in the Illinois river to the United States upon conditions.

§ 2. Emergency.

AN ACT to cede certain locks and dams in the Illinois river to the United States.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the locks and dams in the Illinois river, built by the State of Illinois, and all privileges and appurtenances belonging thereto, are hereby ceded to the United States upon the following express conditions, viz: The acceptance of this grant shall be construed as an agreement, on the part of the United States, to make the necessary improvements (to be determined by United States engineers) for a complete water-way for steam navigation (water seven (7) feet deep) from the Mississippi river to Lake Michigan, by way of the Illinois river, the Desplaines river, the Illinois and Michigan canal, or in part by each, or otherwise, as may be deemed most practical by said engineers. A further condition is, that when said improvements shall be completed, the

water-way opened thereby shall be maintained for commercial purposes, to be used by all persons without distinction, subject to such rules and regulations as Congress may prescribe.

§ 2. Whereas the subject matter of this bill is now pending before Congress, an emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 31, 1887.

LUNATICS.

CONSERVATORS.

- § 1. Amends the act of 1874, by adding five sections and amending the title.
- Section 24. Appointment of conservators.
- Section 25. Bond; powers and duties.
- Section 26. Removal of conservator upon the restoration of lunatic to health.

- Section 27. Notice of application for removal.
- Section 28. Trial by jury; verdict, settlement of accounts of conservators.
- Section 29. Costs taxed against conservator.
- Section 30. Appeals.

AN ACT to amend an act entitled "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, by amending the title thereof, and by adding additional sections to be known as sections 24, 25, 26, 27, 28, 29 and 30.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, be amended by adding additional sections to be known as sections 24, 25, 26, 27, 28, 29 and 30, and that the title thereof be amended so as to read as follows: "An act to revise the law in relation to the commitment and detention of lunatics, and to provide for the appointment of, and removal of conservators."

"Section 24. That when it shall appear to the court, upon any trial wherein any person may be adjudged insane under the act to which this is an amendment, that any such person is the owner or possessed of any property, either real or personal, which, in the opinion of such court is in danger of waste or depreciation, it shall be the duty of the court to appoint some fit person to be the conservator of such insane person; or in case there is a probate court in the county then the court shall transmit to said probate court a duly certified copy of the record of the verdict of the jury finding said person insane, and upon presentation of the same said probate court shall in its discretion appoint some fit person to be conservator of such insane person: *Provided*, that the petition for an inquest shall also apply for the appointment of a conservator and the

necessity for the appointment of such conservator shall first be found by the jury, and such trial shall be had before a jury composed of twelve jurors.

“Section 25. That said conservator when so appointed shall give bond, qualify, have the same power and discharge the same duties as are now required by law of conservators in other cases.

“Section 26. When any person for whom a conservator has been appointed as aforesaid shall be discharged from any hospital [in] which he or she may have been confined, and shall be restored to reason so as to be able to manage and control his or her property, such person may file his petition, in writing, in the county court of the county in which such conservator was appointed, to have such conservator removed and the care and management of his property restored to him.”

“Section 27. Notice of such application shall be given by service of summons as in other cases, ten days before the commencement of the term of court to which application shall be made.

“Section 28. It shall be the duty of the court to which any such application is made, on proof that such conservator has been duly notified of such application, to cause a jury to be summoned to try the issue whether such applicant is so far restored to reason as to be a fit person to have the custody and control of his property, and if the jury returns in their verdict that such person is fit to have the custody of his property as aforesaid, the court shall enter an order removing such conservator and fully restoring such person to all rights and privileges enjoyed by him before the appointment of such conservator: *Provided*, that such conservator so removed shall be allowed a reasonable time to settle his accounts as such, and pay all debts contracted by him, and pass over the money or property remaining in his hands, and such removal shall not invalidate any contracts made in good faith by such conservator while acting as such.

“Section 29. The costs of proceedings under this act for the removal of conservators, including the fees of the jury, shall be taxed against such conservator, to be paid by him out of the money or property in his hands.

“Section 30. Appeals shall be allowed to the circuit court from any order or judgment made or rendered under this act, upon the applicant giving such bond and security within such time as the court may direct.”

APPROVED June 15, 1887.

MARRIAGES.

BETWEEN COUSINS, PROHIBITED.

§ 1. Amends section 1 of the act of 1874, by prohibiting the marriage of cousins of the first degree.

AN ACT to amend section one of "An act to revise the law in relation to marriages," approved February 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 section one of "An act to revise the law in relation to marriages," approved February 27, 1874, in force July 1, 1874, be amended to read as follows:

"Section 1. That hereafter marriages between parents and children, including grand-parents and grand-children of every degree, between brothers and sisters of the half, as well as the whole blood, between uncles and neices, aunts and nephews, and between cousins of the first degree, are declared to be incestuous and void. This section shall extend to illegitimate as well as legitimate children and relations."

APPROVED June 15, 1887.

MEDICINE AND SURGERY.

PRACTICE REGULATED.

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| § 1. Certificate of State Board of Health. | § 8. Examinations, how conducted. |
| § 2. Organization and duties of the Board of Health. | § 9. Unprofessional conduct; withholding or revocation of certificates; appeals. |
| § 3. Diplomas, verification. | § 10. Definition of this act. |
| § 4. Examinations by the board, of non-graduates. | § 11. Itinerant vendors; license; penalties. |
| § 5. Certificates shall be recorded in county clerk's office. | § 12. Penalties for practicing without certificate. |
| § 6. Records of the county clerk. | § 13. Enforcing penalties; appeals. |
| § 7. Fees for examination of non-graduates. | § 14. Repeals. |

AN ACT to regulate the practice of medicine in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person shall practice medicine in any of its departments in this State unless such person possesses the qualifications required by this act. If a graduate in medicine, he shall present his diploma to the State Board of Health for verification as to its genuineness. If the diploma is

found genuine, and from a legally chartered medical institution in good standing, and if the person named therein be the person claiming and presenting the same, the State Board of Health shall issue its certificate to that effect signed by all of the members thereof, and such certificate shall be conclusive as to the right of the lawful holder of the same to practice medicine in this State. If not a graduate, the person practicing medicine in this State shall present himself before said board and submit himself to such examination as the board may require, and if the examination be satisfactory to the board, the said board shall issue its certificate in accordance with the facts, and the lawful holder of such certificate shall be entitled to all the rights and privileges herein mentioned.

§ 2. The State Board of Health shall organize within three months after the passage of this act; it shall procure a seal, and shall receive, through its secretary, applications for certificates and examinations; the president and secretary shall have authority to administer oaths, and the board to take testimony in all matters relating to its duties; it shall issue certificates to all who furnish satisfactory proof of having received diplomas or licenses from legally chartered medical institutions in good standing, as may be determined by the board; it shall prepare three forms of certificates, one for persons in possession of such diplomas or licenses, the second for candidates examined and favorably passed on by the board, and a third for persons to whom certificates may be issued as hereinafter provided in section 12 of this act; it shall furnish to the county clerks of the several counties a list of all persons receiving certificates. In selecting places to hold its meetings, it shall, as far as is reasonable, accommodate applicants residing in different sections of the State, and due notice shall be published of all its meetings for examination. Certificates shall be signed by all the members of the board, and the secretary of the board shall receive from the applicant a fee of five (5) dollars for each certificate issued to such graduate or licentiate. Graduates or licentiates in midwifery to pay the sum of two (2) dollars for each certificate. All such fees for certificates shall be paid by the secretary into the treasury of the board.

§ 3. The verification of the diploma shall consist in the affidavit of the holder and applicant that he is the lawful possessor of the same, and that he is the person therein named. Such affidavit may be taken before any person authorized to administer oaths, and the same shall be attested under the hand and official seal of such officer, if he have a seal; and any person swearing falsely shall be deemed guilty of perjury and punished accordingly. Graduates may present their diplomas and affidavits as provided in this act, by letter or by proxy, and the State Board of Health shall issue its certificate the same as though the owner of the diploma was present.

§ 4. All examinations of persons, not graduates or licentiates, shall be made directly by the board, and the certificates given by the board shall authorize the possessor to practice medicine and surgery in the State of Illinois.

§ 5. Every person holding a certificate from the State Board of Health shall have it recorded in the office of the clerk of the county in which he resides, within three months from its date, and the date of recording shall be endorsed thereon. Until such certificate is recorded, as herein provided, the holder thereof shall not exercise any of the rights or privileges conferred therein to practice medicine. Any person removing to another county to practice shall record the certificate in like manner, in the county to which he removes, and the holder of the certificate shall pay to the county clerk the usual fees for making the record.

§ 6. The county clerk shall keep, in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the issue of the certificate. If the certificate be based on a diploma or license, he shall record the name of the medical institution conferring it, and the date when conferred. The register of the county clerk shall be open to public inspection during business hours.

§ 7. The fees for the examination of non-graduates shall be as follows: Twenty (20) dollars for an examination in medicines and surgery; ten (10) dollars for an examination in midwifery only; and said fees shall be paid into the treasury of the board. If an applicant fails to pass said examination his or her fee shall be returned. Upon successfully passing the examination the certificate of the board shall be issued to the applicant without further charge.

§ 8. Examinations may be made in whole or in part in writing, and shall be of an elementary and practical character, but sufficiently strict to test the qualifications of the candidate as a practitioner.

§ 9. The State Board of Health may refuse to issue the certificates provided for in section 2, to individuals guilty of unprofessional or dishonorable conduct, and it may revoke such certificates for like causes. In all cases of refusal or revocation, the applicant may appeal to the Governor, who may affirm or overrule the decision of the board, and this decision shall be final.

§ 10. Any person shall be regarded as practicing medicine, within the meaning of this act, who shall treat, operate on, or prescribe for any physical ailment of another. But nothing in this act shall be construed to prohibit services in cases of emergency or the domestic administration of family remedies. And this act shall not apply to commissioned surgeons of the United States Army, Navy or Marine Hospital Service in the discharge of their official duties.

§ 11. Any itinerant vendor of any drug, nostrum, ointment or appliance of any kind, intended for the treatment of disease or injury, or who shall, by writing or printing or any other method, profess to cure or treat disease or deformity, by any drug, nostrum, manipulation or other expedient, shall pay a license of one hundred (100) dollars per month into the treasury of the board, to be collected by the State Board of Health in the name of the People of the State of Illinois for the use of said Board of Health, and it shall be lawful for the State Board of Health to issue such license on application made to the State Board of Health, such license to

be signed by the president of the board, and attested by the secretary of the board with the seal of the board. Any such itinerant vendor who shall vend or sell any such drug, nostrum, ointment or appliance without having a license so to do, shall, if found guilty, be fined in any sum not less than one hundred dollars and not exceeding two hundred dollars, for each offense, to be recovered in an action of debt before any court of competent jurisdiction. But such board may, for sufficient cause, refuse such license.

§ 12. Any person practicing medicine or surgery in the State without the certificate issued by this board in compliance with the provisions of this act, shall for each and every instance of such practice forfeit and pay to the people of the State of Illinois for the use of the said State Board of Health the sum of one hundred (100) dollars for the first offense, and two hundred (200) dollars for each subsequent offense, the same to be recovered in an action of debt before any court of competent jurisdiction, and any person filing or attempting to file, as his own, the diploma or certificate of another, or a forged affidavit of identification, shall be guilty of a felony, and, upon conviction, shall be subject to such fine and imprisonment as are made and provided by the statutes of the State for the crime of forgery: *Provided*, that all persons who have been practicing medicine continuously for ten years within this State prior to the taking effect of the act to which this is an amendment, and who have not under said original act obtained a certificate from said Board of Health to practice medicine in this State, shall, on proper application to said Board of Health, receive such certificate, unless it shall be ascertained and determined by said Board of Health that the person so applying for a certificate is of immoral character or guilty of unprofessional or dishonorable conduct, in which case said Board of Health may reject such application: *And provided*, that such application for a certificate shall be made within six months after the taking effect of this act, and all persons holding a certificate on account of ten years' practice shall be subject to all the requirements and discipline of this act, and the act to which this is an amendment, in regard to their future conduct in the practice of medicine the same as all other persons holding certificates; and all persons not having applied for or received such certificate within six months after the taking effect of this act, and all persons whose applications have, for the causes herein named, been rejected or certificates revoked, shall, if they shall practice medicine, be deemed guilty of practicing in violation of law and shall suffer the penalties herein provided.

§ 13. Upon conviction of either of the offenses mentioned in this act, the court shall, as part of the judgment, order that the defendant be committed to the common jail of the county until the fine and costs are paid, and, upon failure to pay the same immediately, the defendant shall be committed under said order: *Provided*, that either party may appeal in the same time and manner as appeals may be taken in other cases, except that where an appeal is prayed in behalf of the people, no appeal bond shall be required to be filed, whether the appeal be from a justice of the peace or from the county or circuit court, or from the appellate court. But it shall

be sufficient in behalf of the people of the State of Illinois, for the use of the State Board of Health, to pray an appeal, and thereupon appeal may be had without bond or security.

§ 14. All acts and parts of acts inconsistent or in conflict with this act, are hereby repealed.

APPROVED June 16, 1887.

MILITARY CODE.

PAY OF ENLISTED MEN.

§ 1. Amends section 1, article 8, act of 1879, by fixing the pay of enlisted men; amends section 2, same article, by increasing the number of days while in camp.

AN ACT to amend sections one and two, of article eight, of an act entitled "An act to provide for the organization of the State militia, entitled 'The Military Code of Illinois,' approved May 28, 1879, in force July 1, 1879," as amended by the act approved June 26, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one and two, of article eight, of "An act to provide for the organization of the State militia, entitled 'The Military Code of Illinois,' approved May 28, 1879, in force July 1, 1879, as amended by the act approved June 26, 1885, in force July 1, 1885, be and the same is hereby so amended as to read as follows:

"ARTICLE VIII.

"Section 1. When in actual service for the suppression of riot and the enforcement of the laws, and when on duty under orders of the Commander-in-Chief, and it is so specified in said orders, officers of the Illinois National Guard shall receive the same pay as provided by law for officers of the United States army of like grade, and the enlisted men of the Illinois National Guard shall receive two dollars (\$2.00) per day for each day's service actually so performed, said payment to be made on rolls prescribed by the Adjutant General.

"Section 2. The officers and enlisted men of the Illinois National Guard shall receive one dollar (\$1.00) for each day's service, with transportation and necessary subsistence, at any encampment authorized by law, and in going to and returning from the same, and while under orders of the Commander-in-Chief, or other proper authority, for the purposes and in the manner herein provided: *Provided*, nothing in this act shall be construed as to allow pay to officers or men for more than 8 days during any one year except during a time of riot, insurrection or invasion, or while on duty under orders from the Commander-in-Chief."

APPROVED June 15, 1887.

MILLS AND DAMS.

LITTLE WABASH RIVER.

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| § 1. Canal Commissioners directed to remove the dam across the Wabash river at New Haven. | § 2. Appropriates \$300 for the purpose.
§ 3. How drawn. |
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AN ACT to remove the dam across the Little Wabash River at New Haven, Gallatin county, Illinois, and for making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Canal Commissioners of the State of Illinois shall, within six months after this bill becomes a law, remove or cause to be removed the dam across the Little Wabash river at New Haven, Gallatin county, Illinois.

§ 2. *Be it further enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three hundred dollars, or so much thereof as may be necessary, be appropriated out of the treasury out of any funds not otherwise appropriated, for the purpose of making such removal.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the sum of three hundred dollars, or such a part of the same as may be required, to the order of said Canal Commissioners, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED April 1, 1887.

MINES AND MINERS.

HEALTH AND SAFETY OF MINERS.

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| § 1. Amends sections 3, 4, 6, 7, 8, 14, 16 of the act of 1879. | Hoisting signals. |
| § 3. Escapement shafts and communications; how constructed; when constructed. | § 7. Engineers in charge of hoisting engine; regulation for hoisting and lowering persons in shaft. |
| § 4. Ventilation; examination for gases or obstructions. | § 8. Boilers in safe condition; protection of entrances; under ground traveling-ways; sumps protected. |
| § 6. Hoisting apparatus; persons under 14 years and females of any age prohibited from working in mines. | § 14. Damages for injuries or loss of life. |
| | § 16. Timber for props and cap-pieces. |

AN ACT to amend section three (3) as amended June 18, 1883, in force July 1, 1883, and amended June 30, 1885, in force July 1, 1885, section four (4) as amended June 21, 1883, in force July 1, 1883, and amended June 30, 1885, in force July 1, 1885, section six (6) as amended June 18, 1883, in force July 1, 1883, section seven (7), section eight (8), section fourteen (14) and section sixteen (16) of an act entitled "An act to provide for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879, as amended June 18, 1883, and June 21, 1883, in force July 1, 1883, and as amended June 30, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections three (3), four (4), six (6), seven (7), eight (8), fourteen (14) and sixteen (16) of "An act to provide for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879, as amended June 18, 1883, and June 21, 1883, in force July 1, 1883, and as amended June 30, 1885, and in force July 1, 1885, be and are hereby amended to read as follows:

"Section 3. In all coal mines that are, or have been, in operation prior to the first day of July, 1879, and which are worked by or through a shaft, slope or drift, if there is not already an escapement to each and every said coal mine, or a communication between every such coal mine and some other contiguous mine, then there shall be an escapement shaft or such other communication as shall be approved by the mine inspector, making at least two distinct means of ingress and egress for all persons employed or permitted to work in such coal mine. Such escapement shaft or communication with a contiguous mine, as aforesaid, shall be constructed in connection with every vein or stratum of coal worked in such mine, and all passage ways communicating with the escapement shafts or places of exit from main hauling way to the escapement shaft shall be at least five feet wide and five feet high. In all cases where the working face of one mine has by the agreement of adjacent owners been driven into the workings of another mine, the respective owner of such mine while operating the same shall keep open a roadway at least five feet wide and five feet high, thereby forming a communication as contemplated in this act, and in no case hereafter shall the workings of any mine be driven closer than ten feet to the line of land of any adjacent owner without the written consent of such owner. And in all cases where the shaft of one mine has been used or may be hereafter used as an air or escapement shaft for another mine, neither owner or operator shall close or obstruct his shaft or workings so as to prevent the use of the same as an escapement or air shaft without first giving one year's notice in writing to the other operator or owner of his intention to abandon his mine. But the operator continuing the working of his mine shall be at the expense of keeping such abandoned workings in repair; each and every such escapement shaft shall be separated from the main shaft by such extent of natural strata as shall secure safety to the men employed in such mines; and before any escapement shaft shall be located, or the excavations for it begun,

the district inspector of mines shall be duly notified to appear and determine what shall be a suitable distance for the same; the distance from main shaft for such escapement shaft shall not be less than 300 feet without the consent of the mine inspector, nor more than 300 feet without the consent of the operator. Such escapement shafts as shall be equipped after the passage of this act shall be supplied with stairways, partitioned off from the main airway, and having substantial handrails and platforms, and such stairways shall be built at an angle not greater than forty-five degrees: *Provided*, that in lieu of stairways such hoisting apparatus may be substituted as will insure the safe and speedy removal of persons employed in such mines in case of danger. No accumulations of ice shall be permitted in any escapement shaft nor any obstructions to travel upon any stairways or ladders. The time to be allowed for sinking such escapement shafts as are now required by law, shall be one year for sinking any shaft two hundred feet or less in depth, and one additional year, or *pro rata* portion thereof, for every additional two hundred feet or fraction thereof. Time shall be reckoned from the date on which coal is first hoisted from the original shaft for sale or use; and it shall be the duty of the inspectors of mines to see that all escapement shafts are begun in time to secure their completion within the period here specified: *And, provided further*, that nothing in this section shall be construed to extend the time heretofore allowed by law for constructing escapement shafts.

“Section 4. The owner, agent or operator of every coal mine, whether operated by shaft, slope or drift, shall provide and maintain for every such mine a good and sufficient amount of ventilation for such men and animals as may be employed therein, the amount of air in circulation to be in no case less than one hundred cubic feet for each man and six hundred cubic feet for each animal, per minute, measured at the foot of the downcast, and the same to be increased at the discretion of the inspector according to the character and extent of the workings, or the amount of powder used in blasting; and said volume of air shall be forced and circulated to the face of every working place throughout the mine, so that said mine shall be free from standing powder, smoke and gases of every kind. Whenever the inspector shall find men working without sufficient air, or under any unsafe conditions, he shall first give the operator a reasonable notice to rectify same, and upon his refusal so to do may himself order them out until said portions of said mine shall be put in proper condition. All mines in which men are employed shall be examined every morning by a duly authorized agent of the proprietor, to determine whether there are any dangerous accumulations of gas, or lack of proper ventilation, or obstructions to roadways, or any other dangerous conditions, and no person shall be allowed to enter the mine until such examiner shall have reported all the conditions safe for beginning work. Such examiner shall make a daily record of the condition of the mine in a book kept for that purpose, which shall be open at all times to the examination of the inspector. The currents of air in mines shall be split so as to give a separate current to at least

every one hundred men at work, and inspectors shall have discretion to order a separate current for a smaller number of men if special conditions render it necessary. The ventilation required by this section may be produced by any suitable appliances, but in case a furnace shall be used for ventilating purposes, it shall be built in such a manner as to prevent the communication of fire to any part of the works, by lining the upcast with incombustible material for a sufficient distance up from said furnace: *Provided*, it shall not be lawful to use a furnace for ventilating purposes, or for any other purpose, that shall emit smoke into any compartment constructed in, or adjoining any hoisting shaft or slope where the hoisting shaft or slope is the only means provided for the ingress and egress of persons employed in said coal mines. That it shall be unlawful, where there is but one means of ingress and egress provided at a coal shaft or slope, to construct and use a ventilating furnace that shall emit smoke into a shaft, as an upcast, where the shaft or slope used as a means of ingress and egress by persons employed in said coal mines is the only means provided for furnishing air to persons employed therein.

“Section 6. The owner, agent or operator of every coal mine operated by shaft shall provide safe means of hoisting and lowering persons in a cage covered with boiler iron, so as to keep safe, so far as possible, persons descending into and ascending out of such shaft, and such cage shall be furnished with guides to conduct it on slides through such shaft, with a sufficient brake on every drum to prevent accident in case of the giving out or breaking of the machinery; and such cage shall be furnished with safety catches, intended and provided as far as possible to prevent the consequences of cable-breaking or the loosening or disconnecting of machinery. No person under the age of fourteen years, nor females of any age, shall be permitted to enter any mine to work therein; and before any boy shall be permitted to work in any mine, he shall be required to produce an affidavit from his parent or guardian, sworn and subscribed to before a justice of the peace or notary public, that said boy is fourteen years of age. Such affidavits of all the boys employed in any mine shall be produced upon the demand of the inspector. The owner, agent or operator of every coal mine operated by shaft and by steam power, shall place competent persons at the top and bottom of such shaft for the purpose of attending to the signals while men are being lowered into or hoisted out of the mine; they shall be at their post of duty at least thirty minutes before the hoisting of coal is commenced in the morning, and remain at least thirty minutes after the hoisting of coal has ceased at night. It shall also be their duty to see that the men do not carry any tools, timber or material with them on the cage, and that only the proper number of men are allowed upon the cage at one time. A sufficient light shall be furnished at the top and bottom of the shaft to insure as far as possible the safety of persons getting on or off the cage. The following code of signals between the top man, bottom man and engineer are prescribed for use at all mines operated by shaft and by steam power:

FROM THE BOTTOM TO THE TOP.

One bell shall signify to hoist coal or empty cage, and also to stop either when in motion.

Two bells shall signify to lower cage.

Three bells shall signify that men are coming up. When return signal is received from the engineer, men will get on the cage and ring one bell to start.

Four bells shall signify to hoist slowly, implying danger.

FROM THE TOP TO THE BOTTOM.

One bell shall signify all ready, get on the cage.

Two bells shall signify send away empty cage.

Provided, that the manager of any mine may add to this code of signals in his discretion for the purpose of promoting their efficiency, or the safety of the men, but any code which may be established shall be conspicuously posted at the top and bottom of the shaft and in the engine room. Any person neglecting or refusing to perform the duties required to be performed by sections three, four, five, six, seven and eight of this act shall be deemed guilty of a misdemeanor and punished by fine in the discretion of the court trying the same, subject, however, to the limitations as provided by section ten of this act.

“Section 7. No owner, agent or operator of any coal mine operated by shaft or slope shall place in charge of any engine whereby men are lowered into or hoisted from the mine, any other than competent, experienced and sober engineers and firemen, and they shall not be less than eighteen years of age. No person shall ride upon a loaded cage or car used for hoisting purposes in any shaft or slope, and in no case shall more than twelve persons ride on any cage or car at one time, nor shall any coal be hoisted out of any coal mine while persons are descending into such mine. The number of persons permitted to ascend out of or descend into any coal mine at one time shall be determined by the inspector; and they shall not be lowered or hoisted more rapidly than six hundred feet per minute. Whenever a cage load of persons shall come to the bottom to be hoisted out, who have finished their day's work or otherwise been prevented from working, an empty cage shall be given them to ascend, except in mines having slopes or provided with stairways in escapement shafts.

“Section 8. All boilers used in generating steam in and about coal mines shall be kept in good order, and the agent, owner or operator, as aforesaid, shall have said boilers examined and inspected by a competent boiler maker or other qualified person as often as once every six months, and oftener if the inspector shall deem it necessary, and the result of every such examination shall be certified in writing to the mine inspector; and the top of each and every shaft, and the entrance to each and every intermediate working vein, shall be securely fenced by gates, properly protecting such shaft and entrance thereto; and the entrance to every abandoned slope, air or other shaft shall be

securely fenced off; and every steam boiler shall be provided with a proper steam gauge, water gauge and safety valve; and all underground, self-acting or engine planes, or gangways, on which coal cars are drawn and persons travel, shall be provided with some proper means of signaling between the stopping places and the ends of said planes or gangways, and sufficient places of refuge at the sides of such planes or gangways shall be provided at intervals of not more than twenty yards, and they shall be not less than six feet wide and six feet in depth, and shall be white-washed or otherwise distinguished from the surrounding walls. The bottom of every shaft shall be supplied with a traveling-way to enable men to pass from one side of the shaft to the other without passing under or over the cages. All sumps shall be securely planked over so as to prevent accidents to men."

"Section 14. For any injury to person or property occasioned by any wilful violations of this act or wilful failure to comply with any of its provisions, a right of action shall accrue to the party injured for any direct damages sustained thereby; and in case of loss of life by reason of such wilful violation or wilful failure, as aforesaid, a right of action shall accrue to the widow of the person so killed, his lineal heirs or adopted children, or to any other person or persons who were before such loss of life dependent for support on the person or persons so killed, for a like recovery of damages for the injuries sustained by reason of such loss of life or lives; not to exceed the sum of five thousand dollars."

"Section 16. The owner, agent or operator of every coal mine shall keep a supply of timber constantly on hand of sufficient length and dimensions to be used as props and cap-pieces, and shall deliver the same as required, with the miners' empty car, so that the workmen may at all times be able to properly secure said workings for their own safety."

APPROVED June 16, 1887.

WEIGHING COAL AT MINES.

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| <p>§ 1. Operators shall provide scales.</p> <p>§ 2. Weighman shall be appointed, and a record kept of each car; oath of weighman.</p> <p>§ 3. Check weighman may be appointed by miners at their own expense; record; oath.</p> | <p>§ 4. Fraudulent weights; penalties.</p> <p>§ 5. Refusal to comply with this act; penalties.</p> <p>§ 6. Repeals act of 1883.</p> |
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AN ACT to provide for the weighing of coal at the mines, and to repeal a certain act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the owner, agent or operator of every coal mine in this State, at which the miners are paid by weight, shall provide at such mines suitable and accurate scales of standard manufacture for the weighing of all coal which shall be hoisted or delivered from such mines.

§ 2. All coal so delivered from such mines shall be carefully weighed upon the scales as above provided, and a correct record shall be kept of the weight of each miner's car, which record shall be kept open at all reasonable hours for the inspection of all miners or others pecuniarily interested in the product of such mine. The person designated and authorized to weigh the coal and keep such record shall, before entering upon his duties, make and subscribe to an oath before some magistrate or other officer authorized to administer oaths, that he will accurately weigh and carefully keep a true record of all coal delivered from such mine, and such oath shall be kept conspicuously posted at the place of weighing.

§ 3. It shall be lawful for the miners employed in any coal mine in this State to furnish a checkweighman at their own expense, whose duty it shall be to balance the scales and see that the coal is properly weighed, and that a correct account of the same is kept, and for this purpose he shall have access at all times to the beam box of said scale, and be afforded facilities for the discharge of his duties while the weighing is being performed. The agent employed by the miners, as aforesaid, to act as checkweighman, shall be an employé of the person or persons operating the mine, a citizen of the State and county wherein the mine is situated, and shall, before entering upon his duties, make and subscribe to an oath before some officer duly authorized to administer oaths, that he is duly qualified, and will faithfully discharge the duties of checkweighman; such oath shall be kept conspicuously posted at the place of weighing.

§ 4. Any person, company or firm having or using any scale or scales for the purpose of weighing the output of coal at mines, so arranged or constructed that fraudulent weighing may be done thereby, or who shall knowingly resort to or employ any means whatsoever by reason of which such coal is not correctly weighed or reported in accordance with the provisions of this act; or any weighman or checkweighman who shall fraudulently weigh or record the weights of such coal, or connive at or consent to such fraudulent weighing and recording, shall be deemed guilty of a misdemeanor, and shall, upon conviction for each such offense, be punished by a fine of not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or by imprisonment in the county jail for a period not to exceed sixty (60) days, or by both such fine and imprisonment; proceedings to be instituted in any court of competent jurisdiction.

§ 5. Any person, owner or agent operating a coal mine in this State who shall fail to comply with the provisions of this act, or who shall obstruct or hinder the carrying out of its requirements, shall be fined for the first offense not less than fifty dollars (\$50); nor more than two hundred dollars (\$200); for the second offense not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), and for a third offense not less than five hundred dollars (\$500), or to be imprisoned in the county jail not less than six months nor more than one year: *Provided*, that the provisions of this act shall apply only to coal mines whose product is shipped by rail or water.

§ 6. That an act entitled "An act to provide for the weighing of coal at the mines," approved June 14, 1883, in force July 1, 1883, as amended and approved June 29, 1885, and in force July 1, 1885, be and the same is hereby repealed.

