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# LAWS

OF THE

# STATE OF ILLINOIS,

ENACTED BY THE

FORTY-FIRST GENERAL ASSEMBLY

AT THE REGULAR BIENNIAL SESSION,

*Began and held at the Capitol, in the city of Springfield, on the 4th  
day of January A. D. 1899, and adjourned sine die on the  
14th day of April A. D., 1899.*

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**Printed by Authority of the General Assembly  
of the State of Illinois.**

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# LAWS OF ILLINOIS

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## AGRICULTURE.

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### TRESPASS ON FAIR GROUNDS.

§ 1. Enacting clause.

§ 16. Penalty for entering grounds without ticket or permit.

AN ACT to amend an act entitled "*An act to revise the law in relation to the department of agriculture, agricultural societies, agricultural fairs, and to provide for reports of the same,*" approved June 23, 1883, in force July 1, 1883, by adding thereto another section to be known as section 16.

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 the department of agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same," approved June 23, 1883, in force July 1, 1883, be, and the same is hereby, amended by adding thereto another section, to be known as section 16, and which shall be as follows:

§ 16. That whoever, during the holding of any fair or exhibition of any agricultural, horticultural or mechanical association, shall gain or attempt to gain entrance to the grounds or enclosure within or upon which such fair or exhibition is being held, without having permission from the proper authorities thereof, or without having purchased and surrendered a ticket of admission thereto, or without having complied with the published rules of such association in regard to entrance thereto, shall be fined not less than two nor more than ten dollars.

APPROVED April 24, 1899.

## ANIMALS.

## DOGS AND SHEEP.

- |   |   |
|---|---|
| § 1. Amends Sections 3 and 5 of the act of 1879.<br>§ 3. Duties of county treasurer and supervisor—Disposition of license fund. | § 5. Affidavit to show damages—Damages proven by not less than two witnesses—Damages not to exceed \$5.00 per head. |
|---|---|

AN ACT to amend sections 3 and 5 of an act entitled, "An act to indemnify the owners of sheep in cases of damages committed by dogs," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 30, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections 3 and 5 of an act entitled, "An act to indemnify the owners of sheep in cases of damages committed by dogs," approved May 29, 1879, and in force July 1, 1879, as amended by act approved and in force May 30, 1881, be, and the same is hereby, amended so as to read as follows:

§ 3. It shall be the duty of the county treasurer and supervisors, having the custody of the funds collected as license fees, as aforesaid, to pay the same out in the manner following:

First—By such county treasurer to the owners of sheep in their respective counties, and by the supervisors to the owners of sheep in their respective towns, who shall make proof to them before the first Monday of March in each year of loss or injury to sheep by dogs, other than their own, the full amount of the loss or injury so proved, if there are funds sufficient to pay the same; if there be not sufficient funds to pay such loss or injury in full, then the owners of sheep so sustaining injury as aforesaid, and making proof thereof as in this act provided, shall be paid out of such fund in proportion to his loss or injury on his or her pro rata share thereof.

Second—Three years after the collection of such license fund, if there shall remain in the hands of the town supervisor in counties under township organization, and [an] unexpended balance, such balance shall annually be turned into the general fund of the county, or township, as the case may be, and shall be used for the same purposes as money raised by general taxation.

*Provided,* that in townships in which there are no sheep, as shown by the assessor's returns for that year, the license fund collected for the preceding year shall be turned into the general fund of the township on the first day of April.

§ 5. No person having sheep killed as aforesaid shall be entitled to receive any portion of the fund herein provided for unless he appear before the supervisor of the town in which the sheep are killed or injured or before a magistrate in counties not under township organization, within not less than ten nor more than forty days after

the sheep were killed or injured, and make affidavit stating the number of sheep killed or injured, the amount of damages and owner or owners of dog or dogs if known.

All damages shall be proven by not less than two (2) witnesses, who shall be freeholders of the county, and such supervisors or magistrates are hereby authorized to administer oaths in such cases, and shall keep a record in each case of the names of owners and the amount of damage proven and the number of sheep killed or injured. And in case the owner of the dog or dogs is solvent, the county or town, as the case may be, shall not pay such damages out of such fund.

*Provided*, the damages allowed in no event shall exceed five dollars per head for such sheep killed or injured.

APPROVED April 21, 1899.

## APPROPRIATIONS.

### ADJUTANT GENERAL.

§ 1. Appropriates \$5,000 to revise Adjutant General's reports. | § 2. How drawn.

AN ACT making an appropriation to revise and correct the reports of the Adjutant General, 1861-1866, containing the rosters of the Illinois regiments in the civil war, and preparing the rosters of the Illinois volunteers in the American-Spanish war of 1898, for publication.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of five thousand (5,000) dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the payment of clerks to revise, correct and prepare the manuscript for a reprint of the Adjutant General's reports for the years 1861-1866, containing the records of the Illinois volunteers in the civil war, which records have been altered, amended and in many cases completed by the War Department at Washington, D. C., thus leaving the present printed rosters, in many cases incomplete and incorrect, as well as the rosters of the Illinois volunteers who entered the United States service in the American-Spanish war of 1898.

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

APPROVED April 24, 1899.

## APPELLATE COURTS.

- |   |                 |
|---|-----------------|
| § 1. Appropriates \$3,000 for heating plant and connecting with sewerage system of Ottawa for the second district Appellate Court building. | § 2. How drawn. |
|---|-----------------|

AN ACT making appropriations for the construction and equipment of a heating plant and for connecting the appellate court building of the second appellate court district with the sewerage system of the city of Ottawa.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of \$3,000 be, and is hereby, appropriated for the purpose of constructing and equipping a heating plant, and connecting the building with the sewerage system of the city of Ottawa, for the appellate court building of the second district.

§ 2. That the Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer for the amount hereinbefore appropriated, upon orders drawn by the appellate court clerk of said district approved by at least two of the appellate judges of said district.

APPROVED April 24, 1899.

## COURTS—APPELLATE.

- § 1. Appropriates \$3,000 for heating apparatus for appellate court building at Mt. Vernon.  
How drawn.

AN ACT making an appropriation to provide heating apparatus for the appellate court building for the fourth district appellate court, in the city of Mt. Vernon, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That there is hereby appropriated the sum of three thousand dollars, or so much thereof as may be necessary, for the purpose of providing suitable heating apparatus for the appellate court building for the appellate court of the fourth district, in the city of Mt. Vernon, Illinois. Said heating apparatus to be purchased in the State of Illinois, and payment to be made upon bills certified to by at least two of the judges of said appellate court.

APPROVED April 22, 1899.

## AWARDS BY COMMISSION OF CLAIMS.

§ 1. Appropriates \$3,376.15 for amounts awarded by the commission of claims.	§ 2. How drawn.
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AN ACT to make appropriation for the payment of amounts awarded by the commission of claims to certain persons named therein.

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 Greely Carlson and Company the sum of five hundred (500) dollars for furnishing maps and surveys to the Attorney General, awarded by the commission of claims December 21, 1896; to John R. O'Connor the sum of two hundred and ninety-six and twenty-five one-hundredths (296.25) dollars for services as stenographer in case of the People of the State of Illinois versus Elizabeth Cooling, awarded by the commission of claims December 23, 1896; to George Mills Rogers the sum of two hundred thirty-four and thirty-eight one-hundredths (234.38) dollars for services as master in chancery in case of the People of the State of Illinois versus Elizabeth Cooling, awarded by the commission of claims December 23, 1896; to George Hingston the sum of one hundred seventy-eight and six one-hundredths (178.06) dollars for services rendered Senate committee of the 38th General Assembly in investigation of Joliet Penitentiary, awarded by the commission of claims December 16, 1897; to E. B. Sherman the sum of seventy-five (75) dollars for services as master in chancery in case of the People of the State of Illinois versus Illinois Central Railroad Company, awarded by commission of claims August 10, 1898; to the Arms Palace Horse Car and Stock Car Company the sum of eighty (80) dollars for transporting horses for the Illinois National Guard, awarded by the commission of claims August 10, 1898; to C. Kinney Smith the sum of two hundred and fifty (250) dollars for damages to real estate caused by the Illinois and Michigan Canal, awarded by commission of claims December 14, 1898; to James F. Green the sum of twelve hundred (1200) dollars for injury received while in the line of duty as a member of the Illinois National Guard, caused by the explosion of a rifle, awarded by the commission of claims December 21, 1898; to John H. Hamlin the sum of five hundred and thirty-one (531) dollars for legal services in case of the People of the State of Illinois versus Illinois Central Railroad Company, awarded by the commission of claims December 21, 1898, and to Charles D. Roberts the sum of thirty-one and forty-six one-hundredths (31.46) dollars for supplies furnished Wm. H. Hinrichsen, Secretary of State, awarded by the commission of claims December 29, 1898.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer in favor of said persons, respectively, for the amounts herein appropriated, payable out of any money in the treasury not otherwise appropriated.

APPROVED April 12, 1899.

## MONUMENTS TO MARK POSITIONS, SHILOH, TENNESSEE.

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|---|---|
| <p>§ 1. Appropriates \$65,000 to mark positions of Illinois troops at Shiloh, and to pay expenses of commissioners to locate same.</p> <p>§ 2. Authorizes commissioners to procure granite monuments and markers—Monument to Major-General W. H. Wallace.</p> | <p>§ 3. Commissioners to receive only actual expenses.</p> <p>§ 4. How drawn.</p> |
|---|---|

AN ACT to provide for the erection of monuments to mark the positions occupied by Illinois volunteers in the battle of Shiloh, Tennessee, and to make an appropriation to pay for the same and to pay the expenses of the commissioners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of perpetuating the memory of those who participated in, and designating by proper monuments and markers of granite the positions of the several commands of Illinois volunteers engaged in the battle of Shiloh, Tennessee, and to cover the actual expenses of the commissioners appointed by virtue of an act of the Fortieth General Assembly, for the purpose of locating the positions occupied by the volunteers from this State on the battlefield of Shiloh, the sum of sixty-five thousand dollars (\$65,000), or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the State treasury not otherwise appropriated.

§ 2. That the commissioners heretofore appointed to mark the position occupied by the Illinois troops in the battle of Shiloh, or those who may hereafter be appointed, are hereby authorized and empowered to make contracts for the construction, delivery and erection upon said battlefield of one monument for each regiment and detached organization, and one monument for each battery of Illinois volunteers who participated in said battle; such monuments to be made entirely of granite and appropriately inscribed, at a cost of not exceeding seven hundred and fifty dollars for each of said monuments complete and placed in its final position, and one monument that shall appropriately represent the State of Illinois. The site of such monument and the cost thereof shall be left to the discretion of the commissioners: *Provided*, such cost shall not exceed the sum of ten thousand (\$10,000) dollars. There may also be erected, marking the spot where Major General W. H. L. Wallace fell, a suitable memorial or monument, the cost not to exceed one thousand (\$1,000) dollars, and said commissioners are hereby further authorized and empowered to contract for the construction, delivery and erection on said battlefield of not more than one hundred and twenty-five (125) granite markers, such markers not to exceed in cost the sum of seventy-five (\$75) dollars each.

§ 3. That for the services of said commissioners required to be performed under section 2 of this act there shall be no compensation, but said commissioners shall receive the actual expenses incurred by



them in the premises to an amount not exceeding in the aggregate the sum of three thousand (\$3,000) dollars, to be paid out of the appropriation hereby made.

§ 4. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the treasury upon the presentation to him of proper vouchers certified by the said commissioners and approved by the Governor and Adjutant General in payment for said monuments and markers when contracted, delivered and erected in the places designated by said commissioners, and that one-half of the sum hereby appropriated shall be paid out of the taxes levied for the year 1899 and the other half out of the sum so appropriated shall be paid out of the taxes levied for the year 1900.

APPROVED April 24, 1899.

#### DEDICATION OF BATTLEFIELD MONUMENTS.

§ 1. Appropriates \$5,000 for dedicating monuments on certain battlefields. | § 2. How drawn.

*AN ACT making an appropriation to pay the expenses for dedicating the monuments erected by the State of Illinois on the battlefields of Chickamauga, Georgia, and in and about Chattanooga, Tennessee, including Lookout Mountain, Orchard Knob and Missionary Ridge, marking the locations where Illinois volunteers participated in such battles, together with actual expenses of the Illinois, Chickamauga and Chattanooga military park commission.*

WHEREAS, By act of the Thirty-ninth General Assembly, approved May 22, 1895, the sum of \$65,400 was appropriated for the purpose of erecting monuments on the battlefields of Chickamauga, Georgia, and on the battlefields in and about Chattanooga, Tennessee, including Lookout Mountain, Orchard Knob and Missionary Ridge, in commemoration of, and to locate the positions where, the 92 regiments and batteries of Illinois volunteers participated in those historic engagements; and

WHEREAS, The various monuments so provided for, marking the positions where the Illinois volunteers fought in said battles, are practically complete and in position; and

WHEREAS, It seems that some formal dedication of such monuments should be had; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand (\$5,000) dollars, or so much thereof as may be necessary, is hereby appropriated to pay the necessary expenses for dedicating the monuments erected in commemoration of the services of Illinois volunteers, located on the battlefields of Chickamauga, Georgia, and in and about Chattanooga, Tennessee, including Lookout Mountain, Orchard Knob and Missionary Ridge, together with the actual expenses of the Illinois Chickamauga and Chattanooga military park commission.

§ 2. That the Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum hereby appropriated on the presentation of proper vouchers by the Illinois Chickamauga and Chattanooga military park commission, certified by the Adjutant General and approved by the Governor, and the State Treasurer shall pay the same out of the money hereby appropriated.

APPROVED April 21, 1899.

### CHARITABLE INSTITUTIONS.

#### COLONY FOR EPILEPTICS.

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|---|--|
| <p>§ 1. Establishment of colony for epileptics.<br/>Board of Commissioners of Public Charities <i>Ex-officio</i> trustees.</p> <p>§ 2. Object. Location.</p> <p>§ 3. Preparation of plans and specifications.<br/>Cottage system or plan.</p> | <p>§ 4. Board to make report to Governor.<br/>Contents of report.</p> <p>§ 5. Appropriates \$2,500 to carry out provisions of act.</p> <p>§ 6. How drawn</p> |
|---|--|

AN ACT to establish the Illinois State Colony for Epileptics and for making an appropriation therefor.

WHEREAS, The Forty-first General Assembly of the State of Illinois, recognizes the duty of the State to provide proper care for such of its citizens as are, or may become, afflicted with the disease of epilepsy; therefore

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That there is hereby established the Illinois State Colony for Epileptics which shall, through the Board of Commissioners of Public Charities, who shall be *ex-officio* trustees for said colony till otherwise provided by law, possess all corporate and other powers and be subject to all the rules, regulations and conditions, so far as the same may be applicable, expressed in an act entitled, "An act to regulate the State Charitable Institutions and State Reform Schools and to improve their organization and increase their efficiency," approved April 15, 1875.

§ 2. The object of said colony shall be to secure humane, curative and scientific treatment and care of epileptics. In fulfillment of said object the Board of Commissioners of Public Charities are

hereby empowered and directed to select a suitable location for the construction of said colony and secure an option on the same. Said board is hereby directed to take into consideration the natural aptitude of any proposed location for the purpose of husbandry, adequate possible supply of land for said purpose of husbandry at reasonable price, natural facilities of any proposed location for adequate and suitable drainage for all necessary buildings or improvement and an ample natural water supply for the requirements of said epileptic colony and such other advantages and adaptability as in their judgment may be necessary to the erection of a model epileptic colony.

§ 3. The Board of Commissioners of Public Charities are hereby directed to have prepared suitable plans and specifications, on the cottage system or plan, for the construction of the necessary buildings and improvements for the construction of said epileptic colony.

§ 4. The Board of Commissioners of Public Charities is hereby directed to report all its acts under this act to the Governor not later than thirty days previous to the meeting of the Forty-second General Assembly of the State of Illinois in its first, or regular session, that the same may be reported to said Assembly. In said report they shall include a bill for a proposed act making provisions for control and management of said epileptic colony.

§ 5. There is hereby appropriated the sum of twenty-five hundred dollars, or as much thereof as may be necessary, to expend for the purposes of this act. The necessary expenses of the Board of Commissioners of Public Charities in carrying out the provisions of this act shall be defrayed out of said appropriation.

§ 6. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for the amount herein appropriated upon presentation of proper vouchers certified to by the Board of Commissioners of Public Charities and approved by the Governor.

APPROVED April 19, 1899.

STATE CHARITABLE INSTITUTIONS.

FOR IMPROVEMENTS AND REPAIRS.

<p>§ 1. Appropriates \$1,194,755 to the State Charitable Institutions as follows:</p> <p>To the Northern Hospital for the Insane..... \$85,750</p> <p>To the Eastern Hospital for the Insane..... 150,800</p> <p>To the Western Hospital for the Insane..... 62,500</p> <p>To the Central Hospital for the Insane..... 65,838</p> <p>To the Southern Hospital for the Insane..... 78,900</p> <p>To the Asylum for the Incurable Insane..... 377,000</p> <p>To the Asylum for Insane Criminals..... 8,100</p>	<p>To the Institution for the Education of the Deaf and Dumb 25,700</p> <p>To the Institution for the Education of the Blind..... 14,967</p> <p>To the Asylum for Feeble-Minded Children..... 239,600</p> <p>To the 'Soldiers' and Sailors' Home..... 32,000</p> <p>To the Soldiers' Orphans' Home..... 23,100</p> <p>To the Soldiers' Widows' Home..... 2,500</p> <p>To the Charitable Eye and Ear Infirmary..... 10,200</p> <p>To the State Home for Female Juvenile Offenders..... 17,800</p>
	<p>§ 2. How drawn.</p>

AN ACT *making appropriations for the State charitable institutions herein named.*

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 institutions named in this act, for the purposes herein stated, for the two years beginning July 1, 1899, the sum of \$1,194,755, and that the said appropriation shall be apportioned between the institutions as follows:

TO THE NORTHERN HOSPITAL FOR THE INSANE, ELGIN:

For repairs and improvements, per annum, \$10,000.....	\$20,000
For morgue.....	2,000
For painting.....	4,000
For care and improvement of ground, per annum, \$1,000.	2,000
For maintenance of library.....	1,000
For milch cows.....	2,000
For new beds and furniture.....	3,000
For extension of cement walk.....	1,000

For farm building and implements.....	\$ 1,000
Steam plant.....	5,000
For repairing cottage (patients').....	750
For new plumbing in main building.....	5,000
For new electric wiring throughout.....	4,000
For infirmary for females.....	35,000
<b>Total.....</b>	<b>\$85,750</b>

TO THE EASTERN HOSPITAL FOR THE INSANE, KANKAKEE.

For chapel, gymnasium and amusement building.....	\$40,000
For furnaces and boilers.....	10,000
For power plant.....	20,000
For electric wiring.....	5,000
For improving and repairing plumbing system.....	5,000
For live stock and farm implements.....	2,500
For pathological laboratory and scientific work.....	2,500
For library and reading room.....	1,000
For garden propagation building.....	1,500
For furniture.....	4,000
For cement walk.....	2,500
For painting.....	5,000
For improvement of ground, per annum, \$2,000.....	4,000
For drainage, sewerage and sewage disposal.....	2,000
For lawn irrigation plant.....	800
For improvement of garden.....	2,000
For equipment of patients' workshop.....	1,500
For remodeling two cottages.....	1,500
For general improvement and repairs, per annum, \$20,000.....	40,000
<b>Total.....</b>	<b>\$150,800</b>

TO THE WESTERN HOSPITAL FOR THE INSANE, WATERTOWN.

For completing steam, water and lighting plant.....	\$17,000
For two barns with necessary sheds.....	7,500
For detention hospital or infirmary.....	20,000
For cold storage and store.....	3,500
For roads and walks.....	6,500
For fences.....	1,000
For laundry machinery.....	500
For printing press, workshop, machinery and tools.....	1,000
For library.....	500
For improvements and repairs, \$2,500 per annum.....	5,000
<b>Total.....</b>	<b>\$62,500</b>

TO THE CENTRAL HOSPITAL FOR THE INSANE, JACKSONVILLE.

For repairs and improvement fund, \$10,000 per annum...	\$20,000
For grounds, \$1,000 per annum.....	2,000
For painting.....	5,000

For library, \$500 per annum.....	\$ 1,000
For furniture.....	4,000
For farm implements.....	1,000
For improvement in power and heating plant.....	20,000
For plumbing.....	5,000
For paving assessment.....	7,838
	<hr/>
Total.....	\$65,838

## TO THE SOUTHERN HOSPITAL FOR THE INSANE, ANNA.

For improvements and repairs per annum, \$8,000.....	\$16,000
For roads and grounds, per annum, \$1,000.....	2,000
For replacing library.....	1,000
For library, per annum, \$200.....	400
For re-building male cottage.....	40,000
For additional store room.....	3,000
For re-flooring and refurnishing north wing of main building.....	3,000
For repairs to sewerage.....	2,500
For re-shingling barn.....	500
New range and annex kitchen.....	500
For painting administration building.....	4,000
For farm machinery and stock.....	1,500
For steel ceiling, per annum, \$1,000.....	2,000
For granitoid floor in annex basement and main kitchen.....	2,500
	<hr/>
Total.....	\$78,900

## TO THE ASYLUM FOR THE INCURABLE INSANE, BARTONVILLE.

For nine cottages, \$15,000 each.....	\$135,000
For one hospital building.....	25,000
For two dining rooms, \$10,000 each.....	20,000
For one bath house.....	2,500
For one power house.....	10,000
For one water tower.....	8,000
For one horse barn.....	2,500
For one cow barn.....	2,500
For one milk house.....	1,000
For twenty horses.....	2,000
For fifty cows.....	2,000
For water supply, pipes, etc.....	10,000
For machinery and work shop.....	2,000
For heating.....	30,000
For installation of power plant, etc.....	10,000
For lighting.....	10,000
For sewerage.....	10,000
For walks bridges, retaining walls and roads and grading.....	15,000
For boilers.....	5,000
For machinery and fixtures for laundry.....	4,000

For fixtures for kitchen and bakery.....	\$ 2,000
For pump.....	2,500
For hot air ventilating fans, etc.....	5,000
For farming implements, wagons, etc.....	1,000
For furnishing building, etc.....	60,000
	<hr/>
Total.....	\$377,000

TO THE ASYLUM FOR INSANE CRIMINALS, CHESTER.

For repairs and improvements, \$1,000 per annum.....	\$2,000
For furnishing and furniture, \$500 per annum.....	1,000
For maintenance of library, \$200 per annum.....	400
For electrical supplies, \$500 per annum.....	1,000
For water supply, \$600 per annum.....	1,200
For water furnished by Southern Illinois Penitentiary, now due.....	600
For carpeting and repairing.....	400
For plumbing.....	500
For re-flooring and re-roofing.....	500
For roads and maintenance of the same.....	500
	<hr/>
Total.....	\$8,100

TO THE INSTITUTION FOR THE EDUCATION OF THE DEAF AND DUMB,  
JACKSONVILLE.

For repairs and improvements, per annum, \$5,000.....	\$10,000
For hospital funds (otological laboratory and expert medical treatment) per annum, \$1,250.....	2,500
For maintenance of library, per annum, \$500.....	1,000
For furniture funds.....	5,000
For renewal and extension of light and power plant.....	3,750
For water supply.....	2,250
For perfecting heating system.....	1,200
	<hr/>
Total.....	\$25,700

TO THE INSTITUTION FOR THE EDUCATION OF THE BLIND, JACKSONVILLE.

For repairs and improvements, per annum, \$2,500.....	\$5,000
For maintenance of library and apparatus, per annum, \$400.....	800
For material for printing department.....	1,000
For wells, cistern and apparatus for raising and storing water.....	4,000
For electric light plant.....	2,167
For fire-proof vault.....	2,000
	<hr/>
Total.....	\$14,967

## TO THE ASYLUM FOR FEEBLE MINDED CHILDREN, LINCOLN.

For the purchase of one boiler and two furnaces.....	\$ 2,500
For improvement and repairs, \$3,500 per annum.....	7,000
For maintenance of library, \$300 per annum.....	600
For painting, \$1,000 per annum.....	2,000
For re-plumbing and re-construction of bath rooms and water closets.....	10,000
For addition to laundry and new machinery for same....	2,000
For new industrial shop.....	4,000
For stand pipe.....	3,500
For repairs to electric light plant.....	4,000
For new furniture.....	3,000
For construction and furnishing of new buildings to ac- commodate 500 additional inmates.....	200,000
Total.....	\$239,600

## TO THE SOLDIERS' AND SAILORS' HOME, QUINCY.

For maintenance of library, per annum, \$500.....	\$ 1,000
For repairs and improvements, per annum, \$5,000.....	10,000
For improvements of grounds, per annum, \$500.....	1,000
For roads, walks and bridges, per annum, \$1,000.....	2,000
For painting, per annum, \$1,500.....	3,000
For metal ceilings for hospital and cottages.....	2,000
For fencing.....	1,000
For hospital.....	12,000
Total.....	\$32,000

## TO THE SOLDIERS' ORPHANS' HOME, NORMAL.

For repairing buildings and grounds, (immediate use) ...	\$ 5,000
For repairs for two years, \$2,500 per annum.....	5,000
For building a new hospital and equipping the same....	10,000
For changing old hospital into school house.....	1,000
For a conservatory.....	1,500
For renewing library, per annum, \$300.....	600
Total.....	\$23,100

## TO SOLDIERS' WIDOWS' HOME, WILMINGTON.

For improvements and repairs.....	\$2,500
Total.....	\$2,500

## TO THE CHARITABLE EYE AND EAR INFIRMARY, CHICAGO.

For improvements and repairs.....	\$4,000
Clothing and bedding.....	2,000



Furniture .....	\$2,000
Instruments and apparatus.....	2,000
Library .....	200
<hr/>	
Total.....	\$10,200

TO THE STATE HOME FOR FEMALE JUVENILE OFFENDERS, GENEVA.

For hospital and barn.....	\$2,500
For deep well and pump.....	1,500
For building ice house.....	500
For the purchase of land (40 acres) east of and adjoining present site.....	4,000
For repairs and improvement of buildings, \$3,000 per annum .....	6,000
For paroling and discharging girls, \$500 per annum.....	1,000
For library, \$200 per annum.....	400
For school supplies, \$200 per annum.....	400
For medical supplies, \$250 per annum.....	500
For farm, stock and garden implements, \$500 per annum.....	1,000
<hr/>	
Total.....	\$17,800

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

APPROVED April 24, 1899.

CHARITABLE INSTITUTIONS.

FOR ORDINARY EXPENSES.

- |   |                        |
|---|------------------------|
| <p>§ 1. Appropriates \$1,488,000 for the ordinary expenses of the State charitable institutions for 1899.</p> <p>§ 2. Appropriates \$1,655,520 for the ordinary expenses of the State charitable institutions for 1900.</p> | <p>§ 3. How drawn.</p> |
|---|------------------------|

AN ACT making an appropriation for the ordinary and other expenses of the State charitable institutions herein named.

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 for the purpose of defraying the ordinary expenses of the State institutions named in this act, for the year beginning July 1, 1899, the sum of \$1,488,000, payable quarterly in advance, and that the said appropriation shall be apportioned between the said institutions as follows:

To the Northern Hospital for the Insane. Elgin.....	\$166,000
To the Eastern Hospital for the Insane. Kankakee.....	322,000

To the Western Hospital for the Insane, Watertown.....	\$ 90,000
To the Central Hospital for the Insane, Jacksonville.....	165,000
To the Southern Hospital for the Insane, Anna.....	140,000
To the Asylum for the Incurable Insane, Bartonville.....	40,000
To the Asylum for Insane Criminals, Chester.....	35,000
To the Institution for the Education of the Deaf and Dumb, Jacksonville.....	92,000
To the Institution for the Education of the Blind, Jack- sonville.....	38,000
To the Asylum for Feeble-Minded Children, Lincoln.....	112,500
To the Soldiers' and Sailors' Home, Quincy.....	176,000
To the Soldier's Orphans' Home, Normal.....	57,500
To the Charitable Eye and Ear Infirmary, Chicago.....	32,000
To the State Home for Female Juvenile Offenders, Geneva	22,000
Total .....	\$1,488,000

§ 2. For the purpose of defraying the ordinary expenses of the said State institutions for the year beginning July 1, 1900, the sum of \$1,655,520 is appropriated, payable quarterly in advance, and that the said appropriation shall be apportioned between the said institutions, and at the same rate thereafter until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, as follows:

To the Northern Hospital for the Insane, Elgin... ..	\$166,000
To the Eastern Hospital for the Insane, Kankakee.....	322,000
To the Western Hospital for the Insane, Watertown.....	99,520
To the Central Hospital for the Insane, Jacksonville.....	165,000
To the Southern Hospital for the Insane, Anna.....	140,000
To the Asylum for the Incurable Insane, Bartonville.....	100,000
To the Asylum for Insane Criminals, Chester.....	35,000
To the Institution for the Education of the Deaf and Dumb, Jacksonville.....	100,000
To the Institution for the Education of the Blind, Jack- sonville.....	50,000
To the Asylum for Feeble-Minded Children, Lincoln.....	187,500
To the Soldiers' and Sailors' Home, Quincy.....	176,000
To the Soldiers' Orphans' Home, Normal.....	57,500
To the Soldiers' Widows' Home, Wilmington.....	10,000
To the Charitable Eye and Ear Infirmary, Chicago.....	32,000
To the State Home for Female Juvenile Offenders, Geneva	25,000
Total .....	\$1,655,520

§ 3. The moneys herein appropriated shall be due and payable to the trustees of the several institutions named, or to their order, only on the terms and in the manner provided in the nineteenth section 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 24, 1899.

DAIRYMEN'S ASSOCIATION.

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|---|-----------------|
| § 1. Appropriates \$1,500 per annum for compiling publishing and distributing report, and other expenses. | § 2. How drawn. |
|---|-----------------|

AN ACT making appropriation in aid of the Illinois Dairymen's Association.

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

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the sum in this act specified, on bills of particulars certified to by the officials of said association, 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 April 21, 1899.

EDUCATIONAL INSTITUTIONS.

STATE NORMAL SCHOOLS.

- |   |                 |
|---|-----------------|
| § 1. Appropriates \$155,104 to the State educational institutions as follows: | § 2. How drawn. |
| To the Northern Illinois State Normal School.....                             | \$95,339        |
| To the Eastern Illinois Normal School.....                                    | 46,000          |
| To the Southern Illinois Normal University.....                               | 5,375           |
| To the State Normal University.....   | 5,390           |

AN ACT making appropriation for the State educational institutions herein named.

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 institutions named in this act, for the purposes herein stated, for the two years beginning July 1, 1899, the sum of \$155,104, and that the said appropriation shall be apportioned between the institutions as follows:

TO THE NORTHERN ILLINOIS STATE NORMAL SCHOOL, DE KALB.

For electric wiring .....	\$ 300
For electric plant .....	4,000
For electric fixtures .....	1,000
For plumbing.....	7,350
For sewerage .....	2,500

For marble work, etc.....	\$10,000
For black boards.....	1,200
For hardware.....	575
For seating.....	6,000
For teachers' desks.....	400
For carpet and furniture for president's and reception room	800
For painting.....	1,500
For pipe trenches.....	2,000
For boxes in cloak room.....	500
For boiler and dynamo room, steam heating plant and fresh air ducts to fan room.....	30,000
For gymnasium.....	1,500
For furnishing library.....	2,000
For window shades.....	1,575
For wire guards, etc.....	600
For glass skylight.....	1,250
For walks, fences and grading.....	11,000
For balance to complete contract.....	12,289
<b>Total.....</b>	<b>\$98,339</b>

TO THE EASTERN ILLINOIS NORMAL SCHOOL, CHARLESTON.

For material purchased by Angus & Gindele, used by them	\$7,400 00
For completing building.....	2,060 00
Due Briggs and Fuller on contract.....	6,596 15
For walks, fences and grading.....	5,000 00
For blinds for buildings.....	1,500 00
For desks.....	600 00
For teachers' desks.....	250 00
For desks in assembly room and seating same.....	1,000 00
For piano.....	325 00
For typewriter and desk.....	100 00
For furniture and carpets for president's and reception room.....	400 00
For desks for platform, assembly hall and society hall.....	300 00
For expenses of boiler house.....	4,000 00
For library fixtures and gymnasium.....	6,000 00
For museum.....	1,000 00
For laboratory.....	3,000 00
For library, landscape gardening and grading.....	6,318 85
For revolving book cases.....	150 00
<b>Total.....</b>	<b>\$46,000 00</b>

TO THE SOUTHERN ILLINOIS NORMAL UNIVERSITY, CARBONDALE.

For the purchase of museum cases, library furniture, fix- tures for lighting, students' desks and repairs, and for sinking and completing an artesian well.....	\$5,375 00
<b>Total.....</b>	<b>\$5,375 00</b>

TO THE STATE NORMAL UNIVERSITY, NORMAL.

For repairing practice school building.....	\$1,125 00
For repairing porches and old museum rooms.....	525 00
For change in society hall.....	140 00
For painting two society halls and gymnasiums.....	500 00
For burning off old paint from wood work and painting all of outside of old building.....	1,250 00
For changing platform and making sloping floor in main building.....	650 00
For seating hall on third floor of main building.....	1,200 00
Total .....	\$5,390 00

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the afore-said sum of money upon the order of the board of trustees of said educational institutions herein named, signed by the president and attested by the secretary of said board, with the corporate seal of said institution attached, and approved by the Governor.

APPROVED April 24, 1899.

EDUCATIONAL INSTITUTIONS.

STATE NORMAL SCHOOLS.

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|--|--|
| <p>§ 1. Appropriates \$125,723.22 for ordinary expenses of State Normal Schools for 1899.</p> <p>§ 2. Appropriates \$125,723.22 for ordinary expenses of State Normal Schools for 1900.</p> <p>§ 3. To Southern Illinois Normal University one-half the interest on college and seminary fund for ordinary expenses.</p> | <p>§ 4. To Illinois State Normal University one-half the interest of the college and seminary funds for ordinary expenses. Proviso.</p> <p>§ 5. How drawn.</p> |
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AN ACT making appropriation for the ordinary expenses of State educational institutions herein named.

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 for the purpose of defraying the ordinary expenses of the State institutions named in this act for the year beginning July 1, 1899, the sum of \$125,723.22 payable quarterly in advance and that the said appropriation shall be apportioned between the said institutions as follows:

To the Northern Illinois State Normal School, DeKalb..	\$33,000 00
To the Eastern Illinois State Normal School, Charleston	33,000 00
To the Southern Illinois Normal University, Carbondale	26,723 22
To the State Normal University, Normal.....	33,000 00
Total .....	\$125,723 22

§ 2. For the purpose of defraying the ordinary expenses of the said State institutions for the year beginning July 1, 1900, the sum of \$125,723.22 is appropriated, payable quarterly in advance, and that the said appropriations shall be apportioned between the said institutions and at the same rate thereafter until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, as follows:

To the Northern Illinois State Normal School, DeKalb..	\$33,000 00
To the Eastern Illinois State Normal School, Charleston	33,000 00
To the Southern Illinois Normal University, Carbondale	26,723 22
To the State Normal University, Normal.....	33,000 00
Total .....	\$125,723 22

§ 3. That there be, and is hereby, further appropriated to the Southern Illinois Normal University, at Carbondale, for ordinary expenses, one-half the interest on the college and seminary fund.

§ 4. That there be, and is hereby, further appropriated to the Illinois State Normal University, at Normal, for ordinary expenses, one-half of the interest of the college and seminary funds: *Provided*, that the expenses of the model school connected with and forming a part of the State Normal University, shall be paid out of the receipts of the tuition of pupils of said school, and not from the above appropriation or any part thereof.

§ 5. The Auditor of Public Accounts is hereby authorized and required to draw up his warrant upon the State Treasurer of said sums appropriated for the ordinary expenses quarterly, as aforesaid, upon the order of the trustees of the said institution signed by the president and attested by the secretary, with the corporation seal thereto attached: *Provided*, satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the said Auditor of Public Accounts for all expenses of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

APPROVED April 21, 1899.

#### EXECUTIVE MANSION.

§ 1. Appropriates \$4,500 for erecting a barn | § 2. How drawn.  
on the Executive Mansion grounds.

AN ACT for an act making appropriation for the construction of a barn on the grounds of the Executive Mansion.

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 \$4,500, to be expended under the direction of the Secretary of State, for the purpose of erecting a barn on the Executive Mansion grounds in Springfield, Illinois.

§ 2. The Secretary of State is hereby authorized and directed to cause the construction of the barn mentioned in section 1 of this act. The contract for the construction of said barn may be made by the said Secretary with the approval of the Governor, and the Auditor of Public Accounts is hereby authorized to issue his warrant on the State Treasurer in the payment of bills for same when they are properly certified to by the Governor and Secretary of State.

APPROVED April 10, 1899.

#### FARMERS' INSTITUTES.

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| <p>§ 1. Appropriates for expressage, postage, office expenses, etc., \$1300 per annum.</p> <p>§ 2. For expense of preparing annual reports and bulletins, \$1,700 per annum.</p> <p>§ 3. For expenses of district directors, speakers, etc., \$5,000 per annum.</p> <p>§ 4. For each County Farmers' Institute \$75 per annum.</p> | <p>§ 5. Officers of County Farmers' Institutes not to receive money compensation for services.</p> <p>§ 6. How drawn.</p> <p>§ 7. Treasurer of State institute to pay treasurer of county institutes \$75.</p> |
|--|--|

#### AN ACT making appropriations for the Illinois Farmers' Institute and County Farmers' Institutes.

WHEREAS, To assist and encourage useful education among farmers and for developing the agricultural resources of the State, the Thirty-ninth General Assembly created an organization under the name and style of the Illinois Farmers' Institute, and entrusted to it the development of greater interest in the cultivation of crops, in the breeding and care of domestic animals, in dairy husbandry, in horticulture, in farm drainage, in improved highways and general farm management, through and by means of liberal discussions of these and kindred subjects; and for improving the condition of the farmer by affording a better knowledge of successful agriculture. Therefore, to sustain the same,

*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 Illinois Farmers' Institute the following sums, to-wit:

SECTION 1. For expressage, postage, office expenses, furniture, etc., the sum of one thousand three hundred dollars (\$1,300) per annum for the years 1899 and 1900.

§ 2. For the expense of collecting matter and preparing manuscript, editing the annual report and bulletins, stenographer, clerk hire, etc., the sum of one thousand seven hundred dollars (\$1,700) per annum for the years 1899 and 1900.

§ 3. For the actual expense of district directors, and of able and practical speakers to be furnished by the Illinois Farmers' Institute, to the County Farmers' Institutes, for the purpose of assisting in making their meetings of general interest and of the greatest practical benefit; for the expense of organizing county institutes, for the expense of printing program, advertising of speakers and exhibit at

the State institute, the sum of five thousand dollars (\$5,000) per annum for the years 1899 and 1900: *Provided*, that county institutes or their representatives shall be permitted to select their own speakers and to have such topics for consideration as shall be of interest to their respective localities.

§ 4. For the use of each County Farmers' Institute, the sum of seventy-five dollars (\$75) per annum for the years 1899 and 1900, to be paid the treasurer of each County Farmers' Institute, when such institute shall file with the secretary of the Illinois Farmers' Institute a sworn statement which shall show that said County Farmers' Institute has held one or more duly advertised public sessions annually of not less than two days each, at some easily accessible location, which shall include an itemized exhibit of the expenses of said meeting, with receipted vouchers therefor, a copy of its printed program, and the printed proceedings, showing title and author of the papers read and by whom discussed, place or places of meeting, with daily average attendance, and such other information as may be called for by the Illinois Farmers' Institute and necessary to successfully assist this work.

§ 5. No officer or officers of any County Farmers' Institute shall be entitled to or receive any moneyed compensation whatever for any services rendered the same.

§ 6. That, on the order of the president, countersigned by the secretary of the Illinois Farmers' Institute, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the Treasurer of the Illinois Farmers' Institute for the sums herein appropriated: *Provided*, that each warrant on account of a County Farmers' Institute shall show the county institute for whose benefit the same is drawn: *Provided further*, that the program and printed proceedings of the County Farmers' Institute, for which each warrant is drawn, shall show that the following topics have been presented and discussed, viz.: grain farming, stock feeding and breeding, dairy husbandry, orchard and small fruit culture, farmers' garden, domestic science, and any other subjects pertaining to farm life: *Provided further*, that if the necessary expense of a County Farmers' Institute shall not equal the sum of seventy-five dollars (\$75) as aforesaid, then said warrant shall only be drawn for the sum expended.

§ 7. It shall be the duty of the treasurer of the Illinois Farmers' Institute to pay over to the treasurer of each County Farmers' Institute the said sum of seventy-five dollars (\$75), or so much thereof as may be received for its use and benefit as aforesaid, and make annual report to the Governor as provided by law.

APPROVED April 11, 1899.



## STATUE OF FRANCES E. WILLARD.

Authorizing appointment of five commissioners.

§ 2. Commissioners to receive no compensation.  
 § 3. Appropriates \$9,000. How drawn.

WHEREAS, Congress has invited each state of the Union to furnish statues in marble or bronze of two of its deceased citizens, illustrious for their historic renown, or for distinguished civic or military service, and deemed worthy of national commemoration, and to have the same placed in the national statuary hall, in the capitol at Washington, D. C.; and

WHEREAS, The State of Illinois has furnished but one of its statues, and before the close of this century it should complete the number allotted to it; and

WHEREAS, Illinois has been noted for its illustrious warriors, jurists and statesmen. Grant, Shields, Logan, Palmer, McClernard, Davis, Trumbull, Breese, Scofield, McAllister, Lincoln, Douglas, Yates, Lovejoy and countless others, like McDougal and Baker, who won fame in other states; and

WHEREAS, The fame of none of these was more heroically won or more richly deserved than that of one of our deceased citizens, illustrious for historic renown and distinguished for civic service in Europe and America, in a new, unexplored field of Christian endeavor, the effect of whose efforts and achievements, and the influence of whose spotless life and sublime example has been so marked that the world has wondered and admired the author, organizer and advocate of purity and temperance, Illinois' most illustrious deceased citizen, Frances E. Willard, the uncrowned queen of purity and temperance, whose ashes repose in peace on the shores of Lake Michigan, at Evanston, Ill. Her life, like that of her Redeemer, was devoted to the spiritual welfare of mankind, and the world at large has been materially benefited by her prayers and sacrifices. Radiant with a halo of all the virtues, her face shone with the light of intelligence. Her marvelous abilities energized all around and about her, while her gentleness, tact and self-sacrificing spirit calmed every storm that rose in the councils which were graced and blessed by her presence. Her grand life is a "beacon light" to the good and the true of all sexes, races and creeds in the civilized world, and her wonderful achievements are lights and landmarks on the cliffs of fame, which will for all time, illumine the paths of millions of women wherever civilization has a footing, which is where woman is duly appreciated; and

WHEREAS, The priceless heritage of such a life belongs of right to Illinois; and

WHEREAS, She glories in it, and deems it "worthy of national commemoration;" therefore,

To immortalize it, and to show all nations how exalted a sphere woman occupies in this great State, the following law is hereby placed upon our statute books:

[A Bill for] AN ACT to select commissioners to expend not to exceed nine thousand dollars (\$9,000) in purchasing a heroic bronze statue of the late Frances E. Willard, cast in standard bronze metal, and to provide a granite pedestal or base therefor, the statue and pedestal to be appropriately inscribed and ornamented, and also to defray the expense of transporting the same to Washington, D. C., when completed, and erecting it in the national statutory hall at Washington, D. C.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That five persons, to be selected by the Governor of the State, be, and they are hereby, authorized and empowered, as commissioners, to purchase a heroic statue of the late Frances E. Willard, to be cast in standard bronze metal or marble, and a granite pedestal or base for the same, and also to defray the cost and expenses of transporting them, when completed, to Washington, D. C., and erecting them in the national statutory hall at the capitol, said commissioners shall not hereby be empowered to obligate the State of Illinois to pay any amount in excess of the sum stated in section 3 of this act.

§ 2. Said commissioners are to receive no pay nor compensation of any kind for their services in the fulfillment of duties required of them by this act.

§ 3. For the purpose of defraying the cost of said statue, pedestal and all other costs and obligations hereinbefore stated and set forth, or incident thereto, the sum of nine thousand dollars (\$9,000), or so much thereof as may be necessary, is hereby appropriated out of the State treasury, and the Auditor of Public Accounts is hereby required to draw his warrant on the Treasurer of the State for such sum as may be expended, upon bills of particulars, to be approved of by the Governor.

APPROVED February 28, 1899.

GENERAL ASSEMBLY, 41st.—COMMITTEE EXPENSES.

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|--|-----------------|
| § 1. Appropriates \$5,000 to pay expenses of the committees of the Forty-first General Assembly. | § 2. Emergency. |
|--|-----------------|

AN ACT to make an appropriation for committee expenses of the Forty-first General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That there is hereby appropriated the additional sum of five thousand (\$5,000) dollars, or so much thereof as may be necessary, to pay the expenses of the committees of the General Assembly while in the discharge of special duties under direction of either branch thereof. Such expense to

include reasonable compensation to the sergeant-at-arms of the Senate and the door-keeper of the House for serving the processes of the Senate or House and of the committees thereof, and such other expenses as is provided by resolution of either House: *Provided*, that no part of the same shall be allowed for railroad fare or expense of any kind not actually incurred.

§ 2. WHEREAS, the funds already appropriated are inadequate, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED April 14, 1899.

GENERAL ASSEMBLY, 41st.—CONTESTED ELECTIONS.

§ 1. Appropriates \$4,000 for legal expenses of members in contests for seats. | § 2. Emergency.

AN ACT *making appropriation to pay legal expenses incurred by members of the 41st General Assembly in contested election cases.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of four thousand dollars (\$4,000) is hereby appropriated to pay legal expenses of the following named members of the 41st General Assembly incurred by them in election contests for seats in the House of Representatives. Out of said sum of four thousand dollars (\$4,000) there shall be paid to John M. Nowicki, John Morley, Clement J. Belinski, William Carmody, John Churan, Charles G. Johnson, John Meier, Daniel V. Harkin, the sum of two hundred and fifty dollars (\$250) each; to Albert J. Kettering, Dennis J. Leahy, James Hackett, George M. Boyd, Edward J. Brundage, James P. Cavanagh, David E. Shanahan, the sum of two hundred dollars (\$200) each, and to George H. Harris, the sum of six hundred dollars (\$600) on warrants drawn by the Auditor of Public Accounts upon the Treasurer of the State of Illinois, to be paid by him out of the funds of the State in his hands not otherwise appropriated.

§ 2. WHEREAS, an emergency exists, this act shall take effect from and after its passage.

APPROVED April 13, 1899.

GENERAL ASSEMBLY, 41st.—EMPLOYES.

§ 1. Appropriates \$100,000.00 to pay the employés of the Forty-first General Assembly.—How drawn. | § 2. Emergency.

AN ACT *making appropriations for the payment of employés of the Forty-first 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 the sum of \$100,000, or so much thereof as may be

necessary, to pay the employés of the Forty-first 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 by the Secretary of State approved by the Governor, as provided by law.

§ 2. 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 January 25, 1899.

GENERAL ASSEMBLY, 41ST.—INCIDENTAL EXPENSES.

- |  |                                    |
|--|------------------------------------|
| § 1. Appropriates \$18,000 to pay the incidental expenses of the Forty-first General Assembly and to the Secretary of State for the discharge of his duties. | § 2. How drawn.<br>§ 3. Emergency. |
|--|------------------------------------|

AN ACT to provide for the incidental expenses of the Forty-first General Assembly of the State of Illinois, and for the care and custody of the State House and grounds, 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 \$18,000, or so much thereof as may be required, is hereby appropriated to pay the incidental expenses of the Forty-first General Assembly, or either branch thereof, or to be expended by the Secretary of State in the discharge of the duties imposed upon 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 proper vouchers, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, The appropriation above recited is necessary for the expenses incurred in the transaction of the business of the State and the Forty-first General Assembly, therefore an emergency exists and this act shall take effect from and after its passage.

APPROVED February 16, 1899.

HOSPITALS FOR THE INSANE.