APPROVED June 17, 1887.

MOBS AND RIOTS.

DAMAGES FOR PROPERTY DESTROYED.

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| <p>§ 1. City and county liable.</p> <p>§ 2. Actions: judgments.</p> <p>§ 3. Owners of property barred from recovery by neglect.</p> <p>§ 4. Suits may be brought against private persons.</p> | <p>§ 5. Cities and counties may bring action against private persons for recovery of judgment.</p> <p>§ 6. Notice of claim for damages.</p> <p>§ 7. Settlement for damages without suit; action for recovery.</p> |
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AN ACT to indemnify the owners of property for damages occasioned by mobs and riots.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any building or other real or personal property, except property in transit, shall be destroyed or injured in consequence of any mob or riot composed of twelve or more persons, the city, or if not in a city, then the county in which such property was destroyed shall be liable to an action by or in behalf of the party whose property was thus destroyed or injured, for three-fourths of the damages sustained by reason thereof.

§ 2. Such action may be brought in the form of an action on the case, or other appropriate action, and whenever any final judgment shall be secured against any such city or county in any such action, the same shall be paid in due course as in case of other judgments.

§ 3. No person or incorporation shall be entitled to recover in any such action if it shall appear, on the trial thereof, that such destruction or injury of property was occasioned, or in any way aided, sanctioned or permitted by the carelessness, neglect or wrongful act of such person or corporation; nor shall any person or corporation be entitled to recover any damages for any destruction or injury of property as aforesaid, unless such party shall have used all reasonable diligence to prevent such damage.

§ 4. Nothing in this act shall be construed to prevent any person or corporation whose property has been injured or destroyed in consequence of any mob or riot, from having or maintaining an action, or actions, against any person or persons engaged or in any manner participating in such mob or riot, for the recovery of the damages sustained thereby: *Provided*, that when such city or

county shall have paid any part of such damage, such city or county making such payment shall have a lien to the amount so paid upon any judgment or claim, against any person or persons engaged in, or in any manner participating in such mob or riot, together with the right and power to enforce and collect such judgment or claim, and when such city or county shall have been reimbursed the money so paid by it, such portion of such judgment or judgments, or claim or claims remaining unpaid shall then revert to, and become the property of, the original owner thereof, and such owner shall have the right to enforce and collect the same.

§ 5. It shall be lawful for the city or county against which a judgment or judgments for damages shall be recovered under the provisions of this act, to bring an action or actions against any person or persons engaged, or in any manner participating, in said mob or riot, for the recovery of the amount of said judgment or judgments and costs, and such action shall not abate or fail by reason of too many or too few parties defendant being named therein; the same shall, to all intents and purposes, be treated as an action of trespass brought by the owners of such property, except that the statute of limitations as to such action shall not begin to run against said city or county until its liability is fixed by judgment as hereinbefore provided.

§ 6. No action shall be maintained under the provisions of this act by any person or corporation whose property shall have been destroyed or injured as aforesaid, unless notice of claim for damages be presented to such city or county within thirty days after such loss or damage occurs, and such action shall be brought within twelve months after such destruction or injury occurs, but nothing in this act shall be construed as authorizing any recovery by the United States, the State of Illinois, or any county for the destruction of, or injury to property by mobs or riots.

§ 7. Any city or county may settle with, and pay, the owner of any such property the damages so sustained; and any such city or county which shall have paid any sum under the provisions of this act, whether by voluntary settlement or otherwise, may recover the same with all costs paid by it, from any or all the persons engaged in the destruction or injury of the property so paid for.

APPROVED June 15, 1887.

PRESERVATION OF THE PEACE AND PROTECTION OF PROPERTY.

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| <p>§ 1. Sheriffs may enroll special deputies.</p> <p>§ 2. Deputies may be armed.</p> <p>§ 3. Requisition for arms and ammunition may be made upon the Adjutant General.</p> <p>§ 4. Compensation of deputies.</p> <p>§ 5. Sheriffs may call upon the Governor for the military force.</p> <p>§ 6. Military force shall report to civil authorities and be subordinate thereto.</p> <p>§ 7. The Governor shall order the military force to assist in quelling riot.</p> | <p>§ 8. Adjutant General shall formulate code of rules for government of troops.</p> <p>§ 9. Insulting or abusing troops while on duty.</p> <p>§ 10. Private detectives or citizens not permitted to parade with arms without consent of Governor.</p> <p>§ 11. This act shall not be construed so as to interfere with the rights or duties of sheriffs.</p> |
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AN ACT to secure the peace and good order of society, to quell riots or disturbances, to secure the execution of the laws and to provide for special deputy sheriffs, and for calling out and using the military force of the State for the preservation of the peace and the protection of property.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sheriff of any county in this State, if in his judgment the preservation of the peace and good order of society shall require it, may summon and enroll any number of special deputies which in his judgment the exigencies of the case require, and such deputies shall be subject to his orders, and shall have all the powers of deputy sheriffs until discharged or excused from duty by the sheriff. Any person so summoned by the sheriff to act as a deputy who shall decline or refuse to act as such shall be guilty of a misdemeanor, and be fined not less than fifty dollars nor more than two hundred dollars for each and every offense, or imprisonment in the county jail not to exceed three months.

§ 2. In all cases when the sheriff is satisfied of the necessity, he may arm the force of special deputies appointed under this act, and the county shall pay all necessary expenses thereof, as well as for the subsistence of such special deputies while on duty, and all necessary expenses incurred by them in the performance of the duty for which they shall have been summoned.

§ 3. If the sheriff is satisfied that arms are necessary, or will probably be needed, he may make a requisition on the Adjutant General of the State therefor, whose duty it shall be to furnish the same, with necessary ammunition, and such arms shall, when the necessity for their use has passed, be returned by the sheriff to the Adjutant General.

§ 4. The deputy sheriffs appointed under this act shall be paid at the rate of two (\$2) dollars per day for the time actually employed, in and about the duties of such appointment, and the county board shall make provision for such payment.

§ 5. Whenever the sheriff, with the help of his force of special deputies, is unable to preserve the peace, to quell any riot, or execute the law, it shall be his duty to notify the Governor, by telegram or otherwise, of the facts in the case, and to call upon the Governor for such military force as may be deemed necessary to pre-

serve the peace and execute the law. The sheriff shall also immediately reduce such statement of facts to writing, and forward the same to the Governor. In case of the neglect or refusal of the sheriff of any county to act in any case of emergency, it shall be the duty of any coroner of the county, mayor of a city, or county judge to make such statement of facts and application to the Governor for military assistance.

§ 6. Whenever the military forces shall be ordered out by the Governor on any application of a civil officer as aforesaid, or otherwise, they shall report to such civil officer as the Governor shall designate and shall act in strict subordination to such civil authority, in preserving the peace, quelling riots, or executing the law, and may arrest any person or persons on view without process, and hold them in custody until by order of the commander-in-chief such person or persons shall be discharged from custody, or delivered over to the civil authorities; and whenever necessary to suppress riot, disperse the mob, restore the peace and execute the law, may use such force as may be necessary.

§ 7. Whenever there is in any city, town or county, a tumult, riot, mob or body of men acting together by force with attempt to commit a felony, or to offer violence to persons or property, or by force or violence to break or resist the laws of the State, or when such tumult, riot or mob is threatened, and the fact is made to appear to the Governor, it shall be his duty to order such military force as he may deem necessary to aid the civil authorities in suppressing such violence and executing the law.

§ 8. It shall be the duty of the Adjutant General to formulate a code of rules or regulations for the government and control of the troops when so ordered out and on duty, and such code of rules or regulations, when approved by the commander-in-chief, shall be of binding force and obligation until changed or rescinded.

§ 9. If any person shall molest, interrupt, or insult by abusive words or behavior, or shall obstruct any officer or soldier while on duty or at any parade, or drill, he may be put immediately under guard, and kept at the discretion of the commanding officer, until the duty, parade or drill is concluded, and such commanding officer may turn over such person to any sheriff, or to a police office or constable of the county, city or town wherein such duty, parade or drill is held, to be dealt with as the law directs.

§ 10. It shall be unlawful for any force or company of private detectives, or private citizens, not peace officers, to parade with arms, except when specially permitted to do so by the Governor, or to assume to act as officer of the law, without proper authority, and every person violating this section shall be punished by a fine of not less than one hundred dollars nor more than two hundred dollars for each offense; but this section shall be construed in harmony with and not as repealing section five (5) of article eleven (11) of an act entitled "An act to provide for the organization of the State militia, and entitled the Military Code of Illinois," approved May 28, 1879.

§ 11. Nothing in this act contained shall abridge any of the rights, duties or powers which the sheriff now has, or the right which persons now have to guard and protect their property.

APPROVED June 16, 1887.

MORTGAGES.

CHATEL, EXTENSION OF TIME.

§ 1. Amends Section 4, act of 1874, by providing that chattel mortgages may be extended two years upon affidavit; amends section 5, by making such affidavits when duly certified evidence.

AN ACT to amend sections four (4) and five (5) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," 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 four (4) and five (5) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, be and the same is hereby amended to read as follows:

"Section 4. Such mortgage, trust deed or other conveyance of personal property, acknowledged as provided in this act, shall be admitted to record by the recorder of the county in which the mortgagor shall reside at the time when the instrument is executed and recorded; or in case the mortgagor is not a resident of this State, then in the town where the property is situated and kept, and shall thereupon, if *bona fide*, be good and valid from the time it is filed for record until the maturity of the entire debt or obligation: *Provided* such time shall not exceed two years, unless within thirty days next preceding the maturity of the note or obligation for which such instrument or mortgage is given to secure, the mortgagor and mortgagee, his or their agent or attorney, shall file, for record, an affidavit, setting forth particularly the interest which the mortgagee has by virtue of such mortgage in the property therein mentioned, and if such mortgage is for the payment of money, the amount remaining due and unpaid therein, and the time for which the said mortgage is extended, which said extension shall not exceed a further term of two years, upon which affidavit the clerk shall indorse the time when the same was filed, and the said mortgagee shall also within the said preceding thirty days file a certified copy of said affidavits with the justice of the peace before whom said mortgage was acknowledged or his successor in office, and thereupon the mortgage lien originally acquired shall be continued and extended for and during the term of such extension.

“Section 5. A copy of any such mortgage or other instrument acknowledged, filed and recorded as aforesaid, including any affidavits annexed thereto in pursuance of this chapter, certified by the proper recorder, from the records thereof, and also any copies of such affidavits filed with the justice of the peace before whom such mortgage or other instrument was acknowledged or his successor in office, in pursuance of this chapter, may be read in evidence in like cases, and upon the same conditions as copies of deeds and conveyances of lands so certified.”

APPROVED June 16, 1887.

OILS.

INSPECTION.

§ 1. Amends section 1, act of 1874, by authorizing the county judge to appoint inspectors for townships, outside of incorporated cities, towns and villages. Amends section 2, by requiring inspectors to give bond.

AN ACT to amend section one (1) and section two (2) of an act entitled “An act to revise the law in relation to oil inspection,” approved March 12, 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) and two (2) of an act entitled “An act to revise the law in relation to oil inspection,” approved March 12, 1874, in force July 1, 1874, be and the same are amended so as to read as follows:

“Section 1. The judge of the county court of any county for townships outside of incorporated cities, towns and villages, the mayor of any city, with the approval of the city council, and the board of trustees of any village or town may, and on the petition of any five inhabitants thereof shall, appoint one or more inspectors for the inspection of coal oil, naphtha, gasoline, benzine and other mineral oils or fluids, the product of petroleum, and fix their compensation, to be paid by the party requiring their services. Every such inspector shall hold his office for one year and until his successor is appointed and qualified, unless sooner removed from office. He may appoint deputies, for whom he shall be responsible, and who shall take the same oath and be liable to the same penalties as the inspector.”

“Section 2. Every such inspector before entering upon the duties of his office shall take and subscribe the following oath:

I do solemnly swear (or affirm as the case may be), that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of oil inspector according to the best of my ability.

He shall also execute a bond payable to the People of the State, in such sum as shall be required by the county judge, city council or board of trustees, with one or more sureties to be approved by the county judge, mayor, or president of the board of trustees, conditioned for the faithful discharge of the duties of his office. Any person aggrieved by the misconduct or neglect of such inspector may maintain thereon for his own use."

APPROVED June 17, 1887.

PARKS.

BONDS TO PAY INDEBTEDNESS.

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| <p>§ 1. Town authorities may issue bonds; limit of amount.</p> <p>§ 2. Issue; denomination; rate of interest; annual payment of portion of principal.</p> | <p>§ 3. Issue to cancel existing indebtedness; sale of.</p> <p>§ 4. Annual tax for payment of interest and principal.</p> |
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AN ACT to authorize the corporate authorities of towns having an indebtedness heretofore created to pay the cost of procuring lands for public parks in such towns, to issue and sell bonds to pay and refund such indebtedness.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in any town which is now included within the limits of any city of this State in which a board of park commissioners shall now exist, having authority by law to acquire land and the appurtenances in trust for the inhabitants of such town, and of a division or part of such city, and for such parties or persons as may succeed to the rights of such inhabitants, and for the public as a public promenade and pleasure grounds and ways, but not for any other purpose without the consent of a majority, by frontage, of the owners of the property fronting the same, and without the power to sell, alienate, mortgage or incumber the same, in which town there shall exist at the time of the passage of this act an indebtedness incurred for the purpose of paying the portion found payable by the public of the cost of the land acquired for such parks and boulevards, pleasure grounds and ways, the corporate authorities of such town, meaning the town supervisor, clerk and assessor thereof, shall have authority and are hereby empowered to issue bonds for and on behalf of said town, to an amount not exceeding in the aggregate of principal six hundred thousand dollars (\$600,000), which, taken with and including existing indebtedness of said town, shall not in the aggregate exceed five per centum of the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the issue from time to time of said bonds, for the purpose of funding and paying any bonds heretofore issued and sold by such

park commissioners to raise money to pay the portion found payable by the public of the cost of procuring the lands selected by such park commissioners for public parks and boulevards in such town.

§ 2. Such bonds shall be issued by the corporate authorities of such towns as aforesaid and shall be signed by the said corporate authorities in the name of said town. Said bonds may be of the denomination of twenty-five dollars (\$25), and any multiple thereof. They shall bear interest at the rate of not exceeding five (5) per cent. per annum, to be paid semi-annually and to be evidenced by coupons thereto attached, and the principal shall be payable at such time as such corporate authorities may determine, not exceeding twenty years from the date of their issue. They shall be numbered in regular series and shall be registered upon the records of said town, which registry shall show the number of the bonds, the amount of the same, when and to whom payable, and the rate of interest which they bear. Said bonds may be made payable to bearer, or to such person or persons as may be named therein, or order. When payable to bearer, they shall pass by delivery, but provisions shall be made for the second registry of the same in the office of said town, at the option of the holder, and in his name; after which second registry they, together with bonds made payable to any particular person or persons, shall pass only by indorsement and delivery. *It is further provided*, that upon the expiration of one year after the date of any bonds issued under authority of this act, and upon the expiration of each successive year thereafter, the said corporate authorities shall, at the office of the town clerk, select by lot so many of said bonds as may be required to absorb the money raised by taxation to pay and discharge the principal of said bonds, and the principal of the bonds so selected shall become due and payable at the date of the next installment of interest maturing on the several bonds so selected from time to time shall cease to bear interest after they severally become due and payable by such selection; said corporate authorities, immediately after making any such selection, shall make and sign in duplicate a statement of the result thereof, and shall file one copy thereof in the office of the town clerk and the other copy shall be filed in the office of the county clerk of the county; and it is hereby made the duty of such corporate authorities of such town to pay and discharge the principal of the bonds so selected, at the date of the next installment of interest maturing on the several bonds so selected, from the funds raised from time to time for that purpose under this act. Each bond issued under authority hereby granted, shall contain a condition that the same may be declared due and payable at any time before maturity thereof, by selection in the manner last aforesaid.

§ 3. Bonds issued under this act may be issued in substitution for the indebtedness designated in this act legally existing at the time of its passage, and may be sold by said corporate authorities for such prices as they shall deem expedient. They shall not, however, be sold at less than par, nor until the proceeds of the same can be made available for the purpose of canceling such existing

indebtedness, and the proceeds of bonds sold shall be used only for the payment of such existing indebtedness. Any person who shall knowingly violate or connive at the violation of any of the provisions of this act, shall be deemed guilty of embezzlement, and shall be liable to indictment, trial and punishment, as in other cases of embezzlement.

§ 4. For the purpose of providing for the payment of the interest on such bonds as it falls due, and also to pay and discharge the principal thereof at the maturity of the same, said town is, and its corporate authorities are, hereby authorized, required and directed to appropriate and levy an annual tax upon the taxable property in such town, sufficient to pay the interest on said bonds, as the same shall mature from time to time, and also pay and discharge the principal thereof at maturity.

APPROVED June 14, 1887.

COMMISSIONERS MAY SELL LAND.

§ 1. Park commissioners may sell land not needed for park purposes, upon the order of court.

AN ACT to enable park commissioners to sell land no longer needed for park purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any board of park commissioners having the control or supervision of any public park, boulevard, driveway or highway, and having any piece or parcel of land not exceeding one acre in area which shall no longer be needed or deemed necessary or useful for the purpose of said park, boulevard, driveway or highway, may apply to the circuit court of the county in which such piece or parcel of land is situated, by petition in writing, for leave to sell the same. Notice of such application shall be given by said board of park commissioners in some newspaper published in said county at least ten days before the day named therein when said application will be made. All persons interested may appear before said circuit court either in person or by attorney, when said application shall be made, and object to the granting thereof. After hearing all persons interested, if said court shall deem the granting of said application to be for the public interest, it shall direct that the property mentioned in said application, or any part thereof, be sold and conveyed by the said board of park commissioners for the use of said park, boulevard, driveway or highway, upon such terms and conditions as the said court may think proper.

APPROVED June 16, 1887.

PROTECTION AGAINST THE ACTION OF WATER.

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| <p>§ 1. Authorizes corporate authorities of towns having parks fronting on lakes to issue bonds.</p> <p>§ 2. How issued; rate of interest; limit of time.</p> | <p>§ 3. Proceeds of the sale of bonds to be used in erecting break-waters.</p> <p>§ 4. Taxing powers.</p> |
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AN ACT to authorize the issue of bonds to raise funds for the protection of public parks from waste by the action of water.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where a public park, or a portion of one, fronting on the shore of a lake, lies in any town, the supervisor and assessor of which have been heretofore declared to be corporate authorities, such supervisor and assessor may, from time to time, authorize the bonds of said town to be issued to an amount including existing indebtedness of such town, so that the aggregate indebtedness of such town shall not exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the issue, from time to time, of such bonds, such issue not to exceed in the aggregate the sum of three hundred thousand dollars; such authority shall be in writing, signed by the supervisor and assessor of said town, a copy of which shall be filed with the county clerk, and another copy shall be filed with the commissioners of such park, to be by them recorded in their record of proceedings of their board.

§ 2. Such bonds shall be issued when authorized by the corporate authorities of the town as aforesaid, in the name of said town, by the commissioners of said park, to be signed by the president and treasurer and countersigned by their secretary, with his seal of office affixed. They shall bear interest at the rate of not exceeding five per centum, payable semi-annually, and the principal shall be payable at such time as may be determined, not exceeding twenty years.

§ 3. The commissioners of said park may sell said bonds, and the proceeds thereof shall be used exclusively for the erection of a break-water or sea-wall along the shore of said lake, for the purpose of preventing the waste of land by the action of the water of said lake.

§ 4. In addition to the amount of money authorized to be raised by taxation on the property of such town for the payment of any other debt contracted by the park commissioners, falling due during the next year, and for the improvement and maintenance and government of said park during the next succeeding year, the supervisor of said town shall also add the amount of interest payable on said bonds during the next year thereafter, and also a sum sufficient to pay and discharge the principal of said bonds within twenty years from the time of issuing the same.

APPROVED June 14, 1887.

STREETS LEADING TO.

§1. Amends section 2, act of 1879, as amend by act of 1885, by prohibiting park commissioners from levying taxes, on abutting property for the subsequent care, maintenance and repair of such streets.

AN ACT to amend section two (2) of an act entitled "An act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect special assessment or special tax on contiguous property," approved and in force April 9, 1879, as approved June 27, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section two (2) of an act entitled "An act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect special assessment or special tax on contiguous property," approved and in force April 9, 1879, as approved June 27, 1885, be and the same is hereby amended so as to read as follows:

"Section 2. That such park commissioners or such corporate authorities as are by law authorized to levy taxes or assessments for the maintenance of such parks shall have power to improve, maintain and repair such street or streets in such manner as they may deem best, and for that purpose they are hereby authorized to pay for the improvement thereof, and from time to time to levy or cause to be levied and collected a special tax or assessment on contiguous property abutting upon such street so improved for a sum of money not exceeding the estimated cost of such first improvement or improvements as shall be ordered and estimated by such board of park commissioners but not for any subsequent care, maintenance or repair thereof; and to that end such board or corporate authorities shall have all the power and authority now or hereafter granted to them respectively, relative to the levy, assessment and collection of taxes or assessments for corporate purposes. And such special tax or assessments as are hereby authorized may be divided into not exceeding four annual installments bearing interest at the rate of six per cent. per annum from the date of confirmation until paid; and the assessment or installments thereof shall be collected and enforced in the same manner as is provided by law for the collection and enforcement of other taxes or assessments for, or on account of such corporate bodies or boards as aforesaid, so far as the same are applicable."

APPROVED June 16, 1887.

STREETS LEADING TO.

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| § 1. Authorizes park commissioners to widen street selected to an uniform width of 100 feet. | § 2. Condemnation of land for such purpose. |
| | § 3. Taxation to pay damages. |

AN ACT to enable park commissioners to condemn land in certain cases for the purpose of making streets selected and taken for boulevards, of uniform width, and to provide for the payment of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where any board of park commissioners has selected and taken any street or part thereof under the provisions of an act of the General Assembly entitled "An act to enable park commissioners or corporate authorities to take, regulate, control and improve public streets leading to public parks, to pay for the improvement thereof, and in that behalf to make and collect a special assessment or special tax on contiguous property," and any part or portion of said street so selected and taken has not been legally laid out or dedicated to the uniform width of one hundred feet, the said board of park commissioners shall have the power to widen said street or the part of said street so selected and taken to the uniform width of one hundred feet: *Provided*, that some portion of each mile of said street, or the part thereof so selected and taken, shall be of the width of one hundred feet at the time of such selection and taking.

§ 2. Such park commissioners are hereby vested with power to take and acquire title to such pieces or parcels of land as may be necessary for such widening, and may proceed to procure the condemnation of the same in the manner prescribed in the act of the General Assembly entitled "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872; the provisions of which said act are hereby extended to said park commissioners.

§ 3. Such park commissioners are hereby authorized to levy, or cause to be levied and collected, a special assessment or special tax upon the contiguous property abutting on said street or part thereof so selected and taken for the purpose of raising the amount necessary to pay the compensation and damages for the said land necessary to be taken for such widening, with the costs of the proceedings; and to that end they shall have all the power and authority now or hereafter granted to them relative to the levy, assessment and collection of taxes or assessments for corporate purposes.

APPROVED June 14, 1887.

SUPERINTENDENTS.

§ 1. Authorizes the appointment of superintendents and assistant superintendents and invests them with police powers.

§ 2. Arrest of persons upon park premises.

AN ACT to authorize the directors of incorporated park companies to appoint a superintendent and assistant superintendents of grounds, and vesting such superintendent and assistant superintendents with police powers while on duty upon the park premises.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the directors of any and all incorporated park companies shall have the right and power to appoint a superintendent and assistant superintendents of grounds, and such superintendents and assistant superintendents shall be invested with police powers while on duty upon the premises owned, rented or controlled by such corporations for park purposes.

§ 2. When any person or persons shall, upon the premises controlled for park purposes by any such corporations, be guilty of any crime or misdemeanor, or breach of the peace, or shall commit any act to the unlawful annoyance of such incorporated park company, or of any person or persons occupying or visiting said park premises, any superintendent or assistant superintendent of grounds appointed by virtue of section one of this act, and witnessing the commission of either of said offenses may arrest such person or persons, either on said premises or upon fresh pursuit anywhere in the proper county, and take him or them before any justice of the peace of the proper county, and file affidavit setting forth the offense or offenses and prosecute such offending person or persons, and such superintendents or assistant superintendents shall also have power and right to eject such offending person or persons from the park premises.

APPROVED May 11, 1887.

 LINCOLN, CHICAGO.

§ 1. Authorized the commissioners to allow buildings to be erected in the park for the use of the Newberry Library.

AN ACT to authorize the erection of buildings in Lincoln Park for the use of the Newberry Public Library.

WHEREAS, the late Walter L. Newberry provided in his will a fund for the establishment and maintenance of a free Public Library in the North Division of the city of Chicago, and Lincoln Park is a suitable location for the accommodation of the public, therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the commissioners of Lincoln

Park shall have authority to allow proper and suitable buildings to be erected in said park, at a place to be selected by them for the use of such library, and under such regulations as to the control thereof as they may determine, consistent with the provisions of the will of the late Walter L. Newberry.

APPROVED June 16, 1887.

PHARMACY.

REGISTRATION OF PHARMACISTS.

§ 1. Amends section 7, act of 1881, by changing the law in relation to registering pharmacists.

AN ACT to amend section seven of an act entitled "An act to regulate the practice of pharmacy in the State of Illinois."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven (7) of an act entitled "An act to regulate the practice of pharmacy in the State of Illinois," approved May 30, 1881, in force July 1, 1881, be and the same is hereby amended so as to read as follows:

"Section 7. Licentiates in pharmacy shall, at the time of passing their examination, be registered by the Secretary of the State Board of Pharmacy, as registered pharmacists. Registered assistant pharmacists holding valid certificates as such may become registered as registered pharmacists upon making application to the Board of Pharmacy and paying a fee of two dollars therefor. No person shall hereafter be registered as a registered pharmacist except registered assistant pharmacists and registered pharmacists holding valid certificates as such, in force at the time this amendment takes effect, and licentiates in pharmacy."

APPROVED June 15, 1887.

PRACTICE.

APPEALS FROM INTERLOCUTORY ORDERS.

§ 1. Appeals may be taken to the Appellate Court, in injunction cases and the appointment of receivers.

AN ACT to provide for appeals from interlocutory orders granting injunctions or appointing receivers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever an interlocutory

order or decree is entered in any suit pending in any court in this State, granting an injunction or overruling a motion to dissolve the same, or enlarging the scope of an injunction order, or appointing a receiver, or giving other or further powers or property to a receiver already appointed, an appeal may be taken from such interlocutory order or decree to the Appellate Court of the district wherein is situated the court granting such interlocutory order or decree: *Provided*, that such appeal is taken within thirty days from the entry of such interlocutory order or decree and is perfected in said Appellate Court within sixty days from the entry of such order or decree. The force and effect of such interlocutory order or decree and the proceedings in the court below shall not be stayed during the pendency of such appeal, and the party taking such appeal shall give bond, to be approved by the clerk of the court below, to secure costs in the Appellate Court. Upon filing of the record in the Appellate Court the same shall there be at once docketed and shall be ready for hearing under the rules of said court, taking precedence of other causes in said court; upon such appeal the Appellate Court may affirm, modify or reverse such interlocutory order or decree, and shall direct such proceedings to be had in the court below as the justice of the case may require. If such appeal is dismissed the Appellate Court may allow to the attorney for appellee a reasonable solicitor's fee, not to exceed one hundred dollars, to be taxed as part of the costs of the appeal. No appeal shall lie or writ of error be prosecuted from the order entered by said Appellate Court on any such appeal.

APPROVED June 14, 1887.

VERDICTS OF JURIES.

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| <p>§ 1. General or special verdicts in civil cases.</p> <p>§ 2. Submitting, or refusing to submit fact, may be excepted to.</p> | <p>§ 3. Special shall control general verdict.</p> |
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AN ACT in relation to verdicts of juries in civil cases.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all trials by jury in civil proceedings in this State in courts of record, the jury may render, in their discretion, either a general or a special verdict; and in any case in which they render a general verdict they may be required by the court, and must be so required on request of any party to the action, to find specially upon any material question or questions of fact which shall be stated to them in writing, which questions of fact shall be submitted by the party requesting the same to the adverse party before the commencement of the argument to the jury.

§ 2. Submitting or refusing to submit a question of fact to the jury when requested by a party as provided by the first section hereof may be excepted to and be reviewed on appeal or writ of error as a ruling on a question of law.

§ 3. When the special finding of fact is inconsistent with the general verdict, the former shall control the latter and the court may render judgment accordingly.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this 23rd day of May, A. D., 1887.

HENRY D. DEMENT,

Secretary of State.

RAILROADS.

CROSSINGS.

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| <p>§ 1. Authorizes railroads upon approval by the Railroad and Warehouse commissioners to establish interlocking or automatic signals.</p> | <p>§ 2. Railroad and Warehouse Commissioners may appoint engineers to assist them in their examinations.</p> |
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AN ACT in regard to the dangers incident to railroad crossings on the same level.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That when, and in case two or more railroads crossing each other at a common grade, shall by a system of interlocking and automatic signals, or by other works, fixtures and machinery to be erected by them, or either of them, render it safe for engines and trains to pass over such crossing without stopping, and such system of interlocking and signals, works or fixtures, shall first be approved by the Railroad and Warehouse Commissioners, or any two of them, and a plan of such interlocking and signals, works and fixtures, for such crossing designating the plan of crossing, shall have been filed with such Railroad and Warehouse Commissioners, then, and in that case, it is hereby lawful for the engines and trains of any such railroad or railroads to pass over said crossing without stopping, any law, or the provisions of any law now in force, to the contrary notwithstanding; and all such other provisions of laws, contrary hereto, are hereby declared not to be applicable in such case: *Provided*, that the said Railroad and Warehouse Commissioners shall have power in case such interlocking system, in their judgment, shall by experience prove to be unsafe or impracticable, to order the same to be discontinued.