<p>§ 1. Appropriates \$2,886.12 for re-imbursing counties and persons for expense of transferring insane persons, as follows:</p> <p>To the Western Hospital for the Insane..... \$1,495 26</p> <p>To the Eastern Hospital for the Insane..... 1,096 38</p> <p>To the Southern Hospital for the Insane..... 298 48</p>	<p>§ 2. When due and payable.</p> <p>§ 3. Trustees to immediately re-imburse counties and individuals.</p>
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*AN ACT making appropriations to the Eastern Hospital for the Insane, the Western Hospital for the Insane and the Southern Hospital for the Insane, for the purpose of reimbursing certain counties and individuals for the expense of transferring insane patients rendered necessary by the orders of the State Commissioners of Public Charities.*

WHEREAS, Section 5 of the act making additional provision for the insane, approved June 1, 1889, in force July 1, 1889, provides that the State Commissioners of Public Charities shall have power to divide the State into districts for the purpose of regulating the admission of patients into the State hospitals for the insane, and to fix the quota of each county therein, and section 6 provides that the said commissioners shall cause such transfers of patients to be made between the several State hospitals for the insane as shall be necessary to adjust the population of the State hospitals to the districts assigned them, and that the cost of such transfers shall be charged to the counties or individuals as the case may be, affected thereby, and shall be collected as other debts due the State hospitals are collected by law; and

WHEREAS, The State Commissioners of Public Charities in March, 1898, in consequence of the completion of a portion of the Western Hospital for the Insane at Watertown, with a capacity for 350 patients, and in accordance with the above provisions of law, made an apportionment of the insane districts of the State, by the provisions of which the county of Whiteside was transferred from the Elgin district to the Watertown district, the counties of Bureau, Henderson, Henry, Knox, Mercer, Rock Island and Warren were transferred from the Jacksonville district to the Watertown district; the counties of DeWitt, Macon, McLean and Piatt were transferred from the Kankakee district to the Jacksonville district; and the county of Shelby was transferred from the Kankakee district to the Anna district, which necessitated the transfer of the patients from these several counties at a total cost of \$2,287.99; and

WHEREAS, Upon the completion of the Western Hospital for the Insane at Watertown, with a total capacity for 597 patients, the State Commissioners of Public Charities, in January, 1899, made another apportionment of the insane districts of the State, under the provisions of which the counties of Carroll and JoDavies were transferred from the Elgin district to the Watertown district, the counties of Marshall, Putnam and Stark were transferred from the Jackson-

ville district to the Watertown district, and the county of Clark was transferred from the Anna district to the Kankakee district, which necessitated the transfer of the patients from these several counties at a total cost of \$598.13; and

WHEREAS, The total cost of such transfers, \$2,886.12, which was paid in the first instance by certain of the hospitals for the insane, was charged back to the counties and individuals responsible for the clothing and incidental expenses of the patients so transferred, and collected from them as other debts due the State institutions are collected by law, which is seemingly an act of injustice to such counties and individuals, since all of the counties in the State were equally benefited by these changes in the way of increased quotas, therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$2,886.12 is hereby appropriated for the purposes set forth in the preamble hereto, to be apportioned among the State hospitals for the insane, as follows:

To the Western Hospital for the Insane, \$1,495.26.

To the Eastern Hospital for the Insane, \$1,096.38.

To the Southern Hospital for the Insane, \$294.48.

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the institutions named in section 1. or their order, only on the terms and in the manner now provided by law.

§ 3. The trustees of the institutions named in section 1 of this act shall at once, upon receipt of the moneys herein appropriated, refund to the counties and individuals affected by the transfers of the patients enumerated in the preamble hereto, as shown by the books of the institutions, all moneys paid therefor.

APPROVED April 21, 1899.

## ILLINOIS AND MICHIGAN CANAL.

### APPROPRIATIONS FOR REPAIRS AND PROTECTION.

§ 1. Appropriates \$50,000 for repairs and maintenance— to be drawn only in an emergency or when funds in hands of commissioners are less than \$35 000.

§ 2. How drawn.

§ 3. Canal commissioners to keep account of appropriation and make annual report to Governor.

AN ACT making an appropriation for the necessary and extraordinary repairs and protection of the Illinois and Michigan Canal.

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 and extraordinary repairs, and providing means for maintaining the Illinois and Michigan Canal in a navigable condition, there is hereby appropriated the sum of fifty thousand (50,000) dollars.

*Provided*, that said appropriation shall remain in the State treasury and be held as a contingent appropriation, to be used only by said canal commissioners in case of an unforeseen emergency or in case of damage or accident to said canal, and only when the funds in the hands of the canal commissioners shall be reduced below thirty-five thousand (\$35,000) dollars.

§ 2. The contingent appropriation made by this act shall only be paid out upon a detailed statement made by the canal commissioners showing the need thereof, filed with the Auditor, bearing the order of said canal commissioners, and approved by the Governor.

§ 3. Said board of canal commissioners shall keep an accurate account of the amount of such contingent appropriation received by them, if any, together with their disbursements and expenditures of such appropriation, if any, showing for what and how said sum was expended, which report shall accompany their annual report to the Governor and be made a part thereof.

APPROVED April 21, 1899.

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ILLINOIS NATIONAL GUARD.

FOR ARMORY AND PARADE GROUND, CHICAGO.

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|---|-----------------|
| § 1. Appropriates \$100,000 for expense of constructing parade ground and armory for the use of the Illinois National Guard, Chicago. | § 2. How drawn. |
|---|-----------------|

*AN ACT making an appropriation for the construction of parade grounds and an armory for the use of those organizations of the Illinois National Guard stationed in the city of Chicago.*

WHEREAS, By an act entitled "An act making an appropriation for payment of the expense of forming parade grounds and erecting an armory for the use of those organizations of the Illinois National Guard stationed in the city of Chicago," approved June 11, 1897, a board of commissioners was constituted for the purpose of planning and constructing a parade ground and armory on that portion of the Lake Front Park in the city of Chicago, described in said act and set apart for such purpose, and which act prescribes the powers and duties of said commissioners, and provided that before any money should be drawn from the treasury for the purposes of said act, the city of Chicago should enter into a contract with the said board of commissioners to the effect that the right of the State of Illinois to the use and occupation by said organizations of the site described in said act should be perpetual, and the title to all buildings, improvements and fixtures put thereon under the provisions of said act, shall be and remain in the State of Illinois; and

WHEREAS, Such contract as aforesaid has now been entered into by said city of Chicago, as required by said act, and said board of commissioners are now ready to proceed with the construction of said

parade grounds and armory in pursuance of the provisions of said act; and it is advisable that said parade grounds and armory be completed as soon as practicable; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That for the purpose of constructing the parade grounds and armory provided for by the act entitled "An act making an appropriation for payment of the expense of forming parade grounds and erecting an armory for the use of those organizations of the Illinois National Guard stationed in the city of Chicago," approved June 11, 1897, and defraying the cost and expense of the work contemplated by said act, the sum of one hundred thousand (\$100,000) dollars, or so much thereof as may be necessary, for the purpose, be, and the same is hereby, appropriated out of any money in the State treasury not otherwise appropriated.

§ 2. All payments hereunder shall be upon vouchers, accompanied by bills of particulars, signed by the president of the board of commissioners constituted by said act, countersigned by the secretary thereof, and approved by the Governor, upon which vouchers the Auditor of Public Accounts shall draw his warrant upon the State Treasurer from time to time for the sums of money so certified to be payable out of the appropriation hereby made.

APPROVED April 22, 1899.

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ILLINOIS NATIONAL GUARD.

FOR RIFLE RANGES, CAMPS LINCOLN AND LOGAN.

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|---|-----------------|
| § 1. Appropriates \$17,500 for buildings, improvement and repairs at Camp Lincoln and Logan Rifle Ranges for the Illinois National Guard. | § 2. How drawn. |
|---|-----------------|

*AN ACT making an appropriation for the erection of buildings and the improvement and repairs at Camp Lincoln and Logan Rifle Ranges for the Illinois National Guard.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of seventeen thousand five hundred (17,500.00) dollars, or so much thereof as may be necessary, is hereby appropriated for the erection of buildings and the improvement and repairs at Camp Lincoln and Logan Rifle Ranges for the Illinois National Guard.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum 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 money hereby appropriated.

APPROVED April 22, 1899.



## ILLINOIS NATIONAL GUARD.

## FOR TENTS, UNIFORMS AND BLANKETS.

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|---|-----------------|
| § 1. Appropriates \$175,000 for purchase of tents, uniforms and blankets for the Illinois National Guard and Naval Militia. | § 2. How drawn. |
|---|-----------------|

AN ACT making an appropriation for the purchase of tents, uniforms and blankets for the Illinois National Guard, and the Naval Militia of Illinois.

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 seventy-five thousand (175,000.00) dollars, or so much thereof as may be necessary, is hereby appropriated for the purchase of tents, uniforms and blankets for the Illinois National Guard and the Naval Militia of Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum 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 money hereby appropriated.

APPROVED April 22, 1899.

## NATIONAL GUARD AND NAVAL MILITIA.

## FOR ORDINARY AND CONTINGENT EXPENSES.

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|---|-----------------|
| § 1. Appropriates \$210,000 per annum for ordinary and contingent expenses. | § 2. How drawn. |
|---|-----------------|

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

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of two hundred and ten thousand (210,000) dollars per annum, or so much thereof as may be necessary, is hereby appropriated to pay the ordinary and contingent expenses of the Illinois National Guard and the Naval Militia of Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum 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 sum out of the proper fund.

APPROVED April 19, 1899.

## ILLINOIS NAVAL MILITIA.

§ 1. Appropriates \$3,298.44 to David S. Ely for uniforms sold to the Naval Militia. | § 2. How drawn.

*AN ACT making appropriations for the payment for uniforms sold and delivered to the Illinois Naval Militia.*

WHEREAS, The Crocker Uniform Company, a corporation then existing under and by virtue of the laws of the State of Illinois, made, sold and delivered to the Illinois Naval Militia, at Chicago, Cook county, Illinois, during the year 1895, three hundred and thirty-four regulation naval militia uniforms for the sum of three thousand and nine dollars; and,

WHEREAS, Said sum of three thousand and nine dollars, and no part thereof, and no part of the interest thereon, has ever been paid to said Crocker Uniform Company, its successors or assignees: and,

WHEREAS, The said claim with interest now amounts to \$3,298.44, and is now vested in David S. Ely, of Evanston, Cook county, Illinois, by virtue of a decree of the county court of said county, entered of record October 28, A. D. 1898; 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 two hundred and ninety-eight dollars and forty-four cents (\$3,298.44) be, and the same is hereby, appropriated for the relief of David S. Ely for uniforms made, sold and delivered to the Illinois Naval Militia.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant upon the State Treasurer for the aforesaid sum of money to said David S. Ely, or his legal representative, and the State Treasurer is hereby authorized to pay the same out of any money in the State Treasury not otherwise appropriated.

APPROVED April 22, 1899.

## ILLINOIS VOLUNTEERS.

## FOR EXPENSES OF MOBILIZATION OF TROOPS.

§ 1. Appropriates \$65,398.02 for expenses during mobilization of troops as shown by records of Adjutant General. | § 2. How drawn.  
| § 3. Emergency.

*AN ACT making an appropriation to pay for transporting, equipping, subsisting and furnishing medical supplies and labor during the mobilization of the Illinois volunteers for the war with Spain.*

WHEREAS, The General Assembly, in a joint resolution approved February 17, 1898, authorized the Governor of the State of Illinois to "tender to the President of the United States all moral and material support that may be necessary," and that in compliance with this joint resolution, the Governor mobilized the quotas called for

by the National Government from the State of Illinois, at a camp near Springfield, and did, for the comfort, necessities and convenience of said Illinois volunteers, transport, equip, subsist and furnish medical supplies and labor for said mobilization as the exigencies of the situation demanded; and

WHEREAS, The Governor has, through the Adjutant General, presented claims to the United States for the expenses so incurred, which claims are now in process of adjudication at Washington; and

WHEREAS, The railroad companies furnishing said transportation, and citizens who furnished equipment, subsistence, medical supplies and labor for the volunteers while being mobilized, are in need of the money due them; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of sixty-five thousand three hundred ninety-eight dollars and two cents (\$65,398.02) or so much thereof as may be necessary, is hereby appropriated to pay said railroad companies who furnished transportation, and citizens who furnished equipments, subsistence, medical supplies and labor, the amounts due them, respectively, as shown by the records in the Adjutant General's office: *Provided* that the money received from the United States in payment of these claims of the State shall be covered into the State treasury when so paid.

§ 2. That the Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum hereby appropriated on the presentation of proper vouchers certified to by the Adjutant General, and approved by the Governor, and the State Treasurer shall pay same out of the money hereby appropriated.

§ 3. WHEREAS, an emergency exists, this act shall go into force and effect from and after its passage.

APPROVED March 31, 1899.

ILLINOIS VOLUNTEERS.

FOR PAY PREVIOUS TO MUSTER INTO U. S. SERVICE.

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| <p>§ 1. Appropriates \$250,000 to pay Illinois volunteers accepted by the United States.</p> <p>§ 2. Volunteers accepted by the United States to receive difference in pay—date of assembling at home station and muster into service.</p> | <p>§ 3. How drawn.</p> <p>§ 4. Emergency.</p> |
|--|---|

AN ACT making an appropriation to pay enlisted men of the Illinois volunteers' difference of pay between that allowed in Section 1, Article IX, Military Code, and the amount paid by the United States from date of enrollment to date of muster into the United States service.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of (\$250,000)

two hundred and fifty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for payment to the enlisted men of the Illinois volunteers, who volunteered their services for and were accepted by the United States government in the war with Spain.

§ 2. That each and every enlisted man of the Illinois volunteers who enlisted for and was accepted by the United States for volunteer service as aforesaid, shall receive pay from the State of Illinois, as provided in section 1, article IX, of the Military Code (less the amount received by each of them from the United States), from the date of assembling at their home station to the date of their muster into the United States service.

§ 3. That the Adjutant General be, and he is hereby, directed to furnish the Auditor of Public Accounts with properly certified pay-rolls containing the names of enlisted men entitled to pay under this act, and the amount due each of them respectively, with dates of enrollment and muster into United States service, which pay-rolls shall bear the approval of the Adjutant General and the Governor, and on such properly certified and approved pay-rolls the Auditor of Public Accounts shall draw his warrants on the State Treasurer for the amounts directed to be paid under this act, and the State Treasurer shall pay same out of the money hereby appropriated.

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

APPROVED April 18, 1899.

INDUSTRIAL HOME FOR THE BLIND.

§ 1. Appropriates \$28,600 to the Industrial Home for the Blind for deficiency, working capital, repairs—appropriates \$20,000 per annum for ordinary expenses.

§ 2. How drawn.

AN ACT making appropriations for the Illinois Industrial Home for the Blind at Chicago.

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 Illinois Industrial Home for the Blind at Chicago, the following amounts, for the purposes hereinafter named:

To meet deficiency of last appropriation, twelve thousand dollars .....	\$12,000
For a working capital, ten thousand dollars.....	10,000
For painting, plumbing and repairs, four thousand dollars .....	4,000
For medical attendance, three hundred dollars.....	300
For instructors, two thousand dollars.....	2,000
For ordinary running expenses, twenty thousand dollars per annum.....	20,000

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

APPROVED April 24, 1899.

LINCOLN MONUMENT.

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|---|-----------------|
| § 1. Appropriates \$100,000 for repairing or rebuilding the Lincoln monument. | § 2. How drawn. |
|---|-----------------|

AN ACT to appropriate the sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary to repair or rebuild the Lincoln monument.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, be, and the same is hereby, appropriated and placed at the disposal of the "commissioners of and for the Lincoln monument grounds," to be used in repairing or rebuilding the Lincoln monument in Oakridge cemetery, Springfield, Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized to issue warrants for a part or the whole of the above amount so appropriated upon vouchers properly attested by said commissioners, and signed by the Governor in his official capacity.

APPROVED April 24, 1899.

LIVE STOCK BREEDERS' ASSOCIATION.

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| § 1. Appropriates \$500 per annum for programs, postage, expense of speakers, etc. | § 3. How drawn.                        |
| § 2. No officer to receive compensation.   | § 4. Duty of treasurer of association. |

AN ACT making appropriation for the expenses of the Illinois Live Stock Breeders' Association.

WHEREAS, The Illinois Live Stock Breeders' Association, representing the farmers interested in the breeding and feeding of cattle, horses, sheep and swine, have rendered the State valuable service in promoting the live stock industry; and

WHEREAS, The farmers of the State will be greatly benefited by the continuance of the annual meetings of the Illinois Live Stock Breeders' Association and the further consideration of all topics pertaining to the live stock industry; therefore, to sustain the same and to enable this organization to secure as speakers the best available talent for its annual meetings, deceminate [disseminate] useful knowledge, and to otherwise promote the great and growing industry in Illinois:

*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 Illinois Live Stock Breeders' Association the following sums, to-wit:

SECTION 1. For printing and distributing programs, postage, stationery, expenses of speakers, etc., the sum of five hundred dollars (\$500) per annum for the years 1899 and 1900.

§ 2. No officer or officers of the Illinois Live Stock Breeders' Association shall be entitled to or receive any money compensation whatever for any service rendered the same.

§ 3. That on the order of the president, countersigned by the secretary of the Illinois Live Stock Breeders' Association and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois, in favor of the treasurer of the Illinois Live Stock Breeders' Association, for the sums herein appropriated.

§ 4. It shall be the duty of the treasurer of the Illinois Live Stock Breeders' Association to pay out of said appropriation, on itemized and receipted vouchers, such sums as may be authorized by said organization, on the order of the president, countersigned by the secretary, and make annual report to the Governor of all expenditures, as provided by law.

APPROVED April 11, 1899.

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LOVEJOY MONUMENT AT ALTON.

§ 1. Appropriates \$2,500 to pay warrant approved by Lovejoy Monument Association and the Governor.

§ 2. How drawn.

AN ACT entitled. "*An act for an appropriation to pay a balance due for a monument at Alton to the memory of Elijah P. Lovejoy.*"

WHEREAS, The Thirty-ninth General Assembly passed an act approved June 17, 1895, for an appropriation for a monument at Alton, to the memory of Elijah P. Lovejoy, and

WHEREAS, Said monument was erected under said appropriation by J. S. Culver, contractor, and

WHEREAS, The sum of twenty-five hundred dollars (\$2,500.00) of said appropriation lapsed into the treasury of the State of Illinois by process of law before the presentation of the last warrant for said amount of twenty-five hundred dollars, said warrant duly approved being now on the file in the office of the Auditor of Public Accounts, therefore

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That there be, and there is hereby, appropriated out of the funds now in the State treasury the sum of twenty-five hundred dollars, for the purpose of paying the

amount of said warrant, approved by the Lovejoy Monument Association, signed by the president and attested by the secretary and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the treasurer for the aforesaid sum of money upon the order of the said Lovejoy Monument Association, approved by the Governor and now being and remaining in his hands.

APPROVED April 12, 1899.

OHIO CENTENNIAL AND NORTHWEST TERRITORY EXPOSITION.

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|---|---|
| <p>§ 1. Creation of Illinois Commission.</p> <p>§ 2. Commissioners — appointment — officers—vacancies, how filled.</p> <p>§ 3. Compensation of commissioners—how drawn.</p> | <p>§ 4. Duties of commissioners—report proceedings to next General Assembly.</p> <p>§ 5. Emergency.</p> |
|---|---|

AN ACT to provide for the collection, arrangement and display of manufactures, arts and products of the State of Illinois at the Ohio centennial and northwest territory exposition, providing for the appointment of a commission to prepare plans for and supervise the same and report to the next General Assembly and declaring an emergency.

WHEREAS, Ohio was the first state to be formed out of the great northwest territory and has provided by an act of its legislature passed April 28, 1898, for an exposition to be held at Toledo, in the State of Ohio, in commemoration of the first centennial of its admission as a state into the union; and

WHEREAS, It is of great importance that the natural resources, industrial development and progress of the arts and sciences of the State of Illinois, which State formed a part of the northwest territory, should be fully and creditably displayed at said exposition, and as it will require large preliminary investigation and work in securing information and in preparing plans in order that the General Assembly may act intelligently and effectively in assisting to make the display worthy of this State and its people; now therefore

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That for the purpose of arranging and exhibiting the manufactures, arts products, resources and general development of the State of Illinois at the exposition to be held under the authority and direction of the State of Ohio at Toledo, in that state, in commemoration of the admission of the State of Ohio into the union, a commission is hereby constituted to be designated as the Illinois State Commission at the Ohio Centennial and Northwest Territory Exposition which shall consist of eleven citizens of this State, and is to be organized and continue its duties as hereinafter provided.

§ 2. The members of said board shall be appointed by the Governor within twenty (20) days after the passage of this act, and not

more than six of whom shall belong to any one political party, and said commission shall meet at such time and place as the Governor may appoint, and organize by the election of a president, two vice presidents and a secretary. A majority of said commission shall constitute a quorum for the transaction of business. The board shall have the power to make rules and regulations for its own government not in conflict with the laws of this State or with the laws, rules and regulations governing said exposition. Any member of said commission may be removed at any time by the Governor. All vacancies in said commission which may occur by death, resignation, removal or otherwise, shall be filled by the Governor.

§ 3. Members of said commission shall not be entitled to any compensation except their actual expenses, not exceeding the sum of two thousand five hundred dollars (\$2,500) when necessarily absent from their homes on the business of said commission. The expense account shall be itemized and approved by the Governor, and when so approved, the Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer upon presentation of the proper vouchers, and said treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

§ 4. Said commission shall have charge of the interests of this State and its citizens in the preparation and exhibition at said exposition of the manufactures, arts and natural and industrial products of the State, the objects illustrating its history, progress, moral and material welfare, growth, enterprise and development, and all other matters tending to advance the interests, reputation and prosperity of this State at said exposition; it shall collect, obtain and disseminate throughout the State, all necessary information regarding said exposition, notify the people of the State of the purpose thereof, and prepare plans for the representation and display of the State at said exposition and make a full report of its proceedings, plans and recommendations to the next session of the General Assembly.

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

APPROVED April 12, 1899.



## PENITENTIARIES—JOLIET.

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|--|-----------------|
| § 1. Appropriates \$90,000 per annum for ordinary expenses.  | § 3. How drawn. |
| § 2. Appropriates \$37,500 per annum for painting, relaying floors, repairs, etc., and for woman's prison, and carrying on parole system. For extending fire mains, electric generator and arc light machine, \$3,400. |                 |

*AN ACT to make appropriations for ordinary and other expenses of 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 amounts, or as much thereof as may be necessary, be, and the same are, appropriated to the Illinois State Penitentiary at Joliet, for the purposes hereinafter named and no other:

For ordinary expenses for two years ending June 30, 1901, the sum of ninety thousand (90,000) dollars per annum.

§ 2. For painting, relaying floors, repairs, renewing roofs and walls of buildings, renewing and rebuilding steam and water pipes, engines, boilers and machinery, and to make such other repairs and renewals as may be required to keep said prison plant in ordinary repair, the sum of twenty-five thousand (25,000) dollars per annum.

For expense of operating and maintaining the woman's prison, seven thousand five hundred (7,500) dollars per annum.

For expense of carrying on the parole system as now provided by law, the sum of five thousand (5,000) dollars per annum.

For extension of fire mains in prison yard, the sum of twelve hundred (1,200) dollars.

For additional electric generator in power house, the sum of twelve hundred (1,200) dollars.

For additional arc light machine, the sum of one thousand (1,000) dollars.

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

APPROVED April 24, 1899.

## PENITENTIARIES—SOUTHERN.

§ 1. Appropriates for ordinary expenses, and to keep convicts profitably employed and for expense of carrying on parole system, etc., \$95,000 per annum; for contingent expenses, repairs, improvements, etc., \$45,500.	§ 2. How drawn.
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AN ACT making an appropriation for the Southern Illinois penitentiary, and to enable the commissioners thereof to keep the convicts in said penitentiary profitably employed.

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 purposes hereinafter named and no other.

For ordinary expenses for the two years ending June 30, 1901, and to enable the commissioners to keep profitably employed the convicts of said penitentiary, and the commissioners are hereby authorized to expend so much of the amount hereby appropriated as may be necessary for tools, machinery, fixtures and materials sufficient to keep employed as nearly as may be all prisoners who are now or may hereafter become idle and to provide for the sale of goods herein manufactured, and said commissioners shall employ such prisoners at such occupation as are best adapted to secure their health, discipline and reformation, the sum of ninety thousand (90,000) dollars per annum.

For contingent expenses, five thousand (5,000) dollars; for repairs and refurnishing, ten thousand (10,000) dollars; for excavating and grading, two thousand five hundred (2,500) dollars; for maintaining library and furnishing chapel, one thousand (1,000) dollars; for the purchase of five pairs of mules and harness, one thousand (1,000) dollars; for the purchase of new brick machines and the erection of a brick shed, fifteen thousand (15,000) dollars; for the erection of a dining hall for convicts, three thousand (3,000) dollars; for repairing the stockade wall in rear of prison yard, five hundred (500) dollars; for removing the pumping station and machinery and building a reservoir, seven thousand five hundred (7,500) dollars.

For the expense of carrying on the parole system as now provided by law, the sum of five thousand (5,000) dollars per annum.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the moneys herein appropriated in such sums and at such times as the same may be required, upon the order of the board of commissioners of said penitentiary, signed by the president and attested by the secretary with the seal of the institution and the approval of the Governor thereto attached.

APPROVED April 22, 1899.

## PRACTICE COMMISSION.

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|---|-----------------|
| § 1. Appropriates \$3,500 for ordinary and incidental expenses of commission; for secretary, \$2,000—how paid—members to receive no compensation except expenses. | § 2. How drawn. |
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AN ACT to make appropriation for the "Practice Commission" to be appointed by the Governor under joint resolution, adopted by the Senate of the State of Illinois on February 23, A. D. 1899, and concurred in by the House of Representatives on March 15, 1899.

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 practice commission to be appointed by the Governor under joint resolution adopted by the House and Senate of the State of Illinois, the sum of three thousand, five hundred dollars in full for its ordinary and incidental expenses, as follows: To a secretary who shall be a stenographer and typewriter, hereafter to be employed by said commission when appointed, the sum of two thousand dollars in full compensation for his services and for his expenses of every nature. Out of said sum he shall be paid one hundred dollars on the first day of each month succeeding his appointment, and whatever balance may remain of the said two thousand dollars, shall be paid to him on the submission of said report.

That the members of said commission shall serve without salary, fees or compensation of any kind, except that there shall be paid to each of them the sum of three hundred dollars immediately upon the submission of such report to cover his personal expenses while engaged in such service.

§ 2. The Auditor of Public Accounts is directed to draw his warrants on the State Treasurer in favor of said persons, respectively, for the amounts herein appropriated, payable out of any money not otherwise appropriated, upon the order of said "practice commission."

APPROVED April 21, 1899.

## STATE REFORMATORY.

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| § 1. Enacting clause.  | § 3. How drawn. |
| § 2. Appropriates \$22,000 for completion of school building and bath rooms and equipment of same. |                 |

AN ACT making an appropriation for the Illinois State Reformatory at Pontiac, for the completion of a school building and bath rooms and the equipment of same.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the following sum be, and is hereby, appropriated for the purposes hereinafter named, payable according to law:

§ 2. For the completion of the school building and bath rooms at the south end of cell house, and equipment of same, \$22,000.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrants on the State Treasurer for the money hereinbefore appropriated upon the order of the board of managers of said reformatory, signed by the president and attested by the secretary, with the seal of said reformatory attached, and approved by the Governor.

APPROVED April 24, 1899.

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RELIEF OF ADAH J. HUNT.

§ 1. Appropriates \$2,000 for the relief of Adah J. Hunt—how drawn.

AN ACT to pay to Mrs. Adah J. Hunt two thousand dollars on account of the death of her son, Valentine H. Hunt, from disease contracted while in the discharge of his duty as a private in Company M, First regiment, Illinois National Guard, when in active service.

WHEREAS, Valentine H. Hunt on the seventh day of May, 1898, at Springfield, Illinois, after three years' service as a private in the first regiment, Illinois National Guard, died from exposure and disease resulting therefrom while in the discharge of his duty as a member of company M of said regiment, when in active service pursuant to the order of the Governor of Illinois; and

WHEREAS, The said Valentine H. Hunt left surviving him a mother dependent upon him in his lifetime for her support; therefore

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

APPROVED April 24, 1899.

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RELIEF OF ALFRED RUSSELL.

<p>§ 1. Appropriates \$2,570 for money furnished battery D, Illinois National Guard.</p>	<p>§ 2. How drawn.</p>
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AN ACT making an appropriation to pay Alfred Russell for moneys advanced by him to Battery D, Illinois National Guard, from July 1, 1893, to June 30, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$2,570.00 be, and the same is hereby, appropriated to reimburse Alfred Russell for money advanced by him to battery D, Illinois National Guards, to pay for janitor service, fuel and lights, from July 1, 1893, to June 30, 1895.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the above amount in favor of Alfred Russell, upon satisfactory vouchers, approved by the Governor, being presented to him, and the State Treasurer is hereby directed to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED April 19, 1899.

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RELIEF OF B. M. SHAFFNER.

§ 1. Appropriates \$1,710.13 for relief of B. M. Shaffner. | § 2. How drawn.

AN ACT making an appropriation to pay B. M. Shaffner for moneys advanced by him to the Naval Militia of Illinois for the years 1894 and 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$1,710.13 is hereby appropriated to reimburse B. M. Shaffner for moneys advanced by him to the Naval Militia of Illinois for the years 1894 and 1895, for rent of armory, fuel, heat and light, janitor service and to ship-keeper.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the above amount in favor of B. M. Shaffner, upon satisfactory vouchers, approved by the Governor, being presented to him, and the State Treasurer is hereby directed to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED April 21, 1899.

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RELIEF OF FRANK H. ROSS.

§ 1. Appropriates \$2,437 to Frank H. Ross for work and material on foundation of battleship for Naval Militia at Chicago. | § 2. Emergency.

AN ACT making an appropriation to pay the cost of putting in the foundation of the battleship for the naval militia at Chicago.

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 thirty-seven dollars (\$2,437) be, and the same is hereby, appropriated for payment to Frank H. Ross for work and material furnished by him in the construction of the foundation for the battleship to be used by the first battalion, Illinois Naval Militia, at Chicago.

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

APPROVED April 22, 1899.

## RELIEF OF ROBERT T. HILL.

§ 1. Appropriates \$2,500 for the relief of Robert T. Hill. | § 2. How drawn.

AN ACT to make an appropriation for the relief of Robert T. Hill, injured by a fall on a fire escape, the same being approved and operated at Sterling, Whiteside County, Illinois, under the direction of the State Factory Inspector.

WHEREAS, The laws of the State of Illinois compel the putting up of fire escapes on buildings within the State, "the number, location, material and construction of such escapes to be subject to the approval of the inspector of factories;" and

WHEREAS, By the erection of such fire escape, so approved by such inspector, at Sterling, Whiteside county, Illinois, and while the same was being erected and used by the deputy of such inspector, and at and under his personal direction and solicitation, Robert T. Hill, of said place, was by him induced to go down on such fire escape, when, by reason of the improper and insufficient construction of the same, it broke, and caused the said Hill to fall a distance of about fifty feet, thereby breaking his arms, legs and ribs and otherwise permanently injuring him and making him a cripple for life; therefore,

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That the sum of \$2,500 be, and the same is hereby, appropriated for the relief of Robert T. Hill, on account of the breaking of his arms, legs and ribs and other permanent injuries received in falling, by a fire escape erected under the direction and approval of the factory inspector of this State, and which the said Hill was by the said inspector induced to use.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant upon the State Treasurer for the aforesaid sum of money to said Robert T. Hill, or his 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 April 19, 1899.

## RELIEF OF THOMAS CRAWFORD.

§ 1. Appropriates \$2,500 for the relief of Thomas Crawford. | § 2. How drawn.

AN ACT to make an appropriation for the relief of Thomas Crawford, injured by a fall on a fire escape, the same being approved and operated at Sterling, Whiteside County, Illinois, under the direction of the State Factory Inspector.

WHEREAS, The laws of the State of Illinois compel the putting up of fire escapes on buildings within the State, "the number, location, material and construction of such escapes, to be subject to the approval of the inspector of factories;" and,

WHEREAS, By the erection of such fire escape, so approved by such inspector, at Sterling, Whiteside county, Illinois, and while the same was being erected and used by the deputy of such inspector, and at and under his personal direction and solicitation, Thomas Crawford of said place, was by him induced to go down on such fire escape, when, by reason of the improper and insufficient construction of the same, it broke, and caused the said Crawford to fall a distance of about fifty feet, greatly injuring him in body and limb and which necessitated the amputation of his right foot above the ankle; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$2,500 be, and the same is hereby, appropriated for the relief of Thomas Crawford, on account of the loss of one foot and other permanent injuries received in falling by a fire escape erected under the direction and approval of the factory inspector of this State, and which the said Crawford was by said inspector induced to use.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant upon the State Treasurer for the aforesaid sum of money to said Thomas Crawford, or his legal representatives, and the State Treasurer is hereby athesized to pay the same out of any money in the State Treasury not otherwise appropriated.

APPROVED April 19, 1899.

STATE BOARD OF AGRICULTURE.

FOR BUILDING PURPOSES, ETC.

§ 1. Appropriates \$58,000 to the State Board of Agriculture for the following purposes: For the erection of a woman's building ..... \$8,000	To pay note given J. W. Bunn ..... 30,000 To pay note given to B. H. Brainard ..... 20,000
	§ 2. How drawn.

AN ACT *making an appropriation for the State Board of Agriculture. to be used in the construction of permanent buildings and improvements. and for beautifying the State Fair Grounds at Springfield, Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of fifty-eight thousand dollars (\$58,000), or so much thereof as may be necessary, out of the State treasury not otherwise appropriated, be and the same is hereby, appropriated to the State Board of Agriculture for the construction of permanent buildings for the State fair and for the improvement and beautifying of the State fair grounds, viz:

For a woman's building, eight thousand dollars (\$8,000).

"The erection of said building to be under the supervision of a board of three (3) women to be appointed by the Governor, who are to act in conjunction with the State Board of Agriculture."

To pay note given to John W. Bunn, the sum of thirty thousand dollars (\$30,000), to pay note given to B. H. Brainard, treasurer, twenty thousand dollars (\$20,000).

§ 2. That on the order of the president, countersigned by the secretary of the State Board of Agriculture and approved by the Governor, the Auditor of Public Accounts shall draw his warrant upon the State Treasurer in favor of the treasurer of the Illinois State Board of Agriculture for the sums herein appropriated: *Provided*, that all of said money shall be paid in installments, from time to time, as the same shall be needed to pay for the improvements authorized by this act, and on vouchers to be approved by the Governor.

APPROVED April 24, 1899.

STATE BOARD OF AGRICULTURE.

FOR STATE AND COUNTY FAIRS, ETC.

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| § 1. Appropriates \$5,000 per annum for the encouragement of an exhibit at the State fair; for use of each county and agricultural fair, \$200 per annum; for secretary's salary, clerk hire, janitor, agricultural museum, publishing statistics, office expenses, etc., \$9,470. | § 2. How drawn.<br>§ 3. Biennial report to Governor. |
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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 encouragement of an exhibit at the State fair, the sum of five thousand dollars (\$5,000) per annum for the years 1899 and 1900; and for the use of each county or other agricultural society, the sum of two hundred dollars (\$200) per annum, to be paid to the treasurer of the society, for fairs held in 1898 and 1899.

For the salary of secretary, the sum of twenty-five hundred dollars (\$2,500) per annum for the years 1899 and 1900.

For clerk hire, the sum of twenty-four hundred dollars (\$2,400) per annum for the years 1899 and 1900.

For curator, the sum of one thousand dollars (\$1,000) per annum for the years 1899 and 1900.

For receiving and shipping clerk, the sum of one thousand dollars (\$1,000) per annum for the years 1899 and 1900.

For janitor, the sum of four hundred and twenty dollars (\$420) per annum for the years 1899 and 1900.



For the agricultural museum, the sum of one hundred and fifty dollars (\$150) per annum for the years 1899 and 1900.

For the expense of collecting, compiling and publishing live stock and agricultural statistics, the sum of six hundred dollars (\$600) per annum for the years 1899 and 1900.

For the agricultural library, the sum of two hundred dollars (\$200) per annum for the years 1899 and 1900.

For office expenses, furniture, repairs, postage, expressage, etc., the sum of twelve hundred dollars (\$1,200) per annum for the years 1899 and 1900.

§ 2. That, on the order of the president, countersigned by the secretary of the State Board of Agriculture and approved by the Governor, the Auditor of Public Accounts shall draw his warrant upon the treasurer in favor of the treasurer of the Illinois State Board of Agriculture, for the sums herein appropriated: *Provided*, that each warrant on account of county or other agricultural fairs 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 said State Board of Agriculture: *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 other gambling device was licensed or allowed upon the 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 treasurer of each agricultural society the sum received for its use and benefit as aforesaid, and make biennial report to the Governor of all such appropriations received and disbursed by him.

APPROVED April 21, 1899.

## STATE CAPITOL.

## FOR ELECTRIC LIGHT PLANT.

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| <p>§ 1. Appropriates \$20,000 for electric light plant for Capitol building and Executive Mansion.</p> <p>§ 2. Secretary of State to have charge of construction.</p> | <p>§ 3. How drawn.</p> |
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*AN ACT making an appropriation for the construction of an electric light plant for the purpose of furnishing light to the capitol building and the executive mansion.*

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 \$20,000 for the purpose of constructing an electric light plant for the use of the capitol building and the executive mansion.

§ 2. The Secretary of State is hereby charged with the construction of said electric light plant, and he is authorized to let the contract for the construction of the same.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrants on the State Treasurer for any part of the above named sum on bills properly certified to by the Secretary of State and approved by the Governor.

APPROVED April 21, 1899.

## STATE CAPITOL.

## REPAIRS ON STATE HOUSE AND HEATING PLANT.

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| <p>§ 1. Appropriates \$9,642 for repairs on State House and heating plant.</p> | <p>§ 2. Repairs under control of the Secretary of State—how drawn.</p> |
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*AN ACT making an appropriation for repairs on State House and heating plant.*

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 \$9,642, for the purpose of making the following repairs on the State capitol: For repairing roof of engine house, painting windows and corridors, repairing roof, tiling, plumbing, steam-fitting and arc light dynamo.

§ 2. The repairs mentioned in section 1 of this act shall be made under the direction of the Secretary of State, and the Auditor is hereby authorized to draw his warrants on the State Treasurer for said amount, or any part thereof, upon bills properly certified to by the Secretary of State and approved by the Governor.

APPROVED April 24, 1899.

## STATE ENTOMOLOGIST.

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| § 1. Annual inspection of nurseries—issuing certificates—duplicates, where filed—to be attached to shipments of nursery stock.  | § 4. Penalty for violation of act.   |
| § 2. Suspected premises to be inspected—entomologist may treat trees or destroy them—certificates shall be given to owner of premises free from disease.  | § 5. Location of office—appointment and qualification of assistants—disposition of funds received—salaries and expenses, how paid—reports to Governor and State Horticultural Society. |
| § 3. Shipments of nursery stock from other states must bear certificate of inspection—without such certificate unlawful for common carriers to deliver before inspection by State Entomologist. | § 6. Appropriates \$5,000—how drawn.   |
|   | § 7. Emergency.  |

AN ACT to prevent the introduction and spread in Illinois of the *San José scale* and other dangerous insects and contagious diseases of fruits.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be the duty of the State Entomologist of Illinois to inspect, or cause to be inspected by his duly appointed assistants, once each year all nurseries in the State of Illinois as to whether they are infested by dangerous insects or infected with contagious plant diseases, and if upon such inspection such nurseries appear to be free from such dangerous insects or diseases he shall, upon the payment of the expenses of inspection as certified by him, give to each owner of such nursery or nurseries a certificate to the facts, and shall file duplicate certificates with the director of the State Agricultural Experiment Station and with the secretary of the State Horticultural Society, which certificates shall be at all times subject to public inspection. Whenever a nurseryman or seller of trees, vines, plants or other nursery stock within this State shall ship or deliver any such stock he shall place and send on each package so shipped or delivered a copy of a certificate the original of which is signed by a State or government inspector stating that said stock has been inspected and has been found apparently free from dangerous insects or contagious plant diseases, and the use of such certificate in connection with nursery stock any and every part of which has not been inspected and certified as aforesaid shall render the owner of such stock liable to the penalties prescribed for a violation of this act.

§ 2. It shall further be the duty of the State Entomologist to inspect, or to cause to be inspected, from time to time any nursery, orchard, fruit plantation or other property or place in this State which he shall have reason to suppose to be infested by dangerous insects or infected with contagious plant diseases, and for the purpose of such inspection he and his assistant are authorized, during reasonable business hours, to enter into or upon any farm, orchard, nursery, garden, storehouse or other building or place used for the growing, storage, packing or sale of trees, plants or fruits, [; and if]

the State Entomologist shall find by inspection as aforesaid that any nursery, orchard or garden or other property or place is infested by the San José scale or other dangerous insect, or infected with contagious plant diseases, liable to spread or be conveyed to other premises to the serious injury of the property thereon, he shall notify in writing the owner or the person in charge of such infested or infected property, and shall direct him within a time and in a manner prescribed in such notice to use such measures as shall prevent the conveyance or spread of such insects or disease to the property of others, and such infested or infected property shall not be removed after the owner or person in charge of the same shall have been notified in writing as aforesaid without the written permission of the entomologist. If the person so notified shall refuse or neglect to treat and disinfect said premises or property in the manner and within the time prescribed in said notice, it shall be the duty of the State Entomologist to cause such property or premises to be so treated, and he shall certify to the owner or person in charge of the premises one-half the amount of the cost of treatment, and if not paid to him within sixty days thereafter the same may be recovered, together with the cost of action, before any court in the State having competent jurisdiction: *Provided*, that any orchard property found infested by the San José scale which the State Entomologist has good reason to believe became so infested before the year 1899, shall be once thoroughly treated and disinfected by the entomologist without charge to the owner of said infested property *And, further provided*, that any part of such property which may, in the judgment of the entomologist, be so badly infested by the San José scale as to be worthless, may be destroyed by him or his assistant without liability for compensation to the owner thereof, and if he should find that such orchard or fruit plantation or other property or place in this State is not so infested, that he shall be required to give the owners thereof a certificate to that effect without charge.

§ 3. Whenever any trees, shrubs, plants or vines are shipped into the State from some other state, country or province, every package thereof shall be plainly labeled on the outside with the name of the consignor, the name of the consignee, and a certificate showing that the contents have been inspected by a State or government officer, and that the trees, vines, shrubs or plants therein contained appear free from all dangerous insects or diseases. Whenever any trees, shrubs, vines or plants are shipped into this State without such certificate plainly fixed on the outside of the package, box or car containing the same, the facts must be reported within twenty-four hours to the State Entomologist by the railway, express or steamboat company, or other person or persons carrying the same, and it shall be unlawful to deliver any such property until it has been inspected by the State Entomologist or his assistants and by him or them certified to be free from dangerous insects or contagious diseases. Any agent of any railway, steamboat or express company, or other person or persons carrying such property as aforesaid, who shall fail to give such notice as above required shall be deemed guilty of a violation of this act.

When nursery stock is shipped into this State accompanied by a certificate, as herein provided, it shall be held *prima facie* evidence of the facts therein stated, but the State Entomologist, by himself or his assistants, when they have reason to believe that any such stock is infested with dangerous insets, or is infected with contagious diseases, shall be authorized to inspect the same and subject it to like treatment as provided in section 2 of this act.

§ 4. Any person violating or neglecting to carry out the provisions of this act, or offering any hindrance to the carrying out of this act, shall be adjudged guilty of misdemeanor, and, upon conviction before a justice of the peace, shall be fined not less than ten dollars and not more than one hundred dollars for each and every offense, together with all the costs of the prosecution, and shall stand committed until the same is paid. It shall be the duty of the State's attorney to prosecute all violations of this act, and all amounts so recovered shall be paid over to the treasurer of the State.

§ 5. The office of the State Entomologist shall be established at the University of Illinois, the trustees of which shall provide for him and his assistants such office and laboratory rooms as may be necessary to the performance of their duties. He shall have power to appoint such qualified assistants as may be necessary to the execution of this act, who shall be a competent, scientific and practical entomologists, and to fix a reasonable compensation for their labor, and their acts, done in pursuance of his instructions, shall have the same validity as his own. He shall pay over to the State Treasurer all the funds coming into his hands under the provisions of section 2 of this act, with an itemized statement of the sources whence received. He shall certify to the State Auditor the amount of his expenses and those of his assistants, and of the salaries of his assistants employed under this act, less the sums received under section 1 of this act, and the Auditor shall thereupon draw his warrant upon the State Treasurer for the amount, which shall be paid out of the funds provided for carrying this act into effect. The State Entomologist shall make to the Governor a biennial report of his operations under this act, together with a financial statement in detail as a part of his report as State Entomologist, and he shall also make each year to the State Horticultural Society, at its annual meeting, a statement showing the Illinois nurseries inspected, the number and kinds of certificates issued, the location and ownership of the premises treated or disinfected by him or his assistants, the kinds and amount of property destroyed by him in pursuance to this act, and such other facts concerning the operations of his office under this act as the executive committee of said horticultural society may request.

§ 6. There is hereby appropriated to the State Entomologist for the salaries of assistants and for expenses incurred under this act the sum of eight thousand dollars (\$8,000) for the years 1899 and 1900, or so much thereof as may be necessary. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer against the sums herein appropriated upon the presentation of proper vouchers, and the State treasury [Treasurer] shall pay the sum out of any funds in the public treasury.

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

APPROVED April 11, 1899.

STATE GOVERNMENT.

APPREHENSION AND RETURN OF FUGITIVES FROM JUSTICE.

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|---|-----------------|
| § 1. Appropriates \$4,500 for deficiency in expenses for apprehension and delivery of fugitives from justice—how drawn. | § 2. Emergency. |
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AN ACT to provide for a deficiency in the expenses provided by law for the apprehension and delivery of fugitives from justice for the fiscal year ending June 30, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$4,500 be, and is hereby, appropriated for the purpose of meeting the expenses incurred in the apprehension and delivery of fugitives from justice, as provided by law, for the fiscal year ending June 30, A. D. 1899, to be paid on the evidence required by law and when certified to and approved by the Governor.

§ 2. WHEREAS, said sum of money is immediately necessary, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED March 29, 1899.

STATE GOVERNMENT.

FOR BINDING PUBLIC DOCUMENTS.

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|---|-----------------|
| § 1. Appropriates \$2,500 for binding for fiscal year ending July 30, 1899. | § 3. Emergency. |
| § 2. How drawn.   |                 |

AN ACT making appropriation to pay for binding under contract made by the State Board of Contract Commissioners.

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 \$2,500, or so much as may be necessary, to pay for the binding of public documents under contract for the fiscal year ending June 30, A. D. 1899.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants upon the State Treasurer for the amount herein appropriated upon presentation of proper vouchers certified to as required by law.

§ 3. WHEREAS, the sum of money appropriated by the last General Assembly is insufficient to pay for the said public binding, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED April 5, 1899

## STATE GOVERNMENT.

## FOR GENERAL EXPENSES.

1. Appropriates \$3,302,933.33 for ordinary and contingent expenses of State Government, to-wit:
  1. To the Governor, for a contingent fund, \$5,000 per annum.
  2. For private secretary, stenographer and executive clerk, \$6,000 per annum.
  3. For postage, office expenses, etc., \$1,500 per annum.
  4. For porter, \$720 per annum.
  5. For repairs and care of Executive Mansion, etc., \$5,000 per annum.
  6. To the Secretary of State, for clerk hire, stenographers, janitors, policemen, watchmen, etc., \$70,780 per annum; for corporation department, \$2,500 per annum; for postage, telegraphing, repairs, expressage, etc., \$3,000 per annum; for care and custody of State House and grounds, \$10,000 per annum; for enforcing foreign corporation law, \$5,000 per annum.
  7. For heating, fuel, repairs, etc., \$12,000 per annum; for repairing State House, \$5,000 per annum.
  8. For lighting State House, \$4,000 per annum.
  9. For library books and incidental expenses, State library, \$1,200 per annum; for salary of assistant librarians, \$1,720 per annum.
  10. For paper and stationery, \$18,000 per annum.
  11. For public printing, \$50,000; for public binding, \$10,000 per annum.
  12. For copying laws and journals, \$300; for distribution of State documents, \$300; for expressage and postage on same, \$1,000 per annum.
  13. For Supreme Court reports, such sum as is necessary.
  14. For flags, \$200.
  15. To Auditor of Public Accounts, for clerk hire, stenographer, janitor and messenger, \$13,740 per annum; for repairs, postage, expressage, etc., \$2,500 per annum.
  16. For conveying female offenders to the State Home, \$1,000 per annum.
  17. For costs of State suits, \$500 per annum.
  18. For conveying convicts to the penitentiary, \$20,000 per annum.
  19. For apprehension and delivery of fugitives from justice, \$12,000 per annum; for rewards for arrest of fugitives from justice, \$2,000.
  20. For conveying offenders to State Reformatory, \$15,000 per annum.
  21. For expenses of State Board of Equalization, \$10,000 per annum.
  22. To the State Treasurer, for clerk hire, watchmen and messenger, \$11,000 per annum; for repairs, expressage, postage, etc., \$1,000 per annum.
  23. To refund taxes paid in error, such sum as may be necessary.
  24. To the Superintendent of Public Instruction, for clerk hire, stenographer, janitor, porter and messenger, library, incidental expenses, etc., \$6,320 per annum; for refurnishing office, \$1,000.
  25. To pay interest on school fund, \$57,000 per annum.
  26. To pay State school fund, \$1,000,000 per annum.
  27. To the Attorney General, for clerk hire, stenographer, porter and messenger, \$7,520 per annum; for performance of official duties, \$10,000 per annum; for incidental expenses, \$8,000 per annum.
  28. To the Adjutant General, for clerk hire, postage, repairs, telegraphing and incidental expenses, \$9,740; repairs and carpeting office, \$500.
  29. To the Board of Public Charities, for secretary's salary, clerk hire, stenographer and incidental expenses, \$9,700 per annum.

30. To the Supreme Court, for incidental and contingent expenses, \$4,000 per annum; for librarian and janitors, \$1,720 per annum; to clerk of Northern Grand Division, for stenographer and janitor, \$1,920 per annum.
31. To the Appellate Courts, for arrears in rent, \$5,083.33; for repairs, furniture, carpets and books, \$3,100; for rent for branch offices, \$10,500 per annum; for stenographers, librarians, janitors and incidental expenses, etc., \$12,860 per annum; for books, \$1,500 per annum.
32. To the State Museum of Natural History, for salaries of curator and assistant, janitor, \$4,220 per annum; for incidental and traveling expenses, \$500 per annum.
33. To the Railroad and Warehouse Commissioners, for salaries of secretary, civil engineer, clerk hire, office expenses, litigation, printing maps, etc., \$11,700 per annum; for printing and mailing schedules, \$1,000.
34. To the Commissioners of Labor Statistics, for procuring statistics, salary of secretary, clerk hire, incidental expenses, etc., \$12,500 per annum; to the State Board of Examiners of Mine Inspectors, etc., for per diem and expenses, \$7,000 per annum; to the Illinois free employment offices of Chicago, for salaries and expenses, \$4,660 per annum.
35. To the Board of Live Stock Commissioners, for salary of secretary, commissioners' expenses, clerk hire, stock yards agents, State and assistant veterinarians, tuberculine tests, janitors, messenger, etc., \$28,220 per annum; for suppression of disease, \$20,000.
36. To the Fish Commissioners, to be used in pursuance of law, \$7,500 per annum; for traveling and other expenses, \$5,000 per annum; for the purchase of steambot, \$5,000; for operating said boat, \$2,500 per annum.
37. To the State Board of Health, for salary of secretary, clerk hire and necessary and incidental expenses, \$9,250; for outbreak of epidemics, etc., \$10,000.
38. To the Lieutenant Governor, for postage, telegraphing, stationery and incidental expenses, \$50 per annum.
39. To the 42d General Assembly, for committee expenses, \$1,000.
40. To the Superintendent of Insurance, for clerk hire, incidental expenses, examinations, attending annual convention, legal services, printing and distributing reports, etc., \$34,125 per annum.
41. To the Trustees of Lincoln Homestead, for salary of custodian, repairs and improvements, \$2,300 per annum. To the trustees of Lincoln monument, for salary of custodian, \$1,000 per annum; for fuel, \$100.
42. To the Illinois State Historical Library, for care and maintenance of library, salary of librarian and publication of early history of the State, \$3,100 per annum.
43. To the State Factory Inspectors, for salaries and expenses, \$17,500.
44. To the Supreme Court Reporter, for printing and distributing proof of opinions and for custodian and messenger, \$1,470 per annum.
45. To the State Board of Arbitration, for secretary's salary, postage, stationery, telegraphing and all other expenses, \$3,700 per annum.



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| <p>46. To the Board of Pardons, for salaries of members, secretary, stenographer and office expenses, \$10,250.</p> <p>47. To the State Entomologist, for salaries of assistants, expenses and for the illustration of bulletins and reports, \$4,000 per annum. To the State Agricultural Experiment Station, for publication bulletins, \$750 per annum. To the State Laboratory of Natural History, for expenses of natural history survey, etc., for supply of specimens to State and public schools, \$8,500 per annum; for publication of bulletins and reports, \$1,000. To the University of Illinois, for interest on endowment fund, \$50,000.</p> | <p>48. How drawn.</p> |
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*AN ACT to provide for the ordinary and contingent expenses of the State government until the expiration of the 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 General Assembly:

First—A sum not exceeding \$5,000 per annum shall be subject to the order of the Governor for defraying such public expenses of the State government as are unforseen 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 \$6,000 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 executive clerk and stenographer, payable monthly, as hereinafter named.

Third—A sum not to exceed \$1,500 per annum for postage, expressage, telegraphing, furniture, furnishing and other incidental expenses connected with the Governor's office, to be paid upon bills of particulars certified to by the Governor.

Fourth—To the Governor, for one porter, the sum of \$720 per annum, payable monthly.

Fifth—To the Governor, for the care of the executive mansion and grounds and for the heating and lighting of the executive mansion, \$5,000 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 following sums: For chief clerk, \$2,400 per annum; for one assistant chief clerk, \$1,800 per annum; for one chief corporation clerk, \$2,000 per annum; for one corporation clerk, \$1,800 per annum; for one corporation clerk, \$1,200 per annum; for one corporation clerk, \$720 per annum; for one executive clerk, \$1,500 per annum; for one index clerk, \$2,000 per annum; for one assistant index clerk, \$1,200 per annum; for one anti-trust clerk, \$1,400 per annum; for two anti-trust clerks, \$1,000 each per annum; for one anti-trust clerk, \$720 per annum; for one shipping clerk, \$1,100 per annum; for one shipping clerk, \$1,000 per annum; for one shipping clerk and janitor, \$1,000 per annum; for one shipping clerk, \$800 per annum; for extra clerical services, \$1,500 per annum; for one private secretary and stenographer, \$1,500 per annum; for one supply clerk, \$1,200 per annum; for one assistant supply clerk, \$900 per annum; for one property clerk, \$900 per annum; for stenographer and typewriter, \$1,000 per annum; for one bookkeeper, \$1,000 per annum; for three porters and messengers, \$720 each per annum; for one superintendent of capitol buildings and grounds, \$1,500 per annum; for one assistant superintendent of capitol buildings and grounds, \$1,000 per annum; for one carpenter, \$900 per annum; for one assistant carpenter, \$720 per annum; for eight policemen, \$720 each per annum; for two elevator conductors, \$720 each per annum; for eighteen janitors, \$720 each per annum; for one janitress, \$600 per annum; for one flagman, \$720 per annum; for one chief engineer, \$1,200 per annum; for two assistant engineers, \$900 each per annum; for nine firemen, \$720 each per annum; for one weigher, \$900 per annum; for one electrician, all \$1,200 per annum; for one assistant electrician, \$800 per annum; payable upon monthly pay-rolls certified to by the Secretary of State; for expenses in connection with the corporation department, the sum of \$2,500 per annum, or so much thereof as may be necessary. To the Secretary of State, for repairs, postage, expressage, telegraphing and other incidental expenses of his office, a sum not exceeding \$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 \$10,000 per annum; to the Secretary of State, \$5,000 per annum for the purpose of carrying into effect a law for and to require every foreign corporation doing business in this State to have a public office or place in this State at which to transact its business, subjecting it to a certain condition, and requiring it to file its articles of incorporation with the Secretary of State, and to pay certain taxes and fees thereon; all payable upon bills of particulars certified to by the Secretary of State.

Seventh—For fuel, repairs and other incidental expenses connected with the heating of the State House, the sum of \$12,000 per annum, or so much thereof as many be necessary; for repairing State House, \$5,000 per annum.

Eighth—For lighting the State House and other incidental expenses thereof, the sum of \$4,000 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.

Ninth—To the Secretary of State, for the purchase of books and for the incidental expenses of the State library, the sum of \$1,200 per annum, payable upon bills of particulars certified to by the board of commissioners of the State library: for salary of assistant librarian, the sum of \$1,000 per annum, payable monthly; for the salary of second assistant librarian, the sum of \$720 per annum, payable monthly on the certificate of the Secretary of State.

Tenth—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 \$18,000 per annum, payable on bills of particulars certified to by the Board of Commissioners of State Contracts and approved by the Governor.

Eleventh—For public printing, the sum of \$50,000, or so much thereof as may be required; for public binding, the sum of \$10,000 per annum, or so much thereof as may be required. The public printing and binding to be paid according to contract, upon the certificate of the Board of Commissioners of State Contracts and approved by the Governor.

Twelfth—For copying the laws, journals and joint resolutions of the General Assembly, as provided by law, \$300; for distribution of laws, journals and other State documents and incidental expenses connected therewith, the sum of \$300; and for expressage and postage on same, \$1,000 per annum, payable as provided by law.

Thirteenth—Such sums 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, by law required to purchase, to be paid on bills of particulars certified to by the Secretary of State and approved by the Governor.

Fourteenth—To the Secretary of State, for the purchase of flags for the dome of the capitol building for two years, the sum of \$200, 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 in his office the following sums: For chief clerk, \$2,400 per annum; for revenue clerk, \$1,800 per annum; for warrant clerk, \$1,800 per annum; for stenographer and typewriter, \$1,000 per annum; for one messenger and clerk, \$720 per annum; for one janitor, \$720 per annum; for additional clerk hire, the sum of \$3,500 per annum; for land clerk, the sum of \$1,800 per annum, payable on bills of particulars 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 to exceed \$2,500 per annum, payable on bills of particulars certified to by the Auditor. To the Auditor of Public

Accounts, for the purpose of paying for the clerical service incidental to the banking department and to the building and loan department, a sum not to exceed the fees received by him for preliminary examinations and for filing reports for such bank and building and loan associations as now provided by law.

Sixteenth—A sum not to exceed \$1,000 per annum, or so much thereof as may be needed, for conveying female offenders to the State home for juvenile female offenders, to be ascertained and paid in the same manner as for conveying prisoners to the penitentiary.

Seventeenth—A sum not exceeding \$500 per annum, or so much there[of] as may be necessary, costs and expenses of State suits, to be paid on bills of particular, certified to by the Auditor and approved by the Governor.

Eighteenth—A sum not exceeding \$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 trials, or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the penitentiary, the sheriff shall take them all at one trip.

Nineteenth—For the payment of the expenses provided for by law for the apprehension and delivery of fugitives from justice, \$12,000 per annum, or so much thereof as may be necessary, to be paid on the evidence required by law, certified to and approved by the Governor; and the sum of \$2,000 for awards for arrests of fugitives from justice, to be paid on bills of particulars having the order of the Governor endorsed thereon.

Twentieth—The sum of \$15,000 per annum, or so much thereof as may be necessary, for conveying offenders to the State Reformatory at Pontiac, and from and to the reformatory in cases of new trial or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law, to be ascertained and paid in the same manner as in cases of conveying prisoners to and from the penitentiary: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the reformatory, the sheriff shall take them all at one trip.

Twenty-first—To the State Board of Equalization, for paying expenses, a sum not exceeding \$10,000 per annum, payable in the manner provided by law.

Twenty-second—To the State Treasurer, for clerk hire, the sum of \$7,500 per annum; the sum of \$3,200 per annum for two night and two day watchmen, and the sum of \$800 per annum for messenger and clerk, all payable on monthly pay-rolls duly certified to by the Treasurer. To the State Treasurer, for repairs, express charges, postage, telegraphing and other incidental expenses connected with his office, a sum not to exceed \$1,000 per annum, payable on bills of particulars certified to by the Treasurer and approved by the Governor.

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

Twenty-fourth—To the Superintendent of Public Instruction the following sums are hereby appropriated: For assistant superintendent, \$2,400 per annum; for stenographer and typewriter, \$1,000 per annum; for janitor, porter and messenger, the sum of \$720 per annum; for library, \$200 per annum; all payable on the certificate of Superintendent of Public Instruction. To the Superintendent of Public Instruction, for postage, and State examinations and other necessary expenses of his office, a sum not to exceed \$2,000 per annum; for refurnishing office, \$1,000; payable on bills of particulars certified to by him and approved by the Governor. Appropriations made by this clause to be made out of the State school funds.

Twenty-fifth—The sum of \$57,000 per annum, or so much thereof as may be necessary, to pay the interest on school funds distributed annually in pursuance of law, said amount to be payable from the State school funds.

Twenty-sixth—The sum of \$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 warrant to the State Treasurer on the proper evidence that the amount distributed has been paid to the county superintendents.

Twenty-seventh—To the Attorney General, for an assistant, the sum of \$2,800 per annum; for a second assistant, the sum of \$2,500 per annum; for a stenographer, who shall act as clerk, the sum of \$1,500 per annum; for porter and messenger, the sum of \$720 per annum; for the performance of such other official duties as are required by law, \$10,000 per annum, payable on bills of particulars certified to by the Attorney General. To the Attorney General, for telegraphing, postage and other necessary expenses incurred in the discharge of the duties of his office, a sum not to exceed \$2,000 per annum; for legal and other incidental expenses incident to the discharge of his duties in relation to the building, loan and homestead associations, and to State banks, a sum not to exceed \$6,000 per annum, payable on bills of particulars certified to by him.

Twenty-eighth—To the Adjutant General, for clerk hire in his office, the following sums: For assistant adjutant general, \$1,800 per annum; for chief clerk, \$1,500 per annum; for record clerk, \$900 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; also the sum of \$1,000 per annum for postage, telegraphing, repairs and other incidental expenses connected with memorial hall in his office; also for custodian of memorial hall, \$900 per annum; for stenographer and typewriter, \$1,000 per annum; for custodian at arsenal, \$1,200 per annum; for

ordnance sergeant at arsenal. \$720 per annum; for one messenger, \$720 per annum; for the purpose of repairs and carpeting for office, \$500, all payable on monthly pay-rolls or bills of particulars duly certified to by the Adjutant General and approved by the Governor.

Twenty-ninth—To the Board of Public Charities, for salary for secretary, the sum of \$3,000 per annum; for one chief clerk, \$1,500 per annum; for statistical secretary and stenographer, \$1,200 per annum; and for necessary incidental expenses of board, a sum not to exceed \$4,000 per annum.

Thirtieth—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 court, and other expenses deemed necessary by the court, the sum of \$4,000 per annum, payable upon bills of particulars certified to by at least two of the justices of said court.

There is also appropriated for the Librarian of said court the sum of \$1,000 per annum, who shall also act as librarian for the appellate court of the third district when in session. Also the sum of \$720 per annum for one janitor for the library and the supreme court, who shall perform such duties as shall be determined by the judges and clerks of said court, to be paid on the order of at least two of the judges of said court. To the clerk of the supreme court of the northern grand division, for stenographer, \$1,200 per annum, and for one janitor, \$720 per annum.

Thirty-first—There is also hereby appropriated to defray the incidental and contingent expenses of the Appellate Courts of this State, to-wit: To the appellate court of the first district, the sum of \$5,083.33 to pay arrears in rent to July 1, 1899; also to the appellate court of the first district for the purchase of book cases, shelving, office furniture and carpets, the sum of \$500; also to the first and branch appellate courts, for rent of offices and rooms, \$10,500 per annum, from July 1, 1899, and for no other purpose; for incidental expenses, \$500 per annum for each of said courts; for the purchase of books for the library of first appellate court, \$500 per annum; for the employment of a librarian, \$50 per month for appellate court; for the purchase of books for the library of the branch appellate court of the first district and repair of same, \$950; for repairing old books in library of first appellate court, \$500, and for book cases, furniture and fixtures for the branch appellate court, \$1,150. Said special appropriations for furniture, book cases, books and repairing of same, fixtures and incidental expenses for the branch appellate court, to be expended under the direction of the judges of said branch appellate court.

To the second district of the appellate court, for stationery, fuel, postage, light, expressage, repairs, furniture and other expenses deemed necessary by said court, the sum of \$1,750 dollars per annum; for books, \$500 per annum, and for librarian, \$500 per annum.

To the third district, for stationery, fuel, lights, postage, expressage, repairs, furniture and other expenses deemed necessary by the court, the sum of \$1,000 per annum, the sums to be paid on bills of particulars certified by the clerk of the court for which the expense was incurred.

To the fourth district, the sum of \$1,750 per annum for stationery, fuel, lights, postage, expressage, repairs, furniture and other expenses deemed necessary by the court: for books, \$500 per annum, and for librarian, \$500 per annum. Also the sum of \$720 each per annum to the second, third and fourth districts, for the pay of janitors to perform such duties as shall be determined by the judges and clerks of the respective courts, to be paid on the order of at least two of the judges in each district; for one stenographer for each of the said appellate courts, including the branch appellate court of the first district, \$720 per annum: such stenographers to be appointed by, and their duties to be prescribed by, the judges of the several appellate courts respectively; such salaries to be paid monthly, the same being certified to by at least two of the judges of such courts respectively.

Thirty-second—For the salary of the curator of the Illinois State Museum of Natural History, the sum of \$2,500 per annum; for the salary of assistant curator, the sum of \$1,000 per annum; for the salary of a janitor, the sum of \$720 per annum, all payable monthly, as provided by law. For the contingent and necessary expenses of the museum and scientific library and for traveling expenses incurred on business connected with this office, the sum of \$500 per annum, payable on bills of particulars duly certified to by the curator and approved by the Governor. Reports on investigations shall be prepared by or under the direction of the curator, and be presented to the board of trustees of the museum for approval. The board shall order such reports printed, and the expense shall be paid out of the general fund appropriated for the public printing.

Thirty-third—To the Railroad and Warehouse Commissioners, for the incidental expenses of their office, including care, stationery, postage, telegraphing, extra clerk hire, for the secretary's salary, and for all necessary expenditures, except those hereinafter provided for, a sum not to exceed \$4,000 per annum. For any expense incurred in suits or investigations commenced by authority of the State, under any law now in force, or hereafter enacted, empowering or entrusting the board of commissioners, including the fees of experts employed and clerical help, the sum of \$4,000 per annum, or such part thereof as may be needed for such purposes. For printing, mailing, expressing 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 \$1,000, or so much thereof as may be needed for such purposes. For the printing and publication of railroad maps of Illinois, to be bound with annual reports, the sum of \$1,600 per annum. For the salary of civil engineer, when so employed by the commission in their discretion, the sum of \$2,500 per

annum, which said civil engineer, when so employed, shall do such engineering work and make such inspections and reports as the said commissioners may direct, for which he shall receive compensation, to be fixed by the commission, not exceeding said sum of \$2,500 per annum, to be paid on bills of particulars certified to by the Railroad and Warehouse Commissioners and approved by the Governor.

Thirty-fourth—To the Commissioners of Labor Statistics, for the purpose of procuring, tabulating and publishing statistics of labor as contemplated by law, for clerical services, the employment of canvassers, and the incidental expenses of the board, and for defraying the per diem and traveling expenses of the commissioners, the sum of \$10,000 per annum, or so much thereof as may be necessary, and the sum of \$2,500 per annum for the salary of the secretary of the board.

To the State Board of Examiners for Mine Inspectors, Mine Managers, Hoisting Engineers and Fire Bosses, for the per diem and expenses of the board in conducting examinations as to the qualifications of those holding or desiring positions as mine managers, hoisting engineers, fire bosses, and those desiring appointments as State inspectors of mines, the sum of \$7,000 per annum, or so much thereof as may be necessary, payable upon proper vouchers approved by the Governor.

The following sums be, and are hereby, appropriated for the maintenance of the Illinois Free Employment Offices in the city of Chicago, to-wit: The sum of \$2,900 per annum for the payment of the salaries provided for by law for each of said offices, and the further sum of \$1,700 per annum, or so much thereof as may be necessary, for defraying the expenses of equipment and operation of each of said offices.

Thirty-fifth—To the board of Live Stock Commissioners the following sums are hereby appropriated: For salary of secretary, \$1,800 per annum; to pay the expenses of the commissioners, \$3,000 per annum; for assistant secretary, who shall be a stenographer and typewriter, the sum of \$1,200 per annum; for salary of five agents at the Union Stock Yards, Chicago, one agent at the National Stock Yards, East St. Louis, and one at Peoria, \$9,000 per annum; for janitor and messenger of office, \$720 per annum; for salary of assistant veterinarian at Union Stock Yards, Chicago, \$1,800 per annum; for salary and expenses of State veterinarian, \$3,500 per annum; for telegraphing, postage, express and other incidental expenses of the office, \$1,200 per annum; also for paying damages for animals diseased or exposed to contagion, slaughtered; for per diem and traveling expenses of assistant State veterinarians and agents, and expenses of the board or its officers incurred in making examinations of the same, or in making examinations of any animals supposed to be diseased; 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 \$20,000, or so much thereof as may be



necessary; and any sums of money that may be received by the Board of Live Stock Commissioners as the net proceeds of sale of the healthy carcasses of slaughtered animals under the provisions of this law shall be paid by them into the State treasury; also for paying expenses of conducting tuberculin tests among dairy and breeding cattle, and for paying damages for cattle destroyed that respond to the tuberculin test and are diseased with tuberculosis, \$5,000 per annum, or so much thereof as may be necessary, the valuation in such cases to be determined by the board in accordance with the provisions of law, and the amount of damages to be paid in each case to be based upon the value of each animal as disclosed and determined by a post-mortem examination.

Thirty-sixth—The sum of \$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 \$5,000 per annum, or so much thereof as may be necessary, for the personal and traveling expenses of the Fish Commissioners, and for the service and expenses of such persons as may be employed by them, including fish wardens, while performing such services for which no fees are allowed in enforcing the laws relative to fishways over dams, and for the protection of fish; also the sum of \$5,000, or so much thereof as may be necessary, to purchase and equip a steamboat for pursuing this work; and \$2,500 per annum, or so much thereof as may be necessary, for the maintenance and operation of said boat. 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, the sum of \$3,000 per annum; for necessary office expenses, including expenses incurred in attending meetings of the board for making sanitary investigations, and for the purpose of investigating the cause and preventing the spread of such contagious and infectious diseases as tuberculosis, typhoid fever, diphtheria, scarlet fever, influenza and malarial fevers, the sum of \$2,000 per annum; for chief clerk, \$1,800 per annum; for clerks, \$1,150 per annum; for stenographer and typewriter, \$1,000 per annum, and for incidental expenses, the sum of \$300 per annum.

Also the sum of \$10,000, to be used only with the consent and concurrence of the Governor, on the recommendation and advice of the board, in case of the outbreak or threatened outbreak of any epidemic or malignant diseases, such as smallpox, yellow fever, Asiatic fever, typhus fever, to defray the expenses of preventing the introduction of such diseases or their spread from place to place within the State; to suppress outbreaks which may occur, and to investigate methods of their prevention; also special investigations when required by the sanitary necessity of the State. This fund may be used also for the protection of human lives in times of disease and disaster beyond the relief of individual or organized charity.

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

Thirty-ninth—The sum of \$1,000, or so much thereof as may be necessary, to pay the expenses of the committees of the Forty-second General Assembly, such expenses to be certified as may be provided by resolution of either house.

Fortieth—To the Insurance Superintendent, for actuary \$3,000 per annum; for chief clerk, \$2,000 per annum; for messenger, \$720 per annum; for janitor, \$720 per annum; and for other necessary clerk hire in his office the sum of \$11,060 per annum; for postage, express charges, telegraphing and other incidental expenses, the sum of \$5,000 per annum; for expense in attending the annual convention of insurance commissioners, the sum of \$125 per annum; for expense of examinations and investigations which can not be collected from the companies or associations examined, \$1,000 per annum, or so much thereof as may be necessary; for all examinations and investigations, such amount for expenses incurred and services of assistants employed as shall be collected from the companies and associations examined; for expenses in the prosecution of violations of the insurance laws, the sum of \$6,000 per annum, and for legal services the sum of \$4,000 per annum; for printing and distributing the reports of the farmers' mutual insurance companies, the sum of \$500 per annum, or so much thereof as may be necessary.

All salaries or clerk hire to be payable upon monthly pay-rolls duly certified by the Insurance Superintendent, and other items to be payable on bills of particulars certified to by the Insurance Superintendent with the approval of the Governor.

For making valuations of reserves of life insurance companies the Insurance Superintendent, with the approval of the Governor, is hereby authorized to use the sums collected for such purposes in the payment of the costs thereof, and include the same in his annual report to the Governor.

Forty-first—To the Trustees of the Lincoln Homestead, for the salary of a custodian, the sum of \$1,000 per annum, and for repairs and improvements, the sum of \$1,300 per annum, to be expended by said trustees as provided in the act of 1887 creating said trust. The Trustees of Lincoln Monument, for salary of custodian, the sum of \$1,000 per annum; for fuel, \$100.

Forty-second—To the Illinois State Historical Library, for the continuation, care and maintenance thereof, the sum of \$3,100 per annum, of which the sum of \$1,000 per annum shall be paid as a salary to the librarian and \$600 per annum for the publication of books and pamphlets relative to the early history of the State of Illinois, to be expended under the provisions and in the manner specified in the act of 1889 establishing said library.

Forty-third—To the State Factory Inspectors, for the salary of the State Factory Inspector, the sum of \$1,500 per annum; for the salary of the assistant State factory inspector, the sum of \$1,000 per annum; for the salary of ten deputy factory inspectors, the sum of \$750 each

per annum; for traveling and other legitimate expenses incurred by the inspectors in the performance of their duties, the sum of \$7,500 per annum.

Forty-fourth—To the Supreme Court Reporter, for the expenses of printing in advance the opinions of the Supreme Court and of distributing printed proofs thereof to the several members of the court, together with the expense of transmitting such proofs and the original opinions by mail and express, and to make printer's corrections in said proofs after final adoption, the sum of \$750 per annum, payable upon bills of particulars certified to by at least two judges of said court. To the Supreme Court Reporter, for custodian and messenger, the sum of \$720 per annum, payable upon bills of particulars duly certified by him and approved by the Governor.

Forty-fifth—To the State Board of Arbitration, for salary of the secretary, \$1,200 per annum; for the traveling expenses of the members and secretary, and for postage, stationery, telegraphing, expressage, and all other necessary expenses, the sum of \$2,500 per annum, or so much thereof as may be necessary, payable upon bills of particulars duly certified to by the members of said board and approved by the Governor.

Forty-sixth—For salary of members of the Board of Pardons, \$6,000 per annum; for salary of secretary, \$2,000 per annum; for stenographer, \$750 per annum; and for expenses of the office, \$1,500 per annum, all to be paid on bills of particulars certified to by the members of the board and approved by the Governor.

Forty-seventh—To the State Entomologist, for field, office, incidental and library expenses, the sum of fifteen hundred dollars (\$1,500) per annum; for the pay of assistants, the sum of two thousand dollars (\$2,000) per annum; for the illustration of bulletins and reports, the sum of five hundred dollars (\$500) per annum.

To the State agricultural experiment station, for the publication of the bulletins prepared by the State Entomologist, the sum of seven hundred and fifty dollars (\$750) per annum: *Provided*, that one thousand copies of each of said bulletins shall be furnished to the State Entomologist in condition for binding and distribution as his biennial report.

To the State laboratory of natural history, for the expenses of the natural history survey, including the maintenance of the Illinois biological station, the sum of eight thousand dollars (\$8,000) per annum; for the supply of natural history specimens to the State educational institutions and to the public schools, the sum of five hundred dollars (\$500) per annum; for the publication of bulletins and reports, the sum of one thousand dollars (\$1,000). To the University of Illinois for the payment of interest on the endowment funds of said university as provided by section 2 of the act relating to said university, approved June 11, 1897, for the years 1899 and 1900, and for arrears of interest accruing in the year ending June 11, 1897, the sum of fifty thousand dollars (\$50,000).

Forty-eighth—The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for the sums herein specified upon the presentation of proper vouchers; all sums herein appropriated for the pay of the 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 heads of departments, bureaus or boards of commissioners and trustees 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 persons entitled thereto.

APPROVED April 19, 1899.

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STATE GOVERNMENT, OFFICERS AND MEMBERS OF THE FORTY-SECOND GENERAL ASSEMBLY.

§ 1. Appropriates \$1,000,000 to pay the officers of the State Government and the next General Assembly.

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

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of \$1,000,000, 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 rates of compensation as are 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 next General Assembly.

APPROVED March 30, 1899.

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STATE HORTICULTURAL SOCIETY.

§ 1. Appropriates to State Horticultural Society \$4,000.00 per annum, provides for Secretary's salary and expenditure for field experiments.

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

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the use of the Illinois State Horticultural Society the sum of four thousand dollars (\$4,000) per annum, for the purpose of advancing the growth and development of the horticultural interests of the State for the years 1899 and 1900, said sum 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: *Provided*, however, that no portion thereof shall be paid for, or on account of, any salary or emoluments of any officer of said society, except the secretary, who may receive not to exceed four hundred dollars (\$400) per annum: *And, provided further*, that at least one thousand dollars (\$1,000) of said sum be expended each year by said board in field experiments.

APPROVED April 10, 1899.

STATE POULTRY ASSOCIATION.

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| <p>§ 1. Illinois State Poultry, Pigeon and Pet Stock Association.</p> <p>§ 2. Officers, bonds, secretary's salary.</p> | <p>§ 3. Annual exhibition.</p> <p>§ 4. Appropriates \$1,000 per annum for use of the association. How drawn.</p> |
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AN ACT to define certain duties of the Illinois State Poultry Association 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 the regularly organized and incorporated society known as the Illinois State Poultry, Pigeon and Pet Stock Association, whose articles of incorporation are recorded in the office of the Secretary of State, the same being legalized by act of the Fortieth General Assembly.

§ 2. The officers of this incorporation shall consist of a president, vice-president, secretary, treasurer and executive committee consisting of five responsible men. Secretary to give bond for two thousand and five hundred dollars, treasurer to give bond for five thousand dollars, to be approved by the president and executive committee. The officers shall be elected annually, at the regular meeting in January, by a majority of the members of said association. Secretary to receive a salary of twenty-five dollars (\$25.00) for the years of 1899 and 1900.

§ 3. The Illinois State Poultry, Pigeon and Pet Stock Association shall hold an annual exhibition during the month of January at such place in the State as the officers may select, the object of which shall be for the advancement along poultry lines, such as exhibition of poultry, gathering statistics and diffusing practical knowledge on subjects pertaining to the poultry interests of the State, by addresses, papers, discussions and such other means as the officers may direct.

§ 4. The sum of one thousand dollars per annum for the years 1899 and 1900 is hereby appropriated out of any money in the State treasury not otherwise appropriated for the use and benefit of said association, and the State Auditor is hereby authorized to draw his warrant for the same and deliver to the treasurer of the Illinois State Poultry, Pigeon and Pet Stock Association, upon his presenting proper receipt therefor, certified to by the president and secretary of said association, under seal of such corporation; said amount to be used for the purpose of paying premiums and defraying the ex-

penses incurred in holding the annual exhibition, such as getting out premium lists, and for such other purposes as in the judgment of the officers shall best subserve the poultry interests of the State of Illinois.

APPROVED April 6, 1899.

STATE REFORMATORY.

§ 1. Enacting clause.

§ 2. Appropriates for ordinary expenses, discharge, parole and return of prisoners, school books, seats, tables, desks, maps, etc., \$282,600.

For one boiler with furnace; cost of setting and connections, \$4,500.

§ 3. How drawn.

AN ACT *making appropriations for the Illinois State Reformatory, at Pontiac, for the two years beginning July 1, 1899, and ending July 1, 1901.*

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 purposes hereinafter named, payable according to law:

§ 2. For ordinary expenses of said reformatory, \$235,000 per annum.

For discharge, parole and return of prisoners, \$25,000 per annum.

For school books for use of inmates, \$1,000 per annum.

For school seats, tables, desks, maps and charts, \$1,000 per annum.

For cows, teams, wagons and farm implements, \$1,000 per annum.

For equipment and maintenance of trade schools, \$5,000 per annum.

For material to be used in trades instruction, \$5,000 per annum.

For addition to library, \$1,000 per annum.

For electric light, telephone, telegraph and fire alarm system, \$1,500 per annum.

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

For beds, bedding and furniture, \$1,500 per annum.

For lectures, concerts, amusements, etc., \$600 per annum.

For one improved boiler, to be of not less than two hundred horse power, with improved furnace, cost of setting and connections, \$4,500.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrants on the State Treasurer for the moneys hereinbefore appropriated upon the order of the board of managers of said reformatory, signed by the president and attested by the secretary, with the seal of said reformatory attached, and approved by the Governor.

APPROVED April 22, 1899.

UNIVERSITY OF ILLINOIS.

FOR GENERAL PURPOSES.

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| <p>§ 1. Appropriates \$330,400 to the University of Illinois for the following purposes:</p> <ul style="list-style-type: none"> <li>For taxes for 1898-99 on Minnesota land, \$2,000 per annum.</li> <li>For salaries, care of buildings and grounds and ordinary expenses, \$125,000 per annum.</li> <li>For materials for shop practice, \$2,000 per annum.</li> <li>For increase of scientific cabinets and collections, \$1,000 per annum.</li> <li>For fire protection, \$1,000 per annum.</li> <li>For pavements and walks, \$3,000 per annum.</li> <li>For vaccine laboratory, \$1,200 per annum.</li> <li>For engineering equipment, \$10,000 per annum.</li> </ul> | <ul style="list-style-type: none"> <li>For painting and repairs to buildings and improvements to grounds, \$5,000 per annum.</li> <li>For State water analysis, \$3,000 per annum.</li> <li>For draining, fencing, etc., on experimental farms, \$2,000 per annum.</li> </ul> <p>§ 2. Appropriates \$164,000 for additions to plant, as follows:</p> <ul style="list-style-type: none"> <li>For buildings, etc., for the college of agriculture, \$75,000 per annum.</li> <li>For construction of water plant, \$10,000.</li> <li>For furnishing electrical building, \$1,000.</li> <li>For wiring, electrical fixtures and connection with University plant, \$3,000.</li> </ul> <p>§ 3. How drawn.</p> |
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*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 is hereby, appropriated to the University of Illinois for the payment of taxes accruing in the years 1898 and 1899 on lands owned by the State in the State of Minnesota and held for the use of said university, the sum of two thousand (2,000) dollars per annum.

For the payment of salaries, for the care of buildings and grounds, and for ordinary operating expenses, the sum of one hundred and thirty-five thousand dollars per annum.

For materials for shop practice, two thousand (2,000) dollars per annum.

For increase of scientific cabinets and collections, one thousand (1,000) dollars per annum.

For fire protection, one thousand (1,000) dollars per annum.

For laying pavements and walks, three thousand (3,000) dollars per annum.

For the maintenance of the vaccine laboratory, twelve hundred (1,200) dollars per annum.

For maintenance and extension of the engineering equipment, ten thousand (10,000) dollars per annum.

For painting and repairs to buildings and improvements to grounds, five thousand (5,000) dollars per annum.

For carrying on State water analysis, three thousand (3,000) dollars per annum.

For draining, fencing, etc., on the experimental farms, and for maintenance of barns, two thousand (2,000) dollars per annum.

§ 2. That there be, and is hereby, appropriated to said University of Illinois the following sums for additions to the plant:

For buildings and appurtenances for the college of agriculture, in order that the agricultural, horticultural, dairy and other departments of that college may be properly organized, seventy-five thousand (75,000) dollars per annum for the years ending July 1, 1900 and 1901.

For constructing a water plant, ten thousand (10,000) dollars.

For furnishing the electrical building, one thousand (1,000) dollars.

For wiring university hall and natural history hall, and for providing electrical fixtures so that those buildings may be lighted from the university lighting plant, three thousand (3,000) dollars.

§ 3. That 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 not otherwise appropriated, upon the order of the board of trustees of said university, attested by its secretary and with the corporate seal of the university.

*Provided*, That no part of said sum shall be due and payable to said university until satisfactory vouchers in detail, approved by the Governor, shall be filed with the Auditor for all previous expenditures incurred by the university on account of the appropriation hitherto made:

*And, provided further*, That vouchers shall be taken in duplicate, and original or duplicate vouchers shall be forwarded to the Auditor of Public Accounts for the expenditure of the sums appropriated in this act.

APPROVED April 22, 1899.

[The following eight (8) items appeared in the bill as passed by the General Assembly and were vetoed by the Governor, viz :

For additions to apparatus and appliances, \$3,000 per annum.....	\$ 6,000 00
For additions to library, \$10,000 per annum.....	20,000 00
For apparatus at astronomical observatory, \$3,000 per annum.....	6,000 00
For restoring to the operating fund the amount used therefrom in emergency to repair damages caused to the natural history building by lightning and fire in June, 1897, the sum of .....	4,166 61
For a building for the special use of women students, to be known as the "woman's building," \$20,000 per annum .....	40,000 00
\$5,000 per annum for the years ending July 1, 1900 and 1901, for the equipment and maintenance of a department of domestic science .....	10,000 00
For the purchase of several small parcels of land, surrounded by lands of the university, and needed to make the holdings of the State complete within the general boundary of university grounds .....	10,000 00
For constructing a swimming tank, in connection with men's gymnasium .....	3,000 00

\$99,166 61

JAMES A. ROSE,

*Secretary of State.*



## UNIVERSITY OF ILLINOIS.

## MONEY GRANTED BY ACT OF CONGRESS.

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| § 1. Appropriates to the University of Illinois such sums of money as are due by the act of Congress of 1862. | § 3. "Land Grant Act" and "Second Morill Bill"—disposition of revenues derived from. |
| § 2. How drawn.   |  |

AN ACT *appropriating to the University of Illinois the money granted in an act of Congress approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862, and to provide for the distribution of said fund."*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum or sums of money which may have accrued, or may hereafter, before the first day of July, 1901, accrue, to the State of Illinois under the provisions of an act of the Congress of the United States, approved August 30, 1890, entitled, "An act to apply a portion of the proceeds of public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862." are hereby appropriated to the University of Illinois, and whenever any portion of the said money shall be received by the State Treasurer it shall immediately be due and payable into the treasury of said university.

§ 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 chairman of the board of trustees of said university, countersigned by its secretary and with the corporate seal of the said university.

§ 3. Not less than one-half ( $\frac{1}{2}$ ) of the revenues from the so-called "Land Grant Act," entitled, "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July, 2, 1862; and not less than one-half ( $\frac{1}{2}$ ) of the proceeds of the so-called "Second Morill Bill," entitled, "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress," approved July 2, 1862, and which was approved August 30, 1890, shall be applied by the trustees of the University of Illinois solely to instruction in the State agricultural college in the principles and practices connected with the cultivation of crops, the character and treatment of soils, the breeding, feeding and management of domestic animals, and the diseases to which they are subject, the operations of dairying and the subjects of fruit growing, gardening, landscape gardening and forestry, and to the facilities for such instruction.

APPROVED April 22, 1899.

## WESTERN ILLINOIS STATE NORMAL SCHOOL.

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| <p>§ 1. Creates Western Illinois State Normal School.</p> <p>§ 2. Object.</p> <p>§ 3. Corporate powers vested in five trustees.</p> <p>§ 4. Governor to appoint trustees—term of office—vacancies.</p> <p>§ 5. First meeting—president, secretary and treasurer.</p> <p>§ 6. Duties of treasurer.</p> <p>§ 7. Interest in contract prohibited to trustees, officer, agent or employés.</p> <p>§ 8. Annual settlement of accounts with Auditor of Public Accounts.</p> <p>§ 9. Board to meet quarterly.</p> <p>§ 10. Location of site.</p> | <p>§ 11. Contracts for and erection of buildings—how constructed—appointment of superintendent of construction.</p> <p>§ 12. Appointment of instructors and officers—text books, apparatus, etc.</p> <p>§ 13. Each county entitled to gratuitous instruction for one pupil; how chosen.</p> <p>§ 14. Appropriates \$75,000 for erection of building, furniture, improving land and first year's instruction.<br/>How drawn.</p> <p>§ 15. Expenses of building, improving, etc.; fuel, furniture and apparatus, salaries, etc., to be a charge upon State Treasury; all other expenses chargeable against pupils.</p> <p>§ 16. Trustees to receive only traveling and personal expenses—how drawn.</p> |
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AN ACT to establish and maintain the Western Illinois State Normal School.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a body politic and corporate is hereby created, by the name of the Western Illinois State Normal School, 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 or transfer or conveyance, property of any description, and to have and hold and enjoy the same; also, to make and use a corporate seal, with power to break or change the same; to adopt by-laws, rules and regulations for the government of its members, official agents and employés: *Provided*, such by-laws shall not conflict with the constitution of the United States or of this State.

§ 2. The object of the said Western Illinois State Normal School shall be to qualify teachers for the common schools of this State by imparting instruction in the art of teaching in all branches of study which pertain to a common school education, and such other studies as the board of trustees may from time to time prescribe.

§ 3. The powers of the said corporation shall be vested in, and its duties performed by, a board of trustees not exceeding five in number, to be appointed as hereinafter provided.

§ 4. Upon the passage of this act the Governor shall nominate, and by and with the advice of the Senate appoint, five citizens of the State as trustees of said institution, two of whom shall serve for two years, and three for four years, and until their successors are appointed and enter on duty; and successors in each class shall be appointed in like manner for four years: *Provided*, however, that in case of a vacancy by death or otherwise, the Governor shall appoint a successor for the remainder of the term vacated: *And, pro-*

*vided further*, that no two members of said board of trustees shall be residents of any one county. The superintendent of public instruction shall be a trustee of said school, *ex-officio*.

§ 5. The board of trustees shall hold their first meeting at———, within one month from the time this act goes into effect, at which meeting they shall elect one of their body president, another secretary, and cause a regular record to be made and kept of all their proceedings. The board of trustees shall also appoint a treasurer, not a member of said board, who shall give bonds to the people of the State of Illinois in double the amount of the largest sum likely to come into his hands, the penalty to be fixed by the board of trustees, conditioned for the faithful discharge of his duties as treasurer, with two or more persons as securities.

§ 6. The treasurer shall keep an accurate account of all moneys received and paid out; the account for articles and supplies of every kind purchased shall be kept and reported, so as to show the kind, quantity and cost thereof.

§ 7. No member, officer or agent of the board of trustees shall be a party to or interested in any contract for materials and supplies.

§ 8. Accounts of this institution shall be stated and settled annually with the Auditor of Public Accounts. The board of trustees shall, ten days previous to each regular session of the General Assembly, submit to the Governor a report of all their actions and proceedings in the execution of their trust, with a statement of all accounts connected therewith, to be by the Governor laid before the General Assembly.

§ 9. The board of trustees shall meet quarterly at such place or places as may be agreed on, and, until the building is completed, as much oftener as may be necessary, but thereafter the meetings shall be at the school.

§ 10. The board of trustees shall, as soon as practicable after their appointment, arrange to receive from the localities desiring to secure the location of said school, proposals for donation of a suitable site and other valuable considerations, and shall locate the same in the place offering the most advantageous conditions, all things considered, as nearly central as possible in that portion of the State lying west of the fourth principal meridian, in what is known as the "military tract," with a view of obtaining a good water supply and other conveniences for the use of said institution.

§ 11. Upon the selection and securing of the land aforesaid the board of trustees shall proceed to secure plans and to contract for the erection of a building in which to furnish educational facilities for such number of students as hereinafter provided for; also for the improvement of the land so as to make it available for the use of the institution. The building shall be constructed upon the most approved plans for use, and shall be of sufficient capacity to accommodate not fewer than five hundred students, with the officers and necessary attendants. The outside walls to be of stone or brick, par-

tition walls of brick, and the entire building made fire-resisting and so constructed as to be warmed in the most healthful and economical manner, with ample ventilation in all its parts. Said plans shall be accompanied by specifications and an itemized statement of the amount required for the erection and completion of the building in accordance therewith; but no plans or specifications shall be adopted by the board of trustees until the same shall have been submitted to and approved by the Governor.

The board of trustees shall appoint a competent and trustworthy superintendent of the building and improvements aforesaid, whose duty it shall be to be present during the progress of the work and to see that every brick, stone and piece of timber used is sound and properly placed, and whose right it shall be to require contractors and their employés to conform to his directions in executing their contracts: *Provided*, however, that said board of trustees shall not appoint any one of its number such superintendent: *And, provided further*, that the building aforesaid may be erected and the improvements made under the direction of the board of trustees and superintendent without letting the same to contractors.

§ 12. The board of trustees shall appoint instructors and such officers as may be required in said school, fix their respective salaries, prescribe their several duties, and shall have power to remove any of them for proper cause.

It shall prescribe the text books, apparatus and furniture to be used in said school, and provide the same, and shall make all rules and regulations necessary for its management.

§ 13. Each county in the State shall be entitled to gratuitous instruction for one pupil in said school, to be chosen in the following manner: The superintendent of schools in each county shall receive and register the names of all applicants for admission to said school, and shall examine said applicants at such time and in such manner as the board of trustees may direct, and the applicant found to possess the highest qualifications shall be accepted as the pupil to which said county is entitled. The board of trustees shall have the power, if such pupil does not sign and file with the secretary of the board of trustees a declaration that he or she will teach in the public schools within this State not fewer than three years, in case that engagements can be secured by reasonable efforts, to require said pupil to provide for the payment of such fees for tuition as the board of trustees may prescribe.

§ 14. To enable the board of trustees to erect said building, to supply the necessary furniture for the same, to improve said land, and for the first year's instruction, the sum of seventy-five thousand dollars is hereby appropriated out of the State treasury, payable on the orders of said board of trustees as required for use, in sums not to exceed ten thousand dollars per month, the first payment to be made on the first day of July, 1900, and subsequent payments shall

be accompanied by an account, sustained by vouchers, showing to the satisfaction of the Auditor, and with the approval of the Governor, the expenditure of the previous payment.

§ 15. The expense of the building, improving, repairing and supplying fuel and furniture, the necessary apparatus for conducting said school, the salaries or compensation of the trustees, superintendents, assistants, agents and employes shall be a charge upon the State treasury; all other expenses shall be chargeable against the pupils of said school, and the board of trustees shall regulate the charges accordingly.

§ 16. The trustees of said school shall receive only their personal and traveling expenses, and the Auditor is hereby authorized to issue warrants quarterly, upon presentation of itemized statements of such accounts by said trustees, verified by affidavits, as to their actual personal and traveling expenses.

APPROVED April 24, 1899.

## ARBITRATION.

### STATE BOARD.

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| <p>§ 1. Amends section 3, act 1895, creating State Board of Arbitration.</p> <p>§ 3. Application for hearing—notice to parties interested—witnesses compelled to attend.</p> <p>§ 2. Inserts after section 5 sections 5a, 5b.</p> <p>§ 5a. Proceedings in case of failure to abide by decision of board—penalty.</p> | <p>§ 5b. Duties of Board of Arbitration when application is made by two or more employers or their employes.</p> <p>§ 3. Inserts after section 6 section 6a.</p> <p>§ 6a. Board to be notified in case of strike or lockout, actual or threatened.</p> <p>§ 4. Emergency.</p> |
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AN ACT to amend Section 3 of "An act to create a State Board of Arbitration for the investigation or settlement of differences between employers and employes, and to define the powers and duties of said board," approved August 2, 1895, and to insert in said act three new sections to be known as Section 5a, Section 5b and Section 6a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of "An act to create a State board of arbitration for the investigation or settlement of differences between employers and their employes, and to define the powers and duties of said board," approved August 2, 1895, be amended so as to read as follows:

§ 3. Said application shall be signed by said employer or by a majority of his employes in the department of the business in which the controversy or difference exists, or by both parties, and shall contain a concise statement of the grievances complained of, and a promise to continue on in business or at work without any lockout or strike.

until the decision of said board, if it shall be made within three weeks of the date of filing said application. As soon as may be after the receipt of said application the secretary of said board shall cause public notice to be given of the time and place of the hearing thereon; but public notice need not be given when both parties to the controversy join in the application and present therewith a written request that no public notice be given. When such request is made notice shall be given to the parties interested in such manner as the board may order, and the board may, at any stage of the proceedings, cause public notice to be given, notwithstanding such request. The board in all cases shall have power to summon as witnesses any operative or expert in the department of business affected, and any person who keeps the records of wages earned in those departments, or any other person, and to examine them under oath, and to require the production of books containing the records of wages paid and such other books and papers as may be deemed necessary to a full and fair investigation of the matter in controversy. The board shall have power to issue subpoenas, and oaths may be administered by the chairman of the board. If any person, having been served with a subpoena or other process issued by such board, shall wilfully fail or refuse to obey the same, or to answer such questions as may be propounded touching the subject matter of the inquiry or investigation, it shall be the duty of the circuit court or the county court of the county in which the hearing is being conducted, or of the judge thereof, if in vacation, upon application by such board, duly attested by the chairman and secretary thereof, to issue an attachment for such witness and compel him to appear before such board and give his testimony or to produce such books and papers as may be lawfully required by said board: and the said court, or the judge thereof, shall have power to punish for contempt, as in other cases of refusal to obey the process and order of such court.

§ 2. That there be inserted after section 5 of said act the following sections:

“§ 5a. In the event of a failure to abide by the decision of said board in any case in which both employer and employes shall have joined in the application, any person or persons aggrieved thereby may file with the clerk of the circuit court or the county court of the county in which the offending party resides, or in the case of an employer in the county in which the place of employment is located, a duly authenticated copy of such decision, accompanied by a verified petition reciting the fact that such decision has not been complied with and stating by whom and in what respects it has been disregarded. Thereupon the circuit court or the county court (as the case may be) or the judge thereof, if in vacation, shall grant a rule against the party or parties so charged to show cause within ten days why such decision has not been complied with, which shall be served by the sheriff as other process. Upon return made to the rule, the court, or the judge thereof if in vacation, shall hear and determine the questions presented, and to secure a compliance with such decision, may

punish the offending party or parties for contempt, but such punishment shall in no case extend to imprisonment."