§ 2. The said Railroad and Warehouse Commissioners may appoint a competent civil engineer to examine such proposed system and plans, and report the result of such examination for the information of such Railroad and Warehouse Commissioners, and said Railroad and Warehouse Commissioners are hereby authorized to allow and reward five dollars per day as a compensation for the services of such civil engineer, or such reasonable sum as such commissioners shall deem fit, and to allow and reward such other and further sums as they shall deem fit to pay all other fees, costs and expenses to arise under said application, to be paid by the railroad company or companies in interest, to be taxed and paid or collected as in other cases. And the said Railroad and Warehouse Commissioners are also empowered, on application for their approval of any such system of interlocking and signals, works or fixtures, to require of the applicant security for such fees, costs and expenses, or the deposit, in lieu thereof, of a sufficient amount in money for that purpose, to be fixed by them.

APPROVED June 3, 1887.

TRANSPORTATION OF GRAIN IN BULK.

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| § 1. Transfer of grain from one car to another at transfer points; weighing. | § 3. Proceedings to compel enforcement of law. |
| § 2. Weighing and transferring in transit. | § 4. Penalties for refusal or neglect. |

AN ACT relating to the receipt, shipment, transportation and weighing of grain in bulk by railroad companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all counties of the third class, and in all cities having not less than 50,000 inhabitants, where bulk grain, millstuffs or seeds are delivered by any railroad transporting the same from initial points to another road for transportation to other points, such road or roads receiving the same for transportation to said points, or other connections leading thereto, shall provide suitable appliances for unloading, weighing and transferring such property from one car to another without mixing, or in any way changing the identity of the property so transferred, and such property shall be accurately weighed in suitably covered hopper scales, which will determine the actual net weight of the entire contents of any carload of grain, millstuffs or seeds at a single draft, without gross or tare, and which weights shall always be given in the receipts or bills of lading and used as the basis of any freight contracts affecting such shipments between such railroad companies and the owners, agents or shippers of such grain, millstuffs or seeds so transported and transferred.

§ 2. The practice of loading grain, millstuffs or seeds into foreign or connecting-line cars at the initial point from which the grain, millstuffs or seeds are originally shipped, or the running of the original car through without transfer, shall not relieve the railroad making the contract to transport the same to its destination or

connection leading thereto, from weighing and transporting such property in the manner aforesaid unless the shipper, owner or agent of such grain, millstuffs or seeds shall otherwise order or direct.

§ 3. Any railroad company neglecting or refusing to comply promptly with any and all of the requirements of either sections 1 or 2 of this act shall be liable in damages to the party interested, to be recovered by the party damaged in an action of assumpsit, and such party may proceed by mandamus against any railroad company so refusing or neglecting to comply with the requirements of this act; and if the shipper, owner or agent of any such grain, millstuffs or seeds shall fail or neglect to proceed by mandamus, it shall then be the duty of the Railroad and Warehouse Commissioners of this State, upon complaint of the party or parties interested, to proceed against the railroad failing or refusing to comply with the provisions of this act; and all the powers heretofore conferred by law upon the Board of Railroad and Warehouse Commissioners of this State shall be applicable in the conduct of any legal proceeding commenced by such commissioners under this act.

§ 4. Any railroad company so refusing or neglecting as aforesaid shall be liable to a penalty of not less than \$100 nor more than \$500 for each neglect or refusal as aforesaid, to be recovered in an action of assumpsit in the name of the People of the State of Illinois for the use of the county in which such act or acts of neglect or refusal shall occur, and it shall be the duty of the Railroad and Warehouse Commissioners to cause prosecutions for such penalties to be instituted and prosecuted.

APPROVED June 15, 1887.

RAILROAD AND WAREHOUSE COMMISSIONERS.

RAILROAD ACCIDENTS.

- § 1. Amends the act of 1871 by adding a section (11½). Sec. 11½—Railroad and Warehouse Commissioners shall investigate cause of accidents resulting in loss of life; managers and superintendents of railroads shall report accidents to the board; board shall investigate condition of track, bridges, etc.; neglect or refusal to comply with recommendations; proceedings to enforce compliance.

AN ACT to amend an act entitled "An act to establish a Board of Railroad and Warehouse Commissioners and prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871, by adding thereto an additional section, to be numbered eleven and one-half (11½).

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an act entitled "An act to establish a Board of Railroad and Warehouse Commissioners and

prescribe their powers and duties," approved April 13, 1871, in force July 1, 1871, be amended by adding thereto an additional section, to be numbered eleven and one-half (11½), as follows:

"Section 11½. It shall be the duty of said Board of Commissioners to investigate the cause of any accident on any railroad resulting in the loss of life or injury to person or persons, which in their judgment shall require investigation, and the result of such investigation shall be reported upon in a special report to the Governor as soon after said accident as may be practicable, and also in the annual report of said commissioners. And it is hereby made the duty of the general superintendent or manager of each railroad in this State to inform said board of any such accident immediately after its occurrence. Whenever it shall come to the knowledge of said board, by complaint or otherwise, that any railroad bridge or trestle, or any portion of the track of any railroad in this State is out of repair, or is in an unsafe condition, it shall be the duty of such board to investigate, or cause an investigation to be made, of the condition of such railroad bridge, trestle or track, and may employ such person or persons who may be civil engineer or engineers, as they shall deem necessary for the purpose of making such investigation, and whenever, in the judgment of said board, after such investigation, it shall become necessary to rebuild such bridge, track or trestle, or repair the same, the said board shall give notice and information in writing to the corporation of the improvements and changes which they deem to be proper. And shall recommend to the corporation or person or persons owning or operating such railroad that it, or he, or they make such repairs, changes or improvements, or rebuild such bridge or bridges on such railroad as the board shall deem necessary to the safety of persons being transported thereon. And said board shall give such corporation or person or persons owning or operating said railroad an opportunity for a full and fair hearing on the subject of such investigation and recommendation. And said board shall, after having given said corporation or person or persons operating such railroad an opportunity for a full hearing thereon, if such corporation or person shall not satisfy said board that no action is required to be taken by it or them, fix a time within which such changes or repairs shall be made, or such bridges, tracks or culverts shall be rebuilt, which time the board may extend. It shall be the duty of the corporation, person or persons owning or operating said railroad to comply with such recommendations of said board as are just and reasonable. And the Supreme Court or the Circuit Court in any circuit in which such railroad may be in part situated, shall have power in all cases of such recommendations by said board, to compel compliance therewith by mandamus. If any such corporation or person or persons owning or operating any such railroad, shall, after such hearing, neglect or refuse to comply with the recommendation or recommendations of said board as to making any repairs, changes or improvements, on any bridge, track or trestle, or to rebuild any bridge within the time which shall be fixed by said board therefor, said board shall report such neglect or refusal, together with the facts in such case as said board shall find

the facts to be, touching the necessity for such repairs, changes or rebuilding to the Attorney General of the State of Illinois, who shall thereupon take such action as may be necessary to secure compliance with such recommendations of said board. In all actions or proceedings brought by the Attorney General to compel compliance with the recommendation of the board, the findings of the board shall be *prima facie* evidence of the facts therein stated, and the recommendations of the board shall be deemed *prima facie*, just and reasonable. Nothing herein contained shall impair the legal liability of any railroad company for the consequence of its acts. And all existing remedies therefor are hereby saved to the people and to individuals."

APPROVED June 16, 1887.

RECORDERS.

ABSTRACT BOOKS MAY BE KEPT.

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| <p>§ 1. In counties where Recorder of Deeds are elected abstract books including indices to judgment docket, etc., may be kept; the public shall have access for examination and to make memoranda from records, papers and indexes.</p> | <p>§ 2. Fees in counties of the 3d class for abstract of title; salary of recorder.</p> <p>§ 3. Recorder shall give bond.</p> |
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AN ACT to authorize recorders of deeds in counties where recorders of deeds are elected to keep abstract-books, to make abstracts of title, and fixing the fees and compensation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all counties where a recorder of deeds is elected, in which said recorder of deeds has heretofore been, or shall hereafter be, required by the county board to keep abstract books showing by tracts every conveyance or incumbrance recorded, the date of the instrument, the time of filing the same, the book and page where the same is recorded, and showing a true chain of title to each tract and the incumbrances thereon, as shown by the records of his office, such recorder shall, and he is hereby authorized, to keep judgment docket and indexes thereto, showing all judicial proceedings affecting title to real estate in such county, tax sale books with indexes thereto, showing sales or forfeitures of all lands in the county for unpaid taxes and assessments, and such other books as are usual or necessary to be kept for the purpose of making complete abstracts of title to real estate; and the county board shall furnish such recorder with the necessary rooms, books, stationery, fuel and lights for the purposes

herein set forth: *Provided*, that nothing in this act shall be construed to empower the recorder to prevent the public from examining and taking memoranda from all records and instruments filed for record, indexes and other books in his official custody; but it shall be his duty, at all times when his office is or is required by law to be open, to allow all persons without fee or reward to examine and take memoranda from the same.

§ 2. Every recorder of deeds keeping such books, is hereby authorized, and it shall be his duty, to make and certify under the seal of his office, for all persons desiring the same, abstracts of title to real estate in his county, and to charge therefor, in counties of the third class, not to exceed the following fees:

For each certificate, certifying to the condition of the title as shown by such abstract, judgment and tax books, the sum of three dollars (\$3.00), said sum of three dollars (\$3.00) to include the showing of one instrument of conveyance, incumbrance or release thereof, judgment or tax sale.

For each additional instrument of conveyance, incumbrance or release thereof, the sum of one dollar (\$1.00).

For each additional judgment or tax sale the sum of seventy-five (75) cents.

For chancery and probate court proceedings necessary to be shown, one dollar (\$1.00) per page.

Which fees shall be accounted for by such recorder in like manner with the fees received by him from recording. And every such recorder shall, for his services in keeping such books and making such abstracts of title, in counties of the third class receive a salary of one thousand dollars per annum, to be paid only out of the fees of his office actually collected, which compensation shall be in addition to the salary allowed him for his duties as recorder. In counties of the second class, he shall receive such salary and be authorized to charge such fees as may be fixed by the county board.

§ 3. Every such recorder shall, before making and certifying any such abstracts of title, give a bond with sufficient security, to be approved by the judge of the county court, payable to the People of the State of Illinois, in the penal sum of twenty thousand dollars (\$20,000), conditioned to secure the accuracy and correctness of any and all such abstracts of title, and to indemnify any and all persons purchasing such abstracts from such recorder, for all actual losses or damages which they may sustain by reason of any errors, mistakes or omissions in any such abstracts of title, which bond shall be filed in the office of the Secretary of State, and a copy thereof entered upon the records of the county court.

APPROVED June 16, 1887.

RECORDS AND FILES OPEN TO INSPECTION.

§ 1. Amends the act of 1874, by adding a section; books shall be open to public inspection.

AN ACT to amend an act entitled "*An act to revise the law in relation to recorders,*" approved March 9, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled "*An act to revise the law in relation to recorders,*" approved March 9, 1874, be amended by adding thereto the following section:

"Section 21. All records, indices, abstract and other books kept in the office of any recorder, and all instruments filed for record therein, shall, during office hours, be open for public inspection and examination; and all persons shall have free access for inspection and examination to such records, indices, books and instruments, which the recorders shall be bound to exhibit to those who wish to inspect or examine the same; and all persons shall have the right to take memoranda and abstracts thereof without fee or reward."

APPROVED May 31, 1887.

RECORDS.

DESTROYED BY FIRE.

§ 1. Amends section 8, act of 1872, by requiring the evidence produced with respect to abstract copies, minutes and extracts to be reduced to writing and made a matter of record in court, and making such abstracts, etc., *prima facie* evidence of what they contain. Amends section 9 by making such abstract copies, minutes and extracts presumptive evidence. Amends section 15 by making it apply to liens created since the destruction of the records. Amends section 16 by providing that appeals may be taken from any decree within two years. Amends section 24 by making letter-press copies of abstracts of title, and copies, abstracts and minutes, evidence.

AN ACT to amend sections eight (8), nine (9), fifteen (15), sixteen (16) and twenty-four (24) of an act entitled "*An act to remedy the evils consequent upon the destruction of any public records by fire or otherwise,*" approved and in force April 9, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 8, 9, 15, 16 and 24 of an act entitled "*An act to remedy the evils consequent upon the destruction of any public records by fire or otherwise,*" approved and in force April 9, 1872, shall be and are hereby amended so that said sections as amended shall read respectively as follows:

"Section 8. It shall be the duty of the judges of the circuit court of the county, or the judges of the circuit and superior courts of Cook county, to examine into the state of the records in such

county, and in case they find any abstracts, copies, minutes or extracts from said records existing after such destruction as aforesaid, and find that said abstracts, copies, minutes or extracts were fairly made before the destruction of the records by any person or persons, in the ordinary course of business, and that they contain a material and substantial part of said records, the said circuit judge of the county, or the judges of the circuit or superior courts of Cook county, shall certify the facts found by them in respects to such abstracts, copies, minutes and extracts, and the said judges of said county, or the judges of the circuit or superior courts of Cook county, shall cause all evidence produced as to said abstract books to be reduced to writing, and shall cause all such evidence to be spread of record, as a part of the order of said court. And also (if they are of that opinion), that such abstract copies, minutes and extracts tend to show a connected chain of title to the land in said county, and upon filing of a certificate of such circuit judge or the judges of the circuit and superior courts of Cook county, with the county clerk of the proper county, the county board may, with the approval of the judge of the circuit court of the county or the judges of the circuit and superior courts of Cook county, purchase from the owners thereof such abstract copies, minutes or extracts, or such part thereof as may tend to show a connected chain of title to the land in such county, including all such judgments and decrees as form part of any such chain of title, paying therefor such fair and reasonable price as may be agreed upon between them and such owners; the amount thus agreed to be paid for such abstracts, copies, minutes or extracts shall be paid by such county in money or in bonds, to be issued by such county as the county board may determine, or such county board may, with said approval, procure a copy of said abstracts, copies, minutes and extracts, instead of the original, to be paid for in like manner: *And it is further provided*, that any owner of said abstracts, copies or minutes shall have the right to file a petition at any regular term of the circuit court of the proper county, in which petition he or they shall set forth the manner in which such abstracts, copies or minutes were made or procured; and if the court shall find from the evidence produced (which evidence shall be preserved as hereinbefore provided) that said abstracts, copies or minutes were fairly made in the regular course of business before such destruction of the records, the court shall enter his decree to that effect, and the evidence produced on the trial of said cause entered of record at large as a part of the decree of the court. And thereupon said abstracts, copies or minutes of said burnt records shall be taken as *prima facie* evidence of all such matters as they contain (but no such abstracts, copies, minutes or extracts shall be taken or held to be *prima facie* evidence of what they contain that does not purport to recite all deeds and mortgages previously executed and recorded, and describing the several tracts of lands and town lots to which said abstracts, copies, minutes or extracts refer from the date of entry): *Provided, further*, that all abstracts to separate tracts of lands made by the owner of said abstracts, copies, minutes or extracts shall also be taken and held as *prima facie* evidence of what they contain when they shall be accompanied with an affidavit signed and sworn to by the owner or owners

of said abstracts, copies, minutes or extracts, showing that said separate abstracts contain a full, true and perfect copy of all transfers on the tract or tracts set forth in said separate abstracts as appears upon said abstracts, copies, minutes or extracts, as established by the circuit court of county, on the..... day of A. D., and that said separate abstracts contain all deeds, mortgages and other liens on said separate tracts, as shown by said abstracts, copies, minutes or extracts established as aforesaid.

“Section 9. Said abstracts, copies, minutes and extracts, or said copy thereof, if so bought as aforesaid, shall thereupon be placed in the recorder’s office of such county, to be copied or arranged in such form as the county board shall deem best for the public interest, and in case the originals have been lost or destroyed, or not in the power of the party asking to use the same on any trial or other proceeding, copies of the same or any part thereof, duly certified by the recorder of deeds of such county, shall be admissible as evidence in all the courts of law and equity in this State. And it shall be the duty of the recorder of deeds of such county to furnish to any and all parties requesting it (upon being paid the charges herein provided for), certified copies of the same, or parts thereof; and for the purpose of repaying the cost of the same to the county, the county board may fix a compensation, to be paid to the county, in addition to the fees allowed by law to the recorder for transcribing the same. In all cases in which any abstracts, copies, minutes and extracts, or copies thereof, shall be received in evidence under any of the provisions of this act, all deeds or other instruments of writing appearing thereby to have been executed by any person or persons, or in which they appear to have joined, shall (except as against any person or persons in the actual possession of the lands or lots described therein at the time of the destruction of the records of such county, claiming title thereto otherwise than under a sale for taxes or special assessments,) be presumed to have been executed and acknowledged according to law; and all sales under powers, and all judgments, decrees and legal proceedings, and all sales thereunder (sales for taxes and assessments, and judgments and proceedings for the enforcement of taxes and assessments excepted,) shall be presumed to be regular and correct, except as against the person or persons in this section before mentioned, and any person alleging any defect or irregularity in any such conveyance, acknowledgment, sale, judgment, decree or legal proceeding shall be held bound to prove the same, and any deed proved under the provisions of this act purporting to be based upon the execution of any power or upon a judgment or decree shall be *prima facie* evidence of the existence of such power, judgment or decree: *Provided*, that nothing in this act contained shall impair the effect of said destroyed record as notice.”

“Section 15. It shall be competent for said courts, in all such decrees, whether *pro confesso* or on the report of any master or special commissioner, or otherwise, to determine and decree in whom the title in any or all of the lands described in said petition is vested, whether in the petitioner, or in any other of the parties before the court; but said decree shall not in anywise affect any

lien or liens to which said fee may be subject, and which have been created since the destruction of such records, whether the same be by mortgage, deed of trust, judgment, statute, mechanics' lien, or otherwise, but shall leave all such liens to be ascertained or established in some other proceeding, or to be enforced as the parties holding them may see fit.

“Section 16. Said decree of said court, when entered, shall be forever binding and conclusive: *Provided*, that any decree shall be subject to be opened, modified, vacated or set aside on appeal or writ of error sued out within two years after the entry of such decree: *And, provided further*, that insane persons and minors shall have two years after their disabilities are removed to prosecute a writ of error upon said decree: *Provided, further*, that any decree entered upon any petition or cross-petition, which does not make defendant, by name, all persons who shall be in possession of such lands or any part thereof, at the time of the filing of such petition, or which does not make defendant, by name, all persons to whom any such lands shall have been conveyed, and the deed or deeds of such conveyance shall have been recorded in the office of the recorder of deeds of such county since the time of the destruction of the records, as aforesaid, and prior to the time of the filing of any such petition, shall be absolutely void as to such person omitted, but shall be final and conclusive as to all others: *And, provided further*, that all defendants who shall not be actually served with a summons in the suit in which such decree may be rendered, shall have allowed to them one year after the entry of such decree within which, upon petition to the court rendering the same, to have the said decree vacated and set aside in the same manner as is now allowed to defendants under section 19, of chapter 22, of the Revised Statutes entitled ‘Chancery.’”

“Section 24. Whenever, upon the trial of any suit or proceeding which is now or hereafter may be pending in any court in this State, any party to such suit or proceeding, or his agent or his attorney, in his behalf, shall orally in court, or by affidavit to be filed in such cause, testify and state under oath that the originals of any deeds or other instrument in writing, or records of any court relating to any lands, the title or any interest therein, being in controversy in such suit or proceeding, are lost or destroyed, or not within the power of the party to produce the same, and that the records thereof are destroyed by fire or otherwise, it shall be lawful for such party to offer, and the court shall receive, as evidence, any abstract of title, or letter-press copy thereof, made in the ordinary course of business prior to such loss or destruction, and it shall also be lawful for any such party to offer, and the court shall receive, as evidence, any copy, extracts or minutes from such destroyed records, or from the originals thereof, which were, at the date of such destruction or loss, in the possession of persons then engaged in the business of making abstracts of title for others for hire. A sworn copy of any writing admissible under this section, made by the person or persons having possession of such writing,

shall be admissible in evidence in like manner, and with like effect, as such writing, provided the party desiring to use such sworn copy as evidence shall have given the opposite party a reasonable opportunity to verify the correctness of such copy."

APPROVED June 15, 1887."

REVENUE.

GENERAL LEVY FOR STATE PURPOSES.

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| <p>§ 1. Provides for raising \$2,800,000 upon the valuation of 1887 and \$2,200,000 upon the valuation of 1888 for "revenue fund," and \$100,000,000 annually for "school fund."</p> | <p>§ 2. Rates computed.</p> |
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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 assessed taxable property of this State, the following sums for the purposes hereinafter set forth: For general State purposes, to be designated "revenue fund," the sum of two million eight hundred thousand dollars (\$2,800,000) upon the assessed value of property for the year A. D. 1887, and the sum of two million two hundred thousand dollars (\$2,200,000) upon the assessed value of property for the year A. D. 1888. And for State school purposes, to be designated "State school fund," the sum of one million dollars (\$1,000,000) upon the assessed taxable property for the year A. D. 1887, and the sum of one million dollars (\$1,000,000) upon the assessed taxable property for the year A. D. 1888, in lieu of the two mill tax.

§ 2. The Governor and Auditor shall annually compute the several 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 June 15, 1887.

ROADS, HIGHWAYS AND BRIDGES.

COUNTIES UNDER TOWNSHIP ORGANIZATION—PUBLIC HIGHWAYS.

§ 1. Amends section 1, act of 1883, by declaring that all roads laid out or used for 15 years shall be public highways.

AN ACT to amend an act entitled "An act in regard to roads and bridges in counties under township organization, and to amend an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

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 in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," be amended so as to read as follows:

"Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all roads in this State which have been laid out in pursuance of any law of this State, or of the territory of Illinois, or which have been established by dedication, or used by the public as a highway for fifteen (15) years, and which have not been vacated in pursuance of law, are hereby declared to be public highways."

APPROVED June 17, 1887,

COUNTIES UNDER TOWNSHIP ORGANIZATION—BRIDGES.

§ 1. Amends section 19 of the act of 1883 by providing for estimates and the manner of constructing bridges when county aid is granted.

AN ACT to amend section 19 of "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 19 of "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of an act therein named," approved June 23, 1883, in force July 1, 1883, be and the same is hereby amended so as to read as follows, to-wit:

"Section 19. When county board may aid town in the construction of a bridge.—When it is necessary to construct or repair any bridge over a stream, or any approach or approaches thereto, by means of an embankment or trestlework, on a public road in any town, or on or near to or across a town line, in which work the

town is wholly or in part responsible, and the cost of which will be more than twenty cents on the one hundred dollars on the latest assessment roll, and the levy of the road and bridge tax for two years previous in said town was in each year for the full amount of sixty cents on each one hundred dollars allowed by law for the commissioners to raise, the major part of which is needed for the ordinary repair of roads and bridges, the commissioners may petition the county board for aid, and if the foregoing facts shall appear the county board shall appropriate from the county treasury a sum sufficient to meet one-half the expenses of the said bridge or other work, on condition that the town asking aid shall furnish the other half of the required amount: *Provided*, that said commissioners shall, when it is determined by them that they will ask said county aid, as provided for in this section, and before any contract for work or material, or any other expense, may have been entered into, present their said petition to the county board if it shall be in session, and if it shall not be in session, to the chairman of said county board. whereupon said county board, or the chairman thereof, as the case may be, shall appoint three members of said board, none of whom shall reside in the town asking aid as aforesaid, to represent the county in said matter, and said supervisors, when so appointed and notified, shall meet said commissioners at time and place to be selected by said commissioners; and the commissioners and supervisors shall organize by electing one of their number chairman, and said commissioners and supervisors shall make all contracts in manner provided by law for work, material and other expenses necessary for the construction or repairing of said bridge or approach or approaches thereto, a majority vote of said commissioners and three supervisors being necessary to make any contract or incur any expense: *And provided, further*, that all expenditures shall be made by said commissioners and supervisors, and the county board shall not be liable for any part of said expenses, or compelled to pay any part of its appropriation, until all of the work has been fully completed and accepted by said commissioners and supervisors, and said facts properly certified to by said supervisors and presented to said county board at a meeting held after the completion of said work, which certificate shall contain an itemized account of the expenditures: *And provided, further*, if the supervisors and commissioners, when organized as aforesaid, shall fail to agree or come to a conclusion on the matters before them, they shall, on account of a tie, summons a reputable citizen who is a householder of said county, but not a resident of the town asking aid, said summons to be served by any constable of the county; and all questions in dispute and remaining unsettled shall be submitted to him, whose decision shall be final on all matters so submitted. The fees of the householder shall be the same as that of the supervisors, and the constable's fees shall be the same as constable fees for summoning a jury, and all of said fees of said members of said commission and constable fees shall be paid out of said funds as part of the expenses."

APPROVED June 10, 1887.

IN COUNTIES NOT UNDER TOWNSHIP ORGANIZATION.

- § 1. Right of the road.
 § 2. Penalties for employing drunken drivers.
 § 3. Penalties for drunkenness while on the road.
 § 4. Fast driving.
 § 5. Leaving horses unfastened, while standing.
 § 6. Liability of owner of vehicle for carrying passenger, for injury.
 § 7. "Carriage" defined.
 § 8. This act not in force in cities.
 § 9. Penalties for destroying or defacing guide-boards.
 § 10. Obstructing roads.
 § 11. Penalties for depositing garbage, etc.
 § 12. Penalties for injuring or destroying sidewalk, bridge or culvert.
 § 13. Suits for the recovery of fines, when brought.
 § 14. Fines paid to treasurer of commissioners.
 § 15. Crossings under roads by owners of lands on both sides.
 § 16. Road districts.
 § 17. Districts corporate.
 § 18. Powers of corporate districts.
 § 19. Commissioners and clerk.
 § 20. First election of commissioners and clerk under this act.
 § 21. County clerk shall issue notice.
 § 22. Elections, how conducted.
 § 23. Qualification of voters.
 § 24. Annual elections.
 § 25. District clerk shall give notice of annual elections.
 § 26. Canvass of votes and return by the judges.
 § 27. Canvass of returns by highway commissioners, record.
 § 28. Tie vote; decided by lot.
 § 29. Notice of election to district officers; list of qualified officers filed with county clerk.
 § 30. Eligibility to office.
 § 31. Oath of office.
 § 32. Refusal to qualify.
 § 33. Penalties for neglect to take oath of office.
 § 34. Clerk *ex-officio* treasurer; bond; duties.
 § 35. Commissioners may remove clerk for cause.
 § 36. Neglect of clerk to qualify.
 § 37. Successor of commissioner or clerk shall make immediate demand for records and property.
 § 38. Successor in case of vacancy shall make immediate demand.
 § 39. Retiring officers shall deliver possession of records and property.
 § 40. Vacancies; how filled.
 § 41. County clerk shall give notice of appointment.
 § 42. Resignation of district officer; notice of vacancy.
 § 43. District clerk custodian of records; authorized to administer oaths.
 § 44. Record of proceedings; records public.
 § 45. Clerk shall certify annually to the county clerk the amount of taxes required to be raised.
 § 46. Record evidence, certified by clerk.
 § 47. Books and stationery for clerk's office.
 § 48. Receipts and disbursements by the clerk; itemized statement; accounts audited by the board; publication of report.
 § 49. Compensation of district officers.
 § 50. All roads laid out in pursuance of law, or in use 20 years, declared public highways.
 § 51. Commissioners shall have charge of roads and bridges; permanent roads.
 § 52. Superintendent of roads.
 § 53. Commissioners shall not be interested in contracts.
 § 54. Duties of commissioners defined.
 § 55. Tile drainage; contracts with owners of adjoining lands.
 § 56. Willow hedges, destruction of; hereafter declared to be a nuisance.
 § 57. Entering upon lands adjacent to highways for the purpose of opening ditches; assessment of damages.
 § 58. Grading; sidewalks; section corner stones; culverts and crossings.
 § 59. Annual meetings of commissioners for organization; other regular meetings; quorum; place of meeting; special meetings.
 § 60. Poll-tax; notice, collection; judgment.
 § 61. Collection on judgment and execution.
 § 62. Tax levy; limit of per cent.; first levy under this act.
 § 63. Commissioners make certificate of tax rate; extension on the tax books by county clerk.
 § 64. Damages allowed for laying out roads included in tax rate.
 § 65. Order for damages allowed, drawn by commissioners.
 § 66. Annually in December the commissioners shall file report with clerk; items to be included.
 § 67. Bridges, aid by county board.
 § 68. Bridges across streams between counties and districts; how built.
 § 69. Repairs between counties and districts.
 § 70. When adjoining districts disagree, the proposition shall be submitted to a vote in the district desiring the bridge; issue bonds.
 § 71. Neglect or refusal to fulfill contract.
 § 72. Repairing and building of roads and bridges shall be by contract except in certain cases; advertising.

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| <p>§ 73. Contracts between districts shall be let by commissioners of both districts; advertising for bids.</p> <p>§ 74. Rejection of bids; bonds to fulfill contract.</p> <p>§ 75. Contracts payable upon acceptance of work.</p> <p>§ 76. Width of roads; opened within two years after laying out.</p> <p>§ 77. Altering and vacating.</p> <p>§ 78. Petition for altering or opening roads; notice by advertisement.</p> <p>§ 79. Hearing on petition; notice of time and place.</p> <p>§ 80. Postponement of hearing; notice.</p> <p>§ 81. Petition for vacation.</p> <p>§ 82. Opening new road, or altering or widening; survey and plat.</p> <p>§ 83. Resurvey of road.</p> <p>§ 84. Location of new road on route of old road shall not vacate the latter, unless so declared.</p> <p>§ 85. Remonstrances; consideration.</p> <p>§ 86. Damages ascertained; appeals.</p> <p>§ 87. Damages by agreement; release by owner.</p> <p>§ 88. Damages assessed by jury; notice.</p> <p>§ 89. Service of process on owners of land.</p> <p>§ 90. Non-resident and unknown owners.</p> <p>§ 91. Jury to be summoned.</p> <p>§ 92. Trial.</p> <p>§ 93. Title of the case; proceedings in trial.</p> <p>§ 94. Commissioners shall finally decide at the next regular meeting after the damages are determined.</p> <p>§ 95. Commissioners may annul proceedings on account of excessive damages; new trials.</p> <p>§ 96. Order of commissioners opening, altering or widening road.</p> | <p>§ 97. Order when damages are released.</p> <p>§ 98. Inducements offered for the establishment, alteration or vacation of roads.</p> <p>§ 99. Record evidence in clerk's office.</p> <p>§ 100. Notice for removal of fences.</p> <p>§ 101. Roads from dwelling or farm to public road; location.</p> <p>§ 102. Such roads must be opened within two years after location.</p> <p>§ 103. Owners of enclosed lands shall have time to remove fences and harvest crops.</p> <p>§ 104. Public roads on county and district lines; copy of petition presented and posted in each district interested; action of commissioners; orders recorded.</p> <p>§ 105. Allotment of portion of road to each district to open and keep in repair; expenses and damages divided; disagreement; arbitration.</p> <p>§ 106. Appeals to county or circuit court.</p> <p>§ 107. Appeal bond.</p> <p>§ 108. Appeals taken by commissioners against commissioners of adjoining district.</p> <p>§ 109. Roads heretofore located; roads on county and district lines defined.</p> <p>§ 110. Roads on State line.</p> <p>§ 111. Commissioners, penalties for refusing to discharge duties.</p> <p>§ 112. Fines for driving faster than a walk over bridges.</p> <p>§ 113. Notice to R. R. companies in laying out new roads along railroads.</p> <p>§ 114. How such notice shall be served.</p> <p>§ 115. Repeals the act of 1873.</p> |
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AN ACT to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges, in counties not under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any persons, traveling with any carriages, shall meet on any turnpike, road or public highway in this State, the persons so meeting shall seasonably turn their carriages to the right of the beaten track, so as to permit each carriage to pass without interfering or interrupting, under the penalty of five dollars for every neglect or offense, to be recovered by the party aggrieved: *Provided*, this section shall not be construed to apply to a case where it is impracticable from the nature of the ground for the driver of the carriage or wagon to turn to the right of the beaten track.