"§ 5b. Whenever two or more employers engaged in the same general line of business, employing in the aggregate not less than twenty-five persons, and having a common difference with their employés, shall, coöperating together, make application for arbitration, or whenever such application shall be made by the employés of two or more employers engaged in the same general line of business, such employés being not less than twenty-five in number, and having a common difference with their employers, or whenever the application shall be made jointly by the employers and employés in such a case, the board shall have the same powers and proceed in the same manner as if the application had been made by one employer, or by the employés of one employer, or by both."

§ 3. That there be inserted after section 6 of said act, the following section:

"§ 6a. It shall be the duty of the mayor of every city, and the president of every incorporated town or village, whenever a strike or lockout involving more than twenty-five employés shall be threatened, or has actually occurred within or near such city, incorporated town or village, to immediately communicate the fact to the State board of arbitration, stating the name or names of the employer or employers and of one or more employés, with their postoffice addresses, the nature of the controversy or difference existing, the number of employés involved and such other information as may be required by the said board. It shall be the duty of the president or chief executive officer of every labor organization, in case of a strike or lockout, actual or threatened, involving the members of the organization of which he is an officer, to immediately communicate the fact of such strike or lockout to the said board with such information as he may possess touching the differences or controversy] and the number of employés involved."

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

APPROVED April 12, 1899.

## ARCHITECTS.

## LICENSING OF ARCHITECTS.

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| <p>§ 1. Amends sections 2 and 11 of the act of 1897.</p> <p>§ 2. Examiners to file oath of office with Secretary of State—treasurer to file bond for sum fixed by Secretary of State—salary of secretary and board—special fund—how drawn.</p> | <p>§ 11. Renewal of license—fee—secretary to notify county clerk of revocation.</p> |
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AN ACT to amend an act entitled "An act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, in force July 1, 1897.

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 provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, in force July 1, 1897, be, and the same is hereby, amended by amending sections 2 and 11 so that the same may read, when so amended, as follows:

## ORGANIZATION OF BOARD, OFFICERS, DUTIES, SALARIES.

§ 2. The members of the State Board of Examiners of Architects shall, before entering upon the discharge of their duties, make and file with the Secretary of State the constitutional oath of office. They shall, as soon as organized, and annually thereafter, in the month of January, elect from their number a president and secretary, who shall also be the treasurer. The treasurer, before entering upon his duties, shall file a bond with the Secretary of State for such sum as shall be required of him by said Secretary of State, and in such form and with such sureties as may be approved by the Governor of the State. The board shall adopt rules and regulations not inconsistent with this act to govern its proceedings; and also a seal, and the secretary shall have the care and custody thereof; and he shall keep a record of all the proceedings of the board which shall be open at all times to public scrutiny; and the board shall cause the prosecution of all persons violating any of the provisions of this act, and may incur necessary expenses in that behalf.

The secretary of the board shall receive a salary which shall be fixed by the board and which shall not exceed the sum of fifteen hundred dollars (\$1,500.00) per annum; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The other members of the board shall receive the sum of ten dollars (\$10.00) for each day actually engaged in this service, and all legitimate and necessary expenses incurred in attending the meeting of said board. Said expenses shall be paid from the fees received by the board under the provisions of this act, and no part of the salary or other expenses of the board shall be paid out of the



State treasury. All moneys received in excess of the said per diem allowance and other expenses provided for shall be held by the treasurer as a special fund for meeting the expenses of said board and the cost of an annual report of the proceedings of the State Board of Examiners of Architects; and any moneys that may have been heretofore paid into the State treasury to the credit of said board are hereby appropriated to the said board, to be held by it as a part of said special fund; and the Auditor of Public Accounts is hereby authorized to issue a warrant for their repayment on the requisition of said board and the approval of the Governor in such amounts as may from time to time be required.

LICENSE TO BE RENEWED ANNUALLY-- FEES.

§ 11. Every licensed architect in this State who desires to continue the practice of his profession shall, annually, during the time he shall continue in such practice, pay to the secretary of the board during the month of July a fee of five dollars (\$5.00), and the secretary shall thereupon issue to such licensed architect a certificate of renewal of his license for the term of one year. Any licensed architect who shall fail to have his license renewed during the month of July in each and every year shall have his license revoked; and it shall be the duty of the secretary of the board to give notice of such revocation to the county clerk in each county in the State, whereupon the county clerks of the counties shall make an entry of such revocation accordingly.

But the failure to renew said license in apt time shall not deprive such architect of the right to renewal thereafter; and the secretary of the board shall give like notice of such renewal; but the fee to be paid upon the renewal of license after the month of July shall be ten dollars (\$10.00) to cover the additional expense incurred by the board on account of such notices.

APPROVED April 19, 1899.

SUPERVISING ARCHITECT.

§ 1. Appointment of State Architect.

§ 2. Compensation—how drawn.

§ 3. Duties.

§ 4. Drawings, plans, etc.—State property—recovery of.

§ 5. Oath and bond.

AN ACT *creating the office of supervising architect of the State of Illinois and defining his powers and duties.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That it shall be the duty of the Governor, with the advice and consent of the Senate, to appoint a State Architect of public buildings and improvements, who shall hold his office for a term of four years.*

§ 2. The compensation of such State Architect shall be five thousand dollars per annum, and the Auditor of Public Accounts is hereby authorized and directed to issue his warrants on the treasury in favor of such State Architect for the amount specified in this section, and the State Treasurer is hereby authorized and directed to pay said warrants out of any money in the treasury not otherwise appropriated.

§ 3. Such State Architect is hereby authorized and empowered, and it shall be his duty, to make and provide all drawings, plans, specifications and models for the erection of all public buildings and improvements of the State, including additions, alterations and repairs to buildings already erected, and including also, the construction and perfection of all systems of sewerage, drainage, ventilation, steam heating, plumbing, electric lighting and works for the water supply pertaining thereto; and including also, the improvement of all grounds upon which such buildings are to be erected, all of which said drawings, plans, specifications and models shall be submitted to the Governor for his approval. Such State Architect shall have general supervision over the erection and construction of all public buildings and works of the State and also over the inspection of all materials previous to their incorporation into such buildings or works. He shall see that such public work or building, as a whole or in parts, is prosecuted with diligence and in a proper and workmanlike manner; and if satisfied that such work is being slighted, inferior materials being used, or any other fraud is being practiced, by any contractor whereby the interests of the State may be injuriously affected, he shall report the same to the proper officer, commissioner or board, in order that such officer, commissioner or board may, in his or their discretion, annul all contracts with any such contractor. Such State Architect is hereby given the power of defining the true intent and meaning of all drawings, plans and specifications; and he shall have authority to stop the progress of the work thereunder and order its removal when not in accordance therewith. It shall be the duty of such State Architect, upon the written request of the proper officer, commissioner or board, to do and perform any and all things in this section mentioned and enumerated as herein provided.

§ 4. All drawings, plans, specifications, models and estimates, and all papers incidental to the erection and construction of public buildings shall be the property of the State; and should the architect be removed, or from any cause cease to act, he shall deliver up to the proper officer, board or commissioner all plans, specifications, drawings, books, papers and effects in his possession belonging to the State; and if he fails or refuses to deliver the same, or any of them, upon demand, they may be recovered in a civil action, and he shall be liable upon his official bond for their value and all damages resulting by reason of their detention.

§ 5. The architect appointed under this act, before entering upon his duties, shall take and subscribe an oath of office, and shall give a good and sufficient bond in the sum of ten thousand dollars, with two or more sureties residents of this State, who are not and shall not

become interested, directly or indirectly, in any public works; which bond shall be conditioned for the honest and faithful performance of his duties as such architect, and the exercise of care and skill in the discharge thereof; which bond shall be approved, recorded and filed with his official oath according to law.

APPROVED April 24, 1899.

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## ATTORNEYS AND COUNSELORS.

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### ADMISSION TO THE BAR.

§ 1. Amends section 1, act 1874.

| § 2. Emergency.

AN ACT to amend Section 1 of an act entitled, "An act to revise the law in relation to attorneys and counselors," 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 1 of an act entitled "An act to revise the law in relation to attorneys and counselors," approved March 28, 1874, and in force July 1, 1874, 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 no person shall be permitted to practice as an attorney or counselor at law, or to commence, conduct or defend any action, suit or plaint, in which he is not a party concerned, in any court of record within this State, either by using or subscribing his own name or the name of any other person, without having previously obtained a license for that purpose from some two of the justices of the supreme court, which license shall constitute the person receiving the same an attorney and counselor at law, and shall authorize him to appear in all the courts within this State and there to practice as an attorney and counselor at law according to the laws and customs thereof, for and during his good behavior in said practice, and to demand and receive fees for any services which he may render as an attorney and counselor at law in this State. No person shall be refused a license under this act on account of sex, and every applicant for a license who shall comply with the rules of the supreme court in regard to admission to the bar in force at the time such applicant commenced the study of law either in a law office or a law school or college, shall be granted a license under this act notwithstanding any subsequent changes in said rules.

*Provided,* that to date of the 31st day of December, A. D. 1899, a diploma regularly issued by any law school regularly organized under the laws of this State, whose regular course of law studies is two years, and requiring an actual attendance by the student of at least

thirty-six weeks in each of such years and showing that the student began the study of law prior to November 4, A. D. 1897, shall be received by the supreme court of this State, and a license of admittance to the bar shall thereupon be granted by the said court to the holder of such diploma; but every application for admission to the bar made on behalf of any person to whom any diploma as aforesaid has been awarded, must be made in term time by motion of some attorney of the said court, supported by the usual proofs of good moral character, and the production in the said court of such diploma, or satisfactorily accounting by the applicant for its non-production; and in all cases when the diploma on which the application is based does not recite all the facts requisite to its reception, all such omitted facts must be shown by the affidavit of the applicant, or some officer of the law school, or by both: *Provided further*, that any student who has studied in a law office in this State for two years, or who for the period of two years has studied law part of such two years in a law office and part in the aforesaid law school, and whose course of studies began prior to November 4, 1897, shall be admitted to practice law upon a satisfactory examination in the branches now required by the rules of the supreme court of this State, except that he shall not be required to present to the examining board any proof as to his preliminary general education, by examination or otherwise.

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

APPROVED February 21, 1899.

## CANALS.

### ILLINOIS AND MICHIGAN CANAL.

§ 1. Amends section 8 of acts of 1874 and 1891.

§ 8. Powers of commissioners—

1. To appoint general superintendent.
2. To prescribe rules.
3. To establish rates.
4. To sell material.
5. To lease lands and lots.
6. To lease water power.
7. To lease ice privileges.
8. To sell canal lands.
9. To execute conveyances.

AN ACT to amend Section eight (8) of "An act to revise the law in relation to the Illinois and Michigan Canal, and for the improvement of the Illinois and Little Wabash rivers," approved March 27, 1874, in force July 1, 1874, as amended by the act of June 19, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 8 of "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers," ap-

proved March 27, 1874, in force July 1, 1874, as amended by the act of June 19, 1891, in force July 1, 1891, be, and the same is hereby, amended so as to read as follows:

§ 8. Said commissioners shall have control and management of the Illinois and Michigan canal, including its feeders, basins and appurtenances, and the property thereto belonging, and all locks and dams and other improvements of the navigation of the Illinois and Little Wabash rivers, and shall have authority:

First—To appoint a general superintendent, collector of tolls and such other officers and agents as may be necessary for the management of the said canal, locks, dams and other improvements, and prescribe their compensation, powers and duties, and remove them at pleasure, and may employ all such agents and servants as may be necessary in the performance of the duties of their office.

Second—To prescribe reasonable rules and regulations in respect to all matters connected with the navigation and use of the said canal, locks and dams and transportation on or through the same; and whoever shall wilfully or negligently refuse or neglect to comply with such rules may be fined in any sum, not exceeding \$50 for each offense, to be recovered in the name of the People of the State of Illinois, before any justice of the peace of the county, and paid over to said commissioners, and said commissioners may prohibit all persons who wilfully refuse or neglect to comply with such rules from using said canal, locks and dams. Printed copies of such rules and of this article shall be posted for public inspection in the offices of the collectors of tolls. The power granted in this article shall apply as well to that part of the south branch of the Chicago river within one thousand feet of the lock at Bridgeport, and to the canal basin at or near the termination of the canal on the Illinois river, and to that part of the Illinois and Little Wabash rivers above and below the several locks and dams within one thousand feet thereof, and to all feeders, basins and laterals as to the canal, locks and dams.

Third—To establish and collect reasonable rates of toll for the passage and use of the said canal and the said locks: *Provided*, that the use of the said canal and locks shall be free for the transportation of any property of the United States, or persons in their service passing through the same.

Fourth—To sell and dispose of any machinery, fixtures, stone, debris, material or personal property unnecessary for the proper management, construction, repair or use of said canal, locks, dams or other improvements.

Fifth—To lease from time to time any of the canal lands or lots owned by the State: *Provided*, no lease shall be for a period exceeding twenty years.

Sixth—To lease from time to time, to the highest bidder therefor, any water power and lands or lots connected therewith. Before any such lease shall be made, at least thirty days' public notice of the intended letting shall be given by publication in some newspaper published in the neighborhood, and such other notice as the commis-

sioners shall deem best. The commissioners shall have power to require that bids be accompanied by security, and may reject all bids not satisfactory to them, and re-advertise until they shall receive satisfactory bids. No lease shall be for a period exceeding twenty years, but the commissioners may provide for the extension of any lease from time to time, not exceeding twenty years at any one time, at a rent to be fixed by an appraisal, to be made by three disinterested appraisers to be appointed by the Governor, and such appraisal shall be subject to the approval of the commissioners. All leases of water power and extensions thereof shall be subject to the right of the commissioners to resume, without compensation to the lessee, the use of any such water power for the purpose of the canal, and also wholly to abandon or destroy the work by the construction of which the water privilege shall have been created, whenever, in the opinion of the Legislature, such work shall cease to be advantageous to the State.

Seventh—To lease from time to time to the highest and best bidder (after publishing notice in some newspaper published in the county where the ice privilege to be leased may be), in sections not exceeding one thousand feet, lineal measure, upon such terms as not to interfere with the proper use and management of the canal, the right to take and harvest ice therefrom, or from any of its feeders, basins and appurtenances, and to prohibit all persons from taking and harvesting ice therefrom without such lease: *Provided*, no such lease shall be for a longer time than twenty years.

Eighth—To sell and convey, whenever in their judgment the interest of the State will be promoted thereby, any canal lands or lots now owned by the State other than those connected with water power upon the said canal and the ninety foot strip along the canal. But before making any such sale they shall obtain the approval of the Governor thereto, and to the time, place and manner of making the same: *Provided*, that before any such sale shall be made, thirty days' previous notice thereof shall be given in some newspaper published in the county where such land is situated. And said land shall be sold at public auction to the highest and best bidder.

Ninth—To execute in due form and deliver any conveyance that may be necessary to comply with the conditions of any bond, contract or agreement heretofore made by those lawfully authorized to sell any of the real estate known as canal lands, where the purchaser shall have complied with the conditions of such bond, contract or agreement, and the commissioners are satisfied that he is justly entitled to such conveyance.

§ 2. Nothing in this act contained shall be construed to repeal or affect any of the provisions of an act entitled "An act to create sanitary districts and to remove obstructions in the Desplaines and Illinois rivers," approved May 29, 1889, in force July 1, 1889, or any act amendatory thereof.

APPROVED April 21, 1899.

## CEMETERIES.

## CONVEYANCE, USE AND PRESERVATION OF BURIAL LOTS IN CEMETERIES.

§ 1. Provides that burial lots may be conveyed to company in trust, use of lot by descendants for interment.

*AN ACT in relation to the conveyance, use and preservation of burial lots in cemeteries.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any burial lot in any cemetery controlled by any company or association incorporated for cemetery purposes under any general or special law of the State of Illinois, may, by the owner or owners, be conveyed or devised back to and held by such company or association in perpetual trust for the purpose of its preservation as a place of burial, and shall thereafter remain forever inalienable by act of the parties, but the right to use the same as a place of burial of the dead of the family of the owner and his descendants shall descend from generation to generation unless the deed of conveyance in trust shall provide that interments in such lot shall be confined to the bodies of specified persons, in which case such lot shall be forever preserved as the burial place of the persons specified in the deed and shall never be used for any other purpose whatever: *Provided*, however, that in all cases where in addition to the cemetery corporation there is a special corporation or board of trustees created for the purpose of taking and preserving an improvement fund or funds for the respective cemetery, then and in such cases such conveyances in trust of burial lots to be held in perpetuity may be made to and held by such special corporation or board of trustees upon the same trusts, provisions and conditions as are above provided in case of conveyances to cemetery companies: *Provided further*, however, that no conveyance in trust authorized by this act shall be made without the consent of the cemetery company or association in whose cemetery such burial lot is located.

APPROVED April 21, 1899.

## CHARITIES.

## SOLDIERS' ORPHANS' HOME.

§ 1. Amends section 5, act 1875, as amended  
by act of 1897.

§ 5. Object of Soldiers' Orphans' Home.

AN ACT to amend Section 5 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, in force July 1, 1875, as amended by an act approved May 28, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 5 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, in force July 1, 1875, as amended by an act approved May 28, 1897, in force July 1, 1897.

§ 5. The object of the Soldiers' Orphans' Home shall be to provide for the nurture and intellectual, moral and physical culture of all indigent children whose fathers served in the army or navy of the United States, and have died or been disabled by reason of wounds or disease received therein or have since become disabled or died; that there shall be received into said institution first, children who are under the age of five years, who are in indigent circumstances, and then if the means appropriated by the State will justify it, indigent children above that age and below the age of fourteen years shall be received, and then if the means provided will justify, all other indigent orphans of such soldiers may be received, but none over the age of sixteen years shall be received, at which age all children shall be discharged therefrom except girls, who may be retained until they are eighteen years old, and the trustees may discharge at any time any child for persistent violation of the rules of said home, or when in their judgment it is necessary for the best interest and good government of the same; and the said trustees shall have the authority to procure permanent homes for any orphan child admitted to the home, and also for any child by first obtaining the consent of the parents, if either of them are living and can be found; and said trustees shall make such rules and regulations in regard to the manner of making contracts with any responsible parties who may take any of said children to raise: *Provided*, that in special cases of peculiar inability of any child to support itself, the trustees may retain such child, although over the age of sixteen years, and until the child has reached the age of eighteen years.

APPROVED April 3, 1899.



## CITIES, TOWNS AND VILLAGES.

## ANNEXATION OF TERRITORY.

§ 1. Amends section 2, act 1889.

§ 2. Annexing parts of cities, towns and villages—petition for election—territory to be described in petition. Election—when and how held—publication of notice. Second petition.

AN ACT to amend "*An act to provide for the annexation of cities, incorporated towns and villages, or parts of same, to cities, incorporated towns and villages,*" approved and in force April 25, 1889.

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 provide for the annexation of cities, incorporated towns and villages, or parts of the same, to cities, incorporated towns and villages," be amended by amending section 2 thereof so that it shall read as follows:

§ 2. When the inhabitants of any territory not less than one-half square mile in extent and less than the whole of an incorporated city, village or town, and which territory shall be contiguous to and adjoining the territory of another incorporated city, village or town, desire to be annexed to such other incorporated city, village or town, such annexation may be effected as follows: A petition shall be presented to the judge of the county court wherein such incorporated city, town or village is situated to which annexation is desired, signed by not less than one hundred of the legal voters of the territory sought to be annexed, asking that the question of annexation of the territory described in the petition may be submitted to the legal voters of the city, village or incorporated town from which said territory is to be taken, and to the legal voters of the city, village or incorporated town to which it is sought to annex the same and to the legal voters of the territory sought to be disconnected from one city, village or incorporated town and annexed to the other city, village or incorporated town. Such territory shall be described in said petition, and thereupon said county judge shall cause to be submitted the question of annexation of such territory to the voters of the incorporated city, town or village from which it is sought to disconnect territory, and to the voters of the incorporated city, town or village to which it is sought to annex the same, at an election to be holden in each of said incorporated cities, towns or villages. Such question may be submitted at either a special election, called for that purpose, or at any municipal election, or at any general election. Notice of the election hereby required shall be given by causing notices thereof to be published in at least one newspaper published in said county, within which said city, village or incorporated town may be, to which territory is sought to be annexed, at least fifteen days before such election, by the clerk of the county court. The ballots at such elec-

tion to be written or printed, or partly written and partly printed, "For annexation of" (here describe territory of city, village or incorporated town to be annexed) "to" (here give the name city, village or incorporated town to which annexation is sought) or "against annexation of" (here describe territory of city, village or incorporated town to be annexed) "to" (here name city, village or incorporated town to which annexation is sought) respectively, or in such other manner as is or may be hereafter provided in such cases by the general election laws of the State of Illinois applicable to said cities, villages or incorporated towns. said ballots to be received, canvassed and returned the same as ballots for municipal officers of such incorporated cities, towns or villages; and the officers who are charged by law with the duty of receiving such votes, shall ascertain the exact residence of each voter voting at such election, either from the books of registration or from the oath or affirmation of such voter, and in election precincts which are intersected by the boundaries of the territory sought to be annexed, the judges of election shall procure an additional ballot box in which shall be deposited only the ballots of voters residing within the limits of the territory so sought to be annexed, and shall make a separate return of the ballots cast in such additional ballot box, and the officers who are charged by law with the duty of canvassing the returns of such election shall file, or cause to be filed, with the clerk of the county court of such county, a certificate of such canvass immediately upon ascertaining the result thereof, in which certificate such officers shall state, as well as the results of the entire vote in each of the cities, incorporated towns or villages as canvassed by them, the number of votes cast by the voters residing within the limits of the territory so sought to be annexed, and the number of votes for and the number against the question so submitted as cast by such voters; and if it shall appear that the majority of the voters of each incorporated town, city or village, as well as a majority of the voters residing within the limits of the territory sought to be annexed so voting upon the question of annexation at such election, vote for annexation, thereupon the jurisdiction of the incorporated city, town or village shall extend over such territory so annexed; but if it shall appear that a majority of the voters of any territory less than the whole of an incorporated city, village or town, so voting upon the question of annexation, when said question is submitted, vote against annexation, any petition thereafter presented to the judge of the county court for the annexation of the same territory shall be signed by not less than one-eighth of the legal voters of the territory which is sought to be annexed under such subsequent petition.

APPROVED April 12, 1899.

## ART COMMISSION.

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| <p>§ 1. Cities may provide for by ordinance.</p> <p>§ 2. What persons constitute commission.</p> <p>§ 3. Time of service—filling vacancies.</p> <p>§ 4. Commission to serve without compensation—organization—rules—quorum.</p> <p>§ 5. Offices provided by city—expenses—how paid.</p> | <p>§ 6. All works of art must be approved by commission—terms “work of art” and “municipal building” defined—work of art removal, relocating or altering to be approved by commission—commission to act on designs of buildings, bridges, gates, etc. on property owned by city or occupying city property—park boards may refuse admission of monuments, memorials, etc.</p> <p>§ 7. Failure of commission to decide any submitted matter within sixty days.</p> <p>§ 8. Removal or relocation when deemed necessary, submitted to commission and decision rendered in forty-eight hours.</p> |
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AN ACT to provide for the creation of Art Commissions in cities and to define their powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whenever in any city in this State the city council shall deem it advisable they may by ordinance provide for the creation of a commission to be known as the art commission of such city.

§ 2. Such commission shall consist of the mayor of such city, the president or chief officer of the principal art institute, or similar incorporated organization, if there be any in such city, the presidents or president of the boards or board of park commissioners of any parks, park or system of parks within the limits of such city under the control of a board or boards of park commissioners (all of whom shall serve as members of the State art commission during the continuance of their said several offices), and three other members, residents of said city, to be appointed by the mayor. One of said three members shall be a painter, one a sculptor and one an architect.

§ 3. The said three members to be appointed by the mayor shall serve for one year, for two years and for three years as members of said commission, and shall determine by lot their respective terms of office. After the expiration of said terms of office their successors shall be appointed for a term of three years in each case. All appointments to fill vacancies shall be for the unexpired term. In case any vacancy shall occur in the commission for any reason, the vacancy shall be filled by appointment as provided in the preceding section.

§ 4. The commission shall serve without compensation as such, and shall elect a president and secretary from its own members, whose term of office shall be for one year and until their successors are elected and qualified.

The commission shall have power to adopt its own rules of procedure. Five commissioners shall constitute a quorum.

§ 5. Suitable offices shall be provided for the commission by the common council of such city, and the expenses of the commission shall be paid by appropriation made therefor by said common council annually.

§ 6. Hereafter no work of art shall become the property of such city by purchase, gift or otherwise, unless such work of art or a design of the same, together with a statement of the proposed location of such work of art, shall first have been submitted to and approved by the commission; nor shall such work of art until so approved be erected or placed in or upon, or allowed to extend over or upon any street, avenue, square, common, municipal building or other place belonging to such city, or any park, boulevard or public ground situated within the limits of such city. The commission may, when they deem proper, also require a complete model of the proposed work of art to be submitted. The term "work of art," as used in this connection, shall apply to and include all paintings, mural decorations, stained glass, statues, bas reliefs, or other sculptures, ornaments, fountains, images or other structure of a permanent character intended for ornament or commemoration. The term municipal building as used in this connection shall include all public schools and all buildings or portions thereof and all grounds used for school purposes in such city. No existing work of art in the possession of the city, or in any parks, boulevards, public grounds, school buildings, or school grounds aforesaid, shall be removed, re-located, or altered in any way without the similar approval of the commission, except as provided in section 8 of this act. When so requested by the mayor or the common council the commission shall act in a similar capacity with similar powers in respect of designs of buildings, bridges, approaches, gates, fences, lamps or other structures erected or to be erected upon land belonging to the city or a part of any of the parks, public grounds or boulevards within the limits of such city, and in respect of the lines, grades and platting of the public ways and grounds, and in respect of the arches, bridges, structures and approaches which are the property of any corporation or private individual, and which shall extend over or upon any street, avenue, highway, boulevard, park or other public place belonging to or within the limits of such city.

But this section shall not be construed as impairing the power of any park board to refuse its consent to the erection or acceptance of public monuments or memorials or other works of art or structures of any sort within any park, boulevard or other public ground under their control in such city.

§ 7. If the commission shall fail to decide upon any matter submitted to it within sixty days after such submission its decision shall be deemed unnecessary.

§ 8. In case the removal or re-location of any existing work of art or other matter that under the provisions of section 6 would be within the control of the art commission shall be deemed necessary by those in power to cause such removal or relocation, the commis-

sion shall within forty-eight hours after notice approve or disapprove of such removal or relocation, and in case of their failure so to act within forty-eight hours after the receipt of such notice they shall be deemed to have approved of such removal or relocation.

APPROVED April 24, 1899.

#### CONSOLIDATION OF TOWNSHIPS IN CITIES.

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| <p>§ 1. Provides that cities, in counties under township organization, composed of five or more congressional townships may consolidate—petition for election.</p> <p>§ 2. Duty of county clerk.</p> | <p>§ 3. Justices of the peace—to act as town auditors—offices of justices.</p> <p>§ 4. Repeal.</p> |
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AN ACT *to provide for consolidation of the territory of cities in counties under township organization having five or more congressional townships and fractional parts of congressional townships into one township, and to provide for a board of auditors of said township and locate the place where the justices of the peace shall have their offices.*

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That when the territory of any city of the State of Illinois in counties under township organization is composed of five or more congressional townships or fractional parts of congressional townships and the legal voters of said city want to organize said territory into one township, that upon a petition of at least one-tenth of the legal voters of said city, to be ascertained by the votes cast at the last preceding presidential election, the county board of said county shall cause to be submitted to the voters of said city at the next general election the question of consolidation of the territory included in said city into one township, to be voted on by ballots, written or printed, or partly written and partly printed. "For consolidation into one township," and "Against consolidation into one township," notice to be given and the votes to be canvassed and returns made in like manner as votes for county officers.

§ 2. The county clerk shall enter an abstract of the returns of said election, to be made out and certified as in election for county officers, record the same at length upon the records of the county, and if a majority of said votes shall be in favor of consolidating all of said townships and fractional parts thereof in said city into one organized township, then at the next ensuing election for township officers there shall be elected one set of township officers for the territory in said city.

§ 3. *Provided further,* whenever any city in counties under township organization having five or more congressional townships and fractional parts thereof in said city shall have been consolidated into one organized township, the judges of the courts of record of said

county shall appoint one justice of the peace from each of the congressional townships in said city to act as one of the town auditors of said town, who shall act during the term of justice of the peace, and in case of vacancy, to fill the same, who, with the supervisor and town clerk, shall compose the board of auditors of said consolidated town: *Provided*, that in cities of one hundred and twenty-five thousand inhabitants the justices of the peace shall have their offices in the congressional township or fractional part thereof from which they are appointed or elected.

§ 4. All acts in conflict with this act are hereby repealed.

APPROVED April 24, 1899.

#### LEVY AND COLLECTION OF TAXES FOR CORPORATE PURPOSES.

§ 1. Amends section 1 of article 8 of the act of 1872. | § 2. Levy and collection of taxes for corporate purposes.

AN ACT to amend Section 1 of Article 8 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and amended by an act approved June 18, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of article 8 of above entitled act be amended to read as follows: The city council in cities and boards of trustees in villages may levy and collect taxes for corporate purposes in the manner following: The city council or boards of trustees, as the case may be, shall, annually, on or before the third (3rd) Tuesday in September in each year, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year; and, by an ordinance specifying in detail the purposes for which such appropriations are made and the sum or amount appropriated for each purpose respectively, levy the amount so ascertained upon all the property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes for the current year. A certified copy of such ordinance shall be filed with the county clerk of the proper county, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes, will produce a net amount of not less than the amount so directed to be levied, and it shall be the duty of the county clerk to extend such tax in a separate column upon the book or books of the collector or collectors of State and county taxes within such city or village. And where the corporate limits of any city or village shall lie partly in two or more counties, the city council or board of trustees shall ascertain the total amount of all taxable property lying within the corporate limits

of said city or village in each county as the same is assessed and equalized for State and county purposes for the current year, and certify the amount of taxable property in each county within said city or village, under the seal of said city or village, to the county clerk of the county where the seat of government of such city or village is situated, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village, ascertained as aforesaid, will produce a net amount not less than the amount so directed to be levied; and said clerk shall, as soon as said rate per cent of taxation is ascertained, certify under his hand and seal of office to the county clerk of any other county wherein a portion of said city or village is situate, such rate per cent, and it shall be the duty of such county clerk to whom such rate per cent is certified to extend such tax in a separate column upon the book or books of the collector or collectors of the State and county taxes for such county against all property in his county within the limits of said city or village: *Provided*, the aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of bonded indebtedness or interest thereon, shall not exceed the rate of two (2) per centum upon the aggregate valuation of all property within such city or village subject to taxation therein, as the same was equalized for State and county taxes for the current year.

*And, provided further*, that nothing herein contained shall be held to repeal or modify the limitations contained in section 49 of an act entitled, "An act for the assessment of property and providing the means therefor, and to repeal a certain act therein named, approved February 25, 1898."

APPROVED April 21, 1899.

#### LOCAL IMPROVEMENTS BY SPECIAL ASSESSMENTS.

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| <p>§ 1. Amends sections 38 and 42 of the act of 1897.</p> <p>§ 38. Order for special assessment—compensation fixed by court.</p> | <p>§ 42. Division of assessments into installments—interest on installments.</p> |
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AN ACT to amend Sections thirty-eight (38) and forty-two (42) of an act entitled, "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections thirty-eight (38) and forty-two (42) of an act entitled, "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897, be amended to read as follows:

§ 38. Upon the filing of such petition the court shall enter an order directing the superintendent of special assessments, in cities where such officer is provided for by this act, otherwise some competent person appointed by the court in which such petition is filed, to make a true and impartial assessment of the cost of said improvement upon the petitioning municipality and the property benefited by such improvement; the compensation of the person appointed by the court to be fixed by the court.

§ 42. It shall be lawful to provide by the ordinance for any local improvement, any portion of the cost of which is to be defrayed by special assessment or special taxation, or by ordinance passed at any time before the confirmation of the assessment roll, that the aggregate amount assessed against property, and also each individual assessment, be divided into not more than five installments. *Provided*, that any such special assessment or special tax levy for building sewers or laying water mains or locating, erecting and constructing reservoirs and hydrants for the purpose of fire protection may, in like manner be divided into not exceeding ten (10) installments. In all such cases division shall be so made that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment, so as to leave the remaining installments of the aggregate equal in amount and each a multiple of one hundred dollars. The first installment shall be due and payable on the second day of January next after confirmation of the assessment, and the second installment one year thereafter, and so on annually until all are paid.

All installments except the first shall bear interest from and after the date of confirmation until paid at a rate not exceeding six (6) per centum, to be fixed by the ordinance. The interest on each installment, except the first, shall be payable as follows: On the second day of January next succeeding the date of confirmation, the interest accrued up to that time on all unpaid installments shall be due and payable and be collected with the installment, and thereafter the interest on all unpaid installments then payable, shall be payable annually, and be due and payable at the same time as the installments maturing in such year and be collected therewith.

In all cases it shall be the duty of the municipal collectors, as the case may be, whenever payment is made of any installment, to collect interest thereon up to the date of such payment, whether such payment be made at or after maturity.

Any person may pay the whole assessment against any lot, piece or parcel of land, or any installment thereof, with interest up to the date of payment, at any time before the bonds hereinafter mentioned are issued, but after said bonds are issued payment shall not be received of any installment before its maturity, unless interest thereon up to the second day of the succeeding January is also paid at the same time. *Provided*, also, that in cities of less than one hundred thousand inhabitants the special assessment for any local improve-



ment may be divided into not to exceed ten (10) installments, and all installments except the first shall draw interest at the rate of four (4) per cent per annum. Interest and payment may be made as before described.

APPROVED April 21, 1899.

LOCAL IMPROVEMENTS BY SPECIAL ASSESSMENT.

§ 1. Amends section 4 of the act of 1897.

§ 4. Ordinance for improvements — cities of 50,000 population.

AN ACT to amend Section 4 of an act entitled "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 4 of an act entitled "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897, be, and the same is hereby, amended so as to read as follows:

§ 4. When any such city, town or village shall by ordinance provide for the making of any local improvement, it shall by the same ordinance prescribe whether the same shall be made by special assessment, or by special taxation of contiguous property, or general taxation, or both. But in cities towns or villages having a population of less than fifty thousand, ascertained as aforesaid, no ordinance for making any local improvement to be paid by special assessment or by special taxation of contiguous property shall be adopted unless the owners of one-half of the property abutting on the line of the proposed improvement shall petition for, the same: *Provided*, that in cities, towns or villages of a population of 10,000 or under, no ordinance for making any improvement shall be adopted unless a majority of resident property owners affected by such improvement shall petition for the same.

APPROVED April 19, 1899.

## OUTLET SEWERS, RESERVOIRS AND PUMPING WORKS.

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| <p>§ 1. Authorizing certain cities to build outlet sewers, reservoirs, etc.—provides for special assessment.</p> <p>§ 2. Corporate authorities vested with power to make special assessments to maintain and keep in repair such sewers, etc.</p> <p>§ 3. Purchase or condemnation of real or personal property.</p> <p>§ 4. Ordinance for outlet sewers, etc.—what to contain.</p> <p>§ 5. Estimated cost to be made and reported to city council—petition filed in county court for proceedings to assess costs.</p> | <p>§ 6. Petition to court—contents—appointment of commissioners—oath—duty.</p> <p>§ 7. Further proceedings shall be in accord with "An act concerning local improvements," approved in 1897.</p> <p>§ 8. Proceedings for assessing and collecting costs.</p> <p>§ 9. Special assessments—may be divided into installments—when payable—interest on.</p> <p>§ 10. Authorizes the issuing of bonds.</p> |
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AN ACT to authorize cities of 100,000 population and under to construct outlet sewers, reservoirs, pumping works and machinery, and maintain and keep in repair the same, the cost thereof to be defrayed by special assessment, or special taxation, and if the assessment is paid in installments, to issue bonds to anticipate the deferred installments.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cities in this State of a population of one hundred thousand or under which have a sewerage system, but have no adequate outlet therefor, or no proper disposition of the sewage thereof, without constructing an outlet sewer through an unimproved portion of such cities, and thence through lands beyond the limits of such cities, the corporate authorities thereof are hereby vested with power to construct an outlet sewer wholly within, or partially within and partially without, said cities, into which the sewers throughout said cities are to empty, and through which they are to discharge their sewage for proper disposition and sanitary benefits, and to construct reservoirs, erect pumping works and machinery, within or without said cities, and to acquire the necessary land and machinery for such purposes, and otherwise provide for discharging the sewage of such cities into channels that will promote the health and improve the sanitary condition of, and accomplish the purpose of an outlet sewer for such cities, the cost of which shall be borne by special assessment, or by special taxation, upon the property in those portions of said cities the sewers in which are to ultimately find their outlet through said hereby authorized outlet sewer.

§ 2. That the corporate authorities of such cities as are designated in section 1 of this act are hereby vested with the power to maintain and keep in repair such outlet sewers, reservoirs, pumping works and machinery as are provided for in said section 1, the cost of which shall be borne by special assessment, or by special

taxation, upon the property as described also in said section 1 of this act: *Provided*, that no lot, block, tract or parcel of land shall be assessed more than once in any one year for such maintenance and repair.

§ 3. That the corporate authorities of such cities as are designated in section 1 of this act shall have power to acquire by purchase, gift, condemnation or otherwise all the real and personal property, rights-of-way and easements within or without said cities necessary for the construction and maintenance of the outlet sewers and works authorized by this act, and shall have the same control and jurisdiction of the property without as of that within said cities.

§ 4. When the local authorities of such cities as designated in section 1 of this act shall determine to construct an outlet sewer, etc., hereinbefore provided for, they shall do so by ordinance, in which it shall be prescribed whether the same shall be made by special assessment or special taxation. In the same ordinance shall be prescribed the nature, character, locality and description of said outlet sewer 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 city clerk, or by both. The said ordinance shall also prescribe by reasonably well understood boundaries those portions of the city the sewage of which is to be conducted by sewers already laid, or those contemplated to be laid, into and through the herein provided outlet sewer, and the property within such boundaries shall be assessable for the cost of the said outlet sewer improvement. If property is to be taken or damaged for said improvement such ordinance shall prescribe the same with reasonable certainty.

§ 5. The city council shall appoint three of its members, or any other three competent persons, who shall make an estimate of the cost of the outlet sewer improvement contemplated by such ordinance, including reservoirs, pumping works and machinery, damages, necessary lands, labor, materials, engineering and all other expenses attending the same, and the cost of making and levying the assessment, and shall report the same in writing to said city council. On such report being made and approved by the city council the council may order a petition to be filed by such officer as it shall direct, in the county court of its county, for proceedings to assess the cost of such improvement in the manner provided in this act.

§ 6. The petition to court shall be in the name of the corporation, and shall recite the ordinance for the proposed improvement, and report of such commission, and shall pray that the cost of such improvement may be assessed in the manner prescribed by law. Upon the filing of such petition the court shall appoint three competent persons as commissioners who shall take and subscribe to an oath, in substance as follows, to-wit:

STATE OF ILLINOIS, }  
 \_\_\_\_\_County, } ss.

We, the undersigned, commissioners appointed by the county court of \_\_\_\_\_county, to assess the cost of a sewer outlet improvement in the city of \_\_\_\_\_ do solemnly swear (or affirm as the case may be) that we will a true an[d] impartial assessment make of the cost of said improvement upon the property assessable for the same, to the best of our ability and according to law.

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It shall be the duty of such commissioners to examine the portions of the city that said outlet sewer improvement is contemplated to accommodate and serve, and if the cost thereof is to be paid by special assessment, then to apportion and assess said cost upon the property in said portion of the city to be served by said outlet sewer improvement, by the several lots, blocks, tracts and parcels of land in the proportion in which they will be severally benefited by said outlet sewer improvement; if the cost is to be paid by special taxation, then the said commissioners shall apportion and assess said cost upon the said property in said portion of the city to be served by said outlet sewer improvement, by the several lots, blocks, tracts and parcels of land according to their assessed valuation, superficial area, or frontage on the streets, as may be prescribed in said ordinance.

§ 7. All the additional and further proceedings and steps necessary to the making of an assessment roll, the return of same to court, notices to parties assessed, newspaper publications, confirmation of assessment by court, delivery of roll to collector, collection of assessments, return of delinquent lists, application for judgments against delinquents, tax sales on delinquents, tax deeds, and all other and additional proceedings and steps necessary to be taken to make, levy, confirm and collect an assessment to pay the costs by special assessment or by special taxation of the outlet sewer improvement provided for in this act, as well as proceedings for condemnation of lands and the manner of awarding contracts, doing and superintending the work, paying the contractor therefor, etc., shall be in accordance with the provisions of an act of the General Assembly of the State of Illinois entitled, "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and all of the provisions of said act not inconsistent with any of the provisions of this one, which are applicable to the purpose herein sought, are hereby made an aid to this act and available hereto.

§ 8. The proceedings for assessing and collecting the cost of maintaining and keeping in repair said outlet sewer, reservoirs, pumping works and machinery, designated in section two of this act, shall be the same, as far as practicable and applicable, as those of assessing and collecting the cost of constructing the same.

§ 9. It shall be lawful to provide by the ordinance authorizing the outlet sewer improvement provided for in this act, or by ordinance passed at any time before the confirmation of the assessment roll, that the aggregate amount assessed against property, and also each individual assessment, be divided into installments not more than twenty (20) in number. In all cases such division shall be so made that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment, so as to leave the remaining installments of the aggregate equal in amount, and each a multiple of one hundred dollars. The first installment shall be due and payable on the second day of January next after confirmation of the assessment, and the second installment one year thereafter, and so on annually until all are paid. All installments except the first one, shall bear interest from and after the date of confirmation until paid at a rate not exceeding six (6) per centum per annum, to be fixed by the ordinance. The interest on each installment, except the first, shall be payable as follows: On the second day of January next succeeding the date of confirmation, the interest accrued up to that time on all unpaid installments shall be due and payable and be collected with the installment, and thereafter the interest on all unpaid installments, then payable, shall be payable annually and be due and payable at the same time as the installments maturing in such year and be collected therewith. In all cases it shall be the duty of the municipal collector as the case may be, whenever payment is made of any installment, to collect interest thereon up to the date of such payment whether such payment be made at or after maturity. Any person may pay the whole assessment against any lot, piece or parcel of land, or any installment thereof, with interest up to the date of payment, at any time before the bonds hereinafter mentioned are issued, but after said bonds are issued payment shall not be received of any installment before its maturity unless interest thereon up to the second day of the succeeding January is also paid at the same time.

§ 10. For the purpose of anticipating the collection of the second and succeeding installments provided for in this act, it shall be lawful for such cities as aforesaid to issue bonds, and retire the same, in accordance with the provisions and regulations of "An act of the General Assembly of the State of Illinois, entitled, 'An act concerning local improvements,'" approved June 14, 1897, in force July 1, 1897.

APPROVED April 24, 1899.

## PARKS.

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| § 1. Cities of not exceeding 5,000 inhabitants may acquire land for public parks—Question submitted to vote. | § 2. Authorizes the borrowing of money, levying and collecting general taxes for park purposes. |
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AN ACT to enable certain cities to provide and maintain public parks for the use of the inhabitants thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all cities of not exceeding five thousand inhabitants in this State be, and they are hereby, authorized to acquire by purchase or otherwise lands in or adjoining the same for the purpose of providing public parks therein for the use of the inhabitants thereof and may inclose, improve and maintain any such public park and regulate the use thereof by ordinance: *Provided*, that no money shall be expended for the purchase of any land for said purpose until the question of the expenditure of such money for said purpose shall have been submitted to a vote of the people of such city at an election for city officers, or at a special election called for that purpose by the city council of said city, and shall have received the majority of the votes cast at such election.

§ 2. Such cities may borrow money, levy and collect a general tax for the said purpose in the same manner as for the purpose of purchasing and maintaining water works under the law of this State and may appropriate money for the same.

APPROVED April 24, 1899.

## POLICE MAGISTRATES.

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| § 1. Legalizes acts of certain police magistrates. | § 2. Emergency. |
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AN ACT to legalize the acts of police magistrates in counties of the first and second class.

WHEREAS, By section 29, article 6, of the constitution of Illinois, 1870, it is provided that all judicial officers shall be commissioned by Governor; and

WHEREAS, By a misunderstanding and misconception of the law certain police magistrates have filed their bonds with the city clerk of their city, and the mayor of said city has issued to them a commission;

WHEREAS, The said police magistrates have entered upon the duties usually pertaining to such office and did from thenceforth continue in supposed legal possession of such office, transacting such business as came before them; and

WHEREAS, There came before the said police magistrates so acting, many proceedings whereby many titles to real estate and other valuable property rights and other rights were acquired and divested; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all judgments, acts, and things done by said supposed police magistrates which would have been legal if done or performed by legally elected, qualified and commissioned police magistrates, and which have not been set aside, modified or vacated, are hereby legalized and validated as fully and perfectly and to all intents and purposes as if said police magistrates had regularly filed their bonds and been duly commissioned by the Governor. And that the election and qualification of such police magistrates are hereby legalized.

§ 2. WHEREAS, an emergency exists by reason of said police magistrates not having been duly qualified and commissioned, whereby many titles to real estate and other valuable property rights and other rights became and are unsettled, therefore this act shall take effect and be in force from and after its passage.

APPROVED April 24, 1899.

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POLICE PENSION FUND.

§ 1. Amends section 3 of the Act of 1887.

§ 3. Eligibility to pension—twenty years' service—unmarried widow and children under sixteen entitled to pension.

AN ACT to amend "An act to provide for the setting apart, formation and disbursements of a police pension fund in cities, villages and incorporated towns." approved April 29, 1887, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of "An act to provide for the setting apart, formation and disbursements of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, be amended so as to read as follows:

§ 3. Whenever any person at the time of taking effect of said act to which this is an amendment, or thereafter shall be duly appointed and sworn, and have served for the period of twenty years or more upon the regular constituted police force of said city, village or town of this State subject to the provisions of this act, said board shall order and direct that such person, after becoming fifty years of age and his services upon such police force shall have ceased, and all officers entitled to and having been pensioned under said act to which this is an amendment, after the taking effect of this act, shall be paid from such a 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. And after the decease of such member, his widow or minor child or children under sixteen years of age, if any surviving him, shall be entitled to the pension provided for in this act of such a deceased husband or father, 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 such police department after she shall have remarried.

That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

APPROVED April 24, 1899.

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PROTECTION OF SITES AGAINST INUNDATION.

§ 1. Repeals Act of 1883.

AN ACT to repeal an act entitled "*An act to authorize cities, towns and villages to protect the site thereof from overflow and inundation, and to regulate and control private levees, private wharves and landing places or embankments, and to compel the repair and improvement of such levees or embankments, and to cause low lots, blocks or parcels of land within corporate limits to be filled so as to prevent standing water thereon, and to authorize cities, towns and villages to purchase or condemn land, sandbanks, gravel pits and rock quarries for any of the purposes above named,*" approved and in force May 19, 1883.

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 authorize cities, towns and villages to protect the site thereof from overflow and inundation, and to regulate and to control private levees, private wharves and landing places or embankments, and to compel the repair and improvement of such levees or embankments, and to cause low lots, blocks or parcels of land within the corporate limits to be filled so as to prevent standing water thereon, and to authorize cities, towns and villages to purchase or condemn land, sandbanks, gravel pits and rock quarries for any of the purposes above named,*" approved and in force May 19, 1883, and the same is hereby repealed.

APPROVED April 24, 1899.



## PUBLIC BUILDINGS DAMAGED BY CYCLONE.

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| <p>§ 1. City council empowered to levy a special tax to rebuild or repair public buildings destroyed or impaired by cyclone.</p> <p>§ 2. When city decides to rebuild or repair it shall do so by ordinance—contents of ordinance—proviso.</p> | <p>§ 3. Tax to be paid to city treasurer—accumulations invested by council.</p> <p>§ 4. Emergency.</p> |
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AN ACT to authorize cities whose public buildings have been or may be destroyed or impaired by cyclone or tornado to levy a tax to pay the cost of rebuilding or restoring such building.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the city council in any city whether organized under the general law or special charter, in which the city hall, city jail or police station, fire department house or houses, or public library, or all of them, have been destroyed or seriously impaired by cyclone or tornado since Jan. 1, 1896, or shall hereafter be so seriously impaired or destroyed, shall have power in order to rebuild or restore any such building, or all of them, thus seriously impaired or destroyed, to levy an annual tax for not exceeding ten successive years of not exceeding five mills on the dollar on all the taxable property in any such city, such tax to be levied and collected in like manner with the general taxes of said city and to be known as the public building, rebuilding or restoration fund: *Provided*, that said annual public building, rebuilding or restoration tax 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, or by any provision of any special charter under which any such city in this State is now organized.

§ 2. When any such city as designated in section one (1) of this act shall decide to rebuild or restore any such building, or all of them, in consequence of their destruction or serious impairment by cyclone or tornado it shall do so by ordinance of its city council, in which ordinance it shall be also stated the number of years, not exceeding ten, such annual public building, rebuilding or restoration tax shall be levied, and the number of mills not exceeding five, on the dollar of said taxable property. Said tax shall be included in the annual appropriation and tax levy ordinances of any such city for the years that it can be levied under the provisions of this act: *Provided*, that if any city has already taken steps or action to rebuild or restore any of its city buildings seriously impaired or destroyed by cyclone or tornado as aforesaid, it shall be no bar or hindrance to its availing itself of the benefits of this act, but may modify such steps or actions to a substantial compliance with the requirements hereof.

§ 3. All moneys received as proceeds from said public building, rebuilding or restoration fund tax shall be deposited in the city treasury of any such city to the credit of said fund, shall be kept separate

and apart from other moneys of such city, and shall not be used or paid out for any other purpose whatsoever than that of paying the cost of, or obligations for, rebuilding or restoring public buildings seriously impaired or destroyed by cyclone or tornado in such city as aforesaid until all of said cost or obligations shall have been discharged: *Provided*, that if said moneys can not be used annually to pay said cost or obligations, but shall accumulate, the city council may invest said moneys as they shall come into the treasury in good interest-paying securities, there to remain until the same are needed for the payment of the cost of or obligations for the rebuilding or restoration of public buildings in said city under the provisions and authority of this act.

§ 4. WHEREAS, in some cities in which the public buildings have been destroyed by cyclone or tornado their annual appropriation ordinance has to be enacted before July 1, wherefore an emergency exists, therefore this act shall be in force from and after its passage.

APPROVED April 24, 1899.

#### WATER WORKS.

##### CONSTRUCTION OR PURCHASE.

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| § 1. Authorizing cities, towns and villages to acquire water works—certificates in payment for—rate of interest. | § 4. Certificates secured by mortgage.  |
| § 2. Ordinance—publication of—petition against—election—time for second ordinance.                               | § 5. Foreclosure proceedings—sale—system reconveyed to municipality when decree is satisfied. |
| § 3. Water fund—how used.  | § 6. Competing systems prohibited—extension of.   |
|  | § 7. Confers additional powers.   |

AN ACT *authorizing cities, towns and villages to build, purchase or extend water works systems for public and domestic use and to provide for the cost thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Every city, incorporated town and village in this State, is hereby authorized to acquire water works for supplying water for public use, and for domestic use of its inhabitants by building or purchasing a water works system or enlarging or extending an existing system. In payment for such building, purchase or enlargement any such municipality may issue certificates of indebtedness limited in their payment solely to the water fund hereinafter provided for; such certificates may bear interest at a rate of not exceeding six per centum per annum, payable semi-annually, and shall only be issued at not less than par value in payment for the building, purchase or extension of a water works system.

§ 2. Any such municipality desiring to avail itself of the provisions of this act shall first pass an ordinance fixing in a general way the capacity of the water works system it is proposed to acquire,

and referring to the plans and specifications therefor which shall be open to the inspection of the public; which said ordinance shall fix the rates at which water is to be supplied for all private purposes, and said rates so fixed, shall not thereafter be reduced until the certificates issued for acquiring or enlarging the water works, and the interest thereon, are fully paid. Which said ordinance shall be published in a newspaper published in such municipality at least once in each week for three successive weeks. And if no petition shall be filed with the clerk of such municipality as hereinafter provided, within twenty-one days after the first publication of said ordinance, then the corporate authorities may proceed to carry out the provisions of the ordinance. But if within said period of twenty-one days there shall be filed with the clerk of such municipality a petition, signed by twenty per cent of the number of voters voting for presiding officer of the legislative body of such municipality at the next preceding general city, town or village election, asking that the question of acquiring or enlarging a water works system be submitted to a vote. It shall then be the duty of the legislative body of such municipality to call a special election in the manner provided by law to vote upon such question, and if it appear that a majority of the voters voting upon such question at such election vote in favor of acquiring or enlarging the water works, then said ordinance shall be in full force and effect and the corporate authorities may proceed to carry out the provisions thereof, but if a majority of the votes cast are against such acquiring or enlarging, then said city, incorporated town or village shall proceed no further for the period of six months next ensuing.

§ 3. Whenever any such municipality shall avail itself of the provisions of this act, the entire proceeds arising from the operation of the water works system thereof shall be paid into a fund known as the "water fund" and which fund shall be and remain inviolate until the certificates issued under the terms hereof and the interest thereon is fully paid, and the treasurer of such municipality shall not pay any warrants drawn on said fund unless the same be drawn in payment of the necessary operating expenses of such water works system, or in payment of the certificates issued hereunder or the interest thereon.

§ 4. In order to secure in the most ample manner the payment of the water certificates authorized as aforesaid, any such municipality may convey by way of mortgage or deed of trust the water works system so acquired or enlarged which said mortgage or deed of trust shall be acknowledged and recorded in the same manner as mortgages of real property, and which mortgage or deed of trust may contain such provisions and conditions as are reasonably necessary to fully secure the payment of said water certificates.

§ 5. Whenever, and as often as default shall be made in the payment of water certificates issued as aforesaid, and such default shall continue for the space of ninety days, it shall be lawful for said mortgagee or trustee to declare the whole of the principal and interest of such certificates at once due and payable, and proceed to

foreclose the same in any court of competent jurisdiction, and in any decree to be rendered in such suit of foreclosure there shall be included a reasonable solicitor's fee for the complainant's solicitor, and such decree shall fix reasonable rates for water furnished from said water works system for public uses during the time that such municipality shall be deprived of the possession thereof as hereinafter provided, and upon any sale under such decree of foreclosure the person or corporation offering to satisfy said decree for the rents, incomes and profits of said water works system for the least number of years not exceeding fifty, shall become the purchaser thereof, and on satisfying said decree shall be let into the use, occupation and enjoyment of said water works system during the period of time for which the same were sold, and during such period such purchaser or assigns shall be entitled to receive and collect for water furnished for private uses the rates prescribed in the ordinance provided for in section 2 of this act, and shall be entitled to receive and collect the reasonable rates fixed for the public uses of water in such decree. At the end of said period said purchasers or assigns shall deliver said water works system to such municipality in as good condition as when the same was received, ordinary wear and tear excepted.

§ 6. During the period of time when the purchaser at such foreclosure sale shall be entitled to the use and enjoyment of said water works system, it shall not be competent for such municipality to construct or authorize any other person or corporation to construct a competing system of water works, nor shall it be competent for the purchaser at such foreclosure sale, or assigns, to extend the water works system so purchased, except upon such terms as such municipality may authorize.

§ 7. This act shall be deemed and construed to confer powers in addition to, but not limiting, those now existing.

APPROVED April 22, 1899.

#### WATER WORKS.

##### PURCHASE OR LEASE.

1. Amends section 1 of the Act of 1893:

- § 1. Grants corporate authorities power to purchase or lease water works—ordinance for purchase or lease—publication and posting ordinance—petition for election—special election.

*AN ACT to amend Section 1 of an act entitled "An act to enable cities, incorporated towns and villages to purchase or lease water works," approved June 19, 1893.*

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 enable cities, incorporated towns and villages to purchase or lease waterworks," approved June 19, 1893, be, and the same hereby is, amended so as to read as follows:

§ 1. That in all cities, incorporated towns and villages where waterworks are now constructed, or may hereafter be constructed by any person or incorporated company, the city, town or village authorities in such cities, towns or villages may purchase or lease [such] waterworks from the owner or owners of the same: *Provided*, however, that before such leasing or purchase shall be binding upon said city, incorporated town or village, the city council or the board of trustees shall pass an ordinance including the terms of such lease or purchase, which ordinance shall be published in a newspaper published in said city, incorporated town or village at least once in each week for two successive weeks, and said ordinance shall be posted for a period of not less than ten days in at least five public places in such city, incorporated town or village.

And if no petition shall be submitted to said city council or board of trustees as hereinafter provided within twenty-one days after said ordinance is so published and posted, it shall be lawful for said city council or board of trustees to consummate the leasing or purchase provided for in the ordinance aforesaid. But if within said period of twenty-one days, there shall be presented to said city council or board of trustees, a petition signed by twenty per cent of the number of voters voting at the last general city, town or village election asking that the question of such leasing or purchase shall be submitted to a vote, it shall then be the duty of the city council or board of trustees by ordinance to call a special election as may be provided by law to vote upon the question of said lease or purchase, and if it appear that a majority of such voters voting upon such question, at such election, vote in favor of such leasing or purchase, then said city council or board of trustees shall proceed to complete said leasing or purchase; but if a majority of the votes cast are against such leasing or purchase then said city, incorporated town or village shall proceed no further with said leasing or purchase for the period of six months next ensuing.

APPROVED April 24, 1899.

## WATER WORKS.

## TAXATION AND BONDS.

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| <p>§ 1. Authorizes annual tax for purchase or construction of water works.</p> <p>§ 2. Proceedings of council or village board contracting for water works to be published.</p> <p>§ 3. Election ratifying doings of council—notice of election—three-fourths of all votes cast necessary for ratification.</p> <p>§ 4. City councils and village boards to execute contract, and employ all necessary help to operate the plant.</p> <p>§ 5. Bonds—issuing—how paid.</p> | <p>§ 6. Maturity of bonds—payment of installments—interest—bonds not to be sold for less than par.</p> <p>§ 7. Form of bond.</p> <p>§ 8. Water rates and rents fixed by city council or village boards—rentals in connection with special tax must pay bonds, interest, operating expenses and repairs.</p> <p>§ 9. Water district—manner of creating.</p> <p>§ 10. Confers additional powers on city councils and village boards.</p> |
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AN ACT to enable cities and villages to buy or construct water works, and to provide for the management thereof, and giving them authority to levy an annual tax and to pledge same in payment thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That cities and villages shall have the power to levy, in addition to the taxes now authorized by law, a direct annual tax of not more than one cent on the dollar upon all the property within the corporate limits of the city or village, said tax to be payable yearly for a period of not more than thirty years; the proceeds of said tax to be used solely for the purchase or construction of water works.

§ 2. Whenever any city or village desires to avail itself of the provisions of this act, the city council or the board of trustees, as the case may be, may by ordinance or resolution contract for the purchase or erection of water works for a provisionally certain fixed sum, or may so contract for purchase and extension if the plant proposed to be purchased shall be inadequate, and such contract for erection or purchase, together with a report from the city or village engineer recommending the same, shall be published at least once a week for three consecutive weeks in a daily or weekly newspaper published in said city or village, and shall at the same time provide by resolution or ordinance for the levying of a direct annual tax as authorized in section 1 of this act, the total of which said tax for the term levied, together with the annual revenue which is estimated to be derived from the works, shall be sufficient to pay the contract price for the works, together with interest on same; but such contract for purchase or erection, and such tax, shall not be valid or binding until confirmed by vote, as follows:

§ 3. Such contract and tax, after action by the council or trustees aforesaid, shall, before they shall be valid and binding, be submitted for ratification to the voters of of the city or village at a regular or special election by giving notice of same, which notice shall specify the character of the said works proposed to be erected or purchased

and the amount of tax to be levied, and said notice shall be posted in ten public places within such city or village at least three weeks prior to said election, and also by publication three times in a daily or weekly newspaper published in said city or village, and for three weeks preceding such election there shall be on file in some public place, convenient of access, a full description of works, copy of contract and report of engineer, for the inspection of the voters, and notice of where said plans and specifications are on file shall be included in the notice of election. If three-fourths of all the voters voting on said proposition shall vote in favor of said contract and tax, the same shall be binding and the tax duly levied. The ballots at such election shall read:

"Proposition to construct or purchase (or both) water works and levy a tax of.....annually for..... years."	Yes.	
	No.	

§ 4. The city council in cities and the board of trustees in villages shall have the power to carry into execution the contract for the erection or purchase of water works when ratified by the voters, as directed in section 3, and employ a superintendent and such other employés as may be necessary and proper for the operation of such works for the collection of water rentals and for the conduct of the business necessary to the operation thereof.

§ 5. The city council in cities and the board of trustees in villages shall have the power to issue bonds against the taxes levied, the same to be payable only out of said special tax when collected and out of the net revenue derived from the operation of said works.

§ 6. The said bonds shall be made to mature in as nearly as possible equal installments of one hundred dollars, or multiples thereof, the first installment to be payable one or two years from date, the last installment within one year after date of the last tax levy provided in the vote authorizing said levy. The bonds shall bear interest at a rate not to exceed six per cent, payable annually or semi-annually, shall be sold for not less than par, or may be paid out at not less than par for the construction or purchase of said works.

§ 7. Said bonds shall be substantially in the following form:

The city or village of....., county of....., State of Illinois, for value received hereby promises\* to pay the bearer ..... hundred dollars, lawful money of the United States of America, on the.....day of..... A. D. ...., together with interest thereon at the rate of..... per centum per annum, payable annually on the.....day of..... A. D..... Both principal and interest payable at the.....

This bond is one of a series of bonds amounting to..... dollars, issued by ordinance of the city (or village) of....., and is payable solely out of funds derived from special tax levy and

net revenue of the water works of the city (or village) of . . . . . ; the erection or purchase of said works and levy of said tax having been authorized at an election legally called and held on the . . . . . day of . . . . . A. D. . . . . ; and out of no other funds. And it is hereby recited that all acts, conditions and things precedent to and in the issuance of this bond have been properly done, happened and performed in regular and due form as required by law.

In testimony whereof the city council (or board of trustees) has caused this bond to be signed by the mayor (or president) and countersigned by the clerk, and caused the seal of the city (or village) to be affixed this . . . . . day of . . . . . A. D. . . . .  
 . . . . ., Mayor.  
 . . . . ., Clerk.

Coupons representing the interest shall be attached thereto, which may be signed or bear the lithographed signature of the clerk of said city or village.

§ 8. The board of trustees or city council shall from time to time fix the water rentals or rates to be charged for the furnishing of water, and such shall be made sufficient, together with the proceeds of the special tax provided by the act to pay at maturity the interest and principal of bonds issued under the provision of the act, and also for the proper maintenance and operation of such works, the proper and necessary extension thereof, and for all repairs thereon.

§ 9. Any two or more villages or cities adjacent to each other may elect by ordinance to create a water district, said district to be governed by a board of trustees composed of the joint city councils or village boards of each and every such city and village, which said board of trustees shall have the power given to city councils or boards of trustees in this act, and said water district shall be a body corporate to carry out the provisions of the act, but notice of any election held by such water district under this act shall be given in each and every city or village combining into the district, and if the election shall not carry by three-fourths of all voters voting in each city or village in said district, then the proposed contract and tax shall be considered to have failed of ratification and to be void.

§ 10. This act shall be considered as conferring additional power on city councils and boards of trustees, and as in addition to and not limiting powers now given cities and villages, city councils and boards of trustees by law.

APPROVED April 19, 1899.



## CORPORATIONS.

## ANNUAL REPORT TO THE SECRETARY OF STATE.

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| § 1. Requiring corporations to report annually to Secretary of State—exceptions—fee for filing.<br>§ 2. Secretary of State to mail blanks.<br>§ 3. Report to be signed and sworn to by officers of corporation or assignee. | § 4. Cancellation of articles of incorporation for failure to report in 60 days.<br>§ 5. Secretary of State to send certified copy of reports to recorders of deeds.<br>§ 6. Repeals all inconsistent acts. |
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AN ACT *requiring corporations to make annual report to the Secretary of State and providing for the cancellation of articles of incorporation for failure to do so.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every incorporated company, other than railroad, banking, building and loan, and insurance companies, existing by virtue of any general or special law of this State, or hereafter organized by virtue of any law of this State, shall annually, between the fifteenth day of August and the first day of September, report to the Secretary of State the location of its principal business office in this State, with town, street and number, and the kind of business then engaged in; the names of its officers and directors or managers, their residence with town, street and number and the date of the expiration of their respective terms of office; and whether it is pursuing an active business under its charter; which report, together with a fee of one dollar for filing same, shall be sent to the Secretary of State, in whose office said report shall be filed.

§ 2. The Secretary of State is hereby required, on or before the fifteenth day of August in each year, to send by mail to every corporation described in section one of this act, of which he has cognizance, blanks to be used in making the report provided for in this act; but no corporation to which this act applies shall be held to be excused from making the report herein required by reason of failure to receive the blanks provided to be supplied by the Secretary of State.

§ 2. Said report shall be signed and sworn to before an officer authorized to administer oaths, by the president or secretary of said corporation, under the seal thereof. And in case said corporation is in the hands of an assignee or receiver, then such report shall be signed and sworn to by said assignee or receiver.

§ 4. Every corporation to which this act applies, failing within sixty days from September first in each year to make the report herein provided for, shall be entered as delinquent in a record kept for that purpose, and the Secretary of State shall at the earliest

practicable date therefrom send by mail to such corporation and to its officers and directors at their last known addresses, as shown by the records in the office of the Secretary of State, a notice that it is delinquent in the matter of making report as herein provided, together with blanks to be used in making such report, and a failure on the part of such corporation to make said report within thirty days from the mailing of said notice, shall be *prima facie* evidence that the corporation is defunct and out of existence, and the Secretary of State shall enter upon the records of his office the cancellation of the articles of incorporation of such corporation.

§ 5. The Secretary of State is hereby required to annually, as soon as a complete list of corporations authorized to do business under the laws of the State of Illinois is obtainable, to send to the recorder of deeds in each of the several counties in this State a certified copy of said list of corporations together with the names of their officers and directors or managers, the location of its principal business office in this State, with town, street and number, which list shall be by the said recorder of deeds filed away in their respective offices for public reference.

§ 6. All acts and parts of acts inconsistent with this act, are hereby repealed.

APPROVED April 21, 1899.

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#### BUILDING, LOAN AND HOMESTEAD ASSOCIATIONS.

§ 1. Amends sections 1, 3, 6a and 6c of the Act of 1879:

§ 1. License—how obtained.

§ 3. Organization completed.

§ 6a. Capital to be accumulated—divided into shares.

§ 6c. Member may repay loan by giving 30 days' notice—date of settlement—partial payments.

AN ACT to amend 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, and various acts amendatory thereof, by amending Section 1, Section 3, Section 6a and Section 6c.

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 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, and various acts amendatory thereof, be, and the same is hereby, amended by amending section 1, section 3, section 6a and section 6c, to read as follows, to-wit:

§ 1. LICENSE—HOW OBTAINED.] That whenever any number of persons, not less than five (5), may desire to become incorporated as a mutual building, loan and homestead association, for the purpose of building and improving homesteads and loaning money to the

members thereof only, 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. Such statement shall set forth the name of the proposed association, the capital stock to be accumulated, its location and the duration of the association, which statement shall be filed in the office of the Auditor of Public Accounts. The Auditor of Public Accounts shall thereupon issue to such persons a license as commissioners to open books for subscription to the shares of stock of said association at such time and place as they may determine, but no license shall be issued to two associations having the same or a similar name.

§ 3. ORGANIZATION COMPLETED.] 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 Auditor of Public Accounts, and the Auditor of Public Accounts shall submit said by-laws to the Attorney General, who shall report whether such by-laws conform to the requirements of this act, and if approved by the Attorney General, the Auditor of Public Accounts 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 association, duly authenticated under his hand and seal of office; and the same shall be recorded in the office of the recorder of deeds in the county in which the principal office of the association is located. Upon the recording of said copy the association shall be deemed fully organized and may proceed to business.

Unless associations shall organize and proceed to business as provided in this act within two years after the date of such license, the license shall be deemed revoked and all proceedings thereunder void. All subsequent amendments or alterations of said by-laws shall be submitted to the Auditor of Public Accounts and approved by the Attorney General, and be recorded in like manner as the original by-laws before the same shall become operative; and only such by-laws as shall have been submitted, approved and recorded as herein provided shall be deemed operative.

§ 6a. CAPITAL TO BE ACCUMULATED.] The capital to be accumulated shall be divided into shares having a maturity value of one hundred dollars each. The shares shall be deemed to be personal property in the hands of the members, transferable upon the books of the association in the manner provided in the by-laws. The shares may be issued in such periodical series and at such time or times as the by-laws shall designate. The shares in each series may, if the by-laws shall so provide, be subdivided into classes, each class having a different fixed periodical payment of dues of not to exceed the sum of two dollars per share per month, payable in such manner and at such time or times as the by-laws shall provide. Every share shall be subject to a lien for the payment of unpaid installments and such

other charges as may be lawfully incurred thereon under the provisions of this act, and the by-laws may prescribe the manner of enforcing such lien. The payment of such dues shall continue on each share until the same shall have reached maturity value, or is withdrawn or retired. All shares which have matured, or which shall have been canceled, withdrawn or retired may be re-issued in any subsequent series.

All shares heretofore issued by any association upon which installments have been paid in advance, together with the interest allowed or paid thereon, are hereby legalized and validated.

§ 6c. Any member who shall have obtained a loan or advance on his shares, and who shall have given real estate as security, may at any time upon giving thirty days' previous notice in writing, repay the same. On settlement such member shall be charged with the full amount of such loan or advance, together with any and all arrearages due thereon, or on the shares pledged or appertaining to the security given, and shall thereupon be allowed as a credit the withdrawal value of the shares pledged as security, together with such other credits as may be returnable on account thereof, and the balance shall be received by the association in full settlement and discharge of such loan or advance: *Provided*, that all settlements made in periods intervening between stated monthly meetings of the directors shall be made as of the date of the stated monthly meeting next succeeding any such settlement: *Provided also*, that any member electing to repay his loan or advance may, in lieu of repaying the same in full, elect to repay the same in part in even hundreds of dollars in cash, or he may elect to have applied as a credit on the amount due upon such loan or advance the then withdrawal value of the shares upon which such loan or advance may then be predicated: and thereupon the said shares shall be and become canceled in the proportion of one share for each one hundred dollars so applied as a credit; and the remaining uncanceled shares shall be transferred to and held as advanced or pledged shares of the then current series or date, and the obligation evidencing such loan or advance, and the mortgage or other security given to secure the same, shall not in anywise be prejudiced by any such transfer, whether such transfer shall have been provided for in the obligation evidencing such loan or advance and the mortgage securing the same or not; and after the application of every such credit the amount of such loan or advance shall forthwith be and become reduced in accordance with the amount so applied as a credit, and such advanced shareholder shall not thereafter be held liable for any greater amount than shall be remaining due after the application of such credits, except for arrearages and penalties occasioned by the shareholder's own default.

APPROVED April 24, 1899.

## CORPORATIONS AUTHORIZED TO CONFER DEGREES.

## FORMATION OF CORPORATIONS.

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| § 1. Amends section 2 of the Acts of 1872 and 1893. | § 2. Formation of corporations—Attorney General to proceed against corporations doing a fraudulent business in issuing degrees. |
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AN ACT to amend Section 2 of "An act concerning corporations," approved April 18, 1872, in force July 1, 1872, as amended by act approved June 17, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of "An act concerning corporations," approved April 18, 1872, in force July 1, 1872, as amended by act approved June 17, 1893, in force July 1, 1893, be, and the same is hereby, amended so that the same shall read as follows:

§ 2. Whenever any number of persons, not less than three nor more than seven, shall propose to form a corporation under this act they shall make a statement to that effect under their hands, and duly acknowledged before some officer in the manner provided for the acknowledgments of deeds, setting forth the name of the proposed corporation, the object for which it is to be formed, its capital stock, the number of shares of which such stock shall consist, the location of its principal office and the duration of the corporation, not exceeding, however, ninety-nine years, 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 said coporation at such times and places as they may determine; but no license shall be issued to two companies having the same name: *Provided*, that the Attorney General may file a bill in chancery in the name of the People of the State of Illinois against any corporation authorized to confer degrees, diplomas or other certificate or certificates of qualification in the science of medicine, pharmacy or dentistry which conducts a fraudulent business or abuses, misuses or violates the terms of its charter, in any court having jurisdiction of the corporation and subject matter of such bill, for an injunction to restrain said corporation from conducting its business fraudulently or abusing, misusing or violating the terms of its charter, and also for the dissolution of said corporation, and thereupon it shall be the duty of the court in which said bill is filed to grant such injunction and to hear and determine the same as in other cases in chancery. *And, provided further*, that this act shall apply to schools, colleges, or universities which now or may hereafter be licensed in this State, notwithstanding any provisions that may exist in their charters.

APPROVED April 21, 1899.

FOREIGN CORPORATIONS MAY ACQUIRE RAILROAD OR TOLL BRIDGE IN THIS STATE.

§ 1. Provides that a foreign corporation in possession of a railroad, or railroad and toll bridge, wholly or partially within this State belonging to a corporation organized under the laws of this State, may purchase all or any part thereof—prescribes rights, powers, duties and obligations of purchasing company.

*AN ACT concerning the rights, powers and duties of certain corporations therein mentioned, authorizing the sale and transfer of any railroad, or railroad and toll bridge, and other property, franchises, immunities, rights, powers and privileges connected therewith or in respect thereto, of any corporation of this State to a corporation of another state, and prescribing the rights, powers, duties and obligations of the purchasing company.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whenever a corporation organized under the laws of another state shall be in possession of a railroad, or railroad and toll bridge, the whole or a part of which is situated in this State, belonging to a corporation organized or existing under the laws of this State, or shall own or control all of the capital stock of such corporation of this State, then the corporation of this State may sell and convey, and such corporation of another state, as above mentioned, may purchase in fee simple or otherwise, all of such railroad and toll bridge, or all of such railroad, or any part thereof, together with all the rights, powers, privileges, franchises, immunities and other property used in connection therewith or pertaining thereto, of the corporation of this State, upon such terms and conditions as may be agreed upon between the board of directors of the respective companies: and thereupon and thereafter the railroad company so purchasing shall hold in fee simple or otherwise and forever use and enjoy the property so purchased, and may exercise the powers, privileges, immunities and franchises of the corporation whose property is so purchased, and may, when necessary or proper, exercise in the same manner as railroad corporations of this State are authorized to, the power of eminent domain in acquiring lands or property necessary or convenient for the betterment, maintenance, extension or operation of such railroad, and for the construction, use and maintenance of spurs, switches sidetracks, depots, stations, terminals and other facilities to be used in connection with such railroad: *Provided*, however, said sale and purchase shall be approved by the stockholders owning not less than two-thirds in amount of the capital stock of the respective companies becoming parties to such purchase and sale, and such approval may be given at any annual or special meeting upon sixty days' notice being given to all the shareholders of the question to be acted upon by publication in some newspaper published in the county or counties where the principal office or place of business of the company or companies existing under the laws of this State may be situated or located. *Provided further*, that the railroad company or corporation which purchases any railroad, or railroad and toll bridge in this State shall operate such railroad, or railroad and toll bridge situated

within this State, and hold such property situated within this State and the franchises so acquired, subject to all the rights, powers, privileges, duties and obligations prescribed by the general railroad laws of this State for the regulation, government, taxation or control of railroads organized, or which may be organized, under the laws of this State: *And, provided further*, that this act shall not be construed so as to permit any railroad company to purchase any parallel or competing line of railroad in this State.

APPROVED April 21, 1899.

#### FEEES FOR INCORPORATION.

§ 1. Amends section 1 of the Act of 1895.

§ 1. Increases fees for incorporation.

AN ACT to amend Section 1 of an act entitled, "An act regarding fees for the incorporation and the increase of capital stock of companies and corporations in this State," approved June 15, 1895, in force July 1, 1895.

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 regarding fees for the incorporation and the increase of capital stock of companies and corporations of this State," approved June 15, 1895, be amended so as to read as follows:

§ 1. That all companies and corporations hereafter organized under the laws of the State of Illinois shall pay to the Secretary of State, before there shall issue a license to incorporate the same, fees as follows: All companies having a capital stock of \$2,500 and under shall pay the sum of \$30, and all companies having a capital stock of over \$2,500 and not over \$5,000 shall pay the sum of \$50, and all companies having a capital stock of over \$5,000 shall pay in addition to the said sum of \$50 the sum of \$1 for each \$1,000 of capital stock over \$5,000. All corporations at present organized and doing business under the laws of this State, or that may be organized in the future, that may hereafter increase their capital stock, shall pay as a fee in addition to all other fees at present required by law, the sum of \$1 for each \$1,000 of increase of such capital stock: *Provided*, that no company now incorporated or which may be hereafter incorporated under the laws of this State, shall acquire a franchise by increase of capital stock to \$5,000 for a less sum than \$50, and over \$5,000, in addition to the said sum of \$50, the sum of \$1 for each \$1,000 increase of capital stock, and \$1 for filing certificate of such increase: *And, provided further*, that this act shall not apply to corporations incorporated under the law providing for the incorporation of homestead associations and building and loan associations, nor to religious associations, nor corporations not for pecuniary profit.

APPROVED April 24, 1899,

## FOREIGN CORPORATIONS.

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| <p>§ 1. Amends Act of 1897.</p> <p>§ 2. To maintain a public office in this State<br/>—to designate some person on whom<br/>legal process may be had—mortgages.</p> | <p>§ 3. Incorporation papers filed with Secretary of State—incorporation fees.</p> <p>§ 4. Penalty for failure to comply with provisions of this act—duties of Secretary of State.</p> |
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AN ACT to amend an act entitled, "*An act to require every foreign corporation doing business in this State to have a public office or place in this State at which to transact its business, subjecting it to a certain condition, and requiring it to file its articles or charter of incorporation with the Secretary of State, and to pay certain taxes and fees thereon,*" approved May 26, 1897, in force July 1, 1897.

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 require every foreign corporation doing business in this State to have a public office or place in this State at which to transact its business, subjecting it to a certain condition, and requiring it to file its articles or charter of incorporation with the Secretary of State, and to pay certain taxes and fees thereon,*" be, and the same is hereby, amended to read as follows:

§ 2. Every corporation for pecuniary profit formed in any other State, territory or country, before it shall be authorized or permitted to transact business in this State, or to continue business therein, if already established, shall designate some person as its agent or representative in this State on whom service of legal process may be had if desired: shall have and maintain a public office or place in this State for the transaction of its business, and where proper books shall be kept to enable such corporation to comply with the constitutional and statutory provisions governing such corporation; and such corporation shall be subjected to all liabilities, restrictions and duties which are or may be imposed upon corporations of like character organized under the general laws of this State, and shall have no other or greater powers. And no foreign corporation established or maintained in any way for pecuniary profit of its stockholders or members shall engage in any business other than that expressly authorized in its charter, or the laws of this State under which it may come, nor shall it hold any real estate except such as may be necessary and proper for carrying on its legitimate business. And no corporation incorporated under the laws of any other state, territory or country, doing business in this State, shall be permitted to mortgage, pledge or otherwise encumber its real or personal property situated in this State to the injury or exclusion of any citizen or corporation of this State who is a creditor of such foreign corporation. And no mortgage by any foreign corporation, except railroad and telegraph companies, given to secure any debt created in any other state, shall take effect as against any citizen or corporation of



this State until all its liabilities due to any person or corporation in this State at the time of recording such mortgage have been paid and extinguished.

§ 3. Every company incorporated for purposes of gain under the laws of any other state, territory or country, now or hereafter doing business within this State, shall file in the office of the Secretary of State a copy of its charter or articles of incorporation, or in case such company is incorporated merely by a certificate, then a copy of its certificate of incorporation, duly certified and authenticated by the officer who issued the original, or by the recorder or registrar of the office in which said original charter, articles or certificate may have been recorded. Such corporation, by its president, secretary or any officer thereof, shall make and forward to the Secretary of State, with the articles or certificate above provided for, a statement duly sworn to of the proportion of capital stock of the said corporation which is represented in the State of Illinois by its property located and business transacted therein and such statement shall further show the name and address of the agent or representative of said corporation in this State; and such corporation shall be required to pay into the office of the Secretary of this State, upon the proportion of its capital stock represented by its property and business in Illinois, fees equal to those required of similar corporations formed within and under the laws of this State. Upon a compliance with the above provisions by said corporation, the Secretary of State shall give a certificate that said corporation has duly complied with the laws of this State, and is authorized to do business therein, stating the amount of its entire capital and of the proportion thereof which is represented in Illinois; and such certificates shall be taken by all courts in this State as evidence that the said corporation is entitled to all the rights and benefits of this act, and such corporation shall enjoy those rights and benefits for the time set forth in its original charter or articles of association, unless this shall be for a greater length of time than is contemplated by the laws of this State, in which event the time and duration shall be the limit of time set out in the laws of this State. Such corporations having complied, as aforesaid, shall be required to promptly report to the Secretary of State any change in the name and address of its agent or representative in this State, and any increase or decrease in its capital stock, and any increase or decrease of the proportion of its capital stock represented in this State by its property and business therein, by filing in the office of the Secretary of State a statement properly sworn to, setting forth the facts: *Provided*, that nothing in this act shall be taken or construed into releasing foreign loan, building and loan, bond investment, surety, or other corporations of like character from any provisions of law requiring them to make a deposit of money with a proper officer of the State to protect from loss the citizens of this State who may do business with such corporations: *And, provided further*, that the provisions of this act shall not apply to railroad or

telegraph companies which have heretofore built their line of railway into or through this State, nor to insurance, banking or loaning companies.

§ 4. Every foreign corporation amenable to the provisions of this act which shall neglect or fail to comply with the conditions of the same as herein provided shall be subject to a fine of not less than \$1,000.00, to be recovered before any court of competent jurisdiction; and it is hereby made the duty of the Secretary of State, as he may be advised that corporations are doing business in contravention of this act, to report the fact to the prosecuting attorney of the county in which such corporation is doing business, and the prosecuting attorney shall, as soon thereafter as is practicable, institute proceedings to recover the fine herein provided for, and his compensation therefor shall be 10 per cent of the amount recovered, the remainder to be paid into the revenue fund of the State; in addition to which penalty, on and after the going into effect of this act no foreign corporation as above defined which shall fail to comply with this act, can maintain any suit or action, either legal or equitable, in any of the courts of this State upon any demand, whether arising out of contract or tort.

APPROVED April 22, 1899.

#### PAWNERS' SOCIETIES.

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| § 1. Corporations—how formed.  | § 11. Governor of State and mayor of city in which main office is situated shall each appoint one director—term of director. |
| § 2. Organization of in cities of over 250,000 inhabitants—capital stock, amount of. | § 12. Report to be filed with Auditor of Public Accounts.  |
| § 3. When loans may be made—amount loaned to any one person.                         | § 13. Auditor of Public Accounts to have supervision of corporations.  |
| § 4. Authorized to borrow money.   | § 14. Directors appointed by Governor and mayor to report violations to Governor.  |
| § 5. Rates limited.  | § 15. Corporations not to have banking powers, receive deposits of money or securities, nor loan on negotiable instruments.  |
| § 6. Public auction of pledges—net surplus paid pawner or pledger.                   | § 16. Forfeiture of claim on pawns for excess charges—recovery by replevin—<br>—forfeiture of charter and fine.              |
| § 7. Renewals.   |  |
| § 8. Accounts to be kept by company.   |  |
| § 9. Corporation to do business only in county where organized.                      |  |
| § 10. Annual dividend.   |  |

*AN ACT to provide for the incorporation, management and regulation of pawners' societies and limiting the rate of compensation to be paid for advances, storage and insurance on pawns and pledges and to allow the loaning of money upon personal property.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That corporations may be*

formed under this act in the same manner as corporations for pecuniary profit under chapter 32 of the Revised Statutes, except as otherwise herein provided.

§ 2. Corporations may be organized under the provisions of this act in all cities of over 250,000 inhabitants, with a capital stock of \$50,000, or over.

§ 3. When the corporation has disposable funds it may make advances on all goods, chattels and savings-bank deposit books offered, embraced within its rules and regulations, but in no case shall the amount loaned to any one person exceed the sum of two hundred and fifty dollars (\$250.00).

§ 4. Corporations organized under this act shall be authorized to borrow money in any amount to be used in its business, not exceeding in the aggregate the amount of its capital stock.

§ 5. Such corporations may charge not to exceed one (1) per cent per month to any pawner or pledger as compensation for the money advanced upon such pawn or pledge, and not to exceed one-half ( $\frac{1}{2}$ ) of one per cent per month additional for storage and insurance.

§ 6. If the property pledged is not redeemed within the time fixed and agreed upon the same shall, after one year from the expiration of the time of the pledge, be sold at public auction without redemption, under the directions of said corporation, to the highest bidder for cash, at which sale said corporation may be a bidder and a purchaser, and the net surplus of the proceeds of such sale, after paying the cost of the sale and the amount due said corporation, shall be paid to the pawner or pledger or his legal representative or assigns on demand at any time within two (2) years after such sale.

§ 7. Loans on pledges and pawns may be renewed from time to time, but in no case longer than one (1) year.

§ 8. The said corporation shall keep a correct account of all money loaned on pawns and pledges, rate charged, the description of the property, and the name and address of the borrower; and the name and address of the borrower shall be plainly written on a card to be attached to all property pledged, which card shall also state the amount loaned, the rate charged, the date when loaned, and the length of time for which loan[ed], and every pawner or pledger shall receive from the said corporation a card inscribed with its name, describing the article or articles pawned, the name of the pawner, the amount of the loan, the rate of the compensation, the date of the loan and the date of the expiration of the time for which the loan was made, and the name and the page of the book in which the same is recorded.

§ 9. No corporation organized under this act shall do business in any other county than the one in which it is organized.

§ 10. The said corporation may from time to time, out of the profits realized out of said business, declare and pay an annual dividend of not to exceed six (6) per cent on its capital stock.

§ 11. The Governor of the State and the mayor of the city in which the main office of said corporation shall be located shall each appoint one director, who shall not be a stockholder or employé of such corporation, whose term of office shall be two (2) years, unless sooner removed by the governor or the mayor who made the appointment, and said directors shall have the same power and authority as the other directors of the corporation.

§ 12. The president and directors of any corporation organized under this act shall, annually, in the month of October, file with the Auditor of Public Accounts of the State a full report of the business of the corporation for the year expiring September 30 in each year, and shall give the names and the amount of shares of capital stock held by each stockholder of the said corporation on the said date, which said statement shall be under oath.

§ 13. The Auditor of Public Accounts shall exercise all powers of examination and supervision of any corporation organized under this act which he now exercises over trust companies under the act for regulating the administration of trusts by trust companies, approved June 15, 1887, and the fees prescribed to be paid by said act shall apply to any corporation organized under this act.

§ 14. Directors appointed by the governor and the mayor shall, under oath, report to the Governor of the State any violations of any of the provisions of this act by the said corporation, or any of its officers or employés.

§ 15. No corporation organized under this act shall have any banking power, whether of issue, deposit or discount, and shall not receive deposits of money, or negotiable security, nor loan money on commercial papers, notes, checks, drafts or other negotiable commercial instruments.

§ 16. If any corporation organized under this act shall, as a condition of redemption, or for making the loan, or otherwise, in any way or for any purpose, charge to the pawner or pledger any sum in excess of the amount herein authorized to be charged, such corporation shall thereby forfeit all claim to, or lien upon, such pawn or pledge, and it shall deliver such pawn or pledge on demand to the pawner or pledger, his legal representatives or assigns, and in default of so doing such pawner or pledger, or his legal representatives or assigns, may recover the possession of such pawn or pledge by the action of replevin, or, at his election, may recover from such corporations the value of such pawn or pledge in an action at law therefor; any willful violation of this act by any corporation organized under it, by which any person shall suffer or sustain loss or damage shall forfeit its right to do business, and the Attorney General of the State shall take the necessary legal measures to wind up and discontinue its business; any directors, officer or employé of any corporation organized under this act who shall charge, take or collect or receive any compensation on a loan beyond or in excess of the charges herein allowed, shall be guilty of a misdemeanor and be fined not to exceed one hundred dollars (\$100.00), or be imprisoned in the county jail for not more than six (6) months, or both.

APPROVED March 29, 1899.

## TRUST COMPANIES.

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| § 1. Amends section 6 of the Act of 1887:<br>§ 6. Deposits to be made with the<br>Auditor of Public Accounts. | § 2. Emergency. |
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AN ACT to amend Section six (6) of an act entitled "An act to provide for and regulate the administration of trusts by trust companies," approved June 15, 1887, in force July 1, 1887, as heretofore amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section six (6) of an act entitled, "An act to provide for and regulate the administration of trusts by trust companies." approved June 15, 1887, in force July 1, 1887, as heretofore amended, be, and the same is hereby, amended so as to read as follows.

§ 6. Each company in all cities and towns of 100,000 inhabitants or more, before accepting any such appointment of deposit, shall deposit with the Auditor of Public Accounts the sum of \$200,000, and each company in all cities and towns of less than 100,000 inhabitants shall deposit with the Auditor of Public Accounts the sum of \$50,000, said deposits to be for the benefit of the creditors of said company, and to consist of bonds of the United States or municipal bonds 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. Bonds and securities so deposited may be exchanged from time to time for other securities receivable as aforesaid. Said bonds of the United States or municipal bonds 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 said Auditor the interest or dividends on said deposit.

*Provided,* however, that when it shall appear to the Auditor of Public Accounts from the annual report of any such company that the value of the personal property and cash held and possessed by such company by virtue of the provisions of this act, and any amendment thereof, exceeds ten times the amount of the deposit aforesaid, he shall require said companies, if in cities or towns of 100,000 inhabitants or more, to forthwith increase said deposit to the sum of \$500,000 in such securities, and in all cities and towns of less than 100,000 inhabitants to forthwith increase its said deposit to the sum of \$125,000 in such securities. And whenever it shall appear to the Auditor of Public Accounts that the amount of personal property and cash so held by any such company has been reduced below ten times the value of its original deposit above provided for, and said company is not in any default in its duties and obligations hereunder, he shall allow said company to reduce its said deposits to the sum originally required in this section by the withdrawal of such additional depos-

its until such time as an increase in its holdings shall again require an additional deposit as hereinbefore provided. No corporation authorized to accept and execute trusts shall either directly or indirectly through any officer, agent or employé of such corporation, certify to any bond, note or other obligation to evidence debt, secured by any trust deed or mortgage upon, or accept any trust concerning property located wholly or in part in this State, without complying with said act and the amendments thereto; and any trust deed or mortgage given or taken in violation of the provisions of said act and the amendments thereto shall be null and void.

§ 2. WHEREAS, the title to the act passed, approved May 7, 1897, and in force July 1, 1897, amending said section 6, was defective, therefore an emergency exists and this act shall be in force from and after its passage.

APPROVED April 24, 1899.

COUNTIES.

AUTHORIZING COUNTIES TO ERECT MONUMENTS OR MEMORIAL BUILDINGS.

§ 1. Provides submitting to vote the question of erecting a monument or memorial building at county seat—if carried county board to make appropriation and have control of memorial building.

AN ACT to authorize counties to erect monuments or memorial buildings in honor of their soldiers and sailors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That upon the petition of two hundred or more legal voters of a county being filed with the county clerk thirty days prior to any county election praying that the proposition of erecting or completing a monument or memorial building in honor of its soldiers and sailors at the county seat be submitted to a vote of the people of such county, such proposition shall be submitted to a vote of the people of such county at the next ensuing county election.

☐ Such proposition shall be clearly indicated upon the ballot, and two spaces left upon the margin, one for votes favoring the proposition, to be indicated by the word "yes," and one for votes opposing the proposition, to be indicated by the word "no," as in the form herein given:

Proposition for the erection of a monument or memorial building in honor of the soldiers and sailors of the county.	YES.	X
	NO.	

The elector shall designate his vote by a cross mark, thus (X), and no ballot which has not a cross opposite the word "yes" or no" shall be counted either for or against the proposition.

If a majority of all the votes cast upon such proposition are in favor thereof, it shall be the duty of the county board of such county to within one year after such election appropriate sufficient funds to erect a suitable monument or a suitable memorial building and purchase a site therefor, if necessary, at the county seat, in honor of its soldiers and sailors.

If a memorial building shall be erected the same shall be under the supervision and control of the county board, and it shall be lawful for the county board to permit such use of the building as it deems advisable.

APPROVED April 22, 1899.

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COUNTY CLERK OF COOK COUNTY.

§ 7. Amends section 62 of the Act of 1874:

§ 62. County clerk of Cook county *ex-officio* comptroller—powers and duties.

AN ACT to amend Section 62 of an act entitled "An act to revise the law in relation to counties, approved and in force March 31, 1874," and as amended by an act approved June 14, 1887, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 62 of an act entitled, "An act to revise the law in relation to counties, approved and in force March 31, 1874," and as amended by an act approved June 14, 1887, in force July 1, 1887, be, and the same is hereby amended so as to read as follows:

§ 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 disbursements. 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 statement 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 in 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 and 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 or December 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 Monday of December and end on the Sunday preceding the first Monday 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. (As amended by act approved June 14, 1887, in force July 1, 1887.)

APPROVED April 24, 1899.

## COURTS.

### APPELLATE COURTS.

#### JUDGES MAY APPOINT CLERKS.

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| § 1. Judges of any of the districts or branches of appellate court allowed one clerk each—appointment—where filed. | § 2. Salary of clerk—how drawn. |
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*AN ACT to provide for the appointment of one clerk for each of the judges for each Appellate Court and to fix the salary of such clerks.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That circuit judges who are duly assigned to duty as judges in any of the districts or branches of the Appellate Court of this State and who are actually performing such duty, shall be allowed a clerk for each of said judges, to be appointed by them respectively, such appointment to be made in writing, which said writing shall be filed with the Auditor of the State.

§ 2. Said clerk shall receive as full compensation a salary of one thousand (1,000) dollars per annum, payable quarter yearly on the warrant of said Auditor out of any money in the treasury not otherwise appropriated.

APPROVED April 17, 1899.

#### TERMS OF APPELLATE COURTS.

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| § 1. Amends section 2 of the Act of 1874, establishing appellate courts. | § 2. Time for holding terms of appellate courts in the several districts—hearing of cases. |
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*AN ACT to amend section two (2) of an act entitled "An act to establish appellate courts," in force July 1, 1877, and acts amendatory thereto.*

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 establish appellate courts," in force July 1, 1877, and acts amendatory thereto, be amended to read as follows:

§ 2. The terms of said appellate courts shall be held in the several districts as follows: In the first district, at the City of Chicago, on the first Tuesdays in March and October of each year; in the second district, at Ottawa, in LaSalle county, on the first Tuesdays in April and October in each year; in the third district, at Springfield, on the third Tuesdays of May and November in each year; in the fourth district, at Mt. Vernon, on the fourth Tuesdays in February and August in each year. All cases now or hereafter taken to said appellate courts, and all processes of every nature and kind that would stand for hearing or be returnable to any of said terms as now fixed by law, shall stand for hearing and be returnable to the first term of said court in each district, respectively, as fixed by this act:

APPROVED April 22, 1899.

## CIRCUIT COURT.

## ADDITIONAL TERM FOR JEFFERSON COUNTY.

§ 1. Provides for an additional term of court in Jefferson county.

AN ACT to provide for an additional term of Circuit Court in the County of Jefferson.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall hereafter be held an additional term of the circuit court in and for the county of Jefferson, commencing on the fourth Monday in the month of October of each year.

· APPROVED April 6, 1899.

## CIRCUIT COURTS.

## TERMS IN FIRST CIRCUIT.

§ 1. Amends section 2 of the Acts of 1879 and 1897 by fixing the time for holding court in the First Circuit.

AN ACT to amend section 2 of "An act concerning circuit courts and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the County of Cook," approved May 24, 1879, in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an act entitled "An act concerning circuit courts and to fix the time of holding the same in the several counties of the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897, be amended so as to read as follows:

First Circuit—In the county of Union, on the third Monday of March, the third Monday of June and the second Monday of November; in the county of Jackson, the second Monday of January, the second Monday of April and the second Monday of September; in the county of Williamson, the first Monday of February, the first Monday of May and the fourth Monday of September; in the county of Saline, the first Monday of April, the second Monday of September and the first Monday of December; in the county of Alexander, on the second Monday of February, the second Monday of May, the second Monday of July and the second Monday of October; in the county of Pulaski, on the second Monday of January, the fourth Monday of April and the fourth Monday of October; in the county of Pope, on the third Monday of January, the first Monday of May and the second Monday of October. *Provided,* that no grand or petit jury shall be summoned to appear for the said January term except by special order of the judge holding said court; in the county of Massac, on the fourth Monday in August, the second Monday in

January and the second Monday of April: *Provided*, that no grand or petit jury shall be summoned for the April term except by order of the court; in the county of Johnson, the fourth Monday of March, the third Monday of August and the second Monday of November: *Provided*, that no grand or petit jury shall be summoned to attend at said December term of court in Saline county and that no grand jury shall be summoned to attend the said May term in Alexander county, and that no grand or petit jury shall be summoned to attend at said June term in Union county except by special order of the judge holding such term of court.

APPROVED April 24, 1899.

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COUNTY AND PROBATE JUDGES MAY HOLD COURTS IN ANY COUNTY.

§ 1. Amends section 1 of the Act of 1855:

§ 1. Judges may hold courts in any county in case of death, resignation or disability—clerk to designate judge.

AN ACT to amend section one (1) of an act entitled "An act to authorize county and probate judges to perform the duties of the office of one another in certain cases," approved and in force April 10, 1855.