§ 2. No person owning any carriage, running or traveling upon any road in this State for the conveyance of passengers, shall knowingly employ, or continue in employment, any person to drive such carriage who is addicted to drunkenness or the excessive use of spirituous liquors; and if any such owner shall violate the pro

visions of this section, after he shall have had notice and reasonable proof that such driver is addicted to drunkenness, he shall forfeit at the rate of five dollars per day for all the time during which thereafter he shall keep such driver in his employment, to be sued for by any person, and collected in any court having competent jurisdiction; and the court may allow a portion of said penalty, not exceeding \$25, to be retained by such complainant as a compensation for his services and expenses, the balance to be paid to the road treasury of the district where such offense was committed. Any person driving his own team, or the team of another, on the public highway, when intoxicated, shall be subject to a fine of not less than three dollars, nor more than twenty-five dollars for each offense.

§ 3. If any driver, while actually employed in driving any such carriage, shall be guilty of intoxication, to such a degree as to endanger the safety of the passengers in the carriage, it shall be the duty of the owner of such carriage, on receiving written notice of the fact, signed by any one of said passengers, and certified by him on oath, forthwith to discharge such driver from his employment; and every such owner who shall retain, or have in his employ, within thirty days after the receipt of such notice, any driver who shall have been so intoxicated, shall forfeit at the rate of five dollars per day for the time during which he shall keep any such driver in his employment after receiving such notice, to be sued for and applied as directed in section two of this act.

§ 4. No person driving any carriage upon any turnpike, road or public highway within the State, with or without passengers therein, shall run his horses or carriage or permit the same to run, upon any occasion, or for any purpose whatever, except in case of necessity; and every person who shall offend against the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not exceeding \$100, or imprisoned not exceeding sixty days, at the discretion of the court.

§ 5. It shall not be lawful for the driver of any carriage, used for the purpose of conveying passengers for hire, to leave the horses attached thereto while passengers remain therein, without making such horses fast with a sufficient halter, rope or chain, or by placing the lines in the hands of some other person, so as to prevent their running; and if any such driver shall offend against the provisions of this section, he shall forfeit the sum of \$20, to be recovered by action, to be commenced within six months; and unless the amount of such recovery be paid forthwith, execution shall be immediately issued therefor.

§ 6. The owner of every carriage running upon any turnpike, road or public highway, for the conveyance of passengers, shall be liable, jointly or severally, to the party injured, in all cases, for all injuries or damages done by any person in the employment of such owners as a driver, while driving such carriage, to any person, or to the property of any person, and that whenever the act occasioning such injury or damage be wilful, negligent or otherwise, in the same manner as such driver would be liable. Any driver of any mail

stage coach, or any other vehicle for the conveyance of passengers, wilfully offending against the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined not exceeding \$300, or imprisoned not exceeding four months.

§ 7. The term "carriage," as used in this act, shall be construed to include stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle used for the transportation of passengers and goods, or either of them.

§ 8. Nothing contained in this act shall interfere with or affect any law concerning hackney coaches or carriages in any of the cities of this State, nor interfere with nor affect the laws or ordinances of any such city for the licensing or regulating such coaches or carriages. Justices of the peace shall have jurisdiction in all cases arising under this act, where the penalty does not exceed their jurisdiction.

§ 9. For destroying or defacing any guide-board, post or milestone, or any notice or direction put up on any bridge or otherwise, by or with the authority of the commissioners of highways, the offender shall forfeit a sum not less than three dollars nor more than fifty dollars.

§ 10. If any person shall injure or obstruct a public road by falling a tree or trees in, upon or across the same, or by placing or leaving any other obstruction thereon, or encroaching upon the same with any fence, or by plowing or digging any ditch or other opening thereon, or by turning a current of water so as to saturate or wash the same, or shall leave the cuttings of any hedge thereon, for more than ten days, they shall forfeit for every such offense a sum not less than three dollars nor more than ten dollars; and in case of placing any obstruction on the highway, an additional sum of not exceeding three dollars per day for every day he shall suffer such obstruction to remain after he has been ordered to remove the same by any of the commissioners; complaint to be made by any person feeling himself aggrieved: *Provided*, this section shall not apply to any person who shall lawfully fall any tree for use, and will immediately remove the same out of the road, nor to any person through whose land a public road may pass, who shall desire to drain his land, and shall give due notice to the commissioners of such intention: *And, provided, further*, that the commissioners, after having given reasonable notice (to the owners) of the obstruction, or person so obstructing or plowing or digging ditches upon such road, of the obstruction, may remove any such fence or other obstruction, fill up any such ditch or excavation, except ditches necessary to the drainage of an adjoining farm, emptying into a ditch upon the highway, and recover the necessary cost of such removal from such owner or other person obstructing such road aforesaid, to be collected by said commissioners before any justice of the peace having jurisdiction.

§ 11. It is hereby declared unlawful for any land owner, renter or other person to deposit in a public road, weeds, trash, garbage or any offensive matter, and any person so offending shall be liable to a penalty of not less than three dollars nor more than ten dollars; but this shall not apply where proper deposits may be made in good faith and in a proper manner to repair the roads.

§ 12. If any person shall purposely destroy or injure any sidewalk, public bridge, culvert or causeway, or remove any of the timber or plank thereof, or obstruct the same, he shall forfeit a sum not less than three nor more than one hundred dollars, and shall be liable for all damages occasioned thereby and all necessary costs for rebuilding or repairing the same.

§ 13. All suits for the recovery of any fine or penalty under this act shall be brought in the name of the district in which the offense is committed, before any justice of the peace or police magistrate within the district, who shall have jurisdiction in such cases to the extent of their jurisdiction in other cases; and it shall be the duty of the commissioners to seasonably prosecute for all fines and penalties under this act; but in case of a failure of said officers to so prosecute, complaint may be made by any person: *Provided*, said person shall, before bringing suit in the name of the district, give a bond for costs, as is provided for in the case of non-residents. But whenever any person shall enter complaint to any road commissioner it shall be the duty of such commissioner to at once proceed to investigate as to the reasons of such complaint, and if such complaint is found to be just he shall at once proceed to prosecution: *Provided, further*, that the commissioners may sue and be sued on all contracts entered into by them for the construction and repairing of roads and bridges, and the judgment in any such case against the commissioners shall be a district charge.

§ 14. All fines recovered under the provisions of this act, unless otherwise provided, shall be paid over to the treasurer of the commissioners of the district where the offense is committed, to be expended upon the roads and bridges in said district.

§ 15. Any person owing, using or occupying lands on both sides of any public highway, shall be entitled to the privilege of making a crossing under said highway, for the purpose of letting his cattle and other domestic animals cross said road: *Provided*, said person shall erect, at his own expense, a good and substantial bridge, with good railings on each side thereof, and build an embankment, of easy grade, on either side of said bridge; said bridge to be not less than sixteen feet wide, and to be approved by the commissioners of the district in which said bridge is built, and the same to be kept constantly in good repair by the owner or occupant of said land, the construction subject always to the consent and approval of the commissioners of said district: *And, provided further*, that in case such crossing is made on any water-way or natural channel for water and where a culvert or bridge is maintained as required for road purposes, said owners or occupants shall not be required to pay for or construct any more of said crossing than the additional cost of such crossing over and above the necessary cost of a suitable culvert or bridge for road purposes at such place.

§ 16. It shall be the duty of the county boards of the several counties, at their first session after this act shall be in force and take effect, to divide the county into road districts, where it is practicable, to be composed of territory not less than a congres-

sional township (fractional or whole townships may be attached to other fractional or whole townships.) The districts so formed shall be designated by some number.

§ 17. The corporate name of each district shall be, Road District No. —, and all acts done by the district, and all actions by or against the district shall be in its corporate name.

§ 18. Every district so organized shall have corporate capacity to exercise the powers granted thereto, or necessarily implied and no others. It shall have power: 1. To sue and be sued 2. To acquire by purchase, gift or devise, and to hold property, both real and personal, for the use of its inhabitants, and again to sell and convey the same. 3. To make all such contracts as may be necessary in the exercise of the powers of the district.

§ 19. For the purpose of carrying into effect the provisions of this act there shall be elected in each district, three commissioners of highways and one district clerk (who shall be *ex-officio* treasurer of said board), who shall hold their respective offices for the term of three years, and until their successors are elected and qualified: *Provided*, that of the commissioners of highways elected at the first election, one shall hold his office for one year, and one for two years, and the other for three years, to be determined between them by lot before entering upon the duties of their office, and until their respective successors are elected and qualified.

§ 20. The county board shall, at least twenty days before the first Tuesday in March, next after the passage of this act, designate some central and convenient place in each district for the holding of the first district election, and shall also appoint three suitable electors of the district as judges of election. After the canvass of the votes, the judges shall make returns as provided in the general election law of this State, to the county clerk, who shall make a canvass of the votes, and immediately notify the persons elected of their election. The expenses of the first election shall be paid by the county.

§ 21. The county clerk shall thereupon make out notices, stating the time (which shall be the first Tuesday in March thereafter) and place of holding the first district election, and the names of the judges of election so appointed, and deliver such notices to the sheriff of the county, who shall cause the same to be posted in not less than three of the most public places of the district, and not less than fifteen days before the time of holding such election.

§ 22. The district elections shall be conducted in the same manner, and subject to the same laws and regulations as prescribed for general elections: *Provided*, that no registration of voters shall be required.

§ 23. All persons possessing the qualifications of voters, who reside within the boundaries prescribed for such district, and do not reside within the corporate limits of any village or city, shall be entitled to vote at such election.

§ 24. The annual election for district officers shall be held on the first Tuesday of March, of each year, at the place designated

by the commissioners of highways. The commissioners shall be *ex-officio* judges, and the clerk shall be *ex-officio* clerk of all district elections, but before entering upon the discharge of their duties, they shall take the oath of office prescribed by the general election law of the State. In the absence of any of the above named officers, the vacancy shall be filled by appointment by the commissioners present, and in case there is no commissioner present, the electors present shall appoint such judges.

§ 25. Notice of the time and place of holding any annual or special election shall be given by the district clerk, or, in his absence, by the commissioners, by posting written or printed notices in at least three of the most public places in the district, at least fifteen days prior to such election.

§ 26. The judges shall, immediately upon closing the polls, make a canvas of the votes polled in the manner provided by the general election law of the State, and make a written statement or certificate of the number of votes cast at such election for each person or proposition voted for, and the office for which such person received such vote, and shall, within forty-eight hours thereafter, cause such certificate and poll list, together with the ballots cast at such election, to be separately sealed up and transmitted to the district clerk, to be filed and preserved by him.

§ 27. The commissioners of highways, together with some justice of the peace to be by them selected, and the district clerk, shall, within five days after any election is held, meet and canvas said returns, and declare the result of said election. The canvas being completed, a statement of the result shall be entered at large, by the clerk of the meeting, in the minutes of the proceedings, to be kept by him as required by this act, which shall be publicly read by him to the meeting; and such reading shall be deemed notice of the result of the election to every person whose name shall be entered on the poll list as a voter.

§ 28. In case two or more persons shall have an equal number of votes for the same office, the question of which shall be entitled to the office shall be decided by lot, under direction of the district clerk, but he shall give each party at least five days' notice of the time and place of drawing lots.

§ 29. The clerk of every meeting held pursuant to section 27, of this act, shall, within ten days thereafter, transmit to each person elected to any district office, a notice of his election. He shall also file in the office of the county clerk a list of the names of all district officers elected at such election, who have qualified, within twenty days after such election shall be held.

§ 30. No person shall be eligible to any district office unless he shall be a legal voter, and have been one year a resident of said district.

§ 31. Every person elected or appointed to the office of commissioner of highways or clerk, before he enters upon the duties of his office, and within ten days after he shall be notified of his election or appointment, shall take and subscribe, before some justice

of the peace or district clerk, the oath or affirmation of office prescribed by the constitution, which shall, within five days thereafter, be filed in the office of the district clerk.

§ 32. If any person elected or appointed to either of the offices above enumerated shall neglect to take and subscribe such oath, and cause the certificate to be filed as above required, such neglect shall be deemed a refusal to serve. If any person elected or appointed, shall refuse to serve, he shall forfeit to the district the sum of \$25.

§ 33. If any district officer, who is by law required to take the oath of office, shall enter upon the duties of his office before he shall have taken such oath, he shall forfeit to the district the sum of \$50.

§ 34. The clerk, as treasurer, shall receive and have charge of all moneys collected and received for the maintenance of roads and bridges, and for road and ditch damages. He shall pay out said moneys on an order signed by not less than two of the commissioners, and not otherwise, and keep a separate account thereof. He shall execute a bond in double the amount of moneys likely to come into his hands, with good and sufficient security for all moneys coming into his hands by virtue of this act, conditioned that he will faithfully discharge his duties as such treasurer; that he will honestly and faithfully account for and pay over, upon the proper orders, all moneys coming into his hands as treasurer, and the balance, if any, to his successor in office. Before receiving these funds he shall give this bond to the district, to be approved by the commissioners of highways, and filed in the office of the county clerk with such approval endorsed thereon: *Provided*, that if from any cause the commissioners of highways shall deem the bond so given insufficient they may require a new bond: *And, provided further*, that the commissioners shall have the right to fix any other sum to be required in any new bond so given.

§ 35. The board of commissioners of highways shall have power to remove the district clerk, at any time, for any failure or refusal to execute or comply with any order or requisition of said board, legally made, or for any other improper conduct in the discharge of his duties as clerk or treasurer. They shall have power, for any failure or refusal as aforesaid, to sue him upon his bond.

§ 36. If any person elected or appointed to the office of clerk and *ex-officio* treasurer, shall not give such security and take such oath as is required, within ten days after receiving notice of his election or appointment, such neglect shall be deemed a refusal to serve.

§ 37. When the term of any commissioner of highways or clerk shall expire, and other persons shall be appointed to such office, it shall be the duty of such successor, immediately after he shall have entered upon the duties of his office, to demand of his predecessor all the books, papers, moneys and other property under his control, belonging to such office.

§ 38. Whenever either of the officers above named shall resign, or the office become vacant in any way, and another person shall be elected or appointed in his stead, the person so elected or appointed shall make such demand of his predecessor, or of any person having charge of such books, papers, moneys or other property.

§ 39. It shall be the duty of every person so going out of office, whenever thereto required pursuant to the foregoing provisions, to deliver up, on oath, all the records, books, papers, moneys and other property in his possession or in his control belonging to the office held by him; which oath may be administered by the officer to whom such delivery shall be made.

§ 40. Whenever any district shall fail to elect the proper number of district officers to which such district may be entitled by law, or when any person elected to any district office shall fail to qualify, or whenever any vacancy shall happen in any district, from death, resignation, removal from the district or other cause, it shall be the duty of the county board to fill such vacancy by certificate under the hand and seal of the county clerk; and the persons so appointed shall hold their respective offices until the next annual election, and until their successors are elected and qualified; and shall have the same powers and be subject to the same duties and penalties as if they had been duly elected by the electors.

§ 41. When any appointment shall be made, as provided in section 40, of this act, the county clerk shall cause the certificate of appointment to be forthwith filed in the office of the district clerk, who shall immediately give notice to each person appointed.

§ 42. Any justice of the peace residing in such district, may, for sufficient cause shown to him, accept the resignation of any district officer of his district, and whenever he shall accept any such resignation, he shall forthwith give notice thereof to the district clerk of the district, or in his absence, to the president of the board of commissioners of highways, who shall make a minute thereof upon the district records. He shall also immediately give notice to the county clerk of any vacancy that may exist in any district office.

§ 43. The district clerk shall have the custody of all records, books and papers of the district, and he shall duly file all certificates or oaths and other papers required by law to be filed in his office. He is authorized to administer oaths and take affidavits in all cases required by law to be administered or taken by district officers.

§ 44. He shall record in the book of records of his district, the minutes of the proceedings of every meeting of the board of commissioners of highways held therein, and shall enter in said book every order or direction, and all by-laws, rules and regulations made by said board at any meeting. All records and books required by law to be kept by such clerks, shall be deemed public records and shall at all times be open to inspection without fee or reward.

§ 45. He shall annually, at the time required by law, certify to the county clerk the amount of taxes required to be raised for district purposes; and if any clerk shall refuse or wilfully omit to make such return, he shall be fined for each offense not exceeding \$10.

§ 46. Copies of all papers, duly filed in the office of the district clerk, and transcripts from the district records certified by him, shall be evidence in all courts with like effect as if the originals were produced.

§ 47. The district clerk shall, from time to time, as may be necessary, procure the proper books and stationery for his office, and the cost thereof shall be paid out of the district treasury.

§ 48. It shall be the duty of the district clerk as *ex-officio* treasurer to receive all moneys due the district, and pay out the same as provided in section 34 of this act. He shall also on the second Tuesday of March, present to the board of commissioners of highways an itemized statement of receipts and disbursements, which shall be sworn to. The board shall carefully audit the accounts so presented, and if found correct, approve the same and cause such statement to be published as now provided by chapter 102 of the Revised Statutes.

§ 49. The following compensation shall be allowed to the officers provided for by this act: 1. The commissioners of highways shall each receive for each day necessarily employed in the discharge of their duties, the sum of one and a half dollars, upon a sworn statement to be filed by each commissioner in the district clerk's office, showing the number of days he was employed, and the kind of employment, and giving the dates thereof. 2. The justice of the peace required by this act, to assist in canvassing the vote, shall receive the sum of one and a half dollars per day for his services. 3. The district clerk shall receive one and a half dollars per day for each day he shall be in attendance at a meeting of the board, and the same amount per day for the time he shall be employed as clerk of election, or in canvassing the returns of such election. He shall receive no other per diem. In addition to the above he shall also receive fees for the following services, to be paid out of the district funds, except where otherwise specified: For serving notice of election or appointment upon district officers, as required by this act, twenty-five cents each. For posting up notices required by law, twenty-five cents each. For copying any record in his office and certifying to the same, ten cents for every one hundred words, to be paid by the person applying for the same. Such clerk shall also, as treasurer, receive one per cent. on all moneys received, not received from his predecessor, and one per cent. on all moneys paid out, not paid to his successor.

§ 50. All roads in this State which have been laid out in pursuance of any law of this State, or of the territory of Illinois, or which have been established by dedication or used by the public as a highway for twenty years, and which have not been vacated in pursuance of law, are hereby declared to be public highways.

§ 51. The commissioners of highways shall have charge of the roads and bridges of their respective districts, and it shall be their duty to keep the same in repair and to improve them so far as practicable. Whenever the available means at their disposal will permit, they shall construct permanent roads, beginning where most needed. The work on roads shall be done timely and in accordance with the best known methods of roadmaking, by proper grading and thorough drainage by tile or otherwise, as may be expedient, and by the application of gravel, rock or other material.

§ 52. In order to insure efficiency, they may employ a general superintendent, outside their own body, to work and to execute their orders; or they may divide the work, let contracts, appoint overseers, or employ such other agencies as they may deem expedient and most to the interest of the district.

§ 53. In letting contracts, employing labor, or in purchasing tools, machinery or materials, the commissioners shall not have, directly or indirectly, any personal pecuniary interest in connection therewith.

§ 54. Their duties shall include :

1. To lay out, alter, widen or vacate roads as hereinafter provided, and to exercise such care and superintendence over roads and bridges as the public good may require.

2. To cause such roads used as highways as have been laid out or dedicated to public use, but not sufficiently described, and such as have been used for twenty years but not recorded, to be ascertained, described and entered of record in the district clerk's office.

3. To purchase for use upon highways such necessary tools, implements and machinery as they may think proper.

4. To take possession of and keep under shelter, when not in use, all scrapers, plows and other tools belonging to their district wherever the same may be found, and not allow the same to go to waste, and not lend the same except to persons employed by them to work the roads by contract or otherwise.

5. To cause to be erected and kept in repair at the forks or crossing place of the most important public roads, a post and guide board, with plain inscription thereon, in letters and figures, giving directions and distances to the most noted places to which such road may lead; to prevent thistles, burdock, cockle-burrs, mustard, yellow-dock, Indian mallow and gympson weed from seeding, and to extirpate the same so far as practicable; and to prevent all rank growth of vegetation in the public highway; and the said commissioners may, at their discretion, adopt any suitable and convenient mode of supplying water in troughs conveniently situated on the public highway for public use.

§ 55. Whenever the commissioners are about to lay a tile drain along a public road they shall have power to contract with the owners or occupants of adjoining lands to lay larger tile than would be necessary to drain the road, and to permit connection therewith by such contracting parties to drain their lands.

§ 56. Where willow hedges or a line of willow trees have been planted along the margin of the road, so as to render tiling impracticable, the commissioners may contract with the owner for their destruction; and they shall be destroyed before tiling; the planting of these trees hereafter on the margin of roads is hereby declared a public nuisance.

§ 57. The commissioners of the several districts are hereby authorized to enter upon any land adjacent to any highway in their district for the purpose of opening any ditch, drain, necessary sluice or water-course, whenever it shall be necessary to open a water-course from any highway to the natural water-courses, and to dig, open and clean ditches upon said land for the purpose of carrying off the water from said highways, or to drain any slough or pond on said highway: *Provided*, that unless the owner of such land or his agent shall first consent to the cutting of such ditches, the commissioners shall apply to any justice of the peace in the county in which such road is situated for a summons, directed to any constable of said county, commanding him to summon the said owner to appear before said justice, at a time and place specified in such summons, not less than five nor more than fifteen days from the date thereof, for the purpose of having the damage assessed which such owner may sustain by reason of the digging or opening of such ditches or drains. The said summons shall be under the hand of such justice, and be served in the same manner as a summons is now served in civil actions before justices of the peace. On the return of such summons, a venire shall be issued for a jury, as in other cases in the trial of civil actions before justices of the peace, which jury shall assess such damages and render a verdict therefor. Whereupon judgment shall be entered by the justice in accordance with the verdict. If either party shall feel aggrieved by such judgment, an appeal may be taken as in other cases, provided bond is filed within five days from the time of entering of the judgment. If no appeal is perfected within five days, the amount so awarded shall be paid before the commissioners shall be warranted and empowered to enter upon such lands and dig, open and clean such drains, ditches and water-courses as aforesaid, for the purposes contemplated in this act. If the defendant appeals, the commissioners, by depositing with the justice the amount of said judgment and costs so recovered, to be by him transmitted, the papers in said cause to the court to which such appeal has been taken, but they shall be required to pay whatever judgment may be finally recovered. The commissioners are authorized to use the poll tax and road money of their district for the payment of such judgment: *Provided*, that not more than one-half of such jury shall be residents of the district which is liable to pay the damages: *Provided, further*, that in case the owner of said lands is a non-resident, service may be had by leaving a copy with the occupant or agent, or by notice in the same manner as prescribed in section 90 of this act.

§ 58. In grading roads, whenever practicable, it shall be done so as to leave not less than one-tenth of the width of the road on each side for a sidewalk, and it shall be unlawful to ride or drive on such walk; and any person so offending shall be subject to a fine

of five dollars for each offense. Corner stones marking sectional or other corners shall not be disturbed except to so grade the road that these, if in the line of travel, shall not rise above the surface, and corner stakes shall be replaced by good and substantial stones. In grading public roads, if a ditch is made at the junction of roads, or at the entrance of gates or other openings of border premises, the road authorities shall construct good and sufficient culverts, or other convenient crossings.

§ 59. The commissioners shall meet with the district clerk on the second Tuesday in March, and organize by electing one of their number president, and they shall proceed to consult on their duties, and how best to exercise their powers as enumerated in section 52 of this act. The commissioners shall also meet on the second Tuesdays of June, September and December, at some central and convenient place, for the transaction of any business that may come before them. A majority of such commissioners shall constitute a quorum to do business, and, in the absence of the chairman, a chairman *pro tem.* may be appointed. The place of holding the meetings of the commissioners shall be as near permanent as possible. Special meetings may be called by the president of the board, or any two members.

§ 60. At the meeting to be held on the second Tuesday in March, they shall make a list of the able-bodied men in their district between the ages of twenty-one and fifty years, and deliver the same to their treasurer on or before the first day of April in each year, and assess at such meeting against each person upon such list a sum not less than one dollar nor more than five dollars, as a poll tax for highway purposes, to be paid to such treasurer by the first Monday in June of each year: *Provided*, that paupers, idiots, lunatics and such others as are exempt by law, shall not be compelled to pay a poll-tax for highway purposes: *Provided, also*, that this list shall not include persons within the limits of cities or incorporated villages. The treasurer shall, within ten days after such list is delivered to him, cause written or printed notices to be given to each person so assessed, notifying him of the time when, and place where such tax must be paid, and if this poll-tax shall not be paid by the first Monday of June, in such year, it shall be the duty of the commissioners, in the name of the town, to bring suit therefor against such person before some justice of the peace having jurisdiction thereof; summons shall be issued and return made in the same manner as provided by law in other cases. If judgment is rendered against defendant, the court shall find in such judgment that the same is for poll-tax unpaid, and shall endorse the same on the execution, if one is issued. No property belonging to the defendant shall be exempt from levy to satisfy such execution.

§ 61. The constable to whom such execution shall be delivered shall forthwith collect the moneys therein mentioned. He shall pay the money so collected, when collected, to the justice of the peace who issued the execution, who is hereby required to pay the same to the treasurer of the road and bridge fund.

§ 62. At the meeting to be held in September, the commissioners shall determine what per cent shall be levied on the property of the district for roads and bridges, which levy shall not exceed one hundred cents on each one hundred dollars: *Provided*, that the county board shall make the first levy provided for by this act.

§ 63. The commissioners at said meeting shall make a certificate of the rate per centum finally agreed upon, by virtue of section sixty-two, of this act, and shall cause such certificate to be delivered to the district clerk, to be kept by him on file for the inspection of the inhabitants of said district, and the district clerk shall at once certify the said levy to the county clerk, to be by him extended separately upon the collector's book of said district, to be collected as other taxes, and when collected shall be paid to the treasurer of the commissioners by the collector, as fast as the same is collected, except such rate per cent. as shall be allowed for collecting the same.

§ 64. When damages have been agreed upon, allowed or awarded for laying out, widening, altering or vacating roads, or for ditching to drain roads, the amounts of such damages shall be included in the first succeeding tax levy, provided for in section 62 of this act; and when collected shall constitute and be held by the treasurer of the commissioners as a separate fund to be paid out to the parties entitled to receive the same.

§ 65. Whenever damages have been allowed for roads or ditches the commissioners may draw orders on the treasurer, payable only out of the tax to be levied for such roads or ditches, when the money shall be collected or received to be given to persons damaged.

§ 66. At the meeting to be held in December the commissioners shall make a report in writing, to be filed with the district clerk, who shall record such reports at large in the minutes of said meeting, of:

1. The amount of poll-tax assessed, how much paid, and how much delinquent.

2. The amount of road and bridge money received by them, and a full and detailed statement as to how and where expended, and the balance, if any, unexpended.

3. The amount paid for damages in laying out, altering, widening or vacating roads, and right of way for ditches.

4. The amount of liabilities incurred and not paid; and if such liabilities are undetermined, they shall be estimated.

5. Any additional matter concerning the roads and bridges of the district they may think expedient and proper to make.

§ 67. When it is necessary to construct or repair any bridge over a stream, or to construct or repair any other distinct and expensive work on a public road in any district, or on, or near to, or across a district line, in which work the district is wholly or in part responsible, and the cost of which will be more than one hundred dollars, and the levy of the road and bridge tax for that year in said district was for the full amount of one hundred cents on each one hundred dollars, allowed by law for the commissioners to

raise, the major part of which is needed for the ordinary repair of roads and bridges, the commissioners may petition the county board for aid; and if the foregoing facts shall appear, the county board may, if deemed to the interests of the public, appropriate from the county treasury a sufficient sum to construct said bridge or other work. The expenditure of these funds shall be made by the county commissioners, and any surplus funds appropriated by the county board, after the completion of the work, shall be paid into, or lapse into the county treasury.

§ 68. Bridges over streams which divide districts or counties, and bridges over streams on roads on county or district lines, shall be built and repaired at the expense of such districts or counties: *Provided*, that for the building and maintaining of bridges over streams near county or district lines, in which both are interested, the expense of building and maintaining any such bridges shall be borne by both counties or districts in such proportion as shall be just and equitable between said districts or counties, taking into consideration the taxable property in each, the location of the bridge and the advantage of each to be determined by the commissioners in making contracts for the same, as provided for in section 69 of this act.

§ 69. For the purpose of building or keeping in repair such bridge or bridges, it shall be lawful for the commissioners of such adjoining districts, whether they be in the same or different counties, or county boards of such adjoining counties, to enter into joint contracts, and such contracts may be enforced in law or equity, against such commissioners jointly, the same as if entered into by individuals, and such commissioners or county boards may be proceeded against, jointly, by any parties interested in such bridge or bridges, for any neglect of duty in reference to such bridge or bridges, or for any damage growing out of such neglect.