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 authorize county and probate judges to perform the duties of the office of one another in certain cases," approved and in force April 10, 1855, be amended so as to read as follows:

§ 1. That in case of the death, resignation or inability of the judge of a county or probate court of any county, the clerk of such court shall designate and call any county or probate judge to hold such county or probate court; and such county or probate judge, when so designated and called, may hold such county or probate court and perform all the duties of the judge thereof until the appointment or election of his successor, or until the disability to act ceases.

APPROVED April 24, 1899.

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COURTS OF RECORD IN CITIES.

§ 1. Amends section 6 of the Act of 1874.

§ 6. Judges may interchange.

AN ACT to amend section 6 of an act entitled "An act in relation to courts of record in cities," 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 six (6) of an act entitled "An act in relation to courts of record in cities," be, and the same is hereby, amended to read as follows:

§ 6. Such judges may, with like privileges as the judges of circuit and county courts, interchange with each other, and with the judges of circuit, superior, county and probate courts, and may hold court for each other, and for judges of circuit, superior, county and probate courts, and perform each other's duties, and the duties of judges of circuit, superior, county and probate courts, when they find it necessary or convenient.

APPROVED April 21, 1899.

### JUVENILE COURTS.

#### FOR DEPENDENT, NEGLECTED AND DELINQUENT CHILDREN.

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| <p>§ 1. Applies to children under 16 years of age not inmates of a State institution—definitions.</p> <p>§ 2. Jurisdiction of courts.</p> <p>§ 3. Juvenile court—juvenile record.</p> <p>§ 4. Petition to court.</p> <p>§ 5. Summons—notification to parents or guardian—warrant.</p> <p>§ 6. Probation officers—appointment—duties.</p> <p>§ 7. Disposition of dependent or neglected children.</p> <p>§ 8. Guardianship—adoption—guardianship not to include guardianship of any estate of the child.</p> <p>§ 9. Disposition of delinquent children.</p> <p>§ 10. Provides for transfer of cases against children from justices and police magistrates to juvenile court.</p> <p>§ 11. Children under 12 years not to be committed to jail nor to be confined in building or yard with adult convicts.</p> <p>§ 12. Agents of juvenile reformatories—appointment—duties—compensation.</p> | <p>§ 13. State Commissioners of Public Charities to supervise associations—association to report to commissioners annually contents of report.</p> <p>§ 14. Incorporation of associations for care of dependent, neglected or delinquent children—requirements.</p> <p>§ 15. Surrender of dependent children by parent or guardian—adoption.</p> <p>§ 16. Foreign corporations to furnish guarantee—contents—penalty for receiving child from association not filing guarantee.</p> <p>§ 17. Child to be placed in care of person or association having same religious faith as parents.</p> <p>§ 18. County boards of visitors—appointment—duties—reports—compensation.</p> <p>§ 19. Powers of juvenile court.</p> <p>§ 20. Industrial and training schools, State Reformatory and State Home for Juvenile Female Offenders not affected by this act.</p> <p>§ 21. Construction of act.</p> |
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AN ACT to regulate the treatment and control of dependent, neglected and delinquent children.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* DEFINITIONS.] This act shall apply only to children under the age of 16 years not now or hereafter inmates of a State institution, or any training school for boys or industrial school for girls or some institution incorporated under the laws of this State, except as provided in sections twelve (12) and eighteen (18). For the purposes of this act the words dependent child and neglected child shall mean any child who for any reason is

destitute or homeless or abandoned; or dependent upon the public for support; or has not proper parental care or guardianship; or who habitually begs or receives alms; or who is found living in any house of ill fame or with any vicious or disreputable person; or whose home, by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such a child; and any child under the age of 8 years who is found peddling or selling any article or singing or playing any musical instrument upon the streets or giving any public entertainment. The words delinquent child shall include any child under the age of 16 years who violates any law of this State or any city or village ordinance. The word child or children may mean one or more children, and the word parent or parents may be held to mean one or both parents, when consistent with the intent of this act. The word association shall include any corporation which includes in its purposes the care or disposition of children coming within the meaning of this act.

§ 2. JURISDICTION.] The circuit and county courts of the several counties in this State shall have original jurisdiction in all cases coming within the terms of this act. In all trials under this act any person interested therein may demand a jury of six, or the judge of his own motion may order a jury of the same number, to try the case.

§ 3. JUVENILE COURT.] In counties having over 500,000 population the judges of the circuit court shall, at such times as they shall determine, designate one or more of their number whose duty it shall be to hear all cases coming under this act. A special court room, to be designated as the juvenile court room, shall be provided for the hearing of such cases, and the findings of the court shall be entered in a book or books to be kept for that purpose and known as the "Juvenile Record," and the court may, for convenience, be called the "Juvenile Court."

§ 4. PETITION TO THE COURT.] Any reputable person, being resident in the county, having knowledge of a child in his county who appears to be either neglected, dependent or delinquent, may file with the clerk of a court having jurisdiction in the matter a petition in writing, setting forth the facts, verified by affidavit. It shall be sufficient that the affidavit is upon information and belief.

§ 5. SUMMONS.] Upon the filing of the petition a summons shall issue requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall be not less than 24 hours after service. The parents of the child, if living, and their residence is [if] known, or its legal guardian, if one there be, or if there is neither parent nor guardian, or if his or her residence is not known, then some relative, if there be one and his residence is known, shall be notified of the proceedings, and in any case the judge may appoint some suitable person to act in behalf of the child. If the person summoned as herein provided shall fail, without reasonable cause, to appear and abide the order of the court, or to bring the

child, he may be proceeded against as in case of contempt of court. In case the summons can not be served or the party served fails to obey the same, and in any case when it shall be made to appear to the court that such summons will be ineffectual, a warrant may issue on the order of the court, either against the parent or guardian or the person having custody of the child or with whom the child may be, or against the child itself. On the return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Pending the final disposition of any case the child may be retained in the possession of the person having the charge of same, or may be kept in some suitable place provided by the city or county authorities.

§ 6. PROBATION OFFICERS.] The court shall have authority to appoint or designate one or more discreet persons of good character to serve as probation officers during the pleasure of the court; said probation officers to receive no compensation from the public treasury. In case a probation officer shall be appointed by any court, it shall be the duty of the clerk of the court, if practicable, to notify the said probation officer in advance when any child is to be brought before the said court; it shall be the duty of the said probation officer to make such investigation as may be required by the court; to be present in court in order to represent the interests of the child when the case is heard; to furnish to the court such information and assistance as the judge may require; and to take such charge of any child before and after trial as may be directed by the court.

§ 7. DEPENDENT AND NEGLECTED CHILDREN.] When any child under the age of sixteen (16) years shall be found to be dependent or neglected within the meaning of this act, the court may make an order committing the child to the care of some suitable State institution, or to the care of some reputable citizen of good moral character, or to the care of some training school or an industrial school, as provided by law, or to the care of some association willing to receive it embracing in its objects the purpose of caring or obtaining homes for dependent or neglected children, which association shall have been accredited as hereinafter provided.

§ 8. GUARDIANSHIP.] In any case where the court shall award a child to the care of any association or individual in accordance with the provisions of this act the child shall, unless otherwise ordered, become a ward and be subject to the guardianship of the association or individual to whose care it is committed. Such association or individual shall have authority to place such child in a family home, with or without indenture, and may be made party to any proceeding for the legal adoption of the child, and may by its or his attorney or agent appear in any court where such proceedings are pending and assent to such adoption. And such assent shall be sufficient to authorize the court to enter the proper order or decree of adoption. Such guardianship shall not include the guardianship of any estate of the child.

§ 9. DISPOSITION OF DELINQUENT CHILDREN.] In the case of a delinquent child the court may continue the hearing from time to time, and may commit the child to the care and guardianship of a probation officer duly appointed by the court, and may allow said child to remain in its own home, subject to the visitation of the probation officer; such child to report to the probation officer as often as may be required and subject to be returned to the court for further proceedings, whenever such action may appear to be necessary; or the court may commit the child to the care and guardianship of the probation officer, to be placed in a suitable family home, subject to the friendly supervision of such probation officer; or it may authorize the said probation officer to board out the said child in some suitable family home, in case provision is made by voluntary contribution or otherwise for the payment of the board of such child, until a suitable provision may be made for the child in a home without such payment; or the court may commit the child, if a boy, to a training school for boys, or if a girl, to an industrial school for girls. Or, if the child is found guilty of any criminal offense, and the judge is of the opinion that the best interest requires it, the court may commit the child to any institution within said county incorporated under the laws of this State for the care of delinquent children, or provided by a city for the care of such offenders, or may commit the child, if a boy over the age of ten years, to the State reformatory, or if a girl over the age of ten years, to the State Home for Juvenile Female Offenders. In no case shall a child be committed beyond his or her minority. A child committed to such institution shall be subject to the control of the board of managers thereof, and the said board shall have power to parole such child on such conditions as it may prescribe, and the court shall, on the recommendation of the board, have power to discharge such child from custody whenever in the judgment of the court his or her reformation shall be complete; or the court may commit the child to the care and custody of some association that will receive it embracing in its objects the care of neglected and dependent children and that has been duly accredited as hereinafter provided.

§ 10. TRANSFER FROM JUSTICES AND POLICE MAGISTRATES.] When, in any county where a court is held as provided in section three of this act, a child under the age of 16 years is arrested with or without warrant, such child may, instead of being taken before a justice of the peace or police magistrate, be taken directly before such court; or if the child is taken before a justice of the peace or police magistrate, it shall be the duty of such justice of the peace or police magistrate to transfer the care [case] to such court, and the officer having the child in charge to take such child before that court, and in any such case the court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon petition as herein provided. In any case the court shall require notice to be given and investigation to be made as in other cases under this act, and may adjourn the hearing from time to time for the purpose.



§ 11. CHILDREN UNDER TWELVE YEARS NOT TO BE COMMITTED TO JAIL.] No court or magistrate shall commit a child under twelve (12) years of age to a jail or police station, but if such child is unable to give bail it may be committed to the care of the sheriff, police officer or probation officer, who shall keep such child in some suitable place provided by the city or county outside of the inclosure of any jail or police station. When any child shall be sentenced to confinement in any institution to which adult convicts are sentenced it shall be unlawful to confine such child in the same building with such adult convicts, or to confine such child in the same yard or inclosure with such adult convicts, or to bring such child into any yard or building in which such adult convicts may be present.

§ 12. AGENTS OF JUVENILE REFORMATORIES.] It shall be the duty of the superintendent of the State Reformatory at Pontiac and the board of managers of the State Home for Juvenile Female Offenders at Geneva, and the board of managers of any other institution to which juvenile delinquents may be committed by the courts, to maintain an agent of such institution, whose duty it shall be to examine the homes of children paroled from such institution for the purpose of ascertaining and reporting to said court whether they are suitable homes; to assist children paroled or discharged from such institution in finding suitable employment, and to maintain a friendly supervision over paroled inmates during the continuance of their parole; such agents shall hold office subject to the pleasure of the board making the appointment, and shall receive such compensation as such board may determine out of any funds appropriated for such institution applicable thereto.

§ 13. SUPERVISION BY STATE COMMISSIONERS OF PUBLIC CHARITIES.] All associations receiving children under this act shall be subject to the same visitation, inspection and supervision of the Board of State Commissioners of Public Charities as the public charitable institutions of this State. The judges of the courts hereinbefore mentioned may require such information and statistics from associations desiring to have children committed to their care under the provisions of this act as said judges deem necessary in order to enable them to exercise a wise discretion in dealing with children. Every such association shall file with the Board of State Commissioners of Public Charities an annual printed or written report, which shall include a statement of the number of children cared for during the year, the number received, the number placed in homes, the number died, the number returned to friends; also a financial statement showing the receipts and disbursements of the associations. The statement of receipts shall indicate the amount received from public funds, the amount received from donations and the amount received from other sources, specifying the several sources. The statement of disbursements shall show the amount expended for salaries and other expenses, specifying the same, the amount expended for lands, buildings and investments. The secretary of the board of public charities shall furnish to the judge of each of the county courts a list of associations filing such annual reports, and no child

shall be committed to the care of any association which shall not have filed a report for the fiscal year last preceding with the State Board of Commissioners of Public Charities.

§ 14. INCORPORATION OF ASSOCIATIONS.] No association whose objects may embrace the caring for dependent, neglected or delinquent children shall hereafter be incorporated unless the proposed articles of incorporation shall first have been submitted to the examination of the Board of State Commissioners of Public Charities, and the Secretary of State shall not issue a certificate of incorporation unless there shall first be filed in his office the certificate of said Board of State Commissioners of Public Charities that said board has examined the said articles of incorporation and that, in its judgment, the incorporators are reputable and responsible persons, the proposed work is needed, and the incorporation of such association is desirable and for the public good; amendments proposed to the articles of incorporation or association having as an object the care and disposal of dependent, neglected or delinquent children shall be submitted in like manner to the Board of State Commissioners of Public Charities, and the Secretary of State shall not record such amendment or issue his certificate therefor unless there shall first be filed in his office the certificate of said Board of State Commissioners of Public Charities that they have examined the said amendment, that the association in question is, in their judgment, performing in good faith the work undertaken by it, and that the said amendment is, in their judgment, a proper one and for the public good.

§ 15. SURRENDER OF DEPENDENT CHILDREN — ADOPTION.] It shall be lawful for the parents, parent, guardian or other person having the right to dispose of a dependent or neglected child to enter into an agreement with any association or institution incorporated under any public or private law of this State for the purpose of aiding, caring for or placing in homes such children, and being approved as herein provided, for the surrender of such child to such association or institution, to be taken and cared for by such association or institution or put into a family home. Such agreement may contain any and all proper stipulations to that end, and may authorize the association or institution, by its attorney or agent, to appear in any proceeding for the legal adoption of such child, and consent to its adoption, and the order of the court made upon such consent shall be binding upon the child and its parents or guardian or other person the same as if such parents or guardian or other person were personally in court and consenting thereto, whether made party to the proceeding or not.

§ 16. FOREIGN CORPORATIONS.] No association which is incorporated under the laws of any other state than the State of Illinois shall place any child in any family home within the boundaries of the State of Illinois, either with or without indenture, or for adoption, unless the said association shall have furnished the Board of State Commissioners of Public Charities with such guarantee as they may require that no child shall be brought into the State of Illinois by such society or its agents having any contagious or incurable disease, or having any deformity, or being of feeble mind, or of vicious

character, and that said association will promptly receive and remove from the State any child brought into the State of Illinois by its agent which shall become a public charge within the period of five (5) years after being brought into this State. Any person who shall receive, to be placed in a home, or shall place in a home, any child in behalf of any association incorporated in any other state than the State of Illinois which shall not have complied with the requirements of this act, shall be imprisoned in the county jail not more than thirty days, or fined not less than \$5.00 or more than one hundred (100) dollars, or both in the discretion of the court.

§ 17. RELIGIOUS PREFERENCES.] The court in committing children shall place them as far as practicable in the care and custody of some individual holding the same religious belief as the parents of said child, or with some association which is controlled by persons of like religious faith of the parents of the said child.

§ 18. COUNTY BOARDS OF VISITORS.] The county judge of each county may appoint a board of six reputable inhabitants, who will serve without compensation, to constitute a board of visitation, whose duty it shall be to visit as often as once a year all institutions, societies and associations receiving children under this act. Said visits shall be made by not less than two of the members of the board, who shall go together or make a joint report; the said board of visitors shall report to the court from time to time the condition of children received by or in the charge of such associations and institutions, and shall make an annual report to the Board of State Commissioners of Public Charities in such form as the board may prescribe. The county board may, at their discretion, make appropriations for the payment of the actual and necessary expenses incurred by the visitors in the discharge of their official duties.

§ 19. POWERS OF JUVENILE COURT.] The powers and duties herein provided to be exercised by the county court or the judges thereof may, in counties having over 500,000 population, be exercised by the circuit courts and their judges as hereinbefore provided for.

§ 20. INDUSTRIAL AND TRAINING SCHOOLS NOT AFFECTED.] Nothing in this act shall be construed to repeal any portion of the act to aid industrial school[s] for girls, the act to provide for and aid training schools for boys, the act to establish the Illinois State Reformatory or the act to provide for a State Home for Juvenile Female Offenders. And in all commitments to said institutions the acts in reference to said institutions shall govern the same.

§ 21. CONSTRUCTION OF THE ACT.] This act shall be liberally construed, to the end that its purpose may be carried out, to-wit: That the care, custody and discipline of a child shall approximate as nearly as may be that which should be given by its parents, and in all cases where it can properly be done the child be placed in an improved family home and become a member of the family by legal adoption or otherwise.

APPROVED April 21, 1899.

## SUPREME COURTS.

## JUDGES MAY APPOINT PRIVATE SECRETARIES.

§ 1. Amends section 18, Act of 1874.

§ 18. Each supreme judge may appoint a private secretary—salary—how drawn.

AN ACT to amend section 18 of an act entitled "An act to revise the law in relation to the supreme court," approved March 23, 1874, in force July 1, 1874, as amended by an act approved June 24, 1895, in force July 1, 1895

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 18 of an act entitled "An act to revise the law in relation to the supreme court," approved March 23, 1874, in force July 1, 1874, as amended by an act approved June 24, 1895, in force July 1, 1895, be, and the same is hereby, amended to read as follows:

§ 18. Each of the judges of the supreme court may appoint a private secretary, who shall be a licensed attorney of the State of Illinois. Such appointment shall be in writing and shall be filed in the office of the Auditor of Public Accounts, and continue in force until revoked by the judge. Each private secretary so appointed shall receive a salary of two thousand (2,000) dollars per annum, payable quarter-yearly, on the warrant of the Auditor of Public Accounts, out of any money in the State treasury not otherwise appropriated.

APPROVED April 17, 1899.

## CRIMINAL CODE.

## ARTICLES CONSTRUCTED OF GOLD OR SILVER OR IMITATIONS THEREOF.

§ 1. Provides penalty for deception in articles made in whole or in part of gold, alloy or imitation thereof.

2. Provides penalty for deception in articles made in whole or in part of silver, alloy or imitation thereof and stamped "sterling" or "sterling silver."

§ 3. Provides penalty for deception in articles made in whole or in part of silver, alloy or imitation thereof and stamped "coin" or "coin silver."

AN ACT relating to the manufacture and sale of articles constructed in whole or in part of gold or silver or any alloy or imitation thereof and prescribing penalties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whoever makes for sale, or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article or articles constructed in whole or in part of gold or any alloy or imitation thereof, having thereon, or on any box, package, cover, wrapper or other thing enclosing or encasing such article or articles for sale, any stamp, brand, engraving, printed label, trade mark, imprint or other mark, indicating, or designed or intended to indicate, that the gold, alloy or imitation thereof in such article or articles is different from or better

than the actual kind and quality of such gold, alloy or imitation, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than fifty dollars nor more than one hundred dollars.

§ 2. Whoever makes for sale, sells or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article or articles constructed in whole or in part of silver or any alloy or imitation thereof, having thereon, or on any box, package, cover, wrapper or other thing enclosing or encasing such article or articles for sale, any stamp, brand, engraving, printed label, trade mark, imprint or other mark containing the words "sterling" or "sterling silver," referring, or designed or intended to refer, to the silver, alloy or imitation thereof in such article or articles, when such silver, alloy or imitation thereof shall contain less than nine hundred and twenty-five one-thousandths thereof of pure silver, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than fifty dollars or more than one hundred dollars.

§ 3. Whoever makes for sale, sells or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article or articles constructed in whole or in part of silver or any alloy or imitation thereof having thereon, or on any box, package, cover, wrapper or other thing enclosing or encasing such article or articles for sale any stamp, brand, engraving, printed label, trade mark, imprint or other mark containing the words "coin" or "coin silver," referring to or designed or intended to refer to, the silver, alloy or imitation thereof in such article or articles, when such silver, alloy or imitation shall contain less than nine-tenths thereof pure silver, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than fifty dollars and not more than one hundred dollars.

APPROVED April 24, 1899.

DECEPTION AND UNLAWFUL FORCE IN PROCURING EMPLOYEES.

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| <p>§ 1. Prohibits deception, false advertising, false pretenses and unlawful force in employing workmen.</p> <p>§ 2. Penalty for violating provisions of section 1.</p> | <p>§ 3. Penalty for guarding with deadly weapons any workmen or property without a written permit from the Governor—penalty—proviso.</p> <p>§ 4. Workmen—recovery of damages—attorney's fees.</p> |
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AN ACT *prohibiting the use of deception, misrepresentation, false advertising and false pretenses and unlawful force in the procuring of employes to work in any department of labor in this State and fixing penalties, criminal and civil, for violation thereof.*

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, persons, company, corporation, society, association or organization of any kind doing business in this State, by himself, themselves, his, its or their agents or attorneys, to induce, influence,*

persuade or engage workmen to change from one place to another in this State, or to bring workmen of any class or calling into this State to work in any of the departments of labor in this State, through or by means of false or deceptive representations, false advertising or false pretenses concerning the kind and character of the work to be done, or amount and character of the compensation to be paid for such work, or the sanitary or other conditions of the employment, or as to the existence or non-existence of a strike or other trouble pending between employer and employes, at the time of or prior to such engagement. Failure to state in any advertisement, proposal or contract for the employment of workmen that there is a strike, lockout or other labor troubles at the place of the proposed employment, when in fact such strike, lockout or other labor trouble then actually exists at such place, shall be deemed as false advertisement and misrepresentation for the purposes of this act.

§ 2. Any person or persons, company, corporation, society, association or organization of any kind doing business in this State, as well as his, their or its agents, attorneys, servants or associates, found guilty of violating section 1 of this act, or any part thereof, shall be fined not exceeding \$2,000.00 or confined in the county jail not exceeding one year, or both, where the defendant or defendants is or are a natural person or persons.

§ 3. Any person or persons who shall, in this or another State, hire, aid, abet or assist in hiring, through agencies or otherwise, persons to guard with arms or deadly weapons of any kind other persons or property in this State, or any person or persons who shall come into this State armed with deadly weapons of any kind for any such purpose, without a permit in writing from the Governor of this State, shall be guilty of a felony, and on conviction thereof shall be imprisoned in the penitentiary not less than one year nor more than five years: *Provided*, that nothing contained in this act shall be construed to interfere with the right of any person, persons, or company, corporation, society, association or organization in guarding or protecting their private property or private interests as is now provided by law; but this act shall be construed only to apply in cases where workmen are brought into this State, or induced to go from one place to another in this State, by any false pretenses, false advertising or deceptive representations, or brought into this State under arms, or removed from one place to another in this State under arms.

§ 4. Any workman of this State, or any workman of another state who has or shall be influenced, induced or persuaded to engage with any persons mentioned in section 1 of this act, through or by means of any of the things therein prohibited, each of such workmen shall have a right of action for recovery of all damages that each such workman has sustained in consequence of the false or deceptive representations, false advertising and false pretenses used to induce him to change his place of employment, against any person or persons, corporations, companies or associations directly or indirectly causing such damages; and, in addition to all actual dam-

ages such workmen may have sustained, shall be entitled to recover such reasonable attorney's fees as the court shall fix, to be taxed as costs in any judgment recovered.

APPROVED April 24, 1899.

INFAMOUS CRIMES SPECIFIED.

§ 1. Amends section 7, division 2, by defining infamous crimes.

AN ACT to amend section seven (7), division two (2), of an act of the State of Illinois approved March 27, 1874, in force July 1, 1874, entitled, "An act to revise the law in relation to criminal jurisprudence."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven (7), division two (2), of an act of the State of Illinois approved March 27, 1874, in force July 1, 1874, entitled "An act to revise the law in relation to criminal jurisprudence." be amended so that said section when amended shall read as follows:

Every person convicted of the crime of murder, rape, kidnapping, willful and corrupt perjury or subornation of perjury, arson, burglary, robbery, sodomy or other crime against nature, incest, larceny, forgery, counterfeiting or bigamy, shall be deemed infamous, and shall forever thereafter be rendered incapable of holding any office of honor, trust or profit, or voting at any election, or serving as a juror, unless he is again restored to such rights by the terms of a pardon for the offense, or otherwise, according to the law: *Provided*, however, that the foregoing shall not apply to any person who has been heretofore convicted and sentenced, or who may be hereafter convicted and sentenced, to the Illinois State Reformatory at Pontiac.

APPROVED April 21, 1899.

## PAROLE SYSTEM.

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| <p>§ 1. Terms of prisoners not fixed by courts.</p> <p>§ 2. Penitentiary commissioners to adopt certain rules—wardens' and physicians' registers—warden to attend meetings of board and advise with them as to fitness of persons for parole.</p> <p>§ 3. Official information of prisoner's crime, character and habits.</p> <p>§ 4. Granting of paroles.</p> <p>§ 5. Release on parole—clothing, money and transportation furnished.</p> <p>§ 6. Warden to keep in communication with paroled prisoners—final discharge.</p> <p>§ 7. Board of Pardons parole prisoners transferred from the State Reformatory.</p> | <p>§ 8. Penalty for violating any of the terms of this act by any public officer.</p> <p>§ 9. Parole agent—appointment—compensation.</p> <p>§ 10. State Reformatory—terms of prisoners sentenced to not fixed by courts—sentence to be terminated by Board of Pardons.</p> <p>§ 11. Compensation of members of Board of Pardons—how drawn.</p> <p>§ 12. All parts of Acts of 1895 and 1897 not in harmony with this act repealed.</p> |
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*AN ACT to revise the law in relation to the sentence and commitment of prisoners convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every male person over twenty-one years of age, and every female person over eighteen years of age, who shall be convicted of a felony or other crime punishable by imprisonment in the penitentiary, except treason and murder, shall be sentenced to the penitentiary, and the court imposing such sentence shall not fix the limit or duration of the same, but the term of such imprisonment shall not be less than one year, nor shall it exceed the maximum term provided by law for the crime of which the prisoner was convicted, making allowance for good time, as now provided by law.

§ 2. It shall be the duty of each board of penitentiary commissioners to adopt such rules concerning all prisoners committed to their custody as shall prevent them from returning to criminal courses, best secure their self-support and accomplish their reformation. When any prisoner shall be received into said penitentiary the warden shall cause to be entered in a register the date of such admission, the name, nativity, nationality, with such other facts as can be ascertained of parentage, education, occupation and early social influences as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and based upon these, an estimate of the present condition of the prisoner, and the best probable plan of treatment. And the physician of said penitentiary shall carefully examine each prisoner when received and shall enter into a register to be kept by him, the name, nationality or race, the weight, stature and family history of each prisoner, also a statement of the condition of the heart, lungs and other leading organs, the rate of



the pulse and respiration, the measurement of the chest and abdomen, and any existing disease or deformity, or other disability, acquired or inherited. Upon the warden's register shall be entered from time to time minutes of observed improvement or deterioration of character, and notes as to the method and treatment employed; also all alterations affecting the standing or situation of such prisoner and any subsequent facts or personal history which may be brought officially to his knowledge bearing upon the question of the parole or final release of the prisoner: and it shall be the duty of the warden, or, in his absence, the deputy warden, of each penitentiary to attend each meeting of the board of pardons that is held at the penitentiary of which he is the warden for the purpose of examining prisoners as to their fitness for parole. He shall advise with said board of pardons concerning each case, and furnish said board of pardons with his opinion, in writing, as to the fitness of each prisoner for parole whose case said board may be considering. And it is hereby made the duty of every public officer to whom inquiry may be addressed by the clerk of the board of pardons concerning any prisoner to give said board all information possessed or accessible to him which may throw light upon the question of the fitness of said prisoner to receive the benefits of parole.

§ 3. It shall be the duty of the judge before whom any prisoner is convicted, and also the State's attorney of the county in which he is convicted, to furnish the board of penitentiary commissioners an official statement of the facts and circumstances constituting the crime whereof the prisoner was convicted, together with all other information accessible to them in regard to the career of the prisoner prior to the time of the committal of the crime of which he was convicted, relative to his habits, associates, disposition and reputation and any other facts and circumstances which may tend to throw any light upon the question as to whether such prisoner is capable of again becoming a law abiding citizen. It shall be the duty of the official court reporter, at the dictation of the judge of the said court or the State's attorney of said county, to write the official statements of the judge and State's attorney above referred to at the time of the conviction of the prisoner, and it shall be the duty of the clerk of the court to cause such official statements to be attached to the mittimus, with the copy of the judgment of the court at the time of issuing the same, and deliver the same, so attached to the mittimus, to the sheriff of the county for transmission to the penitentiary at the time of the delivery of the prisoner to the warden; and it shall be the duty of the warden to report to the board of pardons the receipt of such prisoner, with such other official information as the board may require, within five days after the receipt of such prisoner.

§ 4. The said board of pardons shall have power to establish rules and regulations under which prisoners in the penitentiary may be allowed to go upon parole outside of the penitentiary building and enclosure: *Provided*, that no prisoner shall be released from either penitentiary on parole until the State board of pardons or the warden of said penitentiary shall have made arrangements, or shall have

satisfactory evidence that arrangements have been made, for his honorable and useful employment while upon parole in some suitable occupation, and also for a proper and suitable home, free from criminal influences, and without expense to the State: *And, provided further*, that all prisoners so temporarily released upon parole shall, at all times, until the receipt of their final discharge, be considered in the legal custody of the warden of the penitentiary from which they were paroled, and shall, during the said time, be considered as remaining under conviction for the crime of which they were convicted and sentenced and subject at any time to be taken back within the enclosure of said penitentiary; and full power to enforce such rules and regulations and to retake and reimprison any inmate so upon parole is hereby conferred upon the warden of said penitentiary, whose order or writ, certified by the clerk of said penitentiary, with the seal of the institution attached, and directed to all sheriffs, coroners, constables, police officers, or to any particular person named in said order or writ, shall be sufficient warrant for the officer or other person named therein to authorize said officer or person to arrest and deliver to the warden of said penitentiary the body of the conditionally released or paroled prisoner named in said writ, and it is hereby made the duty of all sheriffs, coroners, constables, police officers or other persons named therein to execute said order or writ the same as other criminal process. In case any prisoner so conditionally released or paroled shall flee beyond the limit of the State, he may be returned pursuant to the provisions of the law of this State relating to fugitives from justice. It shall be the duty of the warden, immediately upon the return of any conditionally released or paroled prisoner, to make report of the same to the State board of pardons, giving the reasons for the return of said paroled prisoner.

*Provided, further*, that the State board of pardons may, in its discretion, permit any prisoner to temporarily and conditionally depart from such penitentiary on parole and go to some county in the State named and there remain within the limits of the county, and not to depart from the same without written authority from said board, for such length of time as the board may determine, and upon the further condition that such prisoner shall, during the time of his parole, be and continuously remain a law abiding citizen, of industrious and temperate habits, and report to the sheriff of the county on the first day of each month giving a particular account of his conduct during the month, and it shall be the duty of such sheriff to investigate such report and ascertain what has been the habits and conduct of such prisoner during the time covered by such report, and to transmit such report upon blanks furnished him by the warden of the penitentiary to said warden within five days after the receipt of such prisoner's report, adding to such report the sheriff's statement as to the truth of the report so made to him by the prisoner. It shall also be the duty of such sheriff to keep secret the fact that such prisoner is a paroled prisoner, and in no case divulge such fact to any person or persons so long as said prisoner obeys the terms and conditions of his parole

§ 5. Upon the granting of a parole to any prisoner the warden shall provide him with suitable clothing, ten dollars in money, which may be paid him in installments at the discretion of the warden, and shall procure transportation for him to his place of employment or to the county seat of the county to which he is paroled.

§ 6. It shall be the duty of the warden to keep in communication, as far as possible, with all prisoners who are on parole from the penitentiary of which he is the warden, also with their employers, and when, in his opinion, any prisoner who has served not less than six months of his parole acceptably has given such evidence as is deemed reliable and trustworthy that he will remain at liberty without violating the law, and that his final release is not incompatible with the welfare of society, the warden shall make a certificate to that effect to the State board of pardons; and whenever it shall be made to appear to the satisfaction of the State board of pardons, from the warden's report or from other sources, that any prisoner has faithfully served the term of his parole, and the board shall be of the opinion that such prisoner can safely be trusted to be at liberty and that his final release will not be incompatible with the welfare of society, the State board of pardons shall have the power to cause to be entered of record in its office an order discharging such prisoner for, or on account of, his conviction, which said order, when approved by the Governor, shall operate as a complete discharge of such prisoner in the nature of a release or commutation of his sentence, to take effect immediately upon the delivery of a certified copy thereof to the prisoner, and the clerk of the court in which the prisoner was convicted shall, upon presentation of such certified copy, enter the judgment of such conviction satisfied and released pursuant to said order. It is hereby made the duty of the clerk of the board of pardons to send written notice of the fact to the warden of the penitentiary of the proper district whenever any prisoner on parole is finally released by said board.

§ 7. In any case where prisoners have been transferred from the Illinois State Reformatory to either of the penitentiaries, the State board of pardons shall have power and authority, during the time such prisoners are in the penitentiary, to grant paroles to such prisoners in all respects the same as though they had been originally committed to such penitentiary; and said board shall also have the power and authority in all cases where, in the opinion of the board, the prisoner is under the age of twenty-one years, to transfer such prisoner to the reformatory, and the board of managers of said reformatory shall have full power and authority to grant paroles to such prisoners while in said reformatory in all respects the same as though such prisoners had been originally committed to said reformatory.

§ 8. Any public officer upon whom any duty is by the terms of this act imposed, and who shall wilfully and negligently refuse or fail to perform such duty, shall be subject to a fine of not exceeding

fifty dollars in each case, recoverable in an action of debt in the name of the people of the State of Illinois, the proceeds to be devoted to the library fund of the penitentiary of the proper district.

§ 9. Each of the boards of penitentiary commissioners shall have power and authority to appoint a parole agent for each of the penitentiaries, and to prescribe the duties of said officer; that said parole agent shall at all times be subject to the orders of said board, and shall receive a salary of not to exceed \$1,500 per year, payable monthly upon the certificate of said board and upon warrants drawn by the Auditor of Public Accounts, out of any money in the treasury not otherwise appropriated.

§ 10. Every sentence to the Illinois State Reformatory of a person hereafter convicted of a felony or other crime shall be a general sentence to imprisonment in the Illinois State Reformatory, and the courts of this State imposing such sentence shall not fix or limit the duration thereof. The term of such imprisonment of any person so convicted or sentenced shall be terminated by the board of pardons, but only upon the recommendation, in writing, of the board of managers of the said reformatory; but such imprisonment shall not exceed the maximum term provided by law for the crime for which the prisoner was convicted and sentenced.

§ 11. There shall be allowed to each member of the board of pardons the sum of one thousand five hundred dollars per year to compensate him for services performed under this act, said sum to be payable monthly on certificates of the board approved by the Governor, and payable out of any money in the treasury not otherwise appropriated.

§ 12. That an act entitled "An act in relation to the sentence of prisoners convicted of crime, and providing for a system of parole," approved June 15, 1895, in force July 1, 1895; also an act entitled "An act to amend an act in relation to the sentence of prisoners convicted of crime, and providing for a system of parole," approved June 10, 1897; and section 13 of "An act to establish the Illinois State Reformatory and making an appropriation therefor," approved June 18, 1891, and in force July 1, 1891, and all parts of laws not in harmony with the provisions of this act are hereby repealed: *Provided*, that such appeal [repeal] shall not affect any conviction heretofore had under said laws, except that any person convicted under either of the acts specifically named in this section may, with the consent of the board, receive the benefits of this act.

APPROVED April 21, 1899.

## PROTECTION OF SIDEWALKS AND SIDEPATHS.

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| <p>§ 1. Unlawful for persons to lead, ride or drive any animals upon sidewalks or sidepaths constructed for use of pedestrians or bicyclists outside of incorporated cities or villages; such sidewalks or paths to be on one side of highway and separated from main traveled highway.</p> <p>§ 2. Unlawful to obstruct, injure or destroy any sidewalk or walk herein described.</p> | <p>§ 3. Unlawful to place upon surface of such sidewalk or path any glass or other substance likely to cause injury to persons or bicycles.</p> <p>§ 4. Penalty for violation.</p> |
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AN ACT to protect sidewalks and sidepaths, and to provide a penalty for its violation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, as follows:* That it shall be unlawful for any person to wilfully or negligently lead, ride or drive any cattle, horses, sheep, swine or other animal upon or along the sidepaths, sidewalks and paths heretofore or hereafter constructed, either by private persons or public authority, for the use of pedestrians and bicyclists in the public highways and roads of this State outside of incorporated cities and villages: *Provided*, such paths and sidewalks, by the provisions of this act, shall be only on one side of any roadway and in some manner separated and distinguished from the main traveled part of the highway.

§ 2. It shall be unlawful for any person to wilfully or negligently obstruct, injure or destroy, or render impassable or dangerous for pedestrians or persons riding bicycles, any sidewalk or walk as described in section 1 of this act.

§ 3. It shall be unlawful for any person to place upon the surface of any such sidewalk or path any glass, metal, stone, earthenware or other substance of a nature likely to cause injury to travelers or pedestrians or to bicycles used on said path.

§ 4. Any person found guilty of a violation of this act shall be guilty of a misdemeanor and punished by a fine of not less than three nor more than fifty dollars for each offense, together with the costs of prosecution, or imprisonment in the county jail not exceeding thirty days, or both, in the discretion of the court; and shall further be liable in an action brought by any person who shall suffer injury to his person or property by reason of such violation of the provisions of this act.

APPROVED April 26, 1899.

## PUBLIC EXHIBITIONS OF CRIMINALS AND DEFORMED PERSONS.

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| § 1. Prohibits exhibitions of criminals or deformed persons for gain. | § 2. Penalty for violation.<br>  § 3. Disposition of fines. |
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AN ACT to prohibit public exhibitions of persons who have attained notoriety through some criminal act, also of persons whose deformity is such as to attract public curiosity, 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 it shall be unlawful for any person or persons, company, firm or corporation to publicly exhibit for pecuniary gain persons who have become conspicuous through some criminal act which has a tendency to degrade human morals, to exhibit their pictures or any article which appertains to them in their attainment of criminal notoriety, and to exhibit persons whose deformity is such as to attract public curiosity.

§ 2. Every person who shall violate the provisions of this act shall be subject to a fine of not less than one hundred dollars (\$100) or imprisoned in the county jail not less than thirty (30) days nor more than ninety (90) days, or by both such fine and imprisonment.

§ 3. All fines collected for violation of this act shall go to and become a part of the school fund of the county wherein the prosecution for said violation was held.

APPROVED April 22, 1899.

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 SEDUCTION OF FEMALES.

- § 1. Provides penalty for seduction of unmarried females under 18 years of age.

AN ACT to punish the seduction of females.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person who shall seduce and obtain carnal knowledge of any unmarried female under the age of eighteen years of previous chaste character shall, on conviction, be punished by a fine of not less than one thousand dollars and not more than five thousand dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, and to stand committed until such fine and costs are fully paid; but no conviction shall be had of said crime upon the testimony of the female unsupported by other evidence: *And provided,* that the subsequent intermarriage of the parties shall be a bar to the prosecution of said offense.

APPROVED April 19, 1899.

## DRAM SHOPS.

### SALE OF LIQUOR PROHIBITED NEAR SOLDIERS' HOMES.

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| <p>§ 1. Unlawful to sell, distribute or give away within 2,000 feet of national homes for disabled volunteer soldiers.</p> | <p>§ 2. Penalty for violation.</p> <p>§ 3. Emergency.</p> |
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AN ACT *prohibiting the sale, distribution or gift of intoxicating liquors near national homes for disabled volunteer soldiers.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall hereafter be unlawful to sell, distribute or give away any intoxicating liquors within two thousand feet of the boundary of the lands owned and used as a home by the national home for disabled volunteer soldiers in this State: *Provided,* this section does not affect the sale, distribution or gift of such intoxicating liquors within the boundary of the grounds of such home.

§ 2. Any person, by himself, agent or employé, violating the provisions of the foregoing section of this act shall, upon conviction thereof, be punished by being fined in any sum not exceeding two hundred dollars, or shall be imprisoned in the county jail not more than six months, or by the infliction of both such fine and imprisonment, in the discretion of the court, for each and every offense.

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

APPROVED April 21, 1899.

## ELECTIONS.

### BALLOT REFORM.

#### INSTRUCTION CARDS AND SPECIMEN BALLOTS.

- § 1. Amends Sections 19 and 22 of the Act of 1891:
- § 19. Posting cards of instruction and specimen ballot.
  - § 22. Voters furnished with ballots by the judges; challenge.

AN ACT *to amend Sections nineteen (19) and twenty-two (22) of an act entitled "An act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, as amended by acts in force July 1, 1897.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections nineteen (19) and twenty-two (22) of an act entitled "An act to provide for the

printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, as amended by acts in force July 1, 1897, be amended so as to read as follows:

§ 19. The judges of election shall cause not less than one of such cards to be posted in each voting booth provided for the preparation of ballots, and not less than four of such cards to be posted in and about the polling places upon the day of election. Judges of election shall, not less than five days prior to an election, cause to be conspicuously posted in five or more public places in their voting precinct or election district a card of instruction, and a specimen ballot printed on colored paper containing the names, residence and party or political affiliation of all candidates nominated as herein provided and to be voted for in such precinct, substantially in the form of the general ballot to be used herein. The officer or officers whose duty it is to cause the printing and distribution of ballots shall have printed a sufficient number of specimen ballots and deliver the same to the judges of election so as to enable said judges to comply with the provisions of this act. In every county of not more than one hundred and fifty thousand (150,000) inhabitants the officers or authorities charged with the printing and distribution of the ballots shall cause to be published, prior to the day of election, in at least two newspapers, if there be so many published in such county, representing the political parties which cast at the preceding election the largest and next largest number of votes, a list of all the nominations made as herein provided and to be voted for at such election as near as may be in the form in which they shall appear upon the general ballot.

§ 22. Any person desiring to vote shall give his name and, if required to do so, his residence, to the judges of election, one of whom shall thereupon announce the same in a loud and distinct tone of voice, clear and audible; and if such name is found on the register of voters by the officer having charge thereof, he shall likewise repeat said name, and the voter shall be allowed to enter the space enclosed by the guard rail as above provided. One of the judges shall give the voter one, and only one, ballot, on the back of which such judge shall endorse his initials in such manner that they may be seen when the ballot is properly folded, and the voter's name shall be immediately checked on the register list. At all elections when a registry may be required, if the name of any person so desiring to vote at such election is not found on the register of voters, he shall not receive a ballot until he shall have complied with the law prescribing the manner and conditions of voting by unregistered voters. If any person desiring to vote at any election shall be challenged, he shall not receive a ballot until he shall have established his right to vote in the manner provided by law; and if he shall be challenged after he has received his ballot, he shall not be permitted to vote until he has fully complied with such requirements of the law upon being



challenged. Besides the election officer, not more than two voters in excess of the whole number of voting booths provided shall be allowed in said enclosed space at one time.

APPROVED April 22, 1899.

BALLOT REFORM.

SEPARATE BALLOTS REQUIRED FOR PROPOSITIONS.

§ 1. Amends Section 16 of the Act of 1891:

§ 16. Propositions submitted to vote to be on a separate ballot—form of.

AN ACT to amend Section 16 of "An act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section sixteen of "An act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, be amended so as to read as follows:

§ 16. Whenever a constitutional amendment or other public measure is proposed to be voted upon by the people, the substance of such amendment or other public measure shall be clearly indicated on a separate ballot, and two spaces shall be left upon the right hand margin thereof, one for votes favoring the amendment or public measure, to be designated by the word "Yes," and one for votes opposing the amendment or measure, to be designated by the word "No," as in the form herein given:

Proposed amendment to the constitution (or other measure)	Yes	X
(Here print the substance of the amendment (or other measure)	No	

The elector shall designate his vote by a cross mark, thus: (X). The said separate ballot shall be printed on paper of sufficient size so that when folded once it shall be large enough to contain the following words, which shall be printed on the back: "Ballot for Constitutional Amendment." or the name of any and all public measures then to be voted on. This ballot shall be handed to the elector at the same time as the ballot containing the names of the candidates

and returned therewith by the elector to the proper officer in the manner described by this act. All provisions of this act relating to ballots shall apply to this separate ballot.

APPROVED April 24, 1899.

CONTESTED ELECTIONS OF JUDGES OF THE SUPREME, SUPERIOR AND CIRCUIT COURTS.

§ 1. Amends Section 96 of the Act of 1872, "Elections."

§ 96. Circuit court to hear certain contests.

AN ACT to amend Section 96 of an act entitled "Elections," approved April 3, 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 96 of an act entitled "Elections," approved April 3, 1872, in force July 1, 1872, be amended to read as follows:

§ 96. The circuit court shall hear and determine contests of the election of judges of the supreme court, clerks of the supreme court, judges of the circuit court, judges of the superior court of Cook county, and members of the State board of equalization, but no judge of the circuit court shall sit upon the hearing of any case in which he is a party.

APPROVED April 22, 1899.

ELECTION OF JUDGES OF THE SUPERIOR COURT OF COOK COUNTY.

<p>§ 1. Fixes the time for the election of judges of the superior court of Cook county.</p>		<p>§ 2. Repeal.</p>
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AN ACT to provide for the election and time of election of judges of the superior court of Cook county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Each of the sitting judges of the superior court of Cook county shall hold his office until the expiration of the term for which he was elected; and from and after the passage of this act the twelve (12) judges of the superior court of Cook county shall be elected as follows: Six (6) judges on Tuesday next after the first Monday of November in the year of our Lord 1904, and every six (6) years thereafter, and

Four (4) judges on Tuesday after the first Monday in November, in the year of our Lord 1902, and every six (6) years thereafter, and

One (1) judge on Tuesday next after the first Monday in November in the year of our Lord 1902, and every six (6) years thereafter, and one (1) judge on the first Monday in June in the year of our Lord 1903, and every six (6) years thereafter.

Each of the judges so elected as provided above shall enter upon the duties of his office on the first Monday of December next after his election and shall hold office for a term of six (6) years and until his successor is elected and qualified.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

APPROVED April 24, 1899.

IN CITIES, VILLAGES AND TOWNS.

§ 1. Enacting clause.

ARTICLE 1.

- § 1. Manner of adoption.
- § 2. Notice of election—duties of county clerk—expenses of election paid by county.
- § 3. Form of ballot.
- § 4. Ballots printed or written upon bottom of tickets of candidates—counting ballots.
- § 5. Canvass of ballots.
- § 6. Manner of canvassing by judges.
- § 7. Tally sheets.
- § 8. Returns made in triplicate—to whom made—return of tally sheets—delivery of returns and tally sheets—receipts for and safekeeping of.
- § 9. Watchers of canvass.
- § 10. Canvass of returns by canvassing board—declaring the result—copy of order for adoption filed with the Secretary of State.
- § 11. Penalty for neglect of duty or for interfering with the returns by judges or clerks.
- § 12. Officer in charge of returns who steals or changes returns or tally sheet guilty of felony—penalty.
- § 13. Other offenses governed by laws of this State.
- § 14. Adoption by any village or incorporated town.
- § 15. After adoption by any city, town or village, laws applicable.

ARTICLE 2.

- § 1. Election commissioners—appointment—term of office—vacancies.
- § 2. Commissioners selected from the two leading political parties.
- § 3. Removal of commissioner—complaint.
- § 4. Organization of board—oath—bond—opening office—business hours—county clerk shall turn over all books papers, etc., relating to elections.
- § 5. Board to provide all things necessary for elections.
- § 6. Authorizes the appointment of chief clerk and assistants.
- § 7. Election precincts organized—number of voters in each precinct.
- § 8. Registry of votes.
- § 9. Appointment of judges and clerks of election.
- § 10. Notice to judges and clerks of election and examination—exemption from jury duty—penalty for refusing to serve.
- § 11. Judges and clerks selected from the two leading parties—veto power of commissioners—in disagreements in regard to appointments, how selected—refusal to serve as judge or clerk—prosecutions by commissioners—removal from office for failure to prosecute.
- § 12. Representation of leading political parties in the selection of judges and clerks.

- § 13. County court to confirm appointments—notice of confirmation—objections to be filed—filling vacancies—commissions—judges and clerks officers of the court—appointment when too late for confirmation—removal of judges and clerks for neglect of duty—appointments and confirmations to be made thirty-five days before election—appointments or removals within five days of election to be reported to court.
- § 14. Oath of office by judges and clerks—form of oath.
- § 15. Polling and registry places fixed by commissioners—police to attend when demanded.
- § 16. Clerks of court shall furnish commissioners with a monthly list of persons convicted of penitentiary offenses—the Governor shall furnish October 1st names of persons pardoned.
- § 17. Officers in charge of vital statistics to furnish monthly statement of deaths of males over 21 years old.
- § 18. Alphabetical list of criminals and deceased persons furnished to judges of election.
- § 19. Notice of time and place by publication of registration and election.
- § 20. Rules and regulations for registration and election made by commissioners.
- § 21. Election days declared legal holidays.
- § 22. Appointment of judges and clerks at the expiration of their term of office.
- § 23. Canvassers—appointment of—when canvass to be made—record of appointment—penalty for refusing information.
- § 24. Lodging house keepers to furnish sworn statement of number of lodgers—contents of statements—penalty for failure to comply.
- § 25. Lodging house keeper failing to comply with section 24 shall appear before board with sworn statement and make oral statement as to lodgers—time for hearing—penalty for failure to appear.
- § 2. Qualification of voters.
- § 3. Board of registry—meeting—three books furnished—form of registry books—proceeding of board of registry (1) sessions, oath of applicants; (2) entry of names by clerks; (3) form of entry; (4) qualification; (5) alphabetical list, ruling and headings of registry; entries.
- § 4. Certificate of each day's registration made by judges.
- § 5. "Public register" exposed to public inspection—challenge of voter—oath of voter as to qualification—affidavit returned to election commissioners—penalty for registered challenged person before filing affidavit—oath of person who is denied the right to be registered.
- § 6. Second registration day—revising and correcting lists—verification lists—public register exposed to public inspection—return of registers to election commissioners.
- § 7. Elections clerks constituted canvassers—time for canvass—police protection—penalty for failure to furnish police—penalty for failure to give canvassers information.
- § 8. Notice by mail to suspected persons to appear before board of registry—notice left with party or at address given in verification list—postage stamps furnished—penalty for neglect of duty by canvassers—election commissioners to investigate complaints against canvassers.
- § 9. Third meeting of board of registry, time—revising list—no new names added—affidavits as to delivery of notices to suspects—filing duplicate of notice—penalty for failure to make affidavit or for making false affidavit—examination of suspects under oath—erasure of names—restoration of names—neglect of duty by clerks—penalty—disability of clerk to serve—substitute.
- § 10. At close of last session of board, judges shall sign and add certificate—public register hung up for inspection—copies of register—printed lists for distribution.
- § 11. Application to have name erased—affidavit—notice to person whose name is desired erased.

## ARTICLE 3.

- § 1. Judges of election shall constitute board of registry.

- § 12. Docket of application for registration or erasure—hearing by commissioners—precincts taken up for hearing in numerical order—decision of board.
- § 13. County court—hearing of applications for registry—affidavit of applicant—applications filed and docketed—hearing—registry books delivered to judges—registration by court shall not protect against illegal registration or voting.
- § 14. Appeals from county to Supreme Court.
- § 15. List of persons added to or erased from registry, printed and posted at polls on election day with original register and delivered to voters on demand.
- § 16. General registration—personal appearance for application for registry—method of procedure.
- § 17. At elections held between general registrations, the last general registration shall be revised and used—meeting of board—transfer of names from one precinct register to another—certificate of removal—application for certificate—change of residence in same precinct—registration in one precinct no bar to registry if person has moved and is qualified to vote—erasure of name from register in precinct from which he moved.
- § 15. "Verification lists" furnished board of registry—duty of clerks.
- § 19. Registers compared and made to agree—judges to sign—return of two registers—public record to be hung up.
- § 20. Clerks constituted canvassers.
- § 21. Board to see that canvassers observe the law—penalties for neglect of duty by canvassers—directions to canvassers.
- § 22. Second meeting of board—revising registry—proceedings to agree with provisions provided in section 9, article 3.
- § 23. Registers compared and made to agree and signed by judges—registry closed—certificate of number of voters attached—public register hung up and return made of the other two.
- § 24. Board of commissioners to copy registers for printing and distribution.
- § 25. Hearing of applications for erasure of names and proceeding before county judge to comply with provisions for original or new registration.
- § 26. Public registers taken possession of by judges on election day—return of—copy made in case of mutilation—corrections.
- § 27. Special and judicial elections—no previous revision of registry—affidavit of voter—no one allowed to vote unless name is registered except upon affidavit.
- § 28. Registers in commissioners' office open for inspection.
- § 29. Judges to call for registers—ballot box containing poll books, blanks and stationery delivered to one of the judges.
- § 30. Penalty for mutilating, removing or destroying register hanging at place of registry.
- § 31. Vacancies in board of registry, how filled.
- § 32. Affidavits—return of to election commissioners by judges of election—how sealed—registers to be sealed—when opened—return of registers—penalty for breaking seal.
- § 33. Election commissioners to keep a record of condition of package containing registers; also condition of registers—registers can only be inspected in the presence of a clerk of the election commissioners.
- § 34. Penalty for judges or clerks copying or imparting any information contained in any register or affidavit.

## ARTICLE 4.

- § 1. Time of opening and closing polls—attendance of judges and clerks.
- § 2. Absent judges and clerks—substitutes—oath of office—upon appearance of regular judge or clerk substitute shall cease to act—penalties for wilful absence—penalties for detention of register or poll book.
- § 3. Ballot box shall be shown to be empty—to be kept in public view—penalty for obstructing view or removing obstructions—removal of obstructions.
- § 4. Poll books kept by clerks.
- § 5. Questioning voter—challenge—oath—decision by majority of judges—swearing in vote—record of and affidavit returned to commissioners—marking registers.

- § 6. No one shall vote who is not registered.
- § 7. Challengers—appointment, duties and privileges—rights and privileges of political parties to be represented by challengers.
- § 8. Judges of election to keep the peace.
- § 9. Canvass of vote by judges—police protection—who may be present.
- § 10. Manner of canvassing votes—judges to announce number of votes of candidates.
- § 11. Stringing ballots.
- § 12. Propositions to be voted for to be on ballots with candidates—manner of canvassing.
- § 13. Tally sheets and returns of propositions submitted to vote—penalties for neglect.
- § 14. Proclamation of result of canvass made by judges in succession.
- § 15. Returns of canvass by the judges—how made, to whom delivered, and how—indorsement on envelopes.
- § 17. Poll books placed in ballot box—ballot box locked—how sealed.
- § 18. Ballot box, key, statement of votes and tally sheets—manner of delivery to board of commissioners—receipts.
- § 19. Ballot box received and opened by the board of election commissioners.
- ARTICLE 5.
- § 1. Canvass of returns by canvassing board, tabulation by sheets.
- § 2. Result of canvass—abstract entered of record by county court—copy filed with county court—returns made to Secretary of State—effect of return.
- § 3. Certificates of election to county and town offices.
- § 4. Certificates of election to city offices.
- § 5. Canvassing board shall declare result of election—tie vote, how decided.
- § 6. Canvassing board to investigate changes in returns or suspected fraud—witnesses may be examined.
- § 7. County judge to be president of canvassing board—majority may declare the result.

## ARTICLE 6.

- § 1. Penalties for personating an elector, giving fictitious name, double registration, false registration or erasure of qualified voter by fraudulent means—intimidation, deception, interference or inducing others to violate the law.
- § 2. Penalties for illegal voting, intimidation, interference, violation of law or inducing or compelling others to violation.
- § 3. Judges or clerks—false lists or entries.
- § 4. Judges—refusing legal ballot—receiving illegal ballot—omitting to challenge—punishment.
- § 5. Officers of election making false canvass, false return, or who shall deface, destroy or conceal any return—punishment.
- § 6. "Stuffing" the ballot box—punishment.
- § 7. Officers of election guilty of violation of any of the election laws of State—punishment.
- § 8. Officers of election having custody of records or papers, guilty of theft, destroying, mutilating, erasing or falsifying such records or papers or permitting it to be done—punishment.
- § 9. Any person not an officer so offending—punishment.
- § 10. False swearing—punishment.
- § 11. Inducing others to swear falsely—punishment.
- § 12. Fraudulently changing or substituting ballot, furnishing illegal ballot or inducing person to deposit a faulty ballot—penalty.
- § 13. Unpardoned convicts voting or offering to vote—penalty.
- § 14. Willful disobedience of judge of election or registration—punishment.
- § 15. Breach of peace or disorderly conduct on days of registration or election.
- § 16. Interfering with or hindering judges or clerks in the discharge of their duties, molesting the canvass or interfering with challengers or watchers—punishment.
- § 17. Destruction or concealment of ballot box, ballot, poll list, report, return or certificate—punishment.

- § 18. Judges and clerks—making illegal registration, receiving illegal vote or proceeding with canvass without the concurrence of a majority of the judges—punishment.
- § 19. Judge of election absenting himself without urgent necessity—punishment.
- § 20. Officers of election or any person within polling place electioneering—punishment.
- § 21. Intoxicating liquors prohibited in place of registration or election—punishment.
- § 22. Irregularities in conducting elections—punishment.
- § 23. Offenses further defined—"Election" and "Householder" defined.
- § 24. Payment of fines.
- § 25. Recovery of forfeitures.
- § 26. Election commissioners to aid in prosecution of offenses, and when in session to keep the peace.

## ARTICLE 7.

- § 1. Compensation paid by counties—classification by counties—salaries of commissioners and chief clerk in counties of the 1st, 2d and 3d class—expenses of board paid by city—salaries and expenses audited by county judge and paid by county and city treasurer.

- § 2. Per diem of judges and clerks in counties of the 3d class.
- § 3. Number of days allowed judges and clerks.
- § 4. City to pay election expenses at which city officers are elected.
- § 5. County to pay expenses of general State and county elections.
- § 6. Election commissioners shall audit claims of judges and clerks, and shall draw warrants.

## ARTICLE 8.

- § 1. Provisions of act shall be applicable in villages and towns adopting it—exceptions.
- § 2. Election commissioners in cities shall be *ex-officio* commissioners of villages and towns in the same county.
- § 3. Returns of election for villages and towns—canvass of returns.
- § 4. Returns of villages and towns for officers other than town officers.
- § 5. Oaths administered under this act.

AN ACT to amend 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, as amended by an act approved June 18, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "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, as amended by an act approved June 18, 1891, in force July 1, 1891, be, and the same is hereby, amended so as to read as follows, to-wit:

## ARTICLE I.

§ 1. That the electors of any city now existing in this State may adopt and become entitled to the benefit of this act in the manner following:

Whenever one thousand of the legal voters of such city voting at the last preceding election shall petition the judge of the county court of the county in which such city is located to submit to a vote of the electors of such city the proposition as to whether such city and the electors thereof shall adopt and become entitled to the benefit of this act, it shall be the duty of such county court to submit such proposition accordingly at the next succeeding general State or county election; and if such proposition is not adopted at such election, the same shall in like manner be submitted to a vote of the electors of such city by such county court upon like application at any general State or county election thereafter, and an order shall be entered of record in such county court submitting such proposition as aforesaid. If one thousand shall exceed one-eighth of the legal voters of any such city voting at the last preceding election, then such petition or application need not be signed or made by more than one-eighth of the legal voters of such city voting at the last preceding election.

§ 2. The judge of such county court shall give at least sixty days' notice of such election by publishing such notice in one or more newspapers published within such city for at least five times, the first publication to be at least sixty days before the day of election, and if no newspaper is published in such city, then by posting at least five copies of such notice in each ward sixty days before such election; and such court shall enter an order directing the county clerk to prepare the necessary blank returns for the use of the judges of election substantially in the following form:

"At an election held in the———precinct of the———ward in the city of———in the State Illinois, on the———day of ———in the year A. D.———, the following vote was cast for and against city election law, to-wit:

For city election law———votes.

Against city election law———votes.

Certified by us.

A. B.,

C. D.,

E. F.,

Judges of Election.

Attest:

G. H.,

I. J.,

Clerks of Election."

Also to prepare separate tally sheets with appropriate headings.

And it shall be the duty of such county clerk to deliver to the judges of all the precincts in such city at such election proper tally sheets and blank statements of returns of votes cast for and against



such proposition at such election. And it shall be the duty of the said judge of the county court to supervise and direct such matters and see that they are properly done.

Said judge of the county court shall also prepare directions to the judges and clerks of election as to the manner of canvassing the votes for and against such proposition, keeping tally thereof and making returns of the votes as to such proposition in accordance with the provisions of this article; also informing them therein of the penalties of the law imposed upon the judges and clerks for any refusal or neglect pertaining to their duties, and such judge of the county court shall deliver such directions to the county clerk, directing him to have them printed and sent out to such judges and clerks. And it shall be the duty of such county clerk to obey such instructions.

And it shall be the duty of the county clerk to do and cause to be done all things required of him by this article, and for a failure to perform such duties he shall, on conviction, be sentenced to the county jail for not less than six months nor more than twelve months, and shall also be removed from his office by the court in which such conviction shall be had.

The county shall pay all expenses connected with such election.

§ 3. At such election the ballots, so far as they relate to this act, shall be written or printed in the following form: "For city election law" or "Against city election law."

§ 4. The ballot upon such proposition in the form aforesaid must be printed or written at the bottom of the ticket containing the names of candidates for public offices at such election who are voted for by any elector. But if any elector desires to vote upon such proposition and does not desire to vote for any candidate for any public office, he may vote a ballot prepared as aforesaid without the name of any candidate being thereon; but he can not by one ballot vote for or against such proposition, and then by another ballot vote for any candidate for any office at that election. If any one shall vote a ballot which shall contain no reference to such proposition, or if both forms of ballot, viz: "For city election law" and "Against city election law," be upon the same ticket unerased, such ballot shall not be counted for or against such proposition.

§ 5. The judges of such election shall canvass the ballots so cast for or against such proposition. They shall count in favor of said proposition all ballots, "For city election law," and they shall count against such proposition all ballots, "Against city election law."

§ 6. Such canvass shall be made by such judges in the following manner: Before the name or names of any candidate on any ballot shall be canvassed one of said judges, the other two sitting on either side of him and observing the canvass, shall separate all the ballots cast in such precinct into three piles or files, putting together in the first pile all those containing the phrase, "For city election law," and putting together in the second pile all the ballots containing the

phrase, "Against city election law," and putting together in the third pile all the other ballots of every description. One of said three judges shall then count the first pile of ballots in batches of ten, and when one batch is counted shall pass the same to the next judge, who shall count the same and pass it to the third judge, who shall also count it, and when the three shall have finished the count of the ten ballots, the last judge shall announce in a loud voice the result, "Ten votes for city election law," when the tally clerk shall tally ten votes accordingly on each tally sheet for city election law, and so the whole pile shall be counted, and before counting the second pile the clerk shall announce the result or number so entered and credited "For city election law," and then the second pile shall be counted in the same way in batches of ten, and the result tallied and announced in the same way "Against city election law." And thereupon it shall be the duty of each of said judges in turn to announce in a loud voice the result of the election in that precinct upon that proposition. No ballot shall be counted for or against such proposition unless it be in the form herein prescribed; no account is to be kept of the third pile of ballots as to such proposition.

§ 7. If no tally sheets shall be furnished to the judges and clerks of any precinct relating to such proposition, such clerks shall use any piece of paper containing the headings written out by either of them: "For city election law," and "Against city election law," and tally the vote thereon opposite the respective headings as announced to them; and if no blank statements of returns relating to such proposition be provided or furnished to them, then it shall be the duty of said judges and clerks to write out a return in triplicate, in substance in accordance with the form found in section 2 of this article.

§ 8. After ascertaining and announcing the result as aforesaid, such judges shall make, fill up and sign triplicate returns or statements of the votes cast for and against such proposition as aforesaid in the form found in section 2 of this article; each of which shall be attested by the election clerk, and each of which shall then be enclosed and sealed in an envelope, one of which shall be on the outside addressed to the judge of the county court, one to the clerk of the county court, and one to the comptroller of such city or to the officer whose duties correspond with those of the comptroller; upon each of which statements shall be endorsed "city election law returns." In the same manner the tally sheets shall be signed by said judges and clerks, and shall be enclosed and sealed in separate envelopes, one of which shall be addressed to the county judge and one to the city clerk; upon both of said envelopes shall be endorsed "city election law tallies." On the outside of each envelope shall be endorsed whether it contains a statement of the votes cast or the tallies and for what precinct and ward. After the envelopes respectively containing such returns and tallies are closed and sealed, the judges of election shall each write across the folds of such envelopes their names, and thereupon each of said judges of election shall take one of said returns, and each of said election clerks shall take one of said tallies, and shall deliver, each one respectively, to the person or officer

to whom addressed by noon of the next day, and when delivered he receive a receipt therefor from the officer to whom delivered, and it shall be the duties of such officers to give such receipts, and to safely keep such envelopes unopened until called for by the canvassing board herein provided.

§ 9. At the canvass of the ballots in any precinct in any city where such proposition has been submitted it shall be the duty of such judges of election, on request, to admit to the room two electors of the ward who voted in favor of such proposition and two who voted against it, as special watchers of such canvass; and said judges and the police officer or other officer of the law present shall protect such watchers and see that they are not excluded, and at the time of such canvass of the ballots cast for or against such proposition such watchers shall be entitled to a position where they can plainly see and read each ballot, and it shall be the duty of such judges to grant and protect them in such position.

§ 10. On the sixth day after such election the judge of the county court shall call to his assistance two well known electors of integrity and character, one of whom voted for and one of whom voted against such proposition, who shall constitute a canvassing board to canvass the returns and votes so cast for and against such proposition. Such canvass shall be conducted in public in the room usually occupied by such county court. The envelopes containing all the returns and all the tally sheets shall, upon the demand of the judge of the county court, be delivered to said board by the officers so having either of them in his possession. Thereupon the same shall be opened in order and the vote on such proposition ascertained and announced. All of such returns and tallies may be used in ascertaining the result, and when, in the opinion of said board, any doubt exists as to what the actual vote was which was cast for or against such proposition in any precinct, or upon the written application of two persons who were at such canvass and who shall make oath that they believe that the returns of the said judges of election as to such proposition are not correct, said county judge shall demand of and receive possession from such county clerk the ballots so cast in such precinct at such election, and it shall then be the duty of said board to open the envelope containing said ballots and to recount the same, and to hear evidence of any person present at such precinct canvass touching the same; and thereupon said board shall announce and declare the vote cast for and against such proposition in such precinct, which shall be conclusive as to the ballots so cast; and thereupon the said judge of the county court, so having received possession of such ballots, shall again place them upon a string or twine and place them in the same envelope, or another with like endorsements, and seal the same, and shall write across the face thereof, "Opened by the county judge," and sign his name thereunder, and shall then return such ballots to the possession of the county clerk. Said returns and tallies shall also be returned to the officers from whom received, who shall safely keep the same

for six months, and then destroy the same if there be no contest. At the completion of the canvass of all the precincts in such city, the total number of votes cast for and against such proposition in the various precincts ascertained as aforesaid shall be added together by said board, who shall then declare the total result; thereupon said county court shall enter an order declaring the number of votes so ascertained cast for and the number of votes cast against such proposition, and if such proposition shall have received a majority of the votes cast for and against the same at such election, the court shall, by its order, declare this act adopted. And it shall be the duty of such county judge to file a copy of such order in the office of the Secretary of State, and thereupon this act shall become operative and binding and the law for all elections in such city, and for the electors thereof, and all courts and other persons shall take notice thereof.

§ 11. Any judge of election or clerk of election who shall wilfully neglect to perform any duty imposed upon him by this article shall be deemed guilty of a felony, and, upon conviction, be imprisoned in a penitentiary for not less than one year and not more than three years. Any judge of election or clerk of election who shall wilfully open, change, tear, mutilate, lose or conceal, or wilfully cause or permit to be opened, changed, torn, mutilated, lost or concealed, any return of votes cast for or against this act, or any tally sheet of votes so cast for or against such proposition after the same has been sealed up and delivered to him to be carried and delivered to the officer of law required by this act to receive the same, shall be deemed guilty of a felony, and upon conviction shall be imprisoned in a penitentiary for not less than three nor more than five years.

§ 12. Any officer having possession of such returns, tallies or ballots, who shall steal, counsel or assist in stealing, or who shall change or mutilate any return or tally sheet relating to such election, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in a penitentiary not less than five nor more than ten years.

§ 13. All other offenses pertaining to the conduct of any election under this article shall be governed by the laws of the State not inconsistent herewith.

§ 14. Any village or incorporated town in this State may adopt this act in like manner, and the same shall be submitted to a vote of the people of the said village or town upon written application to said county court of 500 electors in such village or town.

§ 15. After and from the time of the adoption of this act as aforesaid the provisions of the same shall be applicable to such cities, villages or towns, and all laws in conflict therewith shall no longer be applicable to such cities, villages or towns. But all laws or parts of laws not inconsistent with the provisions of this act shall continue in force and be applicable to any such city, village or town, the same as if this act had not been adopted.

## ARTICLE II.

SECTION 1. In every city, village and incorporated town so adopting this act there shall be created a board of election commissioners, which shall be composed of three members, each of whom shall be designated as an election commissioner, and shall be appointed by the county court in the county in which such city, village or incorporated town shall be located. And such appointment shall be entered of record in such court, and when qualified such commissioner shall be an officer of such court. The first appointment of such commissioner shall be within sixty days after the adoption of this act, and those first appointed shall hold their offices for the period of one, two and three years respectively, and the judge appointing them shall designate the term for which each one shall hold his office, whether for one, two or three years. If the office of either commissioner shall become vacant it shall thereupon be the duty of such county court to appoint a successor for such unexpired term; after the expiration of the term for which each commissioner is appointed such court shall, in the same way, nominate and appoint a successor, who shall hold his office for the period of three years, and until his successor is appointed.

§ 2. Two of such commissioners at least shall always be selected from the two leading political parties of the State, one from each of such parties, and all shall be legal voters and householders residing in such city, village or incorporated town, and be men of well known political convictions and of approved integrity and capacity. No commissioner can hold any other public office. Whenever it shall come to the knowledge of such judge of the county court that one of the leading political parties of the State is not represented upon such commission by a person of the same political faith he shall at once remove one of such commissioners and fill the vacancy with a member of the leading political party not so represented.

§ 3. Such judge of the county court may at any time, upon complaint made and cause shown satisfactory to him, after notice to such commissioner and an opportunity to be heard, remove any such commissioner and enter of record in the court such order of removal, and there shall be no appeal from such order. Such complaint must be signed and sworn to by at least twenty-five legal voters of such city, village or incorporated town, and must state the grounds of such complaint.

§ 4. Within twenty days after such first appointment shall be made such commissioners shall organize as a board by electing one of their number as chairman and one as secretary, and they shall perform the duties incident to such offices. And upon every new appointment of a commissioner such board shall reorganize in like manner. Each commissioner, before taking his seat in such board, shall take an oath of office before such county judge which in substance shall be in the following form:

serve, he shall forfeit not less than one hundred dollars nor more than three hundred dollars, unless it shall appear that he is not qualified for such service for any reason herein stated.

§ 11. In the selection of judges of election at least one judge shall be selected from one of the two leading political parties or organizations of the State to serve in each precinct, and one clerk of election shall be selected from each of the two leading political parties of the State to serve in each precinct. Each of the commissioners shall have a veto upon the proposed selection or nomination of any judge or clerk, and if, in any instance, in consequence of such veto, the board can not agree upon such appointments, then the names of six persons who are eligible shall be selected for judge or clerk, as the case may be, by the commissioner or commissioners belonging to the leading political party entitled to be represented by such judge or clerk, and out of said six names the other commissioner or commissioners representing the other leading political party of the State shall select the name of such judge or clerk, who, when so selected, shall be the judge or clerk, if otherwise eligible, if he will serve or shall be not excused for cause, and if he shall be confirmed by the county court. In case the persons so selected for judges or clerks do not appear for examination on notification, then some other persons shall be selected and notified as aforesaid until some eligible person is found who will serve. In all cases where the parties aforesaid do not appear and be examined, or if they do appear and refuse to serve, it shall be the duty of the commissioners, by the corporate name of the board of commissioners of election, to prosecute such persons for such forfeiture above provided, and collect and pay over the same into the county treasury, and the failure of such board of commissioners of election, or either of them, to prosecute such persons shall be sufficient cause for removal from office, and when established, the county court shall so remove such commissioner or commissioners from office.

§ 12. The leading political party represented by minority of all the commissioners in said board shall be entitled to one of the judges and one of the clerks in each precinct with an even number, and to two of the judges and one of the clerks in each precinct with an odd number, and the other leading political party shall be entitled to two judges in the even and one judge in the odd number precincts, and also shall be entitled to one clerk in each precinct, and it shall be the duty of such commissioners to observe this division in all respects in making such appointments. If there should be three political parties represented in said board of commissioners, then each of such parties shall have one representative as judge in each precinct, as far as practicable, to be selected under some rule to be adopted by such board, and if there be not three political parties represented on such board, yet if there be a third political party in such city respectable in numbers, said commissioners may, in their discretion, select a judge from said party for each precinct, if a proper person to such position can be found, in such manner as said board may agree upon.

§ 13. After the judges and clerks are selected and have agreed to serve then a report of such selections shall be made and filed in the county court, and application shall then be made by said board to said court for their confirmation and appointment whereupon the county court shall enter an order that cause be shown, if any exists, against the confirmation and appointment of such persons so named on or before the opening of the court on a day to be fixed by the court. And said board of commissioners shall immediately give notice of such order and the names of all such judges and clerks so reported to such county court for confirmation, and their residence and the precinct for which they were selected, by causing the same to be published in one or more newspapers in such city, village or incorporated town, and if no newspaper be published in such city, village or incorporated town, then by posting such notice in three of the most public places in such city, village or town, and if no cause to the contrary be shown prior to the day fixed, such appointments shall be confirmed by order entered by that court. If objections to the appointment of any such judge or clerk be filed within the time aforesaid, the court shall hear such objections and the evidence introduced in support thereof, and shall confirm or refuse to confirm such nominations as the interests of the public may require. No reasons may be given for the refusal to confirm. If any vacancies shall exist by reason of the action of such board or otherwise, at any time, the said board of commissioners shall further report and nominate persons to fill such vacancies so existing in the manner aforesaid, and a court in the same way shall consider such nominations and shall confirm or refuse to confirm the same in the manner aforesaid. Upon the confirmation of such judges and clerks, at any time, a commission shall issue to each of such judges and clerks, under the seal of such court, and appropriate forms shall be prepared by said board of commissioners for such purpose. And after confirmation and acceptance of such commission, such judges and clerks shall thereupon become officers of such court and shall be liable in a proceeding for contempt for any misbehavior in their office, to be tried in open court on oral testimony in a summary way, without formal pleadings, but such trial or punishment for contempt of court shall not be any bar to any proceedings against such officers, criminally, for any violation of this act. Where a vacancy shall occur so late that application to and confirmation by the court can not be had before the election, then said board of commissioners shall make an appointment and issue a commission to such officer or officers, and when thus appointed such officer shall be considered an officer of the county court and subject to the same rules and punishment, in case of misbehavior, as if confirmed by said court, and any judge or clerk, however appointed, and at whatever time, shall be considered an officer of court and be subject to the same control and punishment in case of misbehavior. Said board of commissioners shall have the right, at any time, in case of misbehavior or neglect of duty, to remove any judge of election or clerk of election and cause such vacancy to be filled in accordance with this act. The judges and clerks of election must be appointed and confirmed at least thirty-five days

prior to the next election; if any vacancy shall occur or exist more than five days before election the judges or clerks appointed to such places must be confirmed by such court. Such commissioners shall not voluntarily remove any judge or clerk within five days of such election except for flagrant misbehavior, incapacity or dishonesty, and the reasons therefor must afterwards be reported in writing to such court, and if such removal be willful and without cause, said commissioners shall be guilty of a misdemeanor under this act and be subject to removal.

§ 14. After the issue of a commission to such judges and clerks they shall again be notified to appear at the office of said board, and shall then and there, after taking the oath of office, receive their commissions; said oath of office shall be taken before one of said commissioners or said chief clerk or some person designated by said board of commissioners, and approved by said county court for that purpose and who and when so designated and approved shall have the right to administer said oath in the name of and for said chief clerk, but the number of persons having the right to administer said oath by reason of said designation and approval shall not at any time exceed five, and the oath of office shall be in writing and subscribed by each one, and shall be in substance as follows:

"I....., residing at....., in the city (village or town) of....., in the State of Illinois, do solemnly swear (or affirm) that I am a legal voter (and a householder in case of a judge) in the..... ward of the city (village or town) of....., in the State of Illinois; that I will support the laws and constitution of the United States and of the State of Illinois, and that I will faithfully and honestly discharge the duties of the office of judge (or clerk) of election and registration for the.....precinct of the..... ward of the city (village or town) of....., in the county of....., in the State of Illinois, according to the best of my ability."

§ 15. It shall be the duty of said board of commissioners to appoint the place of registry and also the polling place in each precinct in such city, village or town, and to give public notice thereof, and shall cause the same to be fitted up, warmed, lighted and cleaned, but in each election precinct such place or places shall be in the most public, orderly and convenient portions thereof, and no building or part of a building shall be designated or used as a place of registry or revision of registration, or as a polling place, in which spirituous or intoxicating liquor is sold.

Said board of election commissioners may demand of the chief of police or the sheriff to furnish officers of the law to attend during the progress of any registration, revision or election at any place or places of registration, or any polling place or places designated by said commissioners, or to attend at any meeting of said commissioners. Said officers of the law so furnished by said chief of police or sheriff shall be stationed in the place or places of registration and



polling place or places in such manner as said commissioners shall direct, and during said assignment shall be under the direction and control of the election commissioners.

§ 16. It shall be the duty of the clerk of any court where parties are tried or convicted of penitentiary offenses in the county where such city, village or incorporated town is located to furnish monthly to such board of commissioners the names of all parties convicted or sentenced for any crime the punishment of which is confinement in the penitentiary and their place of residence, if such fact be in the possession of such clerk. It shall be the duty of the Governor of the State, on or before the first day of October in each year, to furnish to such commissioners of election the names of all persons pardoned by him out of the penitentiary for any crime of which such party was convicted in a court in a county where said city, village or incorporated town is located.

§ 17. It shall be the duty of the person or officer having charge of the vital statistics of any such city, village or incorporated town to furnish to such board of election commissioners monthly a report of the names and previous residences of all male persons over twenty-one years of age that have died during the preceding month.

§ 18. It shall be the duty of the board of election commissioners to cause to be arranged, as nearly as possible, according to wards in cities and election precincts in villages or incorporated towns, the names and the residences, or the former residences, of all such criminals and of all such deceased parties, and to have the same printed by wards in cities and election precincts in villages or incorporated towns, and furnish a printed list of the names of such persons whose residence was formerly in such wards or precincts to all the judges of election of such wards or precincts when acting as a board of registry, for their guidance, and when they shall be advised that a person convicted of a crime has been pardoned such fact shall be noted opposite his name. Such list shall be arranged alphabetically.

§ 19. It shall be the duty of such board to give timely notice through the press of the time and place of registration and election in each precinct of such city, village or incorporated town; and they shall also cause the printed list and supplement of the registration for the previous election to be posted up at the place of registration two days before such registration, with a printed notice of the time and place of the next registration. This to be obligatory only after the first registration under this act.

§ 20. Said board of commissioners shall make all necessary rules and regulations not inconsistent with this act with reference to the registration of voters and the conduct of election; and they shall have charge of, and make provision for, all elections, general, special, local, municipal, State and county, and of all others of every description, to be held in such city or any part thereof, at any time or in such village or incorporated town as the case may be.

§ 21. The days upon which the general, State, county or city elections shall hereafter be held in such city, village or incorporated town shall be holidays, and shall for all purposes whatever as regards the presenting for payment or acceptance and of the protesting and giving notice of the dishonor of bills of exchange, bank checks and promissory notes, and as regards days of grace upon commercial paper, be treated and considered as is the first day of the week commonly called Sunday.

§ 22. At least sixty days prior to the next election occurring immediately after the expiration of the term of office of said judges and clerks said election commissioners shall cause judges and clerks of election again to be selected, who shall be selected, appointed and commissioned in the same way, according to the same forms, and subject to the same qualifications and limitations as required for the selection and appointment of such officers in the first instance hereunder.

§ 23. At every election each of the political parties shall have the right to designate a canvasser for each election precinct, who may make a canvass of the precinct in which he is appointed to act not less than twenty (20) nor more than thirty-one (31) days previous to such election for the purpose of ascertaining the names and addresses of the legal voters residing in such precinct; and authority signed by the chief clerk of the board of election commissioners shall be sufficient evidence of the right of such canvasser to make a canvass of the precinct in which he is appointed to act. The chief clerk of the board of election commissioners shall issue such certificate of authority to any person designated in a written request signed by the recognized chairman or presiding officer of the chief managing committee of a political party in such city, village or incorporated town; and a record shall be kept in the office of the election commissioners of all appointments of such canvassers. If, in making such canvass, any person shall refuse to answer questions and give the information asked for and known to him or her, such person shall be deemed guilty of a misdemeanor under this act and shall be liable to a penalty not exceeding one hundred dollars, and any person wilfully and knowingly giving false information in answer to questions of such canvasser shall be liable to a penalty not exceeding one hundred dollars.

§ 24. The landlord, keeper or manager of every lodging house in such city, village or incorporated town shall, not less than twenty-eight (28) days nor more than thirty (30) days prior to every election, file with the election commissioners a written statement, sworn to by him, giving the full name of every person residing in his lodging house, the period of the continuous residence of such person ending at the date of such statement, the number of the room, bed or cot that such person occupies, and the period for which such person engaged lodging, and such other information as the election commissioners may by due regulation designate. Any landlord, keeper or manager of any lodging house neglecting or failing to comply with the provisions of this section shall be deemed guilty of

a misdemeanor and shall be liable to a penalty not exceeding \$100 nor less than \$25.

§ 25. Any landlord, keeper or manager of any such lodging house who shall fail or neglect to file such statement as in this act provided may, upon written information of the attorney for the election commissioners, or upon the sworn complaint of any voter of such city, village or incorporated town, be cited by the election commissioners to appear before them and furnish such sworn statement and make such oral statements under oath regarding such lodging house as the election commissioners may require. The election commissioners shall sit to hear such citations on the Friday of the fourth week preceding the week in which such election is to be held. Such citation shall be served not later than the day preceding the day on which it is returnable. Every landlord, keeper or manager of any such lodging house failing to appear before the election commissioners to answer such citation, or, having appeared, failing to file the statement required, or to answer the questions propounded, shall be liable to the county court in a proceeding for contempt for such misbehavior, to be tried in open court on oral testimony, in a summary way, without formal pleadings, but such trial or punishment for contempt of court shall not be any bar to any proceedings against such landlord, keeper or manager of such lodging house criminally for any violation of this act.

### ARTICLE III.

SECTION 1. The judges of election shall constitute the board of registry in the precinct for which they shall be appointed.

§ 2. Every person having resided in the State one year, in the county ninety days, and in the election precinct thirty days next preceding any election therein, who was an elector in this State on the first day of April, in the year A. D. 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, 1870, or who shall be a male citizen of the United States above the age of twenty-one years, shall be entitled to vote at such election.

§ 3. Such board of registry and the election clerks shall meet in the precinct on Tuesday three weeks preceding the first general city, village or town election, or the first general State or county election, which may occur after the first appointment of such board of election commissioners, at the place designated by such board of commissioners, and they shall then proceed to make a general registration of all the voters in such precinct. A new general registration shall be made by the board of registry in every year in which a congressional election occurs and just prior thereto, the first day of such registration being on Tuesday four weeks before such election, and the second day of registration being on Tuesday three weeks before such election. Three registry books shall be furnished to such board of registry by the board of election commissioners for the purpose of such registration, and two of such books of registry shall be prepared substantially in the following form:

One registry book, which shall be denominated "public register" on the outside or on the first page, shall be prepared in such a manner as to contain only the two columns headed "residence" and "name." No other entries shall be made in the public registry except the statements of the names and residences of persons registered. Said board of registry shall then proceed as follows:

First—They shall open the registry at 8 o'clock a. m., and continue in session until nine o'clock p. m. on the first day. One of the judges shall administer to all persons who shall personally apply to register, the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as an elector, and your right as such, to register and vote under the laws of this State."

Second—Each of said clerks of election and one of said judges of election shall have charge of the registry books and shall make the entries therein required by this act, and one of the judges shall ask the questions as to qualifications, and after he is through either of the judges may ask questions. As many questions may be asked by any judge as may be deemed necessary to fully determine the qualification of the applicant to register, and any answer that is deemed material and that is not in response to a question provided for on the register may be stated in the column headed "remarks." One of the judges of election may, when necessary, relieve one of the clerks from time to time, as necessity may seem to demand, in making entries in said book.

Third—The name of every applicant shall be entered in such registry books, and all the facts shall be therein stated, as hereinafter provided, whether he be entitled to vote or not. If it shall be determined by the board that he is not a qualified voter in such precinct, then an entry shall be made in the appropriate column, "No," and if qualified, an entry shall be made in the same column, "Yes."

Fourth—Only such male persons of the age of twenty-one years residing in such precinct as apply personally for registration shall be entered in such registers; but every applicant who would be twenty-one years of age on the day of the next election, if otherwise qualified, shall be entered on such registers. Every applicant who has commenced to reside in such precinct at least thirty days before such election shall be entered in such registry and shall be marked "qualified" or "disqualified," as the case may be; but unless, on the day of election he shall have resided for thirty full days in such election precinct, he can not vote therein although otherwise qualified.

Fifth—The headings to the registry books shall be so prepared that the registry shall be made alphabetically according to the surname of each person applying, but it shall be arranged so that the residences of such persons shall appear in the first column. The

register shall be ruled, and one name shall be written on each line, but no name shall be written between the lines. The entries shall be as follows:

First—Under the column, "Residence," the name and number of the street, avenue or other location of the dwelling, if there be a definite number, and if there shall not be a number, such clear and definite description of the place of such dwelling as shall enable it to be readily ascertained. If there shall be more than one house at the number given by the applicant as his place of residence, state in which house he resides. And if there be more than one family residing in said house, either the floor on which he resides or the number or location of the room or rooms occupied by him, whether front or rear; every floor below the level of the street or ground being designated as the basement; the first floor above such level being designated as the first floor, and each floor above that as the second or such other floor as it may be. If there shall be a flat building or an apartment house at the number given, state the number of the flat or apartment, as the case may be, in which he resides.

Second—Under the column, "Name," the name of the applicant, writing the surname first, and given or Christian name after.

Third—Under the column, "Nativity," the state, country, kingdom, empire or dominion, as the fact stated by applicant shall be.

Fourth—Under the sub-division of the general column, "Term of Residence," the periods by days, months or years stated by the applicant respectively, as to "At Present Address," "Precinct," "County," "State," and "United States."

Under the subdivision headed "At Present Address," the term of applicant's residence at the street and number given, and if that period is less than thirty days prior to the day of election then the applicant shall state at what location in the same precinct he resided immediately prior thereto and the length of time, which statement shall be entered in the column headed "Remarks."

Fifth—Under the column, "Age," the age of applicant. Under "Naturalized," the word "yes," according to the fact stated.

Sixth—Under the column, "Date of Papers," the date of naturalization, if naturalized, or about the date.

Seventh—Under the column, "Court," the designation of the court in which, if naturalized, such naturalization was had; and, if the name of the court can not be had with certainty, then the name of the place in which such court was located.

Eighth—Under the column, "By Act of Congress," the word "Yes," in case such person, though foreign born, has been made a citizen by act of Congress without taking out his naturalization papers.

Ninth—Under the column, "Qualified Voter," the word "Yes," or "No," as the facts shall appear, or be determined by a majority of the board of registry, it being, however, required of them to designate as a qualified voter any male person who, if otherwise qualified,

shall not at the time of making application be of age: *Provided*, the time when such applicant shall be of the age of twenty-one shall be subsequent to the date of his application and not later than the day of election immediately following such time of applying; but no applicant shall be designated as a qualified voter who, having been challenged, has not filed with said board of registry his affidavit of qualification, according to the provisions of this act.

Tenth—Under the column, “Date of Application,” the month, day and year when the applicant presented himself and was adjudged a qualified voter in election precinct.

Eleventh—Under the column, “Residence When Last Registered,” the name and number of the street or avenue from which applicant was last registered in the same city, village or town, and the month and year in which the election was held for which such registration was made. If the applicant has not previously been registered in said city, village or town, state “first registration.”

§ 4. At the end of each day’s registry or revision of registration said judges shall each sign his name at the end of the list on each page, so that no new name can be added without discovery, and shall also sign a certificate, as hereinafter provided, but before doing so the said judges and clerks shall compare the three registers so kept and cause any differences to be corrected, and to make the same agree in all respects: *Provided*, that no additional statements shall be entered in the public register other than the names and residences of persons registered, and said judges shall then attach at the end of each register in substance in the words and figures following:

“We, the undersigned judges of election in ——— precinct of the ——— ward of the city of ———, in the State of Illinois, do jointly and severally certify that at the general registration of electors in said election precinct on the ——— day of ———, there were registered by us in the said election precinct the names which in this book are entered, and that the number of registered and qualified voters was and is the number of ———.”

“Dated ———.”

§ 5. Said board of registry shall, on or before noon of the day following such registry, hang up the register, which shall be known as the public register, at the place of registration, which shall be accessible to the public during all business hours, and the other two registers shall be returned to the board of election commissioners within the time aforesaid.

Any voter of the ward, village or town shall be permitted to be present at the place of registration in said ward and shall have the right to challenge any applicant who applies to be registered. And when challenged such applicant must make oath and sign an affidavit in writing in substance as follows:

“I do solemnly swear that I am a citizen of the United States, am ——— years of age, and that I have resided in the State of Illinois for the period of ———, in the county of ——— ——— for the period

of \_\_\_\_\_, in the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward, in the city of \_\_\_\_\_, said county and State, for the period of \_\_\_\_\_, and at No. \_\_\_\_\_, \_\_\_\_\_ street, in said precinct for the period of \_\_\_\_\_ and that I last registered in said city for the \_\_\_\_\_ election of \_\_\_\_\_ from No. \_\_\_\_\_ street, and that I have never been convicted of any crime, (or if convicted, state the time and when pardoned by the governor of any state.)")

This affidavit shall be signed and sworn to before one of such board of registry, and it shall be preserved and returned to the office of said election commissioners immediately. If said board of registry shall deem such affidavit sufficient, and if the board is convinced that such person is a qualified voter, then he must be admitted to such register as qualified. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oath without criticism. If any judge of election, poll clerk or other person, when such applicant has been challenged, shall designate such person upon any of the registers as a qualified voter before he has made and filed with the board of registry the affidavit of the character aforesaid, such judge of election, poll clerk or other person shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days, or by a fine of not less than one hundred dollars nor more than one thousand dollars, or by both such fine and imprisonment.

And any person claiming to be an elector of any election precinct in such city and who, upon application, is denied to [the] right to be registered as a qualified voter in such precinct, may make and sign an application in writing, under oath, to said board of election commissioners in substance in the following form:

"I do solemnly swear that I, \_\_\_\_\_, did on \_\_\_\_\_ make application to the board of registry of the \_\_\_\_\_ precinct of \_\_\_\_\_ ward, of the city of \_\_\_\_\_, and that said board refused to register me as a qualified voter in said precinct; that I reside in said precinct, am a duly qualified voter and entitled to vote in said precinct at the next election."

All such applications shall be presented to the board of election commissioners by the applicant in person between the hours of nine o'clock a. m. and five o'clock p. m. on Tuesday or Wednesday of the second week prior to the week in which such election is to be held.

§ 6. On Tuesday three weeks preceding said city, village, town, State or county election said board of registry shall again meet at the place designated, and said clerks of election shall meet with them, and they shall remain in session from eight o'clock a. m. until nine o'clock p. m. for the purpose of registering all qualified voters not before registered and who shall apply in person to be registered. The same form shall be observed as to applications made on the second day as are required on the first day of registry.

shall not at the time of making application be of age: *Provided*, the time when such applicant shall be of the age of twenty-one shall be subsequent to the date of his application and not later than the day of election immediately following such time of applying; but no applicant shall be designated as a qualified voter who, having been challenged, has not filed with said board of registry his affidavit of qualification, according to the provisions of this act.

Tenth—Under the column, “Date of Application,” the month, day and year when the applicant presented himself and was adjudged a qualified voter in election precinct.

Eleventh—Under the column, “Residence When Last Registered,” the name and number of the street or avenue from which applicant was last registered in the same city, village or town, and the month and year in which the election was held for which such registration was made. If the applicant has not previously been registered in said city, village or town, state “first registration.”

§ 4. At the end of each day’s registry or revision of registration said judges shall each sign his name at the end of the list on each page, so that no new name can be added without discovery, and shall also sign a certificate, as hereinafter provided, but before doing so the said judges and clerks shall compare the three registers so kept and cause any differences to be corrected, and to make the same agree in all respects: *Provided*, that no additional statements shall be entered in the public register other than the names and residences of persons registered, and said judges shall then attach at the end of each register in substance in the words and figures following:

“We, the undersigned judges of election in ——— precinct of the ——— ward of the city of ———, in the State of Illinois, do jointly and severally certify that at the general registration of electors in said election precinct on the ——— day of ———, there were registered by us in the said election precinct the names which in this book are entered, and that the number of registered and qualified voters was and is the number of ———.”

“Dated ———.”

§ 5. Said board of registry shall, on or before noon of the day following such registry, hang up the register, which shall be known as the public register, at the place of registration, which shall be accessible to the public during all business hours, and the other two registers shall be returned to the board of election commissioners within the time aforesaid.

Any voter of the ward, village or town shall be permitted to be present at the place of registration in said ward and shall have the right to challenge any applicant who applies to be registered. And when challenged such applicant must make oath and sign an affidavit in writing in substance as follows:

“I do solemnly swear that I am a citizen of the United States, am ——— years of age, and that I have resided in the State of Illinois for the period of ———, in the county of ——— ——— for the period



of \_\_\_\_\_, in the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward, in the city of \_\_\_\_\_, said county and State, for the period of \_\_\_\_\_, and at No. \_\_\_\_\_, \_\_\_\_\_ street, in said precinct for the period of \_\_\_\_\_ and that I last registered in said city for the \_\_\_\_\_ election of \_\_\_\_\_ from No. \_\_\_\_\_ street, and that I have never been convicted of any crime, (or if convicted, state the time and when pardoned by the governor of any state.)")

This affidavit shall be signed and sworn to before one of such board of registry, and it shall be preserved and returned to the office of said election commissioners immediately. If said board of registry shall deem such affidavit sufficient, and if the board is convinced that such person is a qualified voter, then he must be admitted to such register as qualified. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oath without criticism. If any judge of election, poll clerk or other person, when such applicant has been challenged, shall designate such person upon any of the registers as a qualified voter before he has made and filed with the board of registry the affidavit of the character aforesaid, such judge of election, poll clerk or other person shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days, or by a fine of not less than one hundred dollars nor more than one thousand dollars, or by both such fine and imprisonment.

And any person claiming to be an elector of any election precinct in such city and who, upon application, is denied to [the] right to be registered as a qualified voter in such precinct, may make and sign an application in writing, under oath, to said board of election commissioners in substance in the following form:

"I do solemnly swear that I, \_\_\_\_\_, did on \_\_\_\_\_ make application to the board of registry of the \_\_\_\_\_ precinct of \_\_\_\_\_ ward, of the city of \_\_\_\_\_, and that said board refused to register me as a qualified voter in said precinct; that I reside in said precinct, am a duly qualified voter and entitled to vote in said precinct at the next election."

All such applications shall be presented to the board of election commissioners by the applicant in person between the hours of nine o'clock a. m. and five o'clock p. m. on Tuesday or Wednesday of the second week prior to the week in which such election is to be held.

§ 6. On Tuesday three weeks preceding said city, village, town, State or county election said board of registry shall again meet at the place designated, and said clerks of election shall meet with them, and they shall remain in session from eight o'clock a. m. until nine o'clock p. m. for the purpose of registering all qualified voters not before registered and who shall apply in person to be registered. The same form shall be observed as to applications made on the second day as are required on the first day of registry.

At the end of such day's registration the said registers shall be examined, compared and made to agree: *Provided*, that no additional statements shall be entered in the public register other than the names and residences of the persons registered, and they shall then be signed by the judges in the same way as at the end of the first day's registry, and similar certificates shall be attached thereto.

The board of election commissioners shall furnish to the board of registry in each precinct a blank book, which shall be named "Verification Lists," each page of which shall be ruled into three columns, and shall be marked thus:

REGISTERED NAMES.

Street Number.	(Name) . . . . . Street	Names.
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

Such book shall contain pages sufficient to allow six pages for each street, avenue, alley and court in the precinct. During the progress of the registration, or immediately thereafter, the clerks of said board shall transfer all the names upon the register to such "verification lists," arranging them according to the streets, avenues, alleys or courts, beginning with the lowest residence number and placing them numerically, as near as possible, from the lowest up to the highest number. They shall first write the name of such street, avenue, alley or court at the top of the second column and then proceed to transfer the names to such "verification lists" according to the street numbers as above indicated.

If, during either day of registration any registered voter of the ward, village or incorporated town shall come before the board of registry and make oath that he believes that any particular person upon said registry is not a qualified voter, such fact shall be noted; and after the completion of such "verification lists" such board, or one of said judges, shall make a cross or check mark in ink opposite such name. If said judges shall, however, know any person so complained of is a qualified voter, and shall believe that such complaint was made only to vex and harass such qualified voter, then such name shall not be put upon such list, but shall go upon such list in case any one of the judges desires. Said judges shall, before noon

of the next day, hang up such public register at the place of registration, and within the same period of time return the other two registers to the office of said election commissioners.