§ 70. Whenever the commissioners of either of such adjoining districts shall refuse to enter into such joint contracts to build and maintain such bridge or bridges, the commissioners of the other district may submit such question to an annual or call a special election to vote upon the proposition as to whether such district shall proceed to build and maintain such bridge or bridges at its own expense. If such proposed bridge shall require a greater sum of money to complete it than is available to the commissioners by other means, they may also submit the proposition to such annual or special election to borrow money to build such bridge. The voting shall be by ballot, and if simply the question as to the building of the bridge is submitted, if the voter desires to vote for building the bridge, his ballot shall state "to build bridge," and if he desires to vote against the proposition, his ballot shall state "against the proposition to build bridge." If the proposition to borrow money to build such bridge shall be included in the notice, the maximum amount to be borrowed shall be stated in the same, and the voter desiring to vote affirmatively shall state on his ballot "to build bridge and to borrow money to construct the same;" and if he desires to vote negatively, his ballot shall state "against the proposition to build bridge and to borrow money to construct the same."

Such special election shall be called and held in the same manner as is provided in sections 25, 26 and 27 of this act. If the proposition to build such bridge shall receive a majority of all the votes cast at such election, the commissioners shall then have the power to contract for the building of such bridge and approaches thereto, the same as if the bridge was entirely located in such district, and shall have the power to acquire by purchase, lease or gift, any private bridge already built, suited to their purpose, or any land upon which to build the approaches, or may use for the purpose of such approaches any public highway that may lead to the bank of the stream where said bridge is to be built on either side of said stream, whether such highway may be within the limits of said district or county or not. If the proposition to build such bridge and borrow money to build the same shall receive a majority of the votes cast at such special or annual election, the commissioners, to be countersigned by the district clerk, shall issue from time to time, as the work progresses, a sufficient amount in the aggregate of the bonds of said district for the purpose of building such bridge and the approaches thereto, or to purchase any private bridge already built, as the case may be, said bonds to be of such denominations, bear such rate of interest, not exceeding eight per cent., upon such time, and be disposed of as the necessities and conveniencies of said commissioners may require. Such bonds shall not be sold for less than their par value, and such district shall provide for the payment of such bonds and interest by appropriate taxation.

§ 71. If the commissioners of either of such district or county boards of such counties, after reasonable notice in writing from the commissioners of any other such district or county boards of such counties, shall neglect or refuse to build or repair any such bridge when any contract or agreement has been made in regard to the same, it shall be lawful for the commissioners or county board so giving notice to build or repair the same to recover, by suit, one-half (or such amount as shall have been agreed upon) of the expense of so building or repairing such bridge, with costs of suit and interest from the time of the completion thereof, from the commissioners or county board so neglecting or refusing.

§ 72. The commissioners are hereby authorized to contract for the construction and repairing of roads and bridges, but when such contracts are for a sum exceeding \$50.00 they shall give at least ten days' notice of time and place of letting such contract by posting notices in at least ten public places in and contiguous to the district, describing the work and time of completion: *Provided*, in cases where bridges have been suddenly destroyed on an important highway then such commissioners may privately contract for replacing such bridge to an amount not exceeding \$150.00.

§ 73. Contracts for constructing and repairing roads and bridges on district lines, or across streams on district lines, shall be let by the commissioners of the two districts, who shall meet and act as one body when taking action upon the letting of such contracts for the construction or repair of such roads and bridges, or acceptance

of the work. When such contracts are for the expenditure of a sum exceeding \$100, they shall advertise for bids in the same manner as provided in the preceding section, except that the notices shall be posted in and contiguous to the two districts.

§ 74. At such public letting, as provided for in the preceding section, the commissioners shall have the right to reject any and all bids if they deem it to the best interests of the district, and no contract shall be considered as let unless the contractor shall, within ten days after the letting, enter into contract and file a bond with two good and sufficient sureties with the commissioners, in the penal sum of double the value of the amount of the contract, payable to the commissioners of the district, upon failure to comply with the conditions of his or their contract.

§ 75. All contracts for the construction or repair of roads, or building or repairing of bridges, shall be made payable as soon as the work in said contract is completed and accepted by the commissioners.

§ 76. All public roads established under the provisions of this act shall be of the width of sixty feet: *Provided*, short roads not exceeding two miles in length may be of a width not less than forty feet, nor more than sixty feet, and roads called public and private roads may be of the width as in this act provided. All public roads laid out as herein provided shall be opened within two years from the time of laying out the same. If not opened within the time aforesaid the same shall be deemed to be vacated.

§ 77. The commissioners may alter, widen or vacate any road, or lay out any new road in their respective districts, when petitioned by any number of land owners, not less than twelve, residing in such districts and within three miles of the road so to be altered, widened, vacated or laid out.

§ 78. Whenever any person or persons desire a change, re-location or vacation of any county or State road, or the opening of any new road, notice of such intended application shall be given by putting up advertisements in writing, in at least three of the most public places in the district in which said road shall be located, and by filing a copy of such advertisement with the district clerk, at least twenty days previous to the sitting of the board at which application shall be made. Said application shall be made by petition as provided in section 77 of this act, which petition shall set forth, in writing, a description of the road, and what part thereof is to be altered, widened or vacated, and if for a new road, the names of the owners of lands, if known, and if not known it shall be so stated, over which the road is to pass, the points at or near which it is to commence, its general course, and the place at or near where it is to terminate and the date when such application will be made.

§ 79. Whenever the commissioners shall receive any such petition they shall fix a time when, and place where, they will meet to examine the route of such road, and to hear reasons for or against the altering, widening, vacating, or laying out the same, and they shall give at least ten days' notice of the time and place of such

meeting, by posting up notices in three of the most public places in the district in the vicinity of the road to be widened, altered, vacated or laid out.

§ 80. The commissioners may, by public announcement, and by the posting of a notice at the time and place named for the first meeting, adjourn the meeting from time to time, but not for a longer period than ten days in all; and shall at the first or such adjourned meeting, within said ten days, decide and publicly announce whether they will grant or refuse the prayer of the petition, and shall endorse upon or annex to the petition a brief memorandum of such decision, to be signed by the commissioners, and filed within five days in the office of the district clerk. Such decision shall be subject to revocation, in case the prayer of the petition is granted, in the manner hereinafter provided. In case the commissioners refuse to grant the prayer of the petition, they shall, within five days thereafter, file the same so indorsed, or with such decision annexed thereto, in the office of the district clerk.

§ 81. If the petition is simply for the vacation of a road, and the commissioners, or a majority of them, shall at such meeting decide that the prayer of the petitioners should be granted, they shall order such road to be vacated, a copy of which order, together with the petition, shall be by them filed with the district clerk; such order to be so filed within five days after the date of such decision.

§ 82. If such petition is for the establishment of a new road, or the alteration or widening of an existing road, and the commissioners, or a majority of them, shall be of the opinion that the prayer of the petitioners should be granted, they shall cause a survey and plat of such road to be made by a competent surveyor, who shall report such survey and plat to said commissioners, giving the courses and distances and specifying the land over which said road is to pass—in which they may make such changes between the termini of the road described in the petition, as the convenience and interest of the public, in their judgment, may require.

§ 83. Upon the petition of twelve land owners residing in the district where the road is situated, it shall be the duty of the commissioners, within a reasonable time, to employ a competent surveyor and have any road designated in such petition in their several districts re-surveyed and plats thereof made, which plats and surveys shall be by them filed for record in the office of the district clerk: *Provided*, that this section shall not apply where the same has been already done, unless the exact location of such road is uncertain.

§ 84. The establishment of a new road on the route of a road already established according to law shall not vacate the road previously established, unless such vacation is prayed for in the petition, and so declared in the order establishing a new road.

§ 85. In all cases where a petition is presented to the board of highway commissioners, praying for a change, altering, re-location or vacation of any road, or the laying out of a new road, as provided for in this act, if there shall be remonstrances presented

against granting the same, it shall be the duty of said board to give due consideration both to the petition and remonstrance, and grant or refuse the prayer of such petitioners, as in their discretion shall be just and proper.

§ 86. They shall also, before they order any road to be established, altered, widened or vacated, ascertain, as hereinafter provided, the aggregate amount of damages which the owner or owners of land over which the road is to pass shall be entitled to by reason of the location, alteration or vacation of such road: *Provided, however,* that in case an appeal is taken from the assessment of damages before the justice of the peace, the commissioners may, in their discretion, make an order laying out, widening, altering or vacating such road, either before or after such appeal is determined, in the manner hereinafter provided.

§ 87. The damages sustained by the owner or owners of the land, by reason of the establishment, alteration, widening or vacation of any road, may be agreed upon by the owners of such lands, if competent to contract, and the commissioners, or they may be released by such owners—in which case the agreement or release shall be in writing, and shall be filed and recorded with a copy of the order establishing, altering, widening or vacating such road, in the district clerk's office, and shall be a perpetual bar against such owners, their grantees and assigns, for all further claims for such damages.

§ 88. In case such damages are not released or agreed upon as in the preceding section specified, the commissioners shall, within ten days from the date of the meeting at which it was decided to grant the prayer of the petition, make a certificate that they are about to establish, widen, vacate or alter a public road, describing such road, vacation, widening or alteration, and the land over or on which such road is to be established, altered, widened or vacated, and naming the owners of such lands, if known, and if not known, stating the fact, and asking for a jury to assess the damages of such owners, and shall present such certificate to some justice of the peace of the county, who, on receipt of the same, shall, within five days, issue a summons against the land owners concerned, which summons shall be in the following form as nearly as the case will admit, viz:

STATE OF ILLINOIS, }
 COUNTY. } ss.

The People of the State of Illinois, to any constable of said county, greeting:

You are hereby commanded to summon to appear before me at on the day of, at o'clock, and prove to a jury then and there to be empaneled, such damages as he or they may sustain on account of the establishing, altering, widening or vacating the road described in a certificate of the commissioners of road district No., in said county, which certificate is now on file in my office.

Given under my hand and seal this day of 18...

....., Justice of the Peace.

In which summons the justice shall specify a certain place, day and hour for the trial, not less than six nor more than fifteen days from the date of such summons, at which time and place such land owners are to appear. Such summons shall be served at least three days before the time of trial mentioned therein, by reading the same to the land owners therein named.

§ 89. If any such owner is an infant, such summons shall be served by delivering a copy to the infant and its guardian, if any; if no guardian, the person with whom he or she resides. If any owner is a lunatic or habitual drunkard, having a conservator, or insane, by delivering a copy to his conservator, if any.

§ 90. In case it shall appear, either from the certificate of commissioners, the affidavit of any person, or the return of any officer to whom the notice may be delivered for service, that there are non-resident or unknown owner or owners who cannot be found and served within the county, such justice shall also cause notice to be delivered to the occupant of such lands, and the contents and nature thereof to be made known to such occupant, and also to be posted in three of the most public places in the vicinity of such proposed road or alteration, at least ten days before the time fixed in the summons for hearing proof of damages, stating the time and place, as stated in said summons, and describing the road to be established or altered, and the lands for which damages are to be assessed; and in case service is made upon any owner by posting notices as above provided, the justice shall continue said hearing for a period not exceeding twelve days.

§ 91. Such justice shall also forthwith issue a venire directed to any constable of the county, to summon six persons having the qualifications of jurors, to appear at such time and place as may be designated, for the proving of such damages, whose competency shall be determined the same as in other civil cases before justices of the peace. Either party to the case shall have the same right of challenge as in other civil cases; and any deficiency in the number of jurors, from whatever cause, shall be supplied by summoning other persons residing in such county: *Provided*, that not more than one-half of such jury shall be residents of the district liable to pay the damages assessed in the case: *Provided, further*, that changes of venue may be granted, if applied for before the commencement of the trial, in the same manner as in other civil causes before justices of the peace.

§ 92. The jury shall appear before and be sworn by such justice faithfully and impartially to assess the damage of each of the owners specified in such certificate, or those of them whose claims are then to be adjusted, according to law, to the best of their judgment and understanding; and all parties in interest shall be entitled to subpoenas and other writs and papers, and the trial shall be conducted as in other civil cases.

§ 93. The case shall be entitled, "Commissioners of Road District No. — vs. — (whoever may be summoned as land owners)," and the jury shall hear such lawful evidence touching the question of such damages as may be presented to them; and shall also, on

request of a majority of the commissioners or owners of lands whose damages are to be determined, in a body visit and examine the proposed location, alteration, widening or vacation of such road, and the lands to be taken and affected thereby, and make a written verdict specifying the amount of damages, if any, which every such owner shall recover, and return the same to such justice, to be by him entered on his docket in the nature of a judgment: *Provided*, that in estimating the damages, except damages to land actually taken for a road, the jury may consider the benefits conferred; but no benefits enjoyed in common by the owners of surrounding property shall be considered in estimating damages.

§ 94. At the next regular meeting after the total amount of damages shall have been ascertained, either by release or agreement of the parties, or by assessment before a justice of the peace and a jury, in the manner hereinbefore provided, the commissioners shall finally determine upon the laying out, altering, widening or vacation of such road.

§ 95. In cases where the damages are not wholly released or agreed upon, and the commissioners shall be of the opinion that the damages assessed by the jury are manifestly too high, and that the payment of the same would be an unreasonable burden upon the tax-payers of the district, the commissioners may revoke all proceedings had upon the petition by a written order to that effect, and such revocation shall have the effect to annul all such proceedings and assessments, releases and agreements, in respect to damages growing out of the proceedings upon the petition: *Provided*, upon the final determination of the commissioners of highways, or upon appeal being determined, and a copy of all such proceedings being filed in the district clerk's office, no other proceeding shall be had by the commissioners of highways, nor any petition entertained in regard to the same road or petition, for one year from the date of filing such copies of proceedings. And after two trials, as aforesaid, if the decision be the same, no other petition shall be entertained for the same until the expiration of three years from the filing of the last proceedings.

§ 96. In case the commissioners shall not revoke such prior proceedings they shall make an order, to be signed by them, declaring such road so altered, widened or laid out a public highway, and which order shall contain or have annexed thereto a definite description of the line of such road, together with a plat thereof. The commissioners shall, within five days from the date of such order, cause the same, together with the report of the surveyor, the petition and the releases, agreements or assessments in respect to damages, to be deposited and filed in the office of the district clerk, who shall note upon such order the date of such filing. It shall be the duty of such clerk, after the time for appeal has expired, and in the case of such appeal, after the same shall have been determined, in case the prayer of the petition is granted, to record such order, together with the plat of the surveyor, in a proper book to be kept for that purpose.

§ 97. In cases where the damages claimed by the land-owners for the right of way are released, or are agreed upon between the land-owners and commissioners, the commissioners may, at their first meeting or at any adjourned meeting, examine the route of the road and cause a survey thereof to be made, and make their order establishing, altering, widening or vacating the road, according to the prayer of the petition, and return the same within the time and in the manner specified in this act.

§ 98. Any person or persons interested in the establishment, alteration, widening or vacation of any road in this State, are hereby authorized to offer inducements to the commissioners of highways for the establishment, alteration, widening or vacation of any such road, by entering into contract with said commissioners, conditioned upon such establishment, alteration, widening or vacating, to pay money or other valuable thing to the district for the benefit of the road and bridge funds of the same; or to perform any labor, or to construct any road, bridge or culvert on any road which said person or persons desire to have established, widened or altered. And such contracts in writing, made with said commissioners, shall be deemed good and valid in law, and may be enforced by said commissioners or their successors in office, before any court having jurisdiction.

§ 99. The records of the district clerk, or a certified copy of such record and papers, relating to the establishment, location, alteration, widening or vacation of any road, shall be *prima facie* evidence in all cases that all the necessary antecedent provisions had been complied with, and that the action of the commissioners or other persons and officers, in regard thereto, was regular in all respects.

§ 100. Whenever a public road is ordered to be established or altered, according to the provisions of this act, which road shall pass through or on enclosed land, the commissioners of highways shall give the owner or occupant of such land sixty days' notice in writing, to remove the fences. If such owner or occupant does not remove the fence or fences within sixty days after such notice, the commissioners shall have the same removed, and direct the road to be opened and worked; the owner of such premises shall pay all necessary costs of removal, and the same may be recovered by the commissioners before any justice of the peace of the county.

§ 101. Roads for private and public use, of the width of three rods or less, may be laid out from one dwelling or plantation of an individual to any public road, or from one public road to another or from a lot of land to a public road, on petition to the commissioners by any person directly interested; such petition shall be of the same form and subject to the same notice as provided in section 78 of this act. The commissioners, on receiving such petition, shall have power to lay out the road as asked for therein, to which end they shall proceed and examine into the merits of the case, and shall be governed in their proceedings by the rules and regulations prescribed in this act in relation to public roads. The jury shall consider the damages that may result to parties from said proposed road, and shall assess the damages to each individual owner

of lands affected thereby. The amount of such damages shall be paid by the persons benefited thereby to the extent and in proportion that they are benefited, to be determined and declared by the jury. The remainder of the amount of damages over and above that to be paid by the parties as aforesaid, shall be paid by the district as in other cases. The amount of damages to be paid by individuals shall be paid to the parties entitled thereto before the road shall be opened for use. An appeal may be taken on the question of the propriety and necessity of such road as in other cases.

§ 102. If such road or cartway shall not be opened by the petitioners within two years from the time of making the order for the location of the same, such order shall be regarded as rescinded.

§ 103. When such road or cartway is proposed to pass over inclosed lands, the owners of such lands shall have a reasonable time, not exceeding eight months, to be designated by the commissioners, to harvest crops and remove fences which may be on such lands, before such road or cartway shall be opened.

§ 104. Public roads may be established, altered, widened or vacated on district or county lines, or from one district into another, 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 each district interested; said petition to be as in other cases, and signed by not less than twelve land owners 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 the several districts 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 all such orders; and a copy of all final orders and plats and papers shall be filed and recorded in each of the counties and districts interested.

§ 105. The commissioners shall also, in case a new road is established, allot to each of such districts the part of such road which each of such districts shall open and keep in repair, and the part so allotted shall be considered as wholly belonging to such district. They shall also divide the expenses and damages which may accrue from such location, widening or alteration, and if they cannot agree they shall refer the matter to three disinterested land owners as arbitrators, whose decision shall be final.

§ 106. Any person or persons interested in the decision of the commissioners in determining to or in refusing to lay out, alter, widen, or vacate any road or revoking any previous order or decision relative to any road, or in the verdict of any jury in assessing damages in opening, altering or vacating any road, may appeal from such decision to the county or circuit court, within ten days after such decision has been rendered, by filing a written petition with the justice of the peace or the commissioners of highways, from whose decision they desire to appeal, asking for an appeal and stating on what grounds such appeal is taken.

§ 107. Any parties taking an appeal from the award or the decision of the highway commissioners, or the verdict of the jury, shall file a sufficient bond with the justice of the peace, or district clerk, before taking such appeal, conditioned for the payment of the cost of such appeal, in case the decision of the commissioners or the verdict of the jury is in all things sustained, or the appeal dismissed; if the award of the highway commissioners or verdict of the jury shall not be sustained, the district shall pay the cost of such appeal.

§ 108. When the commissioners of one district disagree with the commissioners of an adjoining district in regard to the laying out of a new road, or the alteration, widening or vacation of an old road on any county or district line, appeals may be taken from such decision in the same manner as where the road is wholly in one district.

§ 109. All roads heretofore laid out upon district or county lines shall be divided, allotted and kept in repair in the manner as hereinbefore directed. Any public road that is or shall hereafter be laid out on a county or district line shall be held to be a road on a county or district line, although, owing to the topography of the ground along said county or district line, or at the crossing of any stream of water, the proper authorities, in establishing or locating such road, may have located a portion of the same to one side of such county or district line.

§ 110. Roads may be laid out and opened upon the line between this and any adjoining State, as provided in the preceding sections, whenever the laws of such adjoining State shall be applicable.

§ 111. If the commissioners shall wilfully refuse or neglect to perform any of the duties enjoined upon them by this act, they shall severally forfeit not less than ten dollars nor more than fifty dollars, and may be proceeded against in the name of the district severally or jointly, for the recovery of such forfeiture, before any justice of the peace in the proper county having jurisdiction.

§ 112. The commissioners of highways may, when they shall deem it advisable, put up and maintain in conspicuous places, at each end of any bridge, a notice with the following words in large characters: "Five dollars fine for riding or driving on this bridge faster than a walk." If any person shall ride or drive over any bridge upon which such notice has been placed, faster than a walk, he shall forfeit to the district in which such bridge is located five dollars for every such offense.

§ 113. In addition to the notices now required by law, in proceedings for laying out, locating or opening of public roads, similar notices shall be served on any railroad company, across or alongside of whose railroad it may be proposed to locate a public road: *Provided*, that this act shall not apply to the proceedings for opening streets in towns or cities.

§ 114. The notices as provided by this act shall be served by delivering a copy thereof to the station agent of any such railroad company nearest to the proposed location of such projected public road.

§ 115. That 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, and all other acts or parts of acts inconsistent herewith, be and the same are hereby repealed: *Provided*, that the repeal of said act shall not affect any suit or proceedings pending, or impair any right existing at the time this act shall take effect: *And, provided also*, that the supervisors in office when this act takes effect shall continue in office till the expiration of their terms, and the road tax and road labor then due shall not be released from its obligations, and the delinquent list shall be duly returned and collected as now provided, the avails of which shall be paid to the treasurer of the commissioners.

APPROVED May 4, 1887.

SCHOOLS.

COUNTY SUPERINTENDENTS' BILLS.

§ 1. County boards shall audit bills of coun- | § 2. Emergency.
ty superintendents quarterly.

AN ACT to provide for the auditing and payment of the quarterly bills of County Superintendents of Schools.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the quarterly bills of the county superintendent of schools, for their compensation and expenses in visiting schools, as provided in section seventy-one (71) of the general school law, when presented in due form, shall be audited by the county boards of the several counties, at their first meeting after March 1, 1887, and so nearly as may be quarterly thereafter; and that the Auditor of Public Accounts, upon receipt of said bills duly certified, is hereby authorized and required to draw his warrants upon the State Treasurer in payment thereof, payable from the State school fund, and to transmit said warrants to the several county superintendents of schools.

§ 2. Whereas, under the present law said bills of the county superintendents of schools cannot be audited and paid until after September 1, 1887, therefore an emergency exists, and this act shall take effect immediately upon its passage.

APPROVED February 9, 1887.

ELECTION OF DIRECTORS AND BOARDS OF EDUCATION.

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| <p>§ 1. Amends section 1, act of 1885, by fixing the time when boards shall meet and organize, when elected under special charters.</p> | <p>§ 2. Repeals all acts in conflict.</p> <p>§ 3. Emergency.</p> |
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AN ACT to amend section one (1) of an act entitled "An act enabling school districts acting under special charters, to hold elections for the election of school directors and members of boards of education at the time provided for the election of school directors under the school laws of this State," approved June 29, 1885, in force July 1, 1885.

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 enabling school districts acting under special charters, to hold elections for the election of school directors and members of boards of education, at the time provided for the election of school directors under the school laws of this State," approved June 29, 1885, in force July 1, 1885, be amended so as to read as follows:

"Section 1. That in all cases where the time for the election of members of boards of directors and boards of education is fixed by virtue of any special charter, such election may be held at the time now provided, or which may hereafter be provided, for the election of school directors under the school laws of this State, and that such election may be held at such place in the school district as may be designated by the board of directors or board of education of such school district, and such boards of directors or boards of education, when elected, shall meet and organize at the time and in the manner now provided, or which may hereafter be provided under the school laws of this State."

§ 2. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 3. Whereas, the election of directors occurs prior to July 1, therefore an emergency exists and this act shall be in force and take effect from and after its passage.

APPROVED March 25, 1887.

FORMATION OF DISTRICTS.

§ 1. Amends section 33 of the act of 1872, by making the action of the trustees *prima facie* evidence that all forms have been complied with. Providing that when townships are divided by county lines appeals may be had to the county superintendent of either county. Also providing that when districts are located in two or more counties election places may be fixed.

AN ACT to amend section thirty-three (33) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, as amended by act approved May 23, 1877, in force July 1, 1877, as amended by act approved June 3, 1879, in force July 1, 1879, as amended by act approved May 31, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirty-three (33) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, as amended by act approved May 23, 1877, in force July 1, 1877, as amended by act approved June 3, 1879, in force July 1, 1879, as amended by act approved May 31, 1881, in force July 1, 1881, be amended so as to read as follows:

"Section 33. Trustees of schools in newly organized townships shall lay off the townships into one or more districts to suit the wishes and convenience of a majority of the inhabitants of the township, and shall prepare or cause to be prepared a map of the township on which map shall be designated the district or districts, to be styled, when there are more than one district: 'District No. —, in township No. —, range —, of the — P. M. (according to the proper number) county of —, and State of Illinois.' And when petitioned so to do, as hereinafter provided, they may, having discretion in the matter, at the regular meeting in April, change such districts as lie wholly within their townships so as to divide or consolidate districts, to organize a new district out of territory belonging to two or more districts, or to detach territory from one district and add the same to another district adjacent thereto, and at the same meeting, by the concurrent action of the several boards of trustees of the townships in which the district or districts affected lie, each board being petitioned as hereinafter provided, the same changes may be made in the boundaries, both of districts which lie in separate townships, but adjacent to each other, and of districts formed of parts of two or more townships: *Provided*, that none of these changes shall be made unless petitioned for (1st) by a majority of the legal voters of each of the districts affected by the proposed change; or (2nd) by two-thirds ($\frac{2}{3}$) of the legal voters living within certain territory described in the petition, asking that said territory be detached from one district and added to another, or (3rd) by two-thirds ($\frac{2}{3}$) of all the legal voters living within certain territory containing not less than ten (10) families, asking that said territory be made a new district. But in case any territory be set off from any district that has a bonded debt, the change not being petitioned for by a majority of the legal voters of said district, such district shall remain liable for the payment of such

bonded debt as if not divided. The directors of the original district having such bonded debt, and of the district into which the territory taken from such original district has been incorporated or formed, shall constitute a joint board for the purpose of determining and certifying, and they shall determine and certify to the county clerk the amount of tax required yearly for the purpose of paying the interest and principal of such bonded debt, which tax shall be extended by the county clerk against all the property embraced within such original district as if it had not been divided: *Provided also*, that in school districts having a population of not less than one thousand (1,000) inhabitants, any desired change of boundaries may be submitted to the trustees by a vote of the people instead of by petition as hereinbefore set forth; and when petitioned so to do by twenty-five legal voters of the district, the school board of the district shall submit the question of change desired to the voters of said district at a special election called for that purpose, and held at least thirty (30) days prior to the regular meeting of the trustees at which they consider change of district boundaries. If a majority of the votes cast at any such election shall be in favor of the change proposed, then due return of the election having been made to the township treasurer, the township trustees shall consider and take action the same as if petitioned therefor by a majority of the legal voters of such district; but no question of change of boundaries shall be submitted to a vote of the school district more than once in any one (1) year: *Provided, further*, that no petition shall be acted upon by any board of trustees unless it shall have been filed with the clerk of said board of trustees twenty days before the regular meeting in April, nor unless a copy of said petition together with a notice in writing, which notice may be in the following form, to-wit: "The directors of district No., in township No., range ----, of the principal meridian, will take notice that the undersigned have made and filed with the clerk of the board of trustees of said township their petition, a copy of which is herewith handed to you," shall be delivered by the petitioners, or some one of them, at least ten (10) days before the date at which the petition is to be considered, to the president or clerk of the board of directors of each district whose boundaries will be changed if the petition is granted. When, at the regular meeting of the trustees in April, any such petition shall come before the trustees, it shall be the duty of the trustees to ascertain, first, whether the foregoing provisions have been strictly complied with, and if it shall appear that they, or either of them, have not been complied with, in such case the board shall adjourn the hearing for not longer than four (4) weeks in order that the foregoing provisions may be complied with; but there shall be but one adjournment for such purpose. After the trustees shall consider the petition, no objection can be raised as to its form, and their action shall be *prima facie* evidence that all the foregoing provisions have been complied with. If, on the day of the regular meeting, or at the adjourned meeting, it shall appear that such provisions have been complied with, then the trustees shall consider the petition, and shall also hear any legal voters living in the district or districts that will be affected by the change, if made, who

may appear before them to oppose the petition; and they shall grant or refuse the prayer of the petitioners without unreasonable delay. But the petitioners or the legal voters who have appeared before the trustees at the meeting when the petition was considered, and opposed the same, shall have the right of appeal to the county superintendent of schools: *Provided*, the party appealing files with the clerk of the trustees a written notice of appeal within ten (10) days after final action upon the petition by the trustees: *Provided, further*, that in all cases where a township is divided by a county line or lines, the appeal may be taken to the county superintendent of schools of any one of the counties in which the said township is partly located, and upon any appeal being taken in any such case, the county superintendent of schools to whom such appeal is taken shall, forthwith, give notice to the county superintendent or superintendents of schools of the other county or counties of the pendency of such appeal, and of the time and place when and where it will be heard, and the said county superintendents of schools of the counties in which the said township is located, shall meet together at such time and place, and together hear and determine the said appeal, and in case the said county superintendents of schools shall be unable to arrive at an agreement, then the county judge of the county in which such appeal is pending shall be called and shall constitute one of the board of appeal, and thereupon the appeal shall be heard and determined by them, and the county superintendent of schools to whom such appeal is taken shall at once notify, in writing, the clerk by whom the papers in the case were transmitted to him, of the action taken on such appeal, as hereinafter provided: *And provided, further*, that where a school district is now, or may hereafter be, located in two or more counties, the directors of such district may fix a place of holding general or special elections for school purposes in said district, in either of said counties, in the same manner as is now provided for holding school elections. And the legal voters of said school district shall be entitled to vote at such election the same as though such election was held in the county where he resides. Whenever any changes as provided in this section are made by the trustees of schools, if no appeal is taken to the county superintendent the clerk of the trustees shall make a complete copy of the record of the action of the trustees, which copy shall be certified by the president of the trustees and the clerk, who shall file the same, together with a map of the township, showing the districts, and an accurate list of the taxpayers of the newly arranged districts, with the county clerk within twenty (20) days of the action of the trustees. When the trustees of schools shall organize a new district under the provisions of this section, it shall be the duty of the clerk of the trustees, if no appeal is taken to the county superintendent, to order within fifteen (15) days after the action of the trustees an election to be held at some convenient time and place within the boundaries of such newly organized district, for the election of three (3) school directors, notice being given by the township treasurer, who shall post up three (3) notices of such election in three (3) prominent places in said district at least ten (10) days prior to the time appointed for holding such election, which notices shall specify the

place where such election is to be held, the time for opening and closing the polls, and the object of said election. It shall be the duty of the legal voters present, five (5) of whom shall constitute a quorum, to appoint three (3) of their number, two (2) of whom shall act as judges and one (1) as clerk of said election. Within ten (10) days after the election it shall be the duty of the directors elected at said election to meet at some convenient time and place previously agreed upon by said directors and organize as a district board by appointing one (1) of their number president, and also some suitable person clerk of the board, who shall, by virtue of his office, be clerk of the district. At the first meeting of the directors they shall draw lots for their respective terms of office, one (1), two (2) and three (3) years, each of which shall be considered a fractional term, ending at each annual meeting according to the length of term drawn. When an appeal is taken from the action of the trustees to the county superintendent, the clerk of the trustees shall, within five (5) days after the written notice of the appeal has been filed with him by the appellants, transmit all the papers in the case with a transcript of the records of the trustees, showing their action thereon, to the county superintendent, and in case of an appeal, the township treasurer shall be required to take no further action in the matter, except upon the order of the county superintendent whose duty it shall be to investigate the case upon such appeal; and if, in his opinion, the change asked for is for the best interests of the district or districts concerned, he shall make such change or changes, but if he considers the proposed change undesirable he shall refuse to make it, and shall reverse, if need be, the action of the trustees, and shall give the clerk from whom he received the papers immediate notice of such refusal, and his action shall be final and binding. If the changes asked for by the petitioners shall be made by the county superintendent, he shall notify, in writing, the clerk by whom the papers in the case were transmitted to him of his action, and the clerk shall thereupon make a record of the same, and shall, within ten (10) days thereafter, make a copy of the same and the map and list of taxpayers, and deliver them to the county clerk for filing and record by him, the same as if the change had been ordered by the trustees. And in case a new district is organized by the action of the county superintendent, the clerk shall within five (5) days thereafter order an election of directors in the new district the same as if the change had been made by the board of trustees. Whenever a new district has been formed by the trustees, or by the county superintendent, from a part of a district or from parts of two (2) or more districts, the trustees of the township or townships concerned shall proceed, forthwith, to make a distribution of any tax funds or other funds which are in the hands of the treasurer, or to which the district may, at the time of such division, be entitled, so that both the old and new districts shall receive part of such funds in proportion to the amount of taxes collected next preceding such division, from the taxable property in the territory composing the several districts. If the new district be composed of parts of two (2) or more districts, the trustees shall make distribution of said funds between the new district and the old districts respectively, so

that the new district shall receive a distribution of the funds of each of the old districts in the proportion which the amount of taxes collected from the property in the territory of the new district bears to the whole taxes collected, next before the division, in the old district; and the town treasurer shall, forthwith, place the sum so distributed to the credit of the respective districts, and shall, immediately, place the proportion of the said funds to which said new district may be entitled to its credit on his books, and the funds on hand shall be subject, at once, to the order of the directors of the new district, and those not on hand as soon as collected. The trustees of the township or townships concerned, shall, at the time of the creation of a new district, or within the period of thirty (30) days thereafter, proceed to the appointment of three appraisers, who shall not be citizens of the township or townships interested. It shall be the duty of said appraisers, within thirty (30) days after their appointment, to appraise the school property, both real and personal, of the district or districts interested, at its fair cash value. Within thirty (30) days after such appraisalment, the trustees of the township or townships concerned shall proceed to charge the property to the district in which it may be found and to credit the other district interested therein with its proportion of such valuation: *Provided*, that the *bona fide* debts, if any, of the old district shall first be deducted and the balance charged and credited as aforesaid, and of the funds then on hand, or subsequently to accrue, belonging to such district to which such property is charged, the trustees shall direct the treasurer to place to the credit of the district not retaining said property its proportion of the value of said property. If trustees shall fail to observe the provisions of this section in reference to distribution of funds and property, they shall be individually and jointly liable to the district interested in an action on the case, to the full amount of the damages sustained by the district aggrieved. Where trustees have heretofore failed to make distribution of property to districts as provided in this section, any district interested in the making of such distribution may, by its directors, request the trustees, in writing, to proceed to make such distribution; and said trustees shall proceed to make distribution in the manner herein prescribed, and shall be liable in like manner for neglect or failure. The clerk of any board of trustees who shall fail, neglect or refuse to perform the duties imposed upon him by this section, or any of them, within the time and in the manner prescribed, shall, for each offense, forfeit not less than ten dollars (\$10) nor more than twenty-five dollars (\$25) of his pay as clerk of the board of trustees and township treasurer, which forfeiture shall be enforced by the trustees. If any school district shall for two (2) consecutive years fail to maintain a public school, as required by law to do, it shall be the duty of the trustees of schools of the township or townships in which such district lies, to attach the territory of such district to one (1) or more adjoining school districts; and in case said territory is added to two (2) or more districts, to divide the property of said district between the districts to which its territory is added in the manner hereinbefore provided for the division of property in case a new district is organized from part of another district, and the action of the trustees in such a

case shall be final and binding; and the clerk of the trustees in such cases shall file a copy of the record of the same, together with the map and list of tax-payers, with the county clerk, as in other cases of change of district boundaries. The majority of the legal voters of a district lying in two (2) or more townships may secure the dissolution of said district by petitioning the several boards of trustees of said township, at their regular meeting in April, that each will add the territory belonging to said district in its township to one (1) or more adjoining districts. Upon receipt of such petition, or returns of such election, the several boards of trustees shall each make such disposition of the territory of said district as lies in its township, and shall jointly make such division of the property of said district between the districts to which its territory is attached as is hereinbefore provided in the case of the organization of a new district from a part of another district, and the action of the trustees in accordance with such petition or election shall be final and binding, and the clerks of the several boards of trustees in such case shall file a copy of the record of the same, together with the map and list of tax-payers, with the county clerk, as in other cases of change of district boundaries."

APPROVED June 4, 1887.

PRESIDENTS OF BOARDS OF EDUCATION.

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| § 1. Election in school districts, where boards of education are elected under general law. | § 2. Duties of presidents.
§ 3. Repeals acts in conflict. |
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AN ACT to provide for the election of presidents of boards of education in school districts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in every school district in which by general law a board of education is required to be elected, there shall also be elected, at the same time, a president of the board of education, who shall hold his office for one year and until his successor is elected and qualified.

§ 2. The president of the board of education so elected in each school district shall preside at all meetings of said board and shall give the casting vote in case of a tie between the members thereof, but otherwise he shall not have a vote. He shall sign all orders for the payment of money, ordered by said board, and generally perform such duties as are now imposed by law upon presidents of boards of education, or that may be imposed upon him by said board, not in conflict with law: *Provided*, that in the absence or inability to act of said president, said board may appoint a president *pro tem.* from their number.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

APPROVED June 17, 1887.

STREETS AND HIGHWAYS.

§ 1. Authorizes trustees to dedicate school lands for street and highway purposes under certain conditions.

AN ACT to empower trustees of schools to lay out and dedicate common school lands for street and highway purposes.

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 are hereby authorized and empowered, in their corporate capacity, to lay out and dedicate to the public use for street and highway purposes, so much of the common school lands, which is unimproved or unoccupied with buildings, as may be necessary to open or extend any street or highway which may be ordered opened or extended by the municipal authorities, which are by law empowered to open or extend streets or highways in the territory where said school lands are located: *Provided*, that said trustees of schools shall be of the opinion that the benefits to accrue from the opening or extending of said street or highway, to the remainder of said common school lands, will compensate for the use of the strip so dedicated: *And provided, further*, that it shall not be lawful for any street or other railroad to lay down railroad tracks on any strip of the common school land so dedicated, or use the same or any part of the common school lands for railroad or street railroad purposes, except upon the purchase or lease of the same from proper authorities or upon the payment to the school fund of said township of the value of such use or land taken, the same as if no street or highway had been laid out thereon, to be determined by proceedings under an act entitled "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, and all amendments thereto: *And provided, further*, that this bill shall not in any way affect existing leases or contracts for the lease or purchase of common school lands.

APPROVED June 3, 1887.

TEACHERS' INSTITUTES.

§ 1. Prohibits deduction of wages of teachers for time spent in attending institutes, and authorizes teachers to close their schools for the purpose of attending institutes regularly called.

AN ACT to regulate the attendance of teachers upon teachers institutes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the time, not exceeding three days in any one term, or five days in any one year, during term time, actually spent by a teacher of any public school in the State in attendance upon a teachers' institute, held under the direction of the county superintendent of schools, shall be considered

time lawfully expended by such teacher in the service of the district where such teacher is employed, and no deduction of wages shall be made for such absences. And it shall be the duty of the school officers and boards of education to allow teachers to close their schools for such attendance upon such institute.

APPROVED June 14, 1887.

TELEGRAPHS AND TELEPHONES.

WIRES, POLES AND CABLES.

§ 1. Prescriptive rights prohibited.

AN ACT relating to telegraph, telephone, electric light and other wires, poles and cables.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whenever any wire, pole or cable used for any telegraph, telephone, electric light or other electric purpose, or for the purpose of communication is, or shall be attached to, or does or shall extend upon or over any building or land, no lapse of time whatever shall raise a presumption of any grant of, or justify a prescriptive right to such attachment or extension.

APPROVED June 16, 1887.

TOBACCO.

SELLING TO MINORS PROHIBITED.

§ 1. Sale of tobacco in any form to minors | § 2. Penalties for violation of this act.
under 16 years prohibited,

AN ACT to prohibit selling, giving or furnishing tobacco, in any of its forms, to minors, and providing a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter no person or persons in this State shall sell, buy for, or furnish any cigar or cigarette, or tobacco in any of its forms, to any minor under sixteen years of age, unless upon the written order of parent or guardian.

§ 2. That if any person or persons, in this State, shall violate the provisions of this act, he, she or they shall, on conviction thereof, forfeit and pay for each and every offense the sum of twenty dollars.

APPROVED June 15, 1887.

TOWNSHIP ORGANIZATION.

REPRESENTATION IN COUNTY BOARDS—CENSUS.

§ 1. Amends section 1, article 7, act 1874, by authorizing the town authorities to have the census taken.

AN ACT to amend section 1 of article 7 of chapter 139, Revised Statutes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of article seven (7) of chapter one hundred and thirty-nine (139), of the Revised Statutes, be, and the same is hereby amended so as to read as follows:

“Section 1 At the annual town meeting in each town, there shall be elected, by ballot, one supervisor (who shall be, *ex-officio*, overseer of the poor), one town clerk, one assessor, and one collector, who shall severally hold their offices for one year, and until their successors are elected and qualified, and such justices of the peace, constables and highway commissioners as are provided by law: *Provided*, that in any town, or any city, not included within the limits of any town (except in Cook county) having four thousand inhabitants, there shall be elected one additional supervisor, to be styled assistant supervisor; in towns having six thousand five hundred inhabitants, there shall be elected two assistant supervisors; and so, for every additional twenty-five hundred inhabitants, there shall be elected one additional supervisor, the population of towns to be ascertained by the last federal or State census preceding the election; or by a town census to be taken as follows: In any year when a federal or State census is not taken, the town auditors of any town may, in their discretion, cause a census of their town to be taken by some competent person, resident of said town, who may be appointed for such purpose by the town auditors; and the person so appointed shall, before entering upon the duties of such office, take and subscribe an oath of office in the same manner as town officers; and it shall be the duty of such person to take and make a correct and true list of all persons residing in said town, and such list, when completed, shall be returned to said town auditors, and filed in the town clerk's office, and if such census shows such town to contain four thousand inhabitants, then an additional supervisor for such town shall be elected, as provided by

law. And such person so taking such census shall be allowed a reasonable compensation for such services by said town auditors: *Provided*, that nothing in this act shall be so construed as to diminish the representation that any city or town may now be entitled to by law. But in case such city or town is now entitled to a greater representation than is given by this section, it shall be entitled to no additional representation under this section; and the members of the board of supervisors from such city or town now provided for by law, shall continue to be elected as now required by law: *And, provided further*, that whenever the representation of any city or town is, or shall become less than is given by this section, no increased representation under any special acts shall be had by such city or town, but its representation shall be as provided for in this section."

APPROVED June 15, 1887.

UNITING AND DIVIDING TOWNS.

§ 1. Amends the act of 1874, by providing for uniting two or more towns into one, in the same manner as for dividing towns.

AN ACT to amend sections two (2), four (4), six (6), seven (7), ten (10), eleven (11), and twelve (12) of article (3) of an act entitled "An act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections two (2), four (4), six (6), seven (7), ten (10), eleven (11) and twelve (12) of article three (3) of an act entitled "An act to revise the law in relation to township organization," approved March 4, 1874, be and the same are hereby amended so as to read as follows:

"Section 2. When two or more towns are united into one, or when a town is divided into two or more towns, a new election shall be ordered in said new town or towns by the county board, and the time and place of holding the election shall be fixed, and judges of election appointed and notice given in the same manner as required by law upon the first organization of towns: *Provided*, that when parts of several towns are taken to make a new town, it shall not be necessary to order an election in the towns from which territory is taken, but if any of the officers thereof shall continue to reside in the new town, his office shall be declared vacant and filled as in other cases of vacancy.

"Section 4. The union of two or more towns, or the division or alteration of a town, after the making out of the assessor's books in any year, shall not in any manner affect the assessment or collection of the taxes assessable and collectable in that year, but the

same may be assessed and collected in the same manner and by the same officers as if no division, union or alteration had taken place.

“Section 6. When two or more towns possessed of real estate shall be united, or when a part of any town possessed of real estate shall be annexed to another town or towns, or taken to form a part of a new town, the supervisors and assessors of the town so united, or of the town from which such territory is taken, and of the town or towns to which the same shall be annexed, or of which it shall constitute a part, shall, as soon as may be after such alteration, meet for the purpose and possess the powers provided in the last preceding section.

“Section 7. When two or more towns, any one or more of which are possessed of or entitled to moneys, rights or credits, or other personal estate, shall be united, or when a town possessed of or entitled to moneys, rights or credits or other personal estate, shall be divided or altered, such personal estate, including moneys, shall be apportioned between the towns interested therein by the supervisors and assessors of such towns, according to the amount of taxable property in the town or towns united, divided or altered, as the same existed immediately before such union, division or alteration, to be ascertained by the last assessment list of such town; and such supervisors and assessors shall meet for the purpose aforesaid as soon as may be, after such union, division or alteration.

“Section 10. Debts owing by a town or towns so united, subdivided or altered, shall be apportioned in the same manner as the personal property of the town, and each town shall thereafter be charged with its share of such debts according to such apportionment.

“Section 11. When the several towns cannot agree in relation to a division or apportionment of the real or personal property, or debts, or any part thereof, as provided in the six preceding sections, the dispute shall be submitted to the county court of the county, whose decision in the matter shall be conclusive between the parties. The court shall hear and determine the matter in a summary manner, without pleadings, and shall pronounce judgment as the right of the case may be.

“Section 12. The county board of each county shall have full power and jurisdiction to unite into one town two (or more) contiguous towns, whether incorporated under any special or general act, or organized under this act, and to disconnect territory from one of such towns, and annex the same to another; but no such towns shall be united, nor shall territory be taken from one such town and at the same time annexed to another, except in the following manner, that is to say: After the petition hereby required shall have been presented to the county board for the union of such towns, or for disconnecting territory from one of such towns and annexing the same to another, said county board shall cause to be submitted to the voters of said towns, at a general annual election to be holden in each of said towns, the question of uniting, or of disconnection and annexation: *Provided*, that no territory shall be taken from one such town and at the same time united to another unless such

territory be at least one half square mile in extent and contain at least one thousand inhabitants. Where it is proposed to unite two or more contiguous towns under this section, said petition shall be signed by at least one-fourth of the voters of each of the towns sought to be united: *Provided*, that if in any town the number of voters exceeds four hundred at the last general election, then by one hundred of the voters in such town. Where it is sought to disconnect part of the territory from one town and annex the same to a contiguous town, such petition shall be signed by at least one-fourth of the voters of the territory sought to be disconnected from one town and annexed to the contiguous town, or if such territory contains more than four hundred voters at the last general election, then by one hundred of such voters. Notice of the election hereby required shall be given by causing notices thereof to be posted up in five public places in each of said towns at least twenty days before such election, and by publishing the same in at least one newspaper, (if any there be published) in each of said towns, or a newspaper published in said county. The ballots cast at such election to be written or printed, or partly written and partly printed, 'For Uniting,' or 'Against Uniting,' or 'For Annexation' or 'Against Annexation,' respectively, to be canvassed in like manner as votes for county officers, and returned to the county board, who shall cause the votes to be canvassed. If a majority of voters of each town voting upon the question of union at such election shall vote for uniting such towns, such county board at the meeting at which such vote is canvassed, or at the next succeeding meeting, shall proceed to declare such towns united, and give the united towns a name and define the boundaries thereof: *Provided*, that the officers of each of such towns shall continue to hold their respective offices and to discharge the duties thereof during the remainder of the term for which they were respectively elected: *And, provided*, that the commissioners of highways, if there be such, in each of said towns in office at the time of such union shall continue in and discharge the duties of their respective offices during the remainder of the terms for which they were elected, and in the discharge of their duties shall act in conjunction: *And, provided, further*, that the union of such towns shall not be complete until the expiration of the terms of all officers in said towns who are elected to serve for the period of one year. Where one of such towns is wholly within the limits of an incorporated city, the limits of that city shall extend to include both or all such towns. If a majority of the voters in each town voting upon the question of disconnection of territory from one such town and annexation to the other, at such election shall vote for the annexation, such county board at the meeting at which such votes are canvassed, or at the next succeeding meeting, shall proceed to declare such territory disconnected from the town of which it formerly formed a part, and united to the contiguous town to which it is sought to be annexed: *Provided*, that the officers of the town to which such territory is annexed shall thereupon constitute the town officers of such territory: *And, provided*, that where said town to which such territory is annexed is wholly within the limits of an incorporated city, the limits of said city shall thereupon be

extended to include the territory annexed to such town. Where the alteration or division or union of towns necessitates a change in any school district, it shall be the duty of the officers having charge of the school property therein to proceed to make an adjustment of the property and debts thereof, as in the case of the alteration of school districts. After the declaration by the county board of the union or annexation herein provided for, it shall be the duty of the officers specified in this article to meet for the purpose of adjusting the assets and debts of said towns. If the town or part thereof which may be joined to an incorporated city under this section is also an incorporated town or village, or part of the same, and such incorporated town or village has property or debts, then the property and debts and rights of such incorporation, town or village shall be adjusted by the same officers and in the same manner as provided in this article: *And provided, further*, that all ordinances for the regulation or restraint of the sale of intoxicating liquors, which shall be in force in the whole or any part of said annexed territory at the time of said annexation, shall continue in force therein, and shall not be repealed except upon the petition of one hundred householders within said prohibited portion, and a vote for such repeal of a majority of all the aldermen of the common council of the city to which such territory shall be annexed, including the vote therefor of the aldermen in whose ward said prohibited district shall then, wholly or in part, lie: *And provided, further*, that when the county board of commissioners wish to consolidate a town in which the corporate authorities are authorized to assess, levy and receive taxes for park purposes, such county board shall first submit to the legal voters of the town, at an election to be held on the Tuesday after the first Monday of November, the question whether such town shall be established and continued as a park district for park purposes; and when such park shall be located in such town, and also in another town adjoining thereto, the question shall be submitted to the voters of each of such towns in which a park shall be located, whether such towns shall be established and continued as a park district, at an election to be held on the Tuesday after the first Monday of November. The tickets shall be written or printed 'For Park District' or 'Against Park District;' and if a majority of the votes cast at the election on that subject in each town shall be for a park district, then the park district shall be deemed as established, and the park commissioners appointed and authorized by law shall thereupon be the corporate authorities of such park district, and shall have and exercise all the power and authority and perform all the duties enjoined by law on the corporate authorities of such town or towns for the establishment and maintenance of the park, and for the discharge of all debts, bonds, obligations and contracts of such town for park purposes. The mode of conducting such election, the returns thereof and the notices therefor, the canvassing and contesting the same, shall be as nearly as may be as in the case of county officers. If such park district is established as aforesaid, then the county may proceed to consolidate said town with another town or towns, or change the

boundaries thereof, but if such park district is not established as aforesaid, then there shall be no authority in the county board to consolidate such town or towns with another town or towns."

APPROVED June 15, 1887.

TREE PLANTING.

ARBOR DAY.

§ 1. Governor by proclamation designates an "Arbor Day" for planting trees.

AN ACT to encourage the planting of trees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor shall annually, in the spring, designate, by official proclamation, a day to be designated as "Arbor Day," to be observed throughout the State as a day for planting trees, shrubs and vines about the homes and along highways, and about public grounds within this State, thus contributing to the wealth, comforts and attractions of our State.

APPROVED June 10, 1887.

UNITED STATES.

JURISDICTION TO CERTAIN LANDS.

§ 1. Consent to acquire title granted to the United States,

§ 2. Jurisdiction over certain lands in Lake county ceded.

§ 3. Concurrent jurisdiction reserved.

§ 4. Cession not to take effect until title is acquired by the United States.

§ 5. Exempt from taxation.

AN ACT granting consent of the State of Illinois to the acquiring of title by the United States, by purchase or otherwise, of certain real estate in the county of Lake, for military purposes, and ceding jurisdiction over the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* as follows: That the consent of the State of Illinois is hereby given to the acquiring of title by the United States, by purchase or otherwise, of the following described real

estate or any portion thereof situated in the county of Lake: The northeast fractional quarter of section ten (10), township forty-three (43) north, of range twelve (12), east of the third principal meridian; that part of the southeast quarter of said section ten (10) lying east of the public highway known as Waukegan Avenue; that part of the northwest quarter of section ten (10) lying east of said highway; the west fractional half of section eleven (11) in said township and range; the northwest fractional quarter of section fourteen (14) in said township and range; and the northeast fractional quarter of section fourteen (14) in said township and range.

§ 2. The jurisdiction of the State of Illinois in and over the said property, or such part thereof as the United States may so acquire title to, shall be and the same hereby is ceded to the United States, subject to the restrictions hereinafter mentioned.

§ 3. The said consent is given, and the said jurisdiction ceded upon the express condition that the State of Illinois shall retain a concurrent jurisdiction with the United States in and over the said property so far as that the execution of all civil and criminal processes which may issue under the laws or authority of the State of Illinois shall be allowed thereon on application to the officer of the United States in charge thereof in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such processes may affect the real or personal property of the United States.

§ 4. The jurisdiction hereby ceded shall not vest in any respect to any portion of said real estate until the United States shall have acquired the title thereto by purchase or otherwise.

§ 5. The said property, when acquired by the United States, and so long as the same shall remain the property of the United States and be used for public purposes, and no longer, shall be and continue exonerated and discharged from all taxes, assessments and other charges which may be levied or imposed under the authority of this State.

APPROVED June 6, 1887.

UNIVERSITY OF ILLINOIS.

ELECTION OF TRUSTEES.

§ 1. Three trustees elected every two years.

§ 2. Trustees elected on general State ticket; term of office; vacancies, how filled; executive committee.

AN ACT to amend sections one (1) and two (2) of an act entitled "An act to regulate the Illinois Industrial University, and to make appropriations therefor," approved May 7, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and two (2) of an act entitled "An act to regulate the Illinois Industrial University, and to make appropriations therefor," approved May 7, 1873, in force July 1, 1873, be and are hereby so amended as to read as follows:

"Section 1. There shall be elected at the general election to be held in the several precincts and counties of this State on the Tuesday next after the first Monday of November, in the year of our Lord one thousand eight hundred and eighty-eight, and at each general election every two years thereafter there shall be elected, three trustees of the University of Illinois; and the trustees so elected, together with the Governor, the President of the State Board of Agriculture, the Superintendent of Public Instruction, and those persons who may have been appointed by the Governor to be trustees of said university and whose terms of office shall not have expired, shall constitute the board of trustees of the University of Illinois, and shall succeed to and exercise all the powers conferred by the act entitled "An act to provide for the organization and maintenance of the Illinois Industrial University," approved February 28, 1867, except as is herein, or may be hereafter provided by law.

"Section 2. The trustees to be elected as provided in this act, shall be voted for on the same ballots with the State officers to be chosen at such recurring general elections, and the election of said trustees shall be conducted, and the canvass, statement and return of the votes cast for said trustees shall be made in the same manner, and by the same officers, and shall be governed in every particular by the laws of this State governing a general election. The term of office to be held severally by the trustees so elected, and by their successors, shall be six years from the second Tuesday of March next succeeding the dates of their several elections, and until their successors shall have been elected and qualified: *Provided*, in case of vacancy in said board, such vacancy shall be filled by appointment by the Governor until the next general election. Said board of trustees may appoint an executive committee of three chosen out of their own number, which committee, when said board is not in session, shall have the management and control of the university, and of its affairs, and

for that purpose shall have, and exercise, all the powers which are necessary and proper for such object, except in so far as the board may reserve such powers to itself, and any powers granted at any time by said board to such executive committee, the board may at any time revoke."

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this 15th day of June, A. D. 1887.

HENRY D. DEMENT,
Secretary of State.

VEAL.

SALE REGULATED.

§ 1. Prohibits the sale of veal from a calf less than four weeks old; penalties.

AN ACT to regulate the sale of veal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That if any person kills or causes to be killed, for the purposes of sale, any immature calf, or any calf less than four weeks old, or knowingly sells or has in his possession with intent to sell, for food, the meat of any immature calf, or of any calf killed when less than four weeks old, he shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars, nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days, or by both fine and imprisonment, and all such meat exposed for sale or kept with intent to sell, may be siezed and destroyed by any health officer, or any sheriff, deputy sheriff, constable or police officer.

APPROVED June 16, 1887.

VENUE.

CHANGE OF.

§ 1. Amends section 33, act of 1874, by making the county from which the change of venue was had, liable for all the expenses of the trial.

AN ACT to amend section thirty-three (33) of an act entitled "An act to revise the law in relation to change of venue," approved March 25, 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 thirty-three (33), of

an act entitled "An act to revise the law in relation to change of venue," approved March 25, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

"Section 33. Upon the termination of any trial, when a change of venue has been obtained, the clerk of the court, in which the trial is had, shall make out a true and correct statement of all the costs, fees, and all other necessary charges, claims and expenses of the county in which the trial is had, resulting from such change of venue, or growing out of, and incident to the trial of said case, or required in executing any and all orders of the court made in said case, which have been paid by the county in which the trial is had, or for which said county is liable; and such account shall be duly certified to by said clerk, and, when so certified, shall be paid by the county in which such indictment or information was found, to the county in which the trial is had; and all fines imposed and collected in the county where the trial is had, shall be paid over to the county in which the indictment or information was found."

APPROVED June 17, 1887.

WAGES.

PROTECTION OF CLAIMS FOR.

§ 1. Employés and laborers made preferred creditors to the amount of \$50, against other judgment creditors.

AN ACT to protect employés and laborers in their claims for wages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter, when the property of any company, corporation, firm or person shall be seized upon by any process of any court of this State; or when their business shall be suspended by the action of creditors, or be put into the hands of a receiver or trustee, then in all such cases, the debts owing to laborers or servants, which have accrued by reason of their labor or employment to an amount not exceeding fifty dollars to each employé, for work or labor performed within six months next preceding the seizure or transfer of such property, shall be considered and treated as preferred debts, and such laborers or employés shall be preferred creditors, and shall be first paid in full; and if there be not sufficient to pay them in full, then the same shall be paid to them *pro rata*, after paying costs. Any such laborer or servant, desiring to enforce his or her claim for wages under this act, shall present a statement under oath showing the amount due after allowing all just credits and set-offs, the kind of work for which such wages are due, and when performed, to the officer, person or court charged with such property, within ten days after the seizure thereof on any execution or writ of attachment, or

within thirty days after the same may have been placed in the hands of any receiver or trustee; and thereupon it shall be the duty of the person or court receiving such statement to pay the amount of such claim or claims to the person or persons entitled thereto (after first paying all costs occasioned by the seizure of such property) out of the proceeds of the sale of the property seized: *Provided*, that any person interested may contest any such claim or claims or any part thereof by filing exceptions thereto, supported by affidavit, with the officer having the custody of such property, and thereupon the claimant shall be required to reduce his claim to judgment before some court having jurisdiction thereof, before any part thereof shall be paid.

APPROVED June 15, 1887.

WEIGHTS AND MEASURES.

§ 1. Amends section 7, act of 1874, by making the weight of a bushel of sweet potatoes 50
- instead of 55 pounds.

AN ACT to amend section seven (7) of an act entitled "An act to revise the law in relation to weights and measures," approved February 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 section seven (7) of an act entitled "An act to revise the law in relation to weights and measures," approved February 27, 1874, in force July 1, 1874, be, and the same is hereby, amended so as to read as follows:

"Section 7. Whenever any of the following articles shall be contracted for, or sold or delivered, and no special contract or agreement shall be made to the contrary, the weight per bushel shall be as follows, to-wit:

- Stone coal, 80 pounds.
- Unslacked lime, 80 pounds.
- Corn in the ear, 70 pounds.
- Wheat, 60 pounds.
- Irish potatoes, 60 pounds.
- White beans, 60 pounds.
- Clover seed, 60 pounds.
- Onions, 57 pounds.
- Shelled corn, 56 pounds.
- Rye, 56 pounds.
- Flax seed, 56 pounds.
- Sweet potatoes, 50 pounds.
- Turnips, 55 pounds.
- Fine salt, 55 pounds.

Buckwheat, 52 pounds.
Coarse salt, 50 pounds.
Barley, 48 pounds.
Corn meal, 48 pounds.
Castor beans, 46 pounds.
Timothy seed, 45 pounds.
Hemp seed, 44 pounds.
Malt, 38 pounds.
Dried peaches, 33 pounds.
Oats, 32 pounds.
Dried apples, 24 pounds.
Bran, 20 pounds.
Blue grass seed, 14 pounds.
Hair (plastering), 8 pounds.”
APPROVED June 3, 1887.

JOINT RESOLUTIONS.

ADJOURNMENT OVER ELECTION DAY.

WHEREAS, the annual town elections throughout the State will be held on Tuesday, April 5th; therefore

Resolved by the House of Representatives, the Senate concurring herein, That when the two houses adjourn on April 1st, they shall stand adjourned until Wednesday, April 6, 1887. Concurred in by Senate March 31, 1887, with an amendment. House refused to concur with the Senate in regard to their amendment. Thereupon a conference committee was appointed consisting of, on part of the House, Messrs. Fuller, McKinlay and Wright of Cook, who made a report March 31, 1887, which is as follows as reported to the Senate:

The House of Representatives has had under consideration the report of the conference committee, relative to the differences of the two houses upon adjournment over the annual town meeting day, and have adopted the report of the said conference committee, fixing Wednesday, April 6, 1887, at 5 o'clock P. M., as the time to which both houses shall adjourn.

ADJOURNMENT OVER TWO DAYS.

Resolved by the House of Representatives, the Senate concurring therein, That when the two houses of this General Assembly adjourn on Friday, April 15th, they stand adjourned until Wednesday, April 20th, at 9 o'clock A. M.

ADJOURNMENT OVER MEMORIAL DAY.

WHEREAS, Monday next, May 30th, is the annual Memorial Day, and a national holiday; and

WHEREAS, The members of this General Assembly desire on that day to pay fitting tribute of respect to the memory of the Nation's defenders; therefore

Resolved by the House of Representatives, the Senate concurring, That when the two houses of this General Assembly adjourn on Friday, the 27th day of May, 1887, they shall stand adjourned until Tuesday, the 31st day of May, 1887.

ADJOURNMENT SINE DIE.

Resolved by the House of Representatives, the Senate concurring herein, That when the two houses of the 35th General Assembly of the State of Illinois adjourn on Wednesday, the 15th day of June, A. D. 1887, they shall stand adjourned *sine die*.

AGRICULTURAL EXPERIMENT STATION AT THE UNIVERSITY OF ILLINOIS.

WHEREAS, the Congress of the United States has passed an act approved by the President March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto;" and,

WHEREAS, it is provided in section nine of the act aforesaid, "that the grants of moneys authorized by this act are made subject to the legislative assent of the several States and territories to the purposes of said grants;" therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That the assent of the General Assembly of the State of Illinois be and is hereby given to the purposes of the grants made in said act, and that the trustees of the University of Illinois be and they are hereby authorized and empowered to organize and conduct an agricultural experiment station in connection with the agricultural college of said University of Illinois, in accordance with the terms and conditions expressed in the act of Congress aforesaid.

AMERICAN FORESTRY CONGRESS.

WHEREAS, the conservation of the forests of our common country is a matter of deep interest to the well-being of coming generations in supplying timber needs, the modifying of climate and preservation of water supply; and,

WHEREAS, we have an association of thoughtful men who labor for these ends without fee or reward, known as the "American Forestry Congress;" therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That the General Assembly of the State of Illinois hereby tender the hospitality of our State, and the free use of the Hall of Representatives of the State of Illinois, to the "American Forestry Congress," for their annual session in September, 1887, and cordially invite said association to hold its next annual session at the Capital of this State.

ANIMALS, CONTAGIOUS DISEASES.

WHEREAS, the existence of contagious pleuro-pneumonia among cattle in the United States is the result of negligence upon the part of the Federal Government in failing to enact and enforce proper quarantine measures on the sea board; and,

WHEREAS, the various States and Territories of the Union have for their own protection been compelled to resort to embarrassing quarantine regulations, thereby seriously obstructing inter-state commerce; and,

WHEREAS, this disease has, during the past two years, made rapid progress in spite of the utmost endeavor of State authorities; therefore,

Resolved by the Senate, the House concurring herein, That we do hereby urge upon Congress the speedy enactment of the bill now pending in the United States Senate for the suppression of exotic contagious diseases among cattle, to the end that one of our greatest business industries may be relieved from an impending calamity; that the meat supply of the Nation may be saved from losses which would directly affect every consumer of meat; and that the foreign stigma now attaching to one of our principal articles of export may be removed.

Resolved, That the vigorous measures proposed in the Miller bill should be made to apply only to diseases of foreign origin, and not to the common diseases to which the cattle of the United States are subject, and which are only equivalent to the ordinary dangers to which other branches of business are subjected.

ASSASSINATION OF HON. GEO. S. BAILEY.

WHEREAS, the startling intelligence comes to this House of an attempt to assassinate the Honorable George S. Bailey, one of its members, on the evening of March 22, 1887; and,

WHEREAS, it is deemed necessary, in order that the guilty party or parties may be brought to justice, that a liberal reward be offered for his or their arrest and conviction; therefore be it

Resolved by the House of Representatives, the Senate concurring herein, That the Governor of the State be authorized to offer a reward of two thousand dollars (\$2,000) for the arrest and conviction or information leading to the arrest and conviction of the guilty party or parties, and in case of their arrest and conviction, the Auditor of Public Accounts be authorized to draw his warrant on the Treasurer, payable to the person or persons entitled to the same under this resolution, out of any money in the treasury not otherwise appropriated.

CHICAGO SEWERAGE SYSTEM—COMMITTEE TO INVESTIGATE.

WHEREAS, the City of Chicago contemplates to transfer the vast sewerage of the city and the waters of Chicago River into the Des Plaines and the Illinois rivers,

WHEREAS, the people of the State living along the river, are alarmed that the waters which in some places are used for domestic purposes, are still more polluted,

WHEREAS, the Illinois River at LaSalle will be wholly inadequate to carry off this additional volume of water and cause disastrous overflows; therefore,

Resolved by the Senate, the House concurring therein, That a committee of ten, four from the Senate and six from the House, be hereby appointed by the respective presiding officers, to inquire into all the above questions, and report to the General Assembly as early as possible.

CHICAGO DRAINAGE SYSTEM—COMMITTEE TO EXAMINE IN VACATION.

Resolved by the House of Representatives, the Senate concurring herein, That a commission of five (5), consisting of the Mayor of Chicago, *ex-officio*, two members of the House, selected from different political parties, to be appointed by the Speaker, and two members of the Senate, selected from different political parties, to be appointed by the President of the Senate, shall examine and report to the next session of the Illinois Legislature the subject of the drainage of Chicago and its suburbs. If such commission shall

find, upon investigation, that the most practicable solution of the problem is in the construction of a water-way for the sewage from Chicago to the DesPlaines River at or near Joliet, the commission shall report what requirements should be made as to the construction of such water-way and the dilution of such sewage for the protection of the health and comfort of the people along the DesPlaines River at and below Joliet. Said commission shall serve without pay, and the expenses of the same may be paid by the City of Chicago.

And the Speaker appointed as such joint committee, on the part of the House, Messrs. MacMillan and Riley, and the President of the Senate appointed, on the part of the Senate, Messrs. Eckhart and Bell.

CLAIMS COMMITTEE.

WHEREAS, the Chief Justice of the Supreme Court has refused to appoint judges to constitute the "Commissioners of Claims," as provided by an act entitled "An act to create a Commission of Claims and to prescribe its powers and duties," approved May 29, 1877, and has assigned as a reason therefor that the duties of said Commission of Claims are extra-judicial, and that the judges of the courts can no longer discharge their duties as judges of the courts and of said Commission of Claims; and

WHEREAS, ALSO, there are a large number of claims against the State filed with the Auditor of Public Accounts as *ex-officio* clerk of said Commission, which are undisposed of; therefore be it

Resolved by the Senate, the House of Representatives concurring herein, That a committee of five be appointed, three by the Speaker of the House and two by the President of the Senate, and that it shall be the duty of such committee to investigate all claims filed with the Auditor of Public Accounts as clerk of said commission (and undisposed of), together with the evidence on file with said claims, and the said committee recommend to this General Assembly such further legislative action in regard to the investigation of such claims as to the said committee may seem proper.

SENATOR S. M. CULLOM.

Be it resolved by the Senate, the House of Representatives concurring therein, That the thanks of the General Assembly of the State of Illinois be extended to Senator Cullom for his victory achieved in the passage, by the Senate of the United States, of his inter-state commerce bill.

Resolved, That the Secretary of State be directed to transmit to Senator Cullom a copy of this resolution, properly engrossed and authenticated by the officers of the Senate and House.

DAVID DAVIS, DEATH OF.

WHEREAS, since the close of the last session of the General Assembly of this State, David Davis, who died at his home in Bloomington, McLean county, on the 26th day of June, A. D. 1886, was in 1844 elected a member of the lower House of the Legislature of this State, and, in 1847, was elected a member of the Constitutional Convention which framed the Constitution for this State, and, for three successive terms, was elected Judge of 8th Judicial Circuit of Illinois, and was afterwards, in October, 1862, appointed by President Lincoln as Associate Justice of the Supreme Court of the United States, and was, in February, 1877, elected a Senator of the United States and served as President *pro tem*, of the Senate, and has occupied other important posts of trust.

WHEREAS, during his extended and honorable public career he achieved great distinction for himself and rendered enduring services to the State and to the Nation; and,

WHEREAS, it is becoming that the State should place upon its public records its appreciation of such distinguished sons, and express a fitting tribute to their memory; therefore be it

Resolved (if the House concur), That in the death of ex-Senator David Davis, the State has lost a most distinguished citizen.

Resolved, That the name of David Davis shall be inscribed upon the archives of the State as one of the honored statesman of the Nation.

Resolved, That these proceedings be entered upon the Journals of the Senate and House of Representatives, and that a copy thereof, duly engrossed, be presented to the respected widow of the deceased.

CANVASSING ELECTION RETURNS FOR STATE OFFICERS.

Resolved by the House of Representatives, the Senate concurring herein, That the two houses shall meet in joint session, in the Hall of the House of Representatives, on Thursday, the 6th day of January, 1887, at the hour of 11 o'clock A. M., for the purpose of canvassing the returns of the election for State officers, held on the 2d day of November, A. D. 1886, as required by the constitution of this State.

CENTENNIAL EXPOSITION OF THE OHIO VALLEY AND CENTRAL STATES, AT
CINCINNATI.

WHEREAS, the year 1888 will be the centennial anniversary of the settlement of the Ohio Valley and the Central States of the Union; and,

WHEREAS, the Cincinnati Chamber of Commerce, the Board of Trade and the Ohio Mechanics' Institute have appointed a board of commissioners to inaugurate and manage the Centennial Exposition of the Ohio Valley and Central States, in a manner appropriately showing the development of a century's progress; and,

WHEREAS, the board of commissioners, having formulated plans of wide scope, to make this exposition one of national character, and desiring the aid and a recognition of the several Central States of the Union and representation in its board of five honorary commissioners from each of the states; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That the Governor be, and is hereby authorized to appoint five honorary commissioners to represent the interests of the State of Illinois in the said Centennial Exposition of the Ohio Valley and Central States, said commissioners to serve without compensation. Said commissioners shall receive no compensation for such services by appropriation of this session or any future session of the Legislature.

GOVERNOR'S MESSAGE—PRINTING.

WHEREAS, both houses have ordered the printing of the Governor's message; and,

WHEREAS, it is ruled that a concurrent resolution is necessary; therefore, be it

Resolved by the Senate, the House concurring, That 8,000 copies of the Governor's message be printed for the use of both houses.

COERCIVE MEASURES BY ENGLAND AGAINST IRELAND.

WHEREAS, the civilized world has been compelled to view in the nineteenth century, in the relations existing between England and Ireland, the astounding spectacle of one of the world's greatest nations relentlessly pursuing a policy of injustice and coercion in defiance of the clear condemnation of the voice of history, the dictates of reason and the demands of justice;

WHEREAS, the English government has now in contemplation the enactment of a coercive law more stringent in its provisions than the laws already existing, the passage of which will tend to perpetuate the barbaric evils of landlordism and guarantee a new lease of life to an era of ill-treatment, debasement, calumny, suffering and persecution;

Resolved by the House of Representatives, the Senate concurring, That in the interests of eternal justice, and in the name of that deep and universal sentiment of liberty which pervades the breasts of all men, we protest against the proposed coercive measures as wholly unworthy the great name of England, as suicidal to the best interests of both England and Ireland, as a violation of the first principle of justice, and as opposed to the true philosophy of just and legitimate government; and we characterize them not only an outrage upon the liberties of the Irish people, but an insult to the instincts of the human race, and a subversion of the inalienable rights of man.

Resolved, That our sympathy and encouragement are hereby extended to "England's greatest statesman," William E. Gladstone, and to Charles Stuart Parnell, in their noble crusade against unjust and oppressive laws and their faithful endeavors to hasten by constitutional methods the dawn of peace, prosperity and impartial justice for Ireland.

HON. DAVID T. LITTLEL.

WHEREAS, this General Assembly learns with profound satisfaction of the appointment by the President of the United States of Hon. D. T. Littler as a member of the commission to investigate the affairs of the Pacific Railroads; therefore, be it

Resolved by the House of Representatives, the Senate concurring herein, That in the retirement of Mr. Littler the General Assembly loses one of its most able and efficient members, and President Cleveland and his administration is to be congratulated in securing the services of this eminent and useful citizen of Illinois in this important work.

SITE FOR THE LOGAN MONUMENT ON THE STATE HOUSE GROUNDS.

WHEREAS, this Legislature has appropriated the sum of \$50,000, or so much thereof as may be necessary for the erection of a suitable monument in honor of the deceased great statesman and patriotic soldier John A. Logan;

WHEREAS, the City of Springfield, as the Capital of the State, is one of the most accessible and proper places for the location of such a monument; and

WHEREAS, the people south of Springfield have been near neighbors to the lamented statesman and patriotic soldier, and have a better accommodation to visit such a monument at the State Capital than at any other place further north; therefore be it

Resolved by the House of Representatives, the Senate concurring herein, That the State House Commissioners are hereby authorized to offer, on behalf of the State, a suitable site on the Capitol grounds free of charge, for the erection of such a monument, if the beloved widow of the deceased should see it proper and in conformity with her desires to select such a site; and be it further

Resolved, That the Secretary of State is hereby instructed to forward a copy of these preambles and resolutions to Mrs. John A. Logan.

NORTHWEST TERRITORY—CENTENNIAL CELEBRATION OF SETTLEMENT.

WHEREAS, the General Assembly of the State of Ohio has, by joint resolution, invited the four States, Indiana, Illinois, Michigan and Wisconsin, which with Ohio formed the old territory northwest of the River Ohio, to participate in the centennial celebration of the first American settlement made therein, at Marietta, Ohio, April 7, 1788, and also to participate in an industrial and educational exposition, illustrative of the progress made in Ohio, the oldest State in the aforesaid territory, during the century from 1788 to 1888, to be held in the capital city of Ohio in the autumn of the year 1888; and

WHEREAS, we, the Representatives of the People of Illinois, recognizing the value of the services of those who founded the five great States now comprising the aforesaid territory, and recognizing the importance of its acquisition and occupation by the United States of America; therefore, be it

Resolved by the Senate of Illinois, the House of Representatives concurring, That we cheerfully and cordially accept the invitation of the General Assembly of the State of Ohio, on behalf of the people of the State of Illinois, and promise hearty support and coöperation to both celebration and exposition.

Resolved, That the Governor be, and is hereby, authorized to appoint an honorary commissioner on the part of Illinois to represent the people in said celebration and exposition, and he is hereby authorized to forward to the executive of Ohio a copy of this concurrent resolution, with such assurances of good will as he may deem proper.

DEPENDENT AND DISABILITY PENSION BILL.

WHEREAS, by the action of the Federal House of Representatives, and by the pronounced vote of 179 to 76, that body has adopted the report of its committee upon invalid pensions, providing for the partial care and maintenance of honorably discharged soldiers and sailors whose names are not now borne upon the pension rolls, and the dependent parents of such soldiers or sailors who were killed, or died, while in the service of the country; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That this patriotic action merits the most cordial approval of this General Assembly.

Resolved, That the Secretary of State be instructed to forward a copy of this joint resolution to the chairman of the committee on Invalid Pensions of the Federal House of Representatives, and a copy each to the Senators in Congress from Illinois.

FEMALE CONVICTS IN THE PENITENTIARIES.

Resolved by the House of Representatives, the Senate concurring therein, That in order to save expense and secure economy in management, the Governor be requested to direct the commissioners of the State Penitentiary at Chester to transfer all female prisoners in said institution to the penitentiary at Joliet, and to discontinue the use of said penitentiary at Chester hereafter as a prison for female convicts.

UNITED STATES PRISONERS IN THE PENITENTIARIES.

WHEREAS, it appears from the reports of the commissioners of the two penitentiaries, that they have heretofore been receiving United States prisoners from the several States and territories, and on September 30, 1886, had in charge at the Joliet penitentiary 87, of which 15 were committed from the United States courts of this State, and at the Southern penitentiary 137 of such convicts, of which 21 were committed from the United States courts of this State; and

WHEREAS, by the amendment of the constitution of this State prohibiting the employment of convict labor by contract, the State will of necessity meet the embarrassing difficulty of finding profitable employment for her own convicts, requiring a large per capita investment of money; and

WHEREAS, by act of Congress approved February 23, 1887, the employment of United States prisoners by contract was prohibited; and

WHEREAS, we feel it our bounden duty in fairness to the free labor of this State to discourage the importation of convict labor; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That the commissioners of the penitentiary at Joliet, and the commissioners of the penitentiary at Chester, be, and they are hereby instructed to notify the proper authorities of the United States Government that they cannot hereafter receive United States prisoners, except such as are committed from the United States courts of this State; and further notify such proper authorities to remove if possible all United States prisoners now held, within 90 days of such notice, and that the sum of 60 cents per diem will be charged for feeding, clothing and guarding each convict remaining after the expiration of the said 90 days.

PLEURO-PNEUMONIA IN COOK COUNTY—LIVE STOCK COMMISSIONERS TO REPORT ON.

WHEREAS, on account of the existence of pleuro-pneumonia in the city of Chicago and immediate vicinity, the authorities of a number of States and territories have scheduled the entire State of Illinois, and prohibited the shipment of cattle from every county in the State into their respective States, excepting the shippers comply with expensive and unreasonable conditions, or submit to a 90 days quarantine at the point of entry, which is practical prohibition; and,

WHEREAS, the application of such restrictive and prohibitory measures to the shipment of cattle from counties where no contagious pleuro-pneumonia exists, is unjust and should be withdrawn; and,

WHEREAS, this General Assembly should be advised of the present status and extent of the prevalence of contagious pleuro-pneumonia in Cook county, and the unnecessary and unreasonable restrictions resulting therefrom in the shipment of cattle from other portions of the State, in order that proper action may be taken looking to the procurement of a just modification of the aforesaid restrictions; therefore, be it

Resolved by the House, the Senate concurring herein, That the Board of Live Stock Commissioners of the State of Illinois be, and they are hereby, requested to report to this House the extent to which contagious pleuro-pneumonia prevails in this State at this time, and what has been and is being done by them in the way of extirpating the disease and preventing its spread from the locality found to be infected.

PLEURO-PNEUMONIA IN COOK COUNTY—COMMITTEE OF INVESTIGATION
APPOINTED.

WHEREAS, there is a feeling of uncertainty as to the existence and extent of contagious pleuro-pneumonia in Cook county, and as to what measures the authorities are taking to investigate and suppress the same; therefore,

Resolved by the House of Representatives, the Senate concurring herein, That a committee of nine, five from the House and four from the Senate, be appointed by the respective presiding officers to immediately visit and investigate that locality and report the condition of the same to the General Assembly.

Messrs. Stewart, Keyser, Hunter, Converse, and Wilson of Ogle, appointed by the Speaker on the part of the House May 18, 1887, as said committee.

Appointed on the part of the Senate, Messrs. Funk, Leman, Johnson and Gore.

PRINTING MEMORIAL ADDRESSES IN HONOR OF DAVIS AND LOGAN.

Resolved by the Senate, the House of Representatives concurring herein, That there be printed in book form, by the Secretary of the Senate and Clerk of the House of Representatives, under the direction of the joint committee of arrangements, three thousand copies of the Memorial Addresses on the lives and characters of Hon. John A. Logan and Hon. David Davis, delivered at the exercises in honor of their memory, in the hall of the House of Representatives, at Springfield, February 22, 1887.

OHIO AND MISSISSIPPI RAILWAY COMPANY.

To the Speaker of the House of Representatives of the Thirty-fifth General Assembly:

The Committee on Railroads, to whom was referred the resolution to investigate the Ohio and Mississippi Railway Company, for the purpose of ascertaining whether it had complied with the Constitution of the State of Illinois and the laws made in pursuance thereof, would report the following evidence as taken by the said committee:

Mr. N. D. Munson, Secretary of the Railroad and Warehouse Commission, was the first witness examined. Mr. Munson stated that he had seen the stock book of the company as kept by Mr. F. W. Tracy, one of the directors of the O. & M. Railway Company; that there were no other directors residing in the State, but that

there had been no complaint filed against the company for non-compliance with the law requiring that a majority of the directors should reside in this State.

Mr. Tracy was next called. He said he was a director of the O. & M. Railway Company, and the only one of the company who resided in the State of Illinois. He kept an office with a book for the transfer of stock, but that so far there had never been any transfer of stock made in it; that the book had been prepared with the belief that the company was complying with the law, and that other railroad companies in the State, similarly situated as the O. & M. Railway Company, had taken the form of this book; that it was open at all times for the transfer of stock, but that no application had ever been made to him for such purpose. He presumed that most of the transfers of stock were made in New York; that there had never been a demand upon him by anybody to examine this book.

Mr. Munson being recalled, stated that the annual reports of the O. & M. Railway company did not show any transfer of stock. At this stage of the investigation the committee adjourned to meet upon the call of the chairman. The committee find that said railway company has failed to comply with section nine (9) of article eleven (11) of the Constitution of 1870, to maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and the directors of every railroad corporation shall annually make a report, under oath, to the Railroad and Warehouse Commissioners and to the Auditor of Public Accounts, and a majority of the directors to be citizens and residents of this State. The committee would report that it finds the said Ohio and Mississippi Railway Company has failed to comply with either the constitutional provision of the laws made thereunder, and recommend the adoption of the following:

Resolved by the House of Representatives, the Senate concurring herein, That the Attorney General and the Railroad and Warehouse Commissioners be, and they are hereby, instructed to commence proceedings of mandamus to compel the president and directors of the Ohio and Mississippi Railway Company to comply with the provision of the Constitution and the laws made in pursuance thereof, and to enforce and collect the penalties for failure to comply therewith.

And be it further resolved, That the State's Attorneys of the several counties through which the said Ohio and Mississippi Railway runs be, and they are hereby, instructed to call the attention of the grand jury of each of their several counties, and to lay before them the law on the subject, showing the law and the penalty thereto attached for the non-compliance of said constitution and laws, and a copy of this report and resolutions be sent to each State's Attorney in the counties through which the said O. & M. Railway runs. And the Speaker of the House and the President of the Senate be requested to certify to each copy as a certified copy of said proceedings, and that a copy of said proceedings properly certified be served upon the Attorney General and the Secretary of the Board of Railroad and Warehouse Commissioners.

LOAN OF TENTS TO THE CITY OF OLNEY.

WHEREAS, the citizens of Olney have asked for the loan from the State of four hundred tents, poles and pins for use of visitors during the State fair, at Olney, from September 20 to October 1, 1887; and,

WHEREAS, in contemplation of law, in the opinion of the Adjutant-General these are for the use only of the military force of the State, and cannot be used for other purposes without the authority of the Legislature; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That the request of the citizens of Olney be granted, and that Adjutant-General Vance be, and he is instructed to furnish said tents, poles and pins under such regulations as he may prescribe to insure the safety and the return of the property, and save the State from all expenses.

JOHN G. ROGERS, DEATH OF.

WHEREAS, the Honorable John G. Rogers, one of the judges of the circuit court of Cook county, has recently departed this life; therefore, be it

Resolved that the Senate, the House of Representatives concurring therein, on behalf of the people of the State of Illinois, express sincere regret at the loss of so useful a citizen, great and just judge, and so pure, honorable and upright man.

Resolved, That these resolutions be spread upon the records of this General Assembly, and a copy thereof, properly attested, be forwarded to the family of the deceased.

SCHOOL LAW REVISION.

WHEREAS, there are many redundancies, inconsistencies, contradictions and incongruities now existing in the common school law of the State of Illinois, rendering the same uncertain and indefinite; therefore, be it

Resolved by the House of Representatives, the Senate concurring herein, That the State Superintendent of Public Instruction of the State of Illinois be appointed a committee to revise, compile, correct and harmonize said school law in a bill for said purpose, and report the same to the next General Assembly of said State for its consideration.

ST. LOUIS BRIDGE COMPANY.

WHEREAS, the company or corporation controlling and operating the bridge over the Mississippi river between the City of East St. Louis in this State, and the city of St. Louis in the State of Missouri, are imposing upon the citizens of Illinois by unjust discrimination and extortion for transporting passengers and property over said bridge; and

WHEREAS, the Supreme Court of the United States has held that such transportation companies are not subject to the control of the States, but that the power to regulate such corporations is vested in the General Government; therefore be it

Resolved by the House, the Senate concurring therein, That the Railroad and Warehouse Commissioners of this State be and they are hereby directed to investigate the same and to file complaint by petition or otherwise with the Board of Inter-State Commissioners, and to take such action in the premises in behalf of the People of the State, by prosecuting the same, as will relieve the people from the unjust discrimination and extortion practiced by this corporation, and that they be authorized to pay the expense of investigating and prosecuting the same, out of the appropriation made or to be made for the payment of their expense.

ELECTION OF UNITED STATES SENATOR.

Resolved by the House of Representatives, the Senate concurring herein, That, to fill the vacancy in the office of United States Senator from this State, the two houses of this General Assembly will, on Tuesday, the 18th day of January, A. D. 1887, at 11 o'clock A. M., in their separate houses, proceed to ballot for a candidate to fill such vacancy; and on Wednesday, the 19th day of January, A. D. 1887, at the hour of twelve o'clock, meridian, the two houses shall convene in joint assembly, in the Hall of the House of Representatives, and in the manner prescribed by law declare the person who has received the majority of votes in each house, if any such person has received such majority in each house, duly elected United States Senator to fill such vacancy, but if no one person has received such majority then proceed as prescribed by law, in joint assembly, to elect a United States Senator to fill such vacancy.

PURCHASE OF THE SWORDS OF JAMES SHIELDS.

WHEREAS, the State of Illinois and the State of South Carolina after the war with Mexico each presented to the late General James Shields a sword, in consideration of gallant and meritorious services rendered by him in said war; and

WHEREAS, he has left surviving him a widow and three minor children, with but limited means of support, and said swords, though costly and valuable, cannot be divided and apportioned between said children, and their value is needed for the education and support of said children; and

WHEREAS, a bill has been introduced in Congress to authorize the Secretary of War to purchase of the widow and children of the late General James Shields, said swords, at their actual cost and value, not to exceed the sum of ten thousand dollars;

Resolved by the House of Representatives, the Senate concurring herein, That our Senators in Congress be instructed, and our representatives be requested, to use their best endeavors to secure the passage of said bill.

SOLDIERS' HOMES IN THE STATES.

WHEREAS, it is evidently the duty of the National Government to care for the veterans of the late war and not impose that burden upon the loyal States alone; and,

WHEREAS, National Homes have been established in several of the States and supported by the general government, thereby relieving them of this expense, whilst the other patriotic States not so provided, feeling that their veterans should be cared for without sending them from their State and home, to be grouped among strangers in over populated places, have made provision for their care at an expense not easily but willingly borne, but at the same time feeling that the general government has not made provision whereby each State will share an equal expense in providing for our veteran wards; therefore,

Resolved by the House of Representatives of the State of Illinois, the Senate concurring herein, That our Senators and Representatives in Congress be requested to support a measure that will reimburse the States which have provided homes for their veterans, for all expenses incurred by them, both for the erection of buildings and on account of maintenance of the same, and make suitable provision for the support and care of the veteran defenders of our homes and country.

Resolved, That the Secretary of State be instructed to transmit a copy of the foregoing resolution to each of the Senators and Representatives in Congress from the State of Illinois.

SOLDIERS' HOME TRANSFER TO UNITED STATES.

WHEREAS, the 34th General Assembly did appropriate the sum of \$200,000 for the erection of a Soldiers' and Sailors' Home in the State of Illinois, to the end that all needy and destitute old soldiers and sailors residing in the State of Illinois should, in their old age, be amply provided for, and to the end that none of said destitute and needy old soldiers and sailors, in their declining years, shall come to want; and,

WHEREAS, said appropriation has been expended in the procurement of suitable grounds near the city of Quincy, and erecting suitable and proper as well as convenient and substantial buildings for said Home; and,

WHEREAS, there is a growing and increasing demand for said Home, both for the care of the old soldiers residing in the State and those residing in the adjoining States, said demand being for the care of such old soldiers as cannot now be provided for under the existing pension laws of the United States; and,

WHEREAS, we believe it is the duty of the United States government to see to it that all old soldiers and sailors are protected from want, and that they be provided with all the necessaries of life and to the end that all old soldiers and sailors outside of the State of Illinois, as well as those who reside within her borders, may enjoy the benefits of said Home, therefore be it

Resolved by the Senate, the House of Representatives concurring herein, That the trustees of said Soldiers' and Sailors' Home be and they are hereby directed, at the meeting of the next Congress of the United States, to tender said Soldiers and Sailors' Home to the United States government upon conditions that the United States government conduct said Home in all respects for the best interests of the worthy and needy soldiers and sailors, so long as said Home shall be needed for the benefit of old soldiers and sailors for the United States in all wars in which said soldiers and sailors were engaged for the general government prior to this time, and when said Home shall no longer be needed or used for said Home for said soldiers and sailors aforesaid, then said Home, and the appurtenances thereunto belonging, shall revert to the State of Illinois: *Provided,* that nothing herein contained shall interfere with the erection of such buildings as the 35th General Assembly may direct erected, or for the necessary running expenses until said Home is accepted by the general government: *And provided, further,* that said trustees are instructed not to receive as inmates to said Home any soldiers or sailors who are not citizens of Illinois, until said Home is secured as aforesaid by the U. S. government.

SUPREME COURT REPORTS TO CERTAIN COUNTIES.

WHEREAS, the law in regard to publishing the Supreme Court Reports of this State requires twenty copies of each number to be deposited with the Secretary of State; and

WHEREAS, under said law large numbers have accumulated; and

WHEREAS, Kendall, Cumberland, Wayne and Williamson counties, in this State, have lost all of their said reports by fire; therefore,

Resolved by the Senate, the House concurring therein, That the Secretary of State be, and he is hereby, authorized to furnish one copy of all numbers of said reports (where the same can be done without prejudice to this State) to the clerk of each of the said counties for the use of the courts of each of said counties.

SWAMP LAND CLAIMS AGAINST THE UNITED STATES.

WHEREAS, the United States has, by various acts of Congress, granted to several of the States certain of the swamp and overflowed lands situate within their respective limits; and

WHEREAS, some of said swamp and overflowed lands were thereafter erroneously sold and otherwise disposed of by the United States in derogation of the right of the States entitled thereto, and contrary to and in violation of the provisions of the grants aforesaid; and

WHEREAS, no adequate indemnity to said States or relief to the purchaser of said lands has been hitherto provided; and

WHEREAS, Bill No. 4,792 to provide for the adjustment and settlement of the claims of any State against the United States for all lands which have been or may be hereafter sold or otherwise disposed of by the United States that were included in any grant of swamp or overflowed lands to such States, has been introduced in the House of Representatives; therefore, be it

Resolved, that it is the sense of the House of Representatives, the Senate concurring herein, that the Senators and Representatives of this State in the National Congress should support and use their best efforts for the passage of said bill.

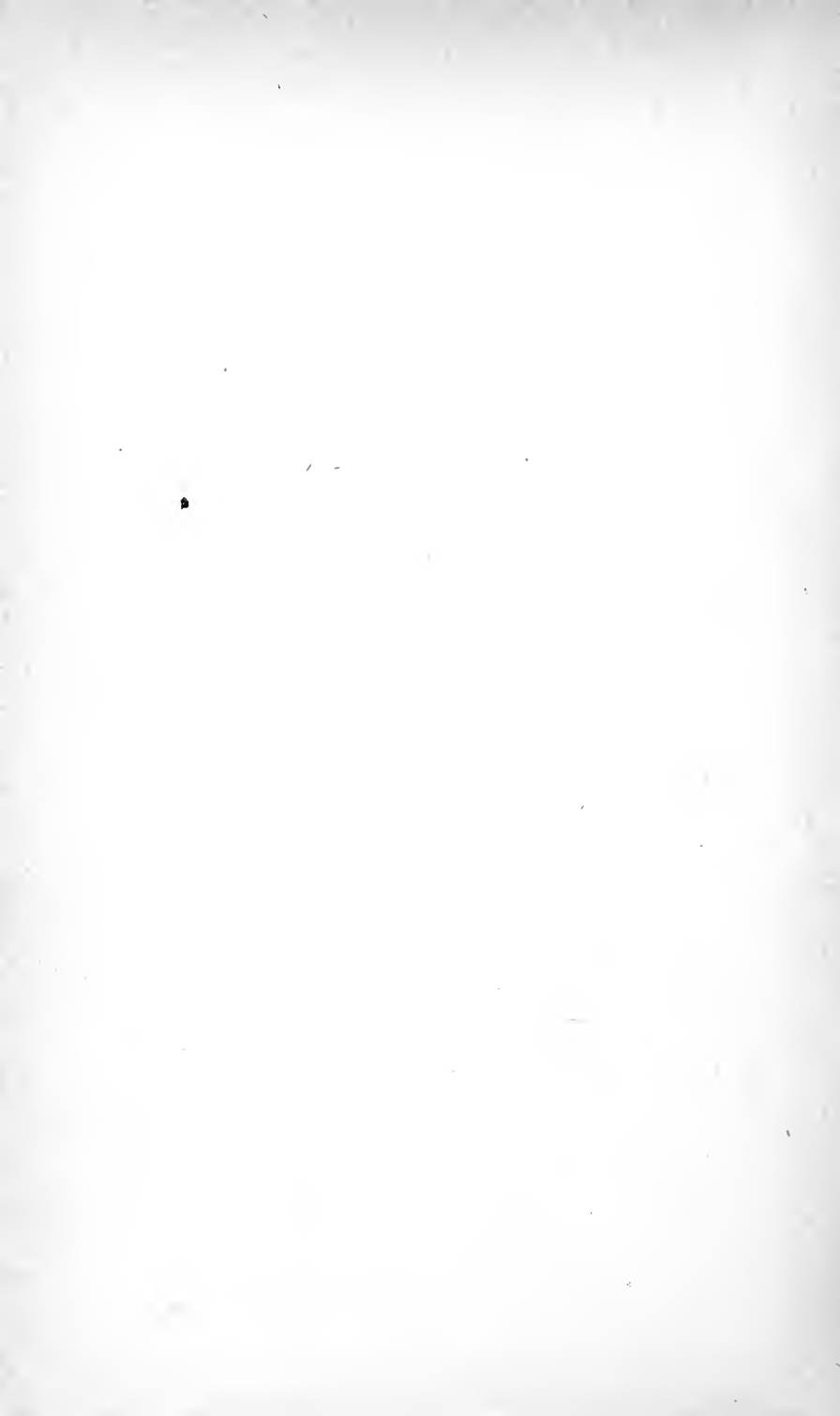
UNITED STATES OF AMERICA. } ss.
STATE OF ILLINOIS. }

I, HENRY D. DEMENT, Secretary of State of the State of Illinois, do hereby certify that the foregoing acts and joint resolutions of the 35th General Assembly of the State of Illinois are true and correct copies of the original acts and joint resolutions as filed in the office of the Secretary of State, with the exception of words, letters and figures printed in brackets, thus: [].

IN WITNESS WHEREOF, I have hereto set my hand and affixed the great seal of State at Springfield, this 14th day of July, A. D. 1887.

[SEAL]

HENRY D. DEMENT,
Secretary of State.



INDEX TO LAWS.

	PAGE.
ABEL, ADOLPH:	
Appropriation.....	55
ABSTRACTS OF TITLE:	
Fees of recorders.....	256
Recorders may make.....	256
ADJUTANT GENERAL:	
APPROPRIATIONS:	
Memorial Hall.....	47
National Guard.....	47, 48
Office expenses, etc.....	67
Rules for the government of troops in quelling riots.....	230
ADMINISTRATION OF ESTATES:	
Bondsmen of executors and adminis- trators, liability.....	1
Classification of claims.....	2
Sale of real estate.....	3
AGRICULTURE:	
Appropriations to State Board.....	20
State Board, certificates to owners of sires.....	17
ALIENS:	
Real and personal estate, right to hold.....	5
Taxes not to be included in rent.....	4
ALMINI, P. M.:	
Appropriation.....	59
ANIMALS:	
CONTAGION:	
Act of 1885 amended.....	8
Act of 1887 amended.....	13
Appropriation for slaughtered.....	69
Claims for damages, appropria- tion.....	8, 13, 16
United States law, acceptance.....	16
Pedigrees, fraudulent.....	18
Running at large.....	19
Sires, liens on get of.....	17
APPEALS:	
Fees, copies of papers.....	182
Police magistrates.....	217
APPROPRIATIONS:	
Abel, Adolph.....	55
ADJUTANT GENERAL:	
Clerk hire, office expenses, etc.....	67
Memorial Hall.....	47, 67
National Guard.....	47, 48
Agricultural boards.....	20
Almini, P. M.....	59
Appellate courts.....	67
Attorney General, clerk hire, etc.....	66

	PAGE.
APPROPRIATIONS—Continued.	
Auditor, clerk hire, etc.....	65
Bailey, O. J.....	53
Barrack, J. L.....	53
Binding.....	61, 64
Blackburn, Emily J.....	21
Blackburn, John R.....	22
Boals, Manuel H.....	22
BOARDS, STATE:	
Equalization.....	66
Fish Commissioners.....	70
Health.....	70
Public Charities.....	67
Labor Statistics.....	69
Live Stock Commissioners.....	41, 42, 69
Brown, D. G.....	54
Bowler, Michael.....	54
Bowran, F. H.....	53
Boyd, John.....	53
Buechholtz, August.....	55
Burlington Manufacturing Company.....	23
Burns, John.....	55
Canal, running expenses.....	23
CHARITABLE INSTITUTIONS:	
Blind.....	24, 25
Deaf and Dumb.....	28
Eye and Ear Infirmary.....	28
Feeble-Minded Children.....	29
<i>Hospitals for the Insane:</i>	
Central.....	31
Eastern.....	30, 31
Northern.....	32
Southern.....	33
Soldiers' and Sailors' Home.....	34
Soldiers' Orphans' Home.....	35
Clancy, John J.....	54
Clark, Mrs. M. G.....	53
Conveying convicts to Penitentiary..	65
Conveying offenders to Reform School.....	66
Copying and distributing laws.....	65
Cudell and Lehmann.....	59
Dairymen's Association.....	36
Davidson and Sons.....	59
Electric light plant in State House...	71
Entomologist, State.....	71
Fitzgerald, Edward.....	54
Fitzgerald, Timothy.....	55
Fish Commissioners.....	70
Flynn, Annie F.....	55
Foley, Dennis.....	55
Fugitives from justice.....	65
General Assembly.....	37, 38, 71
Governor, clerk hire, contingent, mansion, etc.....	63
Heating State House.....	64
Horticultural Society.....	38
Interest on school fund.....	66
Keifer, C. A.....	53
Keller, George.....	56
Keller, Michael.....	55
Kennedy, P.....	55

	PAGE.
APPROPRIATIONS—Continued.	
Laboratory of Natural History	71
Lawrence, Archibald	55
Le May, J. C.	38
Library, State	64
Lieutenant Governor	71
Lighting State House	64
Lincoln Homestead	39
Lincoln Monument	41
Live Stock Commissioners	41, 42, 69
Logan Monument	43, 44
Lyle, John A.	45
McGee, Peter	46
Memorial services (Davis and Logan)	36
Mooney, Michael, trial costs	46
Moore, D. B.	53
Museum of Natural History	68
National Guard	47, 48
Niles, Charles	55
Normal Universities	73, 75
O'Neal, J. S.	53
Owners of slaughtered animals	53, 54
Paper and stationery	60, 64
PENITENTIARIES:	
Joliet	48, 49, 50, 69
Southern	51, 69
Philipson Decorative Company	59
Purdie, Mrs. R. A.	52
Prehler, George and John H.	54
Printing	61, 64
Quigley, James	55
Railroad and Warehouse Commis- sioners	69
Reform School	56, 57
Refunding taxes	66
Rewards for arrest of fugitives	65
Riley, Edward	55
Ryan, Morris	55
Ryan, Simon	55
Schneegg, Tobias	55
School exhibit at Chicago	57
School fund	66
Secretary of State, clerk hire, office expenses, etc.	63, 64
Shay, Daniel	55
State debt	57
STATE GOVERNMENT:	
Binding	61, 64
Heating State House	61, 64
Ordinary and contingent expenses	62
Paper and stationery	60, 64
Printing	61, 64
State House contractors, loss by fire	59
State House repairs	58
State suits	65
Stewart, Samuel	72
Superintendent of Public Instruc- tion	66, 73
Supreme court expenses	67
Supreme court reports	65
Treasurer, State	66
Tripp, D. H. & S. S.	53
Tucker, John B.	74
University of Illinois	76
Vaults in Auditor's office	65
Vaults in Secretary of State's office	64
Warren, George	59
Whitson, W. F. and Son	53
ATTORNEY GENERAL:	
Appropriation	66
AUDITOR:	
Appropriation	65
BAIL:	
In vacation	166
BAILEY, O. J.:	
Appropriation	53

	PAGE.
BANKS AND BANKING:	
State system, to establish	89
Savings institutions	77
BETS, WAGERS AND POOLS:	
Book-making and pool-selling pro- hibited	95
BINDING:	
Appropriations	61, 64
BLACKBURN, EMILY J.:	
Appropriations	21
BLACKBURN, JOHN R.:	
Appropriation	22
BLIND:	
Industrial Home for, Inep	25
BOALS, MANUAL H.:	
Appropriations	22
BOARDS, STATE:	
APPROPRIATIONS—	
Charities	67
Equalization	66
Fish commissioners	70
Health	70
Labor statistics	69
Live stock commissioners	69
BONDS, OFFICIAL:	
Approval in counties under township organization	156
BOOK-MAKING:	
Bets and wagers prohibited	95
BOWLER, MICHAEL:	
Appropriation	54
BOWMAN, F. H.:	
Appropriations	53
BOYD, JOHN:	
Appropriation	53
BRIBERY:	
At elections	173
BROWN, D. G.:	
Appropriations	54
BUCCHHOLTZ, AUGUST:	
Appropriations	55
BUCKET SHOPS:	
Gambling in grain prohibited	96
BURLINGTON MANUFACTURING CO.:	
Appropriations	23
BURNS, JOHN:	
Appropriations	55
CANAL:	
Appropriation	23
CEMETERIES:	
Counties, care and management	97
CENSUS:	
Township, by town auditors	299

PAGE.

CHARITABLE INSTITUTIONS, STATE:

APPROPRIATIONS:

Blind	24, 25
Deaf and Dumb	28
Eye and Ear Infirmary	28
<i>Hospitals for the Insane:</i>	
Central	31
Eastern	30, 31
Northern	32
Southern	33
Soldiers' and Sailors' Home	34
Soldiers' Orphans' Home	35

HOSPITALS FOR THE INSANE:

Central, trustees authorized to sell real estate	99
Superintendents to report to county clerks	100
Industrial Home for the blind, incp. ..	25
Reports of trustees, biennial	100
Soldiers' Home, admission of applicants	101

CHILDREN:

Abandonment	102
-------------------	-----

CITIES, TOWNS AND VILLAGES:

Aldermen, number elected	102
Chicago drainage district	126
Firemen's pension fund	117
Incorporation under general law	103
Itinerant merchants, license	117
Library tax rate	218
Lockport, charter amended	128
Local improvements	107
Police districts	104
Police pension fund	122
President of boards of trustees, election	116
Schools, conveying real estate	127
Special assessments, paid in installments	104
Street railways, use of streets	108
Trenton, act incorporating repealed ..	128
Wards, organizing	116

CLARK, MRS. M. G.:

Appropriation	53
---------------------	----

CLANCY, JOHN J.:

Appropriation	54
---------------------	----

CLERKS OF COURTS:

Act of 1874, section 16 amended	128
Cook county, salaries	185
Probate, fees	183

COMMISSIONERS:

Cook county, duties	150
Cook county, election	149
Election, may act for other cities and towns	171

CONSERVATORS:

Lunatics, appointment	224
-----------------------------	-----

CONTAGION:

Appropriations on account of ...8, 13, 16, 69

CONVICTS:

Appropriations for conveying to penitentiary	65
--	----

COPYING AND DISTRIBUTING LAWS:

Appropriations	65
----------------------	----

PAGE.

CORONERS:

Cook county, salary	185
---------------------------	-----

CORPORATIONS:

Banks	89
Building, Loan and Homestead Association, act amended	131
Changing names, etc., act amended ..	132
Co-operative associations for profit ..	134
Horse thief detective associations, incorporated	140
Industrial Home for the Blind, incorporated	25
Life insurance companies	202
Live stock mutual insurance companies	197
Receivers, service of process	142
Re-incorporation of companies	142
Savings institutions	77
Surety companies	143
Trust companies	144

COUNTIES:

Cook—

Commissioners, election and term of office	149
Commissioners, duties	150
Government of affairs	150
Salaries of county officers and clerks of courts	185
Fees and costs in venue cases	307
Jury commissioners	214
Lake, jurisdiction to certain lands ceded to United States	304
Official bonds, approval	156

COUNTY CLERKS:

Cook county, salary	185
---------------------------	-----

COURTS:

APPELLATE—

Appropriation for expenses	67
Jurisdiction, act 1877 amended	156

CIRCUIT—

Cook county, increase of judges ..	157
Cook county, salary of clerk	185
Short-hand reporters	159

TERMS—

5th circuit changed	160
6th circuit changed	161
Trials upon agreement of parties	158

COUNTY—

Act fixing probate terms amended ..	162
-------------------------------------	-----

TERMS CHANGED—

Alexander	162
Bureau	162
Crawford	163
Hardin	162
Piatt	163
Sangamon	164
Scott	164
Vermilion	162
Wabash	165
Will	165
Woodford	166

CRIMINAL—

Cook county, salary of clerk	185
------------------------------------	-----

PROBATE—

Clerk's fees	133
Cook county, salary of clerk	185
Terms fixed	162

	PAGE.		PAGE.
COURTS—Continued.		FIREMEN:	
SUPERIOR—		Pensions	117
Cook county, salary of clerk	185	FISH AND GAME:	
SUPREME—		Fish, protection of, act amended	189
Appropriations for expenses	67	Game, protection of	192
Reports, purchase of	65	FITZGERALD, EDWARD:	
CRIMINAL CODE:		Appropriation	54
Bail in vacation	166	FITZPATRICK, TIMOTHY:	
Conspiracy	167, 168	Appropriation	55
Prostitution of females	170	FLYNN, ANNIE F.:	
Rape, sec. 237 amended	171	Appropriation	55
CUDELL AND LEHMANN:		FOLEY, DENNIS:	
Appropriation	59	Appropriation	55
DAIRYMEN'S ASSOCIATION:		FUGITIVES:	
Appropriation	36	Appropriation for apprehension	65
DAMAGES:		GAMBLING:	
Property destroyed by mobs	237	Bucket shop, etc., prohibited	96
DAVIDSON & SONS:		GENERAL ASSEMBLY:	
Appropriation	59	Appropriation	37, 38, 71
DAVIS, DAVID:		GOVERNOR:	
Memorial services, appropriation ...	36	Appropriation	63
DEBT:		Contagious diseases, quarantine	
Imprisonment for	194, 213	regulations	8, 13
DRAINAGE:		Mobs and riots, quelling	239
Chicago district	126	GRAIN:	
ELECTIONS:		Railroads transporting in bulk	253
Act 1885, sec. 2, art. 8, amended	171	GRAIN, PRODUCE, ETC.:	
Bribery, penalties	173	Gambling in, prohibited	96
Commissioners may act for other cities		GUARDIANS AND WARDS:	
and towns	171	Investment of ward's money	193
Cook County Commissioners	149	HEATING STATE HOUSE:	
Jury Commissioners, for the ap-		Appropriation	61-64
pointment	214	HORSE THIEVES:	
Soldiers' Homes, inmates of	172	Corporation for apprehension	140
Town and school officers under act		HORTICULTURAL SOCIETY:	
1885	175	Appropriation	38
ELECTRIC LIGHT PLANT:		IMPRISONMENT:	
State House, appropriation	71	For debt	194, 213
ENTOMOLOGIST, STATE:		INSOLVENT DEBTORS:	
Appropriation	71	Imprisonment for debt	194
EVIDENCE AND DEPOSITIONS:		INSURANCE, FIRE:	
Breaking seal by clerks	178	County companies, act amended	195
Entries of land, patents	176	Township companies, act amended ..	201
EXEMPTIONS:		INSURANCE, LIFE:	
Homesteads	178	Assessment societies, incorporated ..	204
Personal property	179	Assessment societies, foreign	211
EXPLOSIVES:		Incorporating State companies	202
Manufacture, transportation and		INSURANCE, LIVE STOCK:	
sale, regulation	180	Farmers' county mutual companies ..	197
FEMALES:		INTOXICATING LIQUORS:	
Prostitution of, penalties for	170	Sale of, outside of municipalities	194
FENCES:		JUDGES:	
Legal, barb wire	188	Appointment of jury commissioners ..	214
FEES AND SALARIES:		Circuit, Cook county increase	157
Appeals, copies of papers	182		
Clerks of probate courts	183		
Cook county, salaries of officers and			
clerks of courts	185		
Fees in change of venue trials	307		
Recorders, fees for abstracts of title ..	256		
Witnesses	187		

PAGE.	PAGE.
JUDGMENTS AND EXECUTIONS:	LOGAN MONUMENT:
Imprisonment for debt 213	Appropriation..... 43, 44
Personal property, care of live stock. 213	
Wages, preferred claims 308	LUNATICS:
JURIES:	Conservators, appointment, act amended. 223
Commissioners, appointment..... 214	
Verdicts 251	LYLE, JOHN A.
JURY COMMISSIONERS:	Appropriation..... 45
Appointment..... 214	MARRIAGES:
JUSTICES AND CONSTABLES:	Cousins, first degree, prohibited..... 225
Appeals from police magistrates..... 217	McGEE, PETER:
KEIFER, C. A.:	Appropriation..... 46
Appropriation..... 53	MEDICINE AND SURGERY:
KELLER, GEO.:	Practice regulated..... 225
Appropriation..... 56	MEMORIAL HALL:
KELLER, MICHAEL:	Appropriation..... 47
Appropriation..... 55	MERCHANTS:
KENNEDY, P.:	Itinerant, licensing and regulated.... 117
Appropriation..... 55	MILITARY CODE:
LABORATORY OF NATURAL HISTORY:	Pay of enlisted men on duty and while in camp..... 229
Appropriation..... 71	MILLS AND DAMS:
LAWRENCE, ARCHIBALD:	Little Wabash river at New Haven, removed..... 230
Appropriation..... 55	MINES AND MINERS:
LE MAY, J. C.:	Health and safety of miners, act amended..... 231
Appropriation..... 38	Weighing coal at mines 235
LIBRARY, STATE:	MINORS:
Appropriation..... 64	Sale of tobacco to, prohibited..... 298
LIBRARIES, PUBLIC:	MOBS AND RIOTS:
Tax rate in cities..... 218	Damages for property destroyed.... 237
LIENS:	Military force in quelling 239
Get of sires..... 17	Preservation of the peace 239
Mechanics, statement of account 219	
Mechanics, sub-contractors 220	MOONEY, MICHAEL:
LIEUTENANT GOVERNOR:	Appropriation, costs in trial of..... 46
Appropriation..... 71	MOORE, D. B.:
LIGHTING STATE HOUSE:	Appropriation..... 53
Appropriation..... 64	MORTGAGES:
LINCOLN HOMESTEAD:	Chattel, extension..... 241
Trustees for the State, appropriation. 39	MUSEUM OF NATURAL HISTORY:
LINCOLN MONUMENT:	Appropriation..... 68
Appropriation for repairs 41	NATIONAL GUARD:
LIVE STOCK:	Appropriation..... 47, 48
Insurance, Farmers Mutual Companies..... 197	Mobs and riots, used in quelling. 239
LIVE STOCK COMMISSIONERS:	NILES, CHARLES:
Appointment and duties 8-13	Appropriation..... 55
Appropriation 41, 42	OILS:
LOAN AND HOMESTEAD ASSOCIATIONS	Inspectors, appointment..... 242
Act 1879 amended 131	O'NEAL, J. S.:
LOCKS AND DAMS:	Appropriation..... 53
Illinois River, ceding to U. S..... 222	PAPER AND STATIONERY:
LOGAN, JOHN A.:	Appropriation..... 60, 64
Memorial services, appropriation.... 36	

	PAGE.		PAGE.
PARKS:		R. R. AND W. COMMISSIONERS:	
Bonds, issue of.....	243, 246	Accidents on railroads, investigate cause.....	254
Indebtedness, issue bonds, to cancel.....	243	Appropriations.....	69
Lands, commissioners may sell unused.....	245	Signals at railroad crossings.....	252
Logan monument, location.....	44	RAPE:	
Protection against water.....	246	Act amending criminal code.....	171
Streets leading to, care of.....	247	RECEIVERS:	
Streets leading to, uniform width.....	248	Corporations, service of process....	142
Superintendents, appointment.....	249	RECORDERS:	
PEDIGREES:		Abstract books kept.....	256
Fraudulent certificates of registration.....	18	Cook county, salary.....	185
PENSIONS:		Fees for abstracts of title.....	256
Firemen.....	117	Records and files open to inspection.....	258
Policemen.....	122	RECORDS:	
PENITENTIARIES:		Destroyed by fire, restoration.....	258
APPROPRIATIONS:		REFORM SCHOOL:	
Joliet.....	48, 49, 50, 69	Appropriation.....	56, 57
Southern.....	51, 69	Appropriation for conveying offenders to.....	66
PHARMACY:		Report of trustees, when made.....	100
Practice of registered pharmacists..	250	REVENUE:	
PHILLIPSON DECORATION CO.:		General levy for State purposes.....	262
Appropriation.....	59	REWARDS:	
POLICEMEN:		Appropriation for arrest of fugitives..	65
Pensions.....	122	REPORTS:	
POLICE DISTRICTS:		Trustees of charitable institutions...	100
Act creating.....	104	Trustees of reform school.....	100
POLICE MAGISTRATES:		RILEY, EDWARD:	
Appeals from.....	217	Appropriation.....	55
POOL-SELLING:		RIVERS:	
Bets and wages prohibited.....	95	Illinois, ceding locks and dams to United States.....	222
PRACTICE:		Little Wabash, removal of dam at New Haven.....	230
Appeals from interlocutory decrees..	250	ROADS AND BRIDGES:	
Juries, special verdict.....	251	COUNTIES UNDER TOWNSHIP ORGANIZATION—	
Wages, preferred claims.....	308	Bridges, county aid.....	263
PREHLER, GEORGE:		Public highways, defined.....	263
Appropriation.....	54	COUNTIES NOT UNDER TOWNSHIP ORGANIZATION—	
PREHLER, JOHN H.:		Act concerning.....	265
Appropriation.....	54	RYAN, MORRIS:	
PRINTING:		Appropriation.....	55
Appropriation.....	61, 64	RYAN, SIMON:	
PROPERTY:		Appropriation.....	55
Destroyed by mobs, damages.....	237	SALARIES:	
Personal exemptions.....	179	Cook county officers and clerks of courts.....	183
PURDIE, MRS. R. A.:		State officers, appropriation.....	38
Appropriation.....	52	SAVINGS INSTITUTIONS:	
QUARANTINE:		Organization.....	77
Diseased animals.....	8, 13, 16	SCHNEGG, TOBIAS:	
QUIGLEY, JAMES:		Appropriation.....	55
Appropriation.....	55		
RAILROADS:			
Accidents, Railroad and Warehouse Commissioners investigate cause..	254		
Crossings, automatic signals.....	252		
Grain in bulk, weighing.....	253		

	PAGE.		PAGE.
SCHOOLS:		TELEGRAPHS AND TELEPHONES:	
Appropriation, exhibit of work at Chicago.....	57	Wires, poles and cables, act concerning.....	298
Boards of education and directors, election and organization.....	290	TOBACCO:	
Cities, towns and villages may convey real estate.....	127	Sale to minors prohibited.....	298
County superintendents bills, auditing.....	289	TOWNS:	
Districts, organization.....	291	Election of officers, under act 1885.....	175
Election of officers under act 1885.....	175	TOWNSHIP ORGANIZATION:	
Presidents of boards of education, election.....	296	Census may be taken by town officers.....	299
Streets and highways, trustees may lay out.....	297	Representation in county boards.....	299
Teachers institutes, attendance of teachers.....	297	Towns, uniting and dividing.....	300
SCHOOL FUND:		TREASURERS, COUNTY:	
Appropriations.....	66	Cook county, salary.....	185
SECRETARY OF STATE:		TREASURER, STATE:	
Appropriations.....	63, 64	Appropriation.....	66
SHAY, DANIEL:		TREE PLANTING:	
Appropriation.....	55	Arbor day.....	304
SHERIFFS:		TRIPP, D. H. AND S. S.:	
Cook county, salary.....	185	Appropriation.....	53
Mobs and riots, quelling.....	239	TRUST COMPANIES:	
SHORTHAND REPORTERS:		Act concerning.....	144
Circuit Courts, appointment.....	159	TUCKER, JOHN B.:	
SIRENS OF ANIMALS:		Appropriation.....	74
Liens on get of.....	17	UNITED STATES:	
SOLDIERS' HOMES:		Ceding jurisdiction to certain lands.....	304
Elections, inmates.....	172	UNIVERSITIES:	
SOLDIERS' AND SAILORS' HOME:		Appropriation.....	76
Admission of applicants.....	101	ILLINOIS:	
STATE DEBT:		Election of trustees.....	306
Appropriation to pay internal improvement stock.....	58	Normal, appropriations.....	73, 75
STATE CONTRACTS:		VAULTS.	
Commissioners, printing for Board of Agriculture.....	17	Appropriation, furnishing Auditor's office.....	65
STATE HOUSE:		Appropriation, furnishing Secretary of State's office.....	64
Appropriation for repairs.....	58	VEAL:	
STATE HOUSE CONTRACTORS:		Sale of, regulated.....	307
Appropriation, loss by fire.....	59	VENUE:	
STATE OFFICERS:		Change of, costs in foreign counties.....	307
Appropriation for salaries.....	38	VERDICTS:	
STATE SUITS:		Jury, special.....	251
Appropriation.....	65	VETERINARY SURGEONS:	
STEWART, SAMUEL:		Appointment and duties.....	3, 13
Appropriation.....	72	WAGES:	
SUPT. OF PUBLIC INSTRUCTION:		Claims for protection of.....	308
Appropriations.....	66	WARREN, GEO.:	
SURETY COMPANIES:		Appropriation.....	59
Act concerning.....	143	WEIGHTS AND MEASURES:	
SWAMP LANDS:		Standard.....	309
Entries, copies of evidence of title.....	176	WHITSON, W. F. AND SON:	
TAXES:		Appropriation.....	53
Refunding appropriation for.....	66	WITNESSES:	
		Fees and mileage.....	187

INDEX TO JOINT RESOLUTIONS

	PAGE.		PAGE.
Adjournments	311, 312	Ohio and Mississippi Railway Company	322
Agricultural Experiment Station	312	O'ney, loan of tents	324
American Forestry Congress	312	PENITENTIARIES:	
Animals, contagion	313	Female convicts	320
Bailey, Geo. S., attempted assassination	314	United States prisoners	320
Chicago sewerage system	314	Pension bill, passage in Congress	320
Claims committee	315	Pleuro-pneumonia in Cook county . . .	321, 322
Cullom, S. M.	315	Printing memorial addresses, Davis and Logan	322
Davis, David, death of	316	Rogers, John G., death of	324
Election returns, canvass	316	School law, revision	324
Exposition, Ohio Valley and Central States	317	St. Louis Bridge Company	325
England, coercion of Ireland	317	Soldiers' homes	326, 327
Litler, David T.	318	Supreme Court reports to certain coun- ties	328
Logan monument, site for	318	Swamp land claims	328
Northwestern Territory	319		