§ 7. The clerks of election are hereby constituted canvassers of the precinct for which they are appointed, and upon the Wednesday and Thursday following the second day of registration, if so much time should be required, said two clerks shall go together and canvass such precinct, calling at each dwelling place or each house where anyone may reside in such precinct, and each dwelling place as indicated upon said "verification lists," and if they shall find that any person upon their "verification lists" does not reside at the place designated thereby, they shall make a check mark or cross X opposite such name.

Whenever deemed necessary by said canvassers, or either of them, he or they may demand of the superintendent, captain, lieutenant or other person having command of the police in such portion of the city, village or town, to furnish a policeman to accompany them and protect them in their duties when necessary; and it shall be the duty of such superintendent, captain, lieutenant or other person having authority over such police in such locality to furnish a policeman for such purpose and in default thereof such superintendent, captain, lieutenant or other person shall be deemed guilty of a misdemeanor under this act, and shall be liable to a penalty not exceeding one hundred dollars nor less than twenty-five dollars. If, in making such canvass, any person shall refuse to answer questions and give the information asked for and known to him or her, and shall wilfully and knowingly give false information, or make false statements, such person shall be deemed guilty of a misdemeanor under this act, and shall be liable to a penalty not to exceed one hundred dollars. In making such canvass said canvassers shall make special inquiry at the residences as designated in the registry and "verification lists" as to all the persons so registered as qualified voters and shall receive information from judges and party canvassers.

§ 8. Immediately upon the completion of such canvass said canvassers, or one of them, shall sign a notice and send the same through the United States mail, duly stamped, to the address given upon the registry and "verification lists" of all persons named therein against whose names they have made a cross or check mark indicating that they did not reside at such place as before stated, and also to the address of all persons against whose names said registry board or judge of election has placed a check mark or cross in such "verification lists," which notice shall require such person to appear before the board of registry upon the Saturday following, giving the time of such session, and to show cause why his name should not be erased from such registry. Proper blanks and postage stamps shall be furnished for the purpose to said canvassers by the board of commissioners. A similar notice shall be also served by one of the said canvassers either at the time such canvass is being made or before

the following Saturday by leaving the same with the party, if found, or if he is not found, at the place designated in such registry and "verification lists" by leaving the same at such address, if there be such a place. Such notice to be sent through the mail must be mailed not later than 12 o'clock Friday noon of the week of such canvass. If sufficient postage stamps are not delivered to such canvassers by said board for the purpose aforesaid, then anyone may furnish such postage stamps to such canvassers for that purpose, or such canvassers may procure the same at their own expense and afterwards render an account therefor to said commissioners, duly sworn to, and it shall be the duty of the said commissioners to audit such account and cause the same to be paid. It shall be the duty of such commissioners, upon application, to deliver to such canvassers postage stamps sufficient for the purpose aforesaid, when not delivered before, and it shall be the duty of such canvassers, or one of them, to apply to said commissioners for such postage stamps if sufficient number have not been delivered to them for the purpose aforesaid, and any willful neglect of said canvassers to make application for sufficient postage stamps as aforesaid and any willful neglect of such canvassers to mail the notice aforesaid to all of the parties checked and designated as aforesaid, and the willful neglect of such canvassers to leave the notice aforesaid at the place designated for such person so designated, and any willful neglect to check the name of any person on said "verification lists" transferred from the registry as aforesaid and not found at the place designated, and any willful neglect to transfer all the names from the registry as aforesaid to such "verification lists" in the manner aforesaid, shall be deemed a misdemeanor, and such canvasser or canvassers shall be punished, upon conviction thereof, by imprisonment in the county jail for not less than one month nor more than one year, and such canvassers shall also be liable to be punished by the county court of the proper county as for contempt, and be fined not less than fifty dollars, or imprisoned in the county jail by such court for a period not exceeding one hundred days, or both, in the discretion of the court. And it shall be the duty of said board of election commissioners, when complaint is made to them, to investigate the action of such clerks or canvassers, and to cause them to be brought before such county court and to prosecute them as for contempt, and also, at their discretion to cause them to be prosecuted criminally for such willful neglect of duty.

§ 9. On the Saturday following the Tuesday three weeks preceding such general county, city, village, town or State election, said board of registry shall again meet at the place designated, and the said clerks of election shall meet with them, and they shall remain in session from six o'clock p. m. to ten o'clock p. m., for the sole purpose of revising their registry, and no new name shall be added. Said canvassers, or one of them, shall make out a list of the names of the parties checked and designated as aforesaid and to whom such notice has been sent, given or left with the address, and make and attach his or their affidavit or affidavits thereto stating that notice duly

stamped was mailed to each of said parties at the places designated on such list on or prior to twelve o'clock m. of the previous Friday, and that notice was also personally left at the said address of each of said parties named in said list so attached, if there be any such address, and said canvasser shall also file in the office of the election commissioners on or prior to six o'clock p. m. on the Friday previous to such revision, an exact duplicate of such list and affidavit or affidavits. Blank affidavits shall be furnished by said commissioners for the purposes aforesaid; but if none are furnished, such canvassers shall cause the same to be drawn, and they shall swear to such affidavit before one of the judges of such precinct. If either of said canvassers shall wilfully neglect and fail to make such affidavit with the list aforesaid attached he shall be punished in the same manner as last above provided, and if such affidavit shall be wilfully false the maker thereof shall also be punished in the manner last aforesaid, and shall also be liable for perjury.

If any person to whom such notice has been sent shall appear before the board of registry during the session he shall make oath and sign an affidavit, in substance, as follows:

"I do solemnly swear that I am a citizen of the United States, and that I have resided in the . . . . . precinct of the . . . . . ward in the city of . . . . . and the county of . . . . . and the State of Illinois, since the . . . . . day of . . . . ., and that I have never been convicted of any crime (or if convicted, state the time and when pardoned by the governor of any state.)"

This affidavit shall be signed and sworn to before one of such board of registry and it shall be preserved and filed in the office of said election commissioners. Thereupon said board of registry shall further examine him, and shall also swear such canvassers, and hear them upon the question, and they shall also have the power to send one or both of said canvassers to make further examination and inquire at the place claimed by such person to be his residence and again examine such canvassers touching the same; and if, after such further examination and hearing, the majority of said board are of the opinion that such person is not a qualified voter in such precinct they shall mark the word "Yes" under the column of the register marked "Erase" and shall also draw a line in ink under his name, which memorandum, in case of any registration, shall indicate that the name of such person is erased from the register and such person shall not be entitled to vote unless his name be restored as hereinafter provided. At the close of said session, if any person so notified to appear at such session has not appeared and shown cause why his name should not be erased from such register, the same shall be erased in the manner aforesaid. Any persons having appeared at said session and whose name has been so erased may make application in writing under oath to the election commissioners upon the Tuesday and Wednesday following such revision, between the hours of nine o'clock a. m. and six o'clock p. m., to be restored to such register. Either of said clerks shall have

the power and right of both in the matter pertaining to such canvass; but in case either refuses or neglects to go and make such canvass as aforesaid then the other may make such canvass alone. But a clerk who wilfully neglects to perform his duty in making such canvass shall be deemed guilty of a misdemeanor, and on conviction shall be imprisoned in the county jail not exceeding sixty days nor less than thirty days, and shall also be deemed guilty of a contempt of court and be punished accordingly as an officer of said county court. In case of temporary disability on the part of either canvasser or clerk the judge who belongs to the same party may appoint a temporary clerk or canvasser who shall belong to the same party, and administer to him the usual oath of office, and he shall perform all the duties of the office until the disability of the regular clerk or canvasser is removed. The "verification lists" aforesaid, after the final revision, shall be at once returned by the board of registry to the board of election commissioners.

§ 10. At the end of the last session above provided for, the said board of registry and said clerks shall compare and correct the three registers aforesaid and make them correspond and agree: *Provided*, that no additional statements shall be entered in the public register than the names and residences of persons registered, and said judges shall then, immediately following the last name on each page of the register, sign their names so that no other names can be added without discovery, and shall add the certificate as provided at former sessions. And thereupon, and during the forenoon of the next day, said judges shall hang up the register, known as the public register, in the place of registration for the use of the public and shall return the other two registers to the possession of the board of election commissioners; and thereupon, the said board of commissioners shall at once cause copies to be made of such registers of all names upon the same with the address not marked erased, and shall have the same arranged according to the streets, avenues, courts or alleys, commencing with the lowest number, and arranging the same in order according to the street numbers, and shall then cause such precinct register, under such arrangement, to be printed in plain, large type in sufficient numbers to meet all demands, and upon application a copy of the same shall be given to any person in such precinct.

§ 11. Any voter or voters in the ward, village or town, containing such precinct, may, between the hours of 9 o'clock a. m. and 6 o'clock p. m. of Monday and Tuesday of the week immediately preceding the week in which such election is to be held, make application in writing, before such board of election commissioners, to have any name upon such register of any precinct in the ward erased, which application shall be, in substance, in the words and figures following:

"I (or we) .....do hereby solemnly swear (or affirm) that I (or we) believe that.....is not a qualified voter in.....precinct of.....ward of the city (village or town) of ....., and hence I (or we) ask that his name be erased from the register of such precinct."

Such application shall be signed and sworn to by the applicant and filed with said board. Thereupon notice of such application, with a demand to appear and show cause why his name shall not be erased from said registry, shall be personally served upon such person or left at his place of residence named in such registry by a messenger of said board of commissioners, and, as to the manner and time of serving such notice such messenger shall make affidavit; said messenger shall also make affidavit of the fact, in case he can not find such person or his place of residence, and that he went to the place named on such register as his place of residence. Such notice shall be served at least one day before the time fixed for such party to show cause. Said commissioners shall also cause a like notice or demand to be sent by mail, duly stamped and directed, to such person, to the address upon said registry, at least two days before the day fixed in said notice to show cause. Any voter making such application or applications shall be privileged from arrest while presenting the same to the board of election commissioners, and whilst going to and returning from the board of election commissioners.

§ 12. A docket of all applications to said commissioners, whether such application shall be made for the purpose of being registered or for the purpose of erasing a name on the register, shall be made out in the order of the wards and precincts. The commissioners shall sit to hear such applications between the hours of 10 o'clock a. m. and 9 o'clock p. m. on the Tuesday, Wednesday and Thursday immediately preceding such election. At the request of either party to such applications, the commissioners shall issue subpoenas to witnesses to appear at such hearings, and witnesses may be sworn and examined by the commissioners upon the hearing of said applications. Each person appearing in response to an application to have name erased shall deliver to the commissioners a written answer, which shall be, in substance, in the words and figures following:

"I do solemnly swear that I am a citizen of the United States; that I have resided in the State of Illinois since the.....day of ....., and in the county of....., said State, since the.....day of....., and in the.....precinct of the.....ward, in the city of....., said county and State, since the.....day of....., and that I am..... years of age; that I am the identical person registered in said precinct under the name I subscribe hereto."

This answer shall be signed and sworn to before one of the commissioners, and it shall be preserved and filed in the office of the commissioners. They shall take up the wards and precincts in their numerical order. The decision of each application shall be announced at once after hearing and a minute made thereof, and when an application to be registered or to be restored to such register shall be allowed, the said board shall cause the same to be made upon the two registers of said precinct so in its possession. And, where an application to erase a name shall be allowed, said board shall cause the same to be erased forthwith.

§ 13. The county court of the county in which such city, village or incorporated town shall be located shall on Friday and Saturday of the week prior to the week in which such election is to be held, especially sit to hear such applications as shall be made to it to be placed upon the register in any particular precinct. Such application shall be sworn to, and shall state that the party making the same has applied to the board of registry of the precinct and to the board of election commissioners, and that one or both boards refused to place him upon such registry, or has stricken his name from such registry, as the case may be. Application shall be made on or before the opening of the court on the Friday last aforesaid and the court shall cause a docket of such applications to be made out, arranged by wards and precincts, and the same shall be heard summarily and evidence may be introduced for and against such applications. Each case shall be decided at once on hearing and the clerk of the court shall make a minute of the disposition of each application; a copy of such minute shall at once be given to said commissioners who shall forthwith cause such names to be placed upon the appropriate register, and indicate that it was entered by order of court. After the entry of the applications so allowed by said court no further change shall be permitted and the appropriate stamp prepared shall be affixed to the end of each page of names in each precinct registered by said board of commissioners. Said books of registry so prepared shall, on the day prior to the election, be delivered to the judges of election, one only, however, to be delivered to the judge or judges representing the same political party. No person admitted to the registry by order of such court or such board shall be protected by such order in case he should be indicted for false registration or false voting.

§ 14. In case said county court shall refuse any such application an order shall be entered accordingly on the Wednesday following the session of the court held for the purpose aforesaid and any person desiring to appeal from the said order may appeal to the supreme court of the State, if application be made therefor within five days after the entry of said order, and such appeal shall be allowed on the giving of an appeal bond in the penalty of \$250, conditioned to pay the expenses of such appeal. The time for filing such appeal bond and certificate of evidence shall be fixed by the court, and upon presentation to the court of a certificate containing the evidence heard at such hearing within the time fixed by the court, the court shall sign the same and thereupon the same shall become part of the record in said cause.

§ 15. A supplemental list of all persons who shall have been registered by order of said board, or by order of such county court, and a supplemental list of all persons erased from such registry by order of said board of commissioners or of said county court, of sufficient quantity to accommodate each precinct, shall be printed by such board; and thereupon, on the day of election, said board shall cause to be posted up at each precinct where such election is to be held the original printed registry and supplemental lists aforesaid and



shall also cause a copy thereof to be delivered to each judge and clerk and to all other persons of the ward, village or town demanding the same.

§ 16. Every general registration shall be made in the same manner and in conformity with directions heretofore given. At every general registration every person desiring registration must appear in person and make application under oath, as in the case of the first registration herein provided. The same form and blanks and methods of proceedings shall be had before and by the board of registry, and by the canvassers and by and before the judges of election and election clerks, and by the board of election commissioners and county court, in every subsequent general registration as is directed herein for the first registration and election following the same.

§ 17. At every election held in each city, village or incorporated town between the general registration above referred to (except in case of a special election in and for such city, village or town, or in some part of such city, village or town, and except at any judicial election held between such general registrations, at which election no other officers than judicial officers are to be voted for), the last general registration shall be used, but the same shall be revised by the board of registry of each precinct where such election is to be held, and for that purpose the board of registry shall meet on Tuesday, three weeks preceding such election, and shall hold a session from 8 o'clock a. m. to 9 o'clock p. m. on that day, and names may be added to the registers in the same way, upon sworn application, as in the case of a general registration and all the other forms and requirements are to be observed.

If a voter remove from one place to another in the same precinct such party must appear before such board of registry when in session and make oath as to such removal, and the registers shall be corrected accordingly; and if not corrected such person can not vote: *Provided*, that any voter making such removal subsequent to the last session of such board of registry preceding such election, may make oath before one of the judges of such precinct that he is the identical person whose name appears upon the register as having been registered at some other place in such precinct (naming the place), and giving the date of his removal. (which shall be subsequent to the last session of the board of registry previous to the day of election), and such statements shall be verified by two householders, residing in such precinct, that he is the identical person so registered at such other place in the precinct, whereupon such judges of election, if they believe him to be the same person registered at such other place, and that he made the removal at the time specified in such sworn statement shall receive his vote.

The fact that a voter is registered in one precinct from which he has removed shall not prevent him from being registered in another precinct into which he has removed: *Provided*, he is otherwise entitled to be registered therein: *And, provided further*, that it shall be the duty of the board of election commissioners to remove his

name from the registry book of the former precinct immediately on the registers being returned into their office; and it is made the duty of the judges of election to question every voter offering himself to be registered as to whether he was or is registered in any other precinct, and to make a note of the fact of such registration and his address, at the time he so registered, in a column to be provided in two registry books for that purpose.

§ 18. Blank books, named "verification lists," shall be furnished to the board of registry in all intermediate registrations the same as in case of a regular or general registration as provided for in section 6, article 3 hereof, and the clerks of election shall transfer to said "verification lists" all of the names already upon the registry at the commencement of such intermediate registration, and all new names added thereto on such day of intermediate registration, in the same manner and form as provided in said section 6, and the duties of the judges and the clerks in regard to such "verification lists" shall be the same as provided in said section last mentioned.

§ 19. At the end of such session such registers shall be made to agree, and where there is any difference the majority of said board shall decide the same: *Provided*, that no statements shall be entered in the public register other than the names and addresses of persons registered; and then each of said judges shall sign each page of each register made, below the last name on each page, so that no name can be added thereto without discovery, and the usual certificate shall be added. Two of such registers shall be returned to said board of election commissioners by noon next day and the one called the "public register" shall be hung up in the place of registration.

§ 20. The clerks of election of such intermediate registration are hereby constituted canvassers of the precincts in which they are appointed and the same duties are imposed upon them and upon all other persons in reference to such canvass as are required to [of] such canvassers under section 7, article 3, hereof.

§ 21. In the matter of such intermediate registration notices shall be given as required by section 8, article 3, hereof, and every provision of said section 8, and every duty, penalty and punishment therein provided shall be applicable and in full force as to such intermediate registration. Said board of registry is specially charged to look after such canvassers and see to it that the law is observed in all its parts by such canvassers, and any willful neglect shall render such judges liable to the same extent and for like penalties and punishment as are such canvassers hereunder. The board of election commissioners shall give special directions to such canvassers in writing or print in regard to their duties as such, and the penalties to be incurred by them for the neglect thereof, and also to the registry board of their duties in making such revision, in order and to the end that no name shall be left upon such registry of any person not entitled to vote in such precinct.

§ 22. On Saturday following the Tuesday of such intermediate registration such board of registry shall meet again at the place

designated, and said clerks of election shall meet with them, and they shall remain in session from 6 o'clock p. m. until 10 o'clock p. m., for the purpose of revising such registry, and thereupon such proceedings shall be had and taken by said canvassers and said board of registry as are provided for in section 9. article 3, hereof, and all the duties to be performed and all the penalties and punishments therein provided shall be applicable and in force as if here again repeated with reference to such intermediate registration and canvass and revision. No new names shall be added at such meeting. Said "verification lists" shall be disposed of as provided in section 9.

§ 23. The three registers shall then be compared and be made to agree where there is any difference, except that no additional statements shall be entered in the public register other than the names and residences of the persons registered, and all three shall be signed at the bottom of each page by all of said judges immediately under the last name on that page so that no new names could be added without discovery. Such revision of the registry by said board of registry shall then be considered closed, and no other names can be added by said board, and a certificate of the number of qualified voters shall then be attached, and one of said registers, designated as the public register, shall then be hung up at the place of registration for public inspection at all times prior to the election; and the other two books of registry shall, by noon of the next day, be returned to the said board of election commissioners.

§ 24. Said board of election commissioners shall immediately upon the return of said registers, cause the registry of each precinct to be copied and arranged according to street numbers as in case of the first registration and shall cause a suitable number of each precinct to be printed for distribution; and shall cause a copy thereof to be posted, and copies given to the judges and clerks, as provided in case of first registration; and also to furnish printed supplemental lists as before directed as to the first registration.

§ 25. Said board of election commissioners shall hear applications for the erasure of names upon the registry and for the registration of persons thereon in the same way and form and at the same time or times as is provided with reference to such original or new registration, and the same methods are to be adopted and in all particulars the proceedings shall be the same before the board of election commissioners and before the county judge with reference to reinstatement and erasures as is provided for with reference to such original or new registration.

§ 26. On election day said judges shall take possession of said third or public register, and after such election and on the next day, all three of said registers shall be returned to said board of election commissioners, and said third public register shall, immediately after such election, be corrected by said board of commissioners so as to correspond with the other two registers, or in case it shall be mutilated, or in case any register of any precinct shall be lost, said board of commissioners shall cause a true copy to be made from the other

register or registers: *Provided*, that no statements shall be entered in the public register other than the names and residences of the persons registered so that prior to the next meeting of the board of registry there shall be three registers for each precinct. This section is made applicable, and it shall be made the duty of the judges of election to observe it, after each and every election.

§ 27. At any special election occurring in a portion of such city, village or town, only, or which is to fill a vacancy occurring in a single office, and at all judicial elections at which no other than judicial officers are to be elected, there shall not be a previous revision of the registry. But at such special or judicial election any legal voter of a precinct shall be entitled to vote in case he shall file with the judges of election an affidavit, stating the time when he removed into such precinct and the length of his legal residence in such precinct, county and State, and that he has removed into that precinct since the last registration of electors at the last election, and that he is a legal voter of such precinct, supported by an affidavit of a registered voter and householder of the precinct that he knows such person, and that his statements as to his time of residence as aforesaid are correct, and that such person is a legal voter in such precinct. But it shall be the duty of such judges of election to examine him on oath as to his qualifications; and if they are of the opinion that he is not a legal voter, or did not remove into such precinct since the last general or intermediate registration they shall not accept his vote. The books of registry shall be used at such elections and no one can vote unless upon such registry except under the circumstances and through the method aforesaid. All affidavits shall be returned to the office of such election commissioners by the judges of election after every registration and after every election.

§ 28. The registers in the office of the election commissioner shall at all times be open to public inspection without charge.

§ 29. Said judges of election of any precinct shall, on the day preceding any election, call at the office of said commissioners and receive two registers of such precinct, one being received by the representative of one leading political party, and the other by the representative of the other leading political party. The ballot box of such precinct shall be delivered to one of said judges, with the key, and it shall contain the poll books and all the blanks and stationery required for such election.

§ 30. If any person shall wilfully remove, mutilate or destroy the public register hanging up at the place of registry, he shall be guilty of a misdemeanor, and, upon conviction, shall be imprisoned in the county jail not less than three months nor more than twelve months.

§ 31. Any vacancy upon such board of registry, on the day of registration, shall be filled by the judge or judges present, always selecting a person of the same political party as the party absent, and the same oath shall be administered by one of the judges pres-

ent to such temporary judge as provided for regular judges. Whenever any regular judge shall return or be present such temporary incumbent shall vacate his office.

§ 32. All affidavits left with the judges of election at any registration, revision of registration or election shall be immediately returned to the office of the election commissioners. Said affidavits, before being so returned, must be enclosed in an envelope provided for that purpose, which shall then be securely sealed with sealing wax or other adhesive material, and each of the judges shall write his name across the seal. Said judges of election of any precinct shall on the day preceding any registration or election, and upon the day of any revision, call at the office of said commissioners and receive the registers of such precinct, each register except the public register being enclosed in an envelope and sealed with a stamp of the chief clerk of the election commissioners' office. Such envelope shall not be opened by the judges of election until the beginning of the session of registration, revision or election at which the register is to be used, and shall only be opened when all of the judges are present. Immediately at the close of any registration, revision or election, each of the registers except the public register shall be enclosed in an envelope provided for that purpose and securely sealed with sealing wax or other adhesive material, and each of the judges and each of the election clerks shall write his name across every fold at which the envelope, if unfastened, could be opened. Thereupon a judge of each of the leading political parties shall take one of such registers so enclosed and sealed and, within the time specified in this act, shall deliver said envelope with register enclosed to the board of election commissioners, with the seal unbroken, and receive a receipt therefor. There shall be endorsed upon the back of such envelope the number of the precinct and ward of the enclosed register, and the signature of the judge who delivers the same to the election commissioners. If any judge of election shall break the seal of, or open any envelope containing, affidavits or registers, or shall permit any person to open any such envelope, or break the seal thereof, while the same is in his custody, he shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned in the county jail not less than three months nor more than twelve months.

§ 33. The said board of election commissioners, upon the receipt of said register so enclosed, shall note the condition of the seal of said envelope and the signatures of the judges and clerks thereon, and enter the fact touching the same upon a book to be kept by them, together with the name of the officer who returned such register. They shall thereupon open said envelope and remove the register contained therein and note upon the same memorandum book its condition. The public shall not have access to such register except in the presence of a clerk of the election commissioners and under the direction of the chief clerk.

§ 34. Every judge of election, or poll clerk who shall copy any statement contained in any register or affidavit provided in this act, with the intent to use said statement illegally:

Or shall at any election give to any person information contained in any register to assist or aid any person to do any act by law forbidden or in this act constituted an offense:

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than twelve months.

#### ARTICLE IV.

SECTION 1. The election polls shall be open at six o'clock in the morning and continued open until four o'clock in the afternoon of the same day, at which time the polls shall be closed, and if any judge or clerk shall be behind time for fifteen minutes after the time for opening such polls, he shall be guilty of a misdemeanor under this act and punished accordingly. No judge or clerk shall absent himself to exceed five minutes at any time until the ballots are all cast and counted and returns made. And when absent for any cause said judge or clerk shall authorize some one of the same political party with himself to act for him until his return.

§ 2. If any judge or clerk shall not be present after the expiration of fifteen minutes from the time to open the polls, the judge or judges present shall fill the place of such absent judge or clerk, always selecting a person of the same political party as the party absent. And one of the judges shall administer to such substitute the oath as required of the judge or clerk originally appointed, and blank forms shall be sent out by the commissioners for such purpose, which oath shall be preserved and returned to the commissioners, and such appointee shall be considered an officer of the county court, and subject to the same punishment and penalties as any other judge or clerk. Whenever such regular judge or clerk shall be present such substitute shall cease to act. Any judge or clerk who shall wilfully absent himself from the polls on election day without good cause, shall be guilty of a misdemeanor, and be subject to a fine or penalty of five hundred dollars. And if such judge or clerk shall wilfully detain any register or poll book, and not cause it to be produced at the polling place at the opening of the polls, or for fifteen minutes thereafter, he shall be deemed guilty of a misdemeanor, and, on conviction, shall be imprisoned not less than three months nor more than one year in the county jail, or be fined not less than two hundred dollars nor more than one thousand dollars.

§ 3. Before voting begins the ballot box shall be empty; and shall be opened and shown to those present to be empty; and it shall not be removed from the public view from the time when it is shown to be empty until after the close of the polls. It shall be locked and the key delivered to one of the judges, and shall not be again opened until the close of the polls. The judges of election shall each be held guilty of a misdemeanor, and, on conviction, shall be fined a thousand

dollars if such ballot box shall not be kept constantly in public view during the progress of the election; unless it shall be shown by such judge that he protested against such obstruction of the view of the ballot box and was overruled by a majority of the judges. If any barricade or other obstruction of any kind shall be, prior to or during such election, interposed, so that all who desire can not constantly see such ballot box, it shall be the duty of such judges to remove such obstruction on request or on their own motion, and if such obstruction shall not be removed on request it shall be the duty of any sheriff, constable or police officer to remove the same on request. And such judges shall be guilty of a misdemeanor and liable to a penalty of a thousand dollars, on conviction, for not removing the same on demand, and shall be imprisoned in the county jail not less than six months nor more than two years. Any judge or justice of the peace shall have jurisdiction, on complaint, to issue a warrant to any constable, or the sheriff of the county, to remove such obstruction as a nuisance; and in executing such warrant he may call any person to his assistance, and no other officer of the law or private individual shall interpose or interfere with such removal; and if he does he shall be guilty of a misdemeanor and, on conviction, shall be imprisoned in the county jail not less than sixty nor more than ninety days.

§ 4. Each of the clerks of election shall keep a poll book which contains a column headed "Number," another headed "Residence," and another headed "Names of Voters." The name of such elector voting shall be entered upon each of the poll books by the clerks in regular succession, under the proper headings, and the number of such voter placed opposite the name in the column headed "Number."

§ 5. Any person desiring to vote and whose name is found upon the register of voters by the person having charge thereof, shall then be questioned by one of the judges as to his nativity, his term of residence at present address, precinct, county, State and United States, his age, whether naturalized and if so the date of naturalization papers and court from which secured, and he shall be asked to state his residence when last previously registered and the date of the election for which he then registered. If such person so registered shall be challenged as disqualified, the party challenging shall assign his reasons therefor, and thereupon one of said judges shall administer to him an oath to answer questions, and if he shall take said oath he shall then be questioned by said judge or judges touching such cause of challenge, and touching any other cause of disqualification. And he may also be questioned by the person challenging him in regard to his qualifications and identity. But if a majority of the judges are of the opinion that he is the person so registered and a qualified voter, his vote shall then be received accordingly. But if his vote be rejected by such judges, such person may afterward produce and deliver an affidavit to such judges, subscribed and sworn to by him before one of said judges, in which it shall be stated how long he has resided in such precinct, county and State; that he is a citizen of the United States, and is a duly qualified voter in such

precinct, and that he is the identical person so registered. Also supported by an affidavit by a registered voter who is a householder residing in such precinct, stating his own residence, and that he knows such person; and that he does reside at the place mentioned and has resided in such precinct, county and State for the length of time as stated by such person, which shall be subscribed and sworn to in the same way. Whereupon the vote of such person shall be received and entered as other votes. But such clerks and the judges having charge of such registers shall state in their respective books the facts in such case, and the affidavits so delivered to said judges shall be preserved and returned to the office of the commissioners of election. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oaths without criticism. Such oaths, if administered by any other officer than such judge of election, shall not be received. One of said judges of said election shall receive the ballot from the voter, and shall announce the residence and name of such voter in a loud voice. Said judge shall then put said vote into the ballot box in the presence of the voter and the judges and clerks of election, and in plain view of the public. The judges having charge of such registers shall then, in a column prepared thereon, in the same line of the name of the voter, mark "Voted" or the letter "V."

§ 6. The vote of no one shall be received by said judges whose name does not appear upon said registers as a qualified voter.

§ 7. At every election each of the political parties shall have the right to designate and keep a challenger at each place of registration, revision of registration and voting, who shall be assigned to such position, immediately adjoining the judges of election, inside the polling or registration place, as will enable him to see each person as he offers to register or vote, and who shall be protected in the discharge of his duty by the judges of election and the officers of the law. And authority signed by the recognized chairman or presiding officer of the chief managing committee of a party in any such city, village or incorporated town, shall be sufficient evidence of the right of such challenger to be present inside the room where the ballot box is kept. But in case any challenger can not or does not produce the authority of such chairman, it shall be the duty of said judges of election to recognize a challenger that shall be vouched for and presented to them by the persons present belonging to such political party, or who shall be vouched for by the judge representing such party. The chairman of the managing committee of each political party for such city, village or town, may remove any challenger appointed by him. The challenger, so appointed and admitted to the room where such ballot box is kept, shall have the right and privilege of remaining during the canvass of the votes and until the returns are duly signed and made. Each political party shall also have the right to a challenger, placed conveniently outside of the polling place, but not in the way of voters. In addition to such challenger, each of the po-



litical parties casting votes at such poll, at the close of the polls shall have the right to the admission of two persons of their political faith into the room where such ballots are to be canvassed to watch such canvass, which watchers may be selected by the captain of the ward or precinct or other persons managing the political interests for such party in such ward or precinct, and, in the absence of such selection, it shall be the duty of the judges of such election to admit into such room two persons of each political party so voting at such election, and who shall be vouched for by the judge or judges representing such political party to be present during the canvass of such votes, and the making of such returns. That such persons shall be of good character and sober, and shall in no wise interfere with such canvass. The officers of the law shall in no manner interfere with the entrance of such watchers into such room, but they shall keep order, and in case of any disorderly conduct on the part of any bystanders or watchers, it shall be the duty of the police or sheriff to exclude such persons from such room. It shall also be the duty of such judges of election to admit one or more officers of the law to be present in such room at the time of such canvass.

§ 8. Said judges of election shall have authority and it shall be their duty to keep the peace, and to cause any person to be arrested for any breach of the peace or for any breach of election laws, or any interference with the progress of registration, revision, election or of the canvass of the ballots; and it shall be the duty of all officers of the law present to obey the order of such judges of election, or either of them, and an officer making an arrest by direction of any judge shall be protected in making such arrest the same as if a warrant had been issued to him to make such arrest.

§ 9. As soon as the poll of an election shall have been finally closed the judges of election, in their several precincts, shall immediately and at the place of the poll, proceed to canvass the vote so cast. Such canvass shall not be adjourned or postponed until it shall have been fully completed, nor until the several statements hereinafter required to be made by the judges and clerks shall have been made out and signed by them. The judges of election shall have the right to station one or more police officers or officers of the peace at such entrance to the room where such canvass is begun, or about to take place, to exclude disorderly persons, and to keep the peace. The challengers present, and the watchers of such canvass shall be allowed to be present and so near that they can see that the judges and clerks of said election are faithfully performing their duties. Each candidate for an office to be filled at such election, by certificate in writing, signed by him, may designate one person for each election precinct in which he is a candidate, to be present at such canvass of the ballots, and such persons shall be admitted to a position in said room as a watcher of such canvass. And the judges of election shall permit him to be present and be so near to them that he can see that such canvass and the statements required by them of the votes are correctly made, and no

judge of election or police or other officer shall allow such person to be molested or removed during the canvass of such ballots, nor until such statements have been made, completed and signed, unless he shall be personally guilty of fraudulent or disorderly conduct.

§ 10. The judges of election shall first count the whole number of ballots in the box. If the ballots shall be found to exceed the number of names entered on each of the poll list, they shall reject the ballots, if any, found folded inside of a ballot. And if the ballot and the poll lists still do not agree after such rejection, they shall reject as many of the ballots as may be necessary to make the ballots agree in number with the names entered on each of the poll lists; the ballots shall be replaced in the box and the box closed and well shaken, and again opened; and one of the judges shall publicly draw out and destroy so many ballots unopened as shall be equal to such excess. And the ballots or poll lists agreeing, or being made to agree in this way, the board shall proceed to count the votes in the following manner: Said judges shall open the ballots and place those which contain the same names together, so that the several kinds shall be in separate piles or on separate files. Each of the judges shall examine the separate files which are, or are supposed to be, alike, and exclude from such files any which may have a name or an erasure, or in any manner shall be different from the others of such file. One of said judges shall then take one file of the kind of ballots which contain the same names, and count them by tens, carefully examining each name on each of said ballots. Such judge shall then pass the ten ballots aforesaid to the judge sitting next to him, who shall count them in the same manner, who shall then pass them to the third judge, who shall also count them in the same manner. Then the third judge shall call the names of the persons named in the ten ballots and the offices for which they are designated, and the poll clerks shall tally ten votes for each of such persons. When said judges shall have gone through such file of ballots containing the same names and shall count them by tens in the same way and shall call the names of the persons named in said ballots and the office for which they are designated, the tally clerks shall tally the votes by tens for each of such persons in the same manner as in the first instance. When the counting of each file of ballots which contain the same names shall be completed, the poll clerks shall compare their tallies together and ascertain the total number of ballots of that kind so canvassed; and when they agree upon the number, one of them shall announce it in a loud voice to the judges. The said judges shall then canvass the other kinds of ballots which do not correspond, those containing names partly from one kind of ballots and partly from another, being those usually called "split tickets," and those from which the name of the person proper to be voted for on such ballots has been omitted or erased, usually called "scratched tickets." They shall be canvassed separately by one of the judges sitting between the two other judges, which judge shall call each name to the poll clerks, and the office for which it is designated, and the other judges looking at the ballot at the same time, and the poll

clerks making tally of the same. When all of the ballots have been canvassed in this manner, the poll clerks shall compare their tallies together and ascertain the total number of votes received by each candidate, and when they agree upon the numbers one of them shall announce in a loud voice to the judges the number of votes received by each candidate on each of the kinds of ballots containing his name, the number received by him on the split and scratch tickets, and the total number of votes received by him.

§ 11. Each batch of ten ballots counted by the judges of election shall, as soon as counted, read and tallied, be strung upon a strong string, thread or twine in the order in which they have been read; and each batch shall thus be disposed of before the commencement of the count as to the next batch.

§ 12. Whenever any proposition is submitted to a vote of the people and is printed or written upon the same ticket with the names of candidates for office, the names, together with such proposition, shall be canvassed in the following manner: All the ballots shall be first separated into three piles; the first pile containing all the ballots in favor of such proposition; the second pile containing all the ballots against such proposition, and the third pile containing all the ballots not mentioning such proposition, or being neither for nor against such proposition. Each of the judges shall then examine each pile and see that the separation has been properly made. Then the first pile shall be counted by tens, and the result announced to the clerks, who shall tally the same by tens. And so the second pile shall be counted, announced and tallied, and likewise the third pile, if necessary. Whereupon the clerks shall announce to the judges the number of votes for and the number of votes against such proposition. The ballots for or against any proposition submitted shall always be canvassed, counted and tallied before the names of candidates for any office are canvassed, counted or tallied.

§ 13. If the tally sheet and returns should contain no heading for any proposition submitted, it shall be the duty of the clerks to write into such tally sheets and returns the headings necessary in order to keep a correct tally, and to make a correct and accurate return, and it shall be the legal duty of the clerks and judges of election to make a true count and correct return of all votes upon any such proposition, and any willful failure or neglect of any judge or clerk to do so shall constitute a felony, and, on conviction, such judge or clerk shall be sent to the penitentiary for not less than three years nor more than five years.

§ 14. When the canvass of the ballots shall have been completed, and the poll clerks shall have announced to the judges the total number of votes received by each candidate, each of the judges of election in turn shall then proclaim in a loud voice the total number of votes received by each of the persons voted for in such precinct, and the office for which he is designated, and the number of votes for

and the number of votes against any proposition which shall have been submitted to a vote of the people. Such proclamation shall be *prima facie* evidence of the result of the canvass of such ballots.

§ 15. The said judges of election shall make quadruple statements of the result of the canvass, one of which shall be written, or partly written and partly printed, in each of the poll books used at such election. Each of the statements shall contain a caption stating the day on which, and the number of the election precinct in the ward, city and county in relation to which, such statements shall be made, and the time of opening and closing of the polls of such election precinct. It shall also contain a statement showing the whole number of votes given for each person, designating the office for which they were given, which statement shall be written, or partly written and partly printed, in words at length; and in case a proposition of any kind has been submitted to a vote at such election, such statements shall also show the whole number of votes cast for or against such proposition, written out or partly written and partly printed, in words at length. And at the end thereof a certificate that such statement is correct in all respects; which certificate, and each sheet of paper forming part of the statement, shall be subscribed by the said judges and election clerks. If any judge or election clerk shall decline to sign such return, he shall state his reasons therefor in writing, and a copy thereof signed by himself shall be enclosed with each return. Each of the statements, except the one contained in each of the poll books, shall be enclosed in an envelope, which shall then be securely sealed with sealing wax, or other adhesive material; and each of the judges and each of the election clerks shall write his name across every fold at which the envelope, if unfastened, could be opened. One of the envelopes shall be directed to the county clerk and one to the comptroller of the city, or to the officer of such city whose duties correspond with those of comptroller. Each set of tallies shall also be signed by the election clerks and judges of the election. And each shall be enclosed in an envelope securely sealed and signed in like manner; and one of the envelopes shall be directed on the outside to the election commissioners and the other to the city, village or town clerk. On the outside of every envelope shall be endorsed whether it contains the statements of the votes cast or the tallies, and for what precinct and ward, village or town.

§ 17. The poll books, which contain two of the several statements or returns, shall be placed in the ballot box, and the ballot box shall then be locked and the key removed, whereupon said judges of election shall all write their names upon a strip of paper of sufficient length for the following purpose: Said strip of paper, after the signing of their names thereon by said judges, shall then be pasted over the key-hole in said ballot box, and extending upward to the upper lid of the box, and carried for some distance over the top, and it shall be placed in such a way that the signatures of said judges shall extend across the place of opening of the lid of the box, so that when the box is opened it shall tear such paper and destroy the signatures written thereon, and so that when a key shall be inserted in the key-

hole it will tear the paper so placed over the key-hole. Such paper shall be fastened with sealing wax or by any other adhesive material, which will not permit the removal of such slip of paper without defacing the same.

§ 18. Thereupon one of the judges of election shall take charge of said ballot box and its contents so enclosed, and one of the judges, who shall represent the opposite political party from the one taking the ballot box, shall receive and hold the key thereto. The two judges who do not have charge of the ballot box shall each take one of the statements of the votes cast into his possession, sealed up in the envelopes as aforesaid, and each of the clerks shall take one of the tally sheets sealed up in the envelope as aforesaid. Thereupon and before twelve o'clock of the day after such election, the judge having possession of such ballot box shall deliver the same with the contents as aforesaid to the board of election commissioners, with the seal unbroken, and shall receive a receipt therefor; and within the same period of time the judge having possession of such key shall deliver the same to such board of commissioners and receive a receipt therefor, and the two judges, not having possession of the ballot box and the two clerks, shall each before twelve o'clock of the next day after such election, deliver the statements and tallies so in their possession, respectively, to the respective officers to whom addressed as aforesaid and who by this act are entitled to receive the same, and, when delivered, each one shall take a receipt from the officer to whom delivered. And none of them shall receive pay for their services as such judges or clerks without the production of the receipts so given them by the officers aforesaid. It shall be the duty of the respective officers so designated to whom such statements and tallies are ordered to be delivered, to receive the same and to safely keep under lock and key until ordered to be surrendered as hereinafter provided.

§ 19. The said board of election commissioners, upon the receipt of said ballot box and key thereto, shall note the condition of the seal or stamp on said box, and enter the fact touching the same upon a book to be kept by them, together with the name of the officer who returned such ballot box. They shall thereupon open said ballot box and remove the poll books containing the returns of the votes cast, and note upon the same memorandum book their condition, and shall put them in a secure place under lock and key, to which the public, in no event, shall have access.

#### ARTICLE V.

SECTION 1. Within seven days after the close of such election the county judge, with the assistance of the city attorney and the board of election commissioners, who are hereby declared a canvassing board for such city, shall open all returns left, respectively, with the election commissioners, the county clerk and city comptroller, and shall make abstracts or statements of the votes in the following manner, as the case may require, viz: All votes for Governor and Lieu-

tenant Governor on one sheet; all votes for other State officers on another sheet; all votes for presidential electors on another sheet; all votes for representatives to congress on another sheet; all votes for judges of the supreme court on another sheet; all votes for clerks of the supreme court on another sheet; all votes for clerk of the appellate court on another sheet; all votes for judges of the circuit court on another sheet; all votes for senators and representatives to the General Assembly on another sheet; all votes for members of the State Board of Equalization on another sheet; all votes for county officers on another sheet; all votes for city officers on another sheet; all votes for town officers on another sheet; and all votes for any other office on a separate and appropriate sheet; all votes for any proposition which may be submitted to a vote of the people, on another sheet, and all votes against any proposition submitted to a vote of the people, on another sheet.

§ 2. It shall be the duty of such board of canvassers to canvass and add up and declare the result of every election hereafter held within the boundaries of such city, village or incorporated town, and the county court shall thereupon enter of record such abstract and result, and a certified copy of such record shall thereupon be filed with the county clerk of said county, and such abstracts or results shall be treated by said county clerk in all respects as if made by the canvassing board now provided by law, and he shall transmit the same to the Secretary of State or other proper officer, as required by law. And such abstracts or results so entered and declared by such county court and a certified copy thereof shall be treated everywhere within the State and by all public officers with the same binding force and effect as the abstract of votes now authorized by the general law of the State.

§ 3. The county clerk shall make out a certificate of election to each person having the highest number of votes for the several county and town offices and deliver such certificate of election to the person entitled to it on his application.

§ 4. The county clerk shall make out a certificate of election to each of the persons having the highest number of votes, as declared by the order of said court, for the several city and town offices within said city, including aldermen, and deliver such certificate of election to the person entitled to it on his application.

§ 5. In the canvass of such votes by the canvassing board provided in said act, said board shall declare who is elected to any city or town office. In the case of a tie in the election to any city office, or to any office voted for only within the territory of such city, it shall be determined by lot, in such manner as such canvassers shall direct, which candidate or candidates shall hold the office, and thereupon the person in whose favor it shall result, shall be declared elected by the order entered in said county court as aforesaid.

§ 6. If, upon opening the various returns so made by the board of canvassers as aforesaid, there shall be anything to indicate that a change has been made in such returns since signing the same by the

judges or clerks, or if any fraud in any respect touching such returns, it shall then be the duty of said canvassing board to have all the tallies opened and examined. If there shall be any doubt as to the genuineness of such returns for any precinct, and as to the actual vote as originally returned, and the truth respecting the same remains uncertain, it shall be the duty of such canvassers to examine any person or persons who were present at the time of the proclamation so made by the judges of election in such precinct, about which any doubt arises, and the board shall be permitted to place such parties or witnesses on oath, and examine them touching the same, and it shall be their duty to call such parties who were present at the time of such proclamation to come before them, and a subpoena may be issued by the county court, under the direction of said board, compelling any such witnesses to come before said board and give their evidence touching the matter in controversy; and thereupon it shall be the duty of said board to declare the result of the vote in any such precinct in regard to which any question arises, as it was proclaimed by the judges of election after the canvass by them in such precinct, which result when so declared, shall be binding and conclusive.

§ 7. The county judge shall be the presiding officer of such canvassing board, and a majority of such canvassing board shall have the right to declare the result, and the result, when so declared, the said county judge shall cause to be entered of record in his court as aforesaid which shall be conclusive as to the votes cast at such election in all the precincts of such city.

#### ARTICLE VI.

§ 1. If at any general registration of voters, or any meeting of the judges of election, held for such purpose, or for revision thereof, as provided in this act, any person shall falsely personate an elector or other person, and register, or attempt or offer to register, in the name of such elector or other person;

Or if any person shall knowingly or fraudulently register or offer, or attempt, or make application to register, in, or under the name of, any other person, or in, or under any false, assumed or fictitious name, or in, or under any name not his own;

Or shall knowingly or fraudulently register in two election precincts;

Or, having registered in one precinct, shall fraudulently attempt or offer to register in another:

Or shall fraudulently register or attempt, or offer to register in any election precinct, not having a lawful right to register therein:

Or shall knowingly or wilfully do any unlawful act to secure registration for himself or any other person;

Or shall knowingly, wilfully or fraudulently, by false personation or otherwise, or by any unlawful means cause or procure, or attempt to cause or procure, the name of any qualified voter, in any election

precinct, to be erased or stricken from any registry of the voters of such precinct, made in pursuance of this act or otherwise, as in this act provided;

Or by force, threat, menace, intimidation, bribery, reward or offer, or promise thereof, or other unlawful means, prevent, hinder or delay any person, having a lawful right to register or be registered, from duly exercising such right;

Or shall knowingly, wilfully or fraudulently compel or induce, or attempt, or offer to compel or induce, by such means, or any unlawful means, any judge of election or other officer of registration in any election precinct to register or admit to registration any person not lawfully entitled to registration in such precinct;

Or to register any false, assumed or fictitious name, or any name of any person except as provided in this act;

Or shall knowingly, or wilfully or fraudulently interfere with, hinder or delay any judge of election, or other officer of registration, in the discharge of his duties, or counsel, advise or induce, or attempt to induce, any such judge or other officer to refuse or neglect to comply with or to perform his duties, or to violate any law prescribed for regulating the same;

Or shall aid, counsel, procure or advise any voter, person, judge of election, or other officer of registration, to do any act by law forbidden, or in this act constituted an offense, or to omit to do any act by law directed to be done;

Every such person upon conviction thereof, shall be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

§ 2. If, at any election hereafter held in any such city, village or incorporated town, any person shall falsely personate any elector or other person, and vote, or attempt or offer to vote in, or under the name of such elector or other person;

Or shall vote, or attempt to vote, in or upon the name of any other person, whether living or dead, or in or upon any false, assumed or fictitious name, or in or upon any name not his own;

Or shall knowingly, wilfully or fraudulently vote more than once for any candidate for the same office, except as authorized by law;

Or shall vote, or attempt or offer to vote, in any election precinct without having a lawful right to vote therein;

Or vote more than once, or vote in more than one election precinct;

Or, having once voted, shall vote or attempt to [or] offer to vote again;

Or shall knowingly, wilfully or fraudulently do any unlawful act to secure a right or an opportunity to vote for himself or for any other person;



Or shall by force, threat, menace, intimidation, bribery or reward, or offer or promise thereof, or otherwise unlawfully, either directly or indirectly, influence or attempt to influence any elector or any person in giving his vote:

Or prevent, or hinder or attempt to prevent, or hinder any qualified voter from freely exercising the right of suffrage;

Or by any such means induce or attempt to induce any such voter, or any person, to exercise any such right:

Or shall, by any such means or otherwise, compel or induce, or attempt to compel or induce, any judge of election or other officer of election, in any election precinct, to receive the vote of any person not legally qualified or entitled to vote at the said election in such precinct;

Or shall knowingly, wilfully or fraudulently interfere with, delay or hinder, in any manner, any judge of election, poll clerk or other officer of election in the discharge of his duties;

Or by any such means, or other unlawful means, knowingly, wilfully or fraudulently counsel, advise, induce or attempt to induce any judge of election, poll clerk or other officer of election whose duty it is to ascertain, proclaim, announce or declare the result of any such election, to give or to make any false certificate, document, report, return or other false evidence in relation thereto;

Or to refuse or neglect to comply with his duty, or to violate any law regulating the same, or to receive the vote of any person in any election district not entitled to vote therein:

Or to refuse to receive the vote of any person entitled to vote therein;

Or shall aid, counsel, advise, procure or assist any voter, person or judge of election, or other officer of election, to do any act by law forbidden or in this act constituted an offense:

Or to omit to do any act by law directed to be done:

Every such person, upon conviction thereof, shall be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

§ 3. If any election clerk or poll clerk, or any judge of election performing the duties of poll clerk, or other person performing such duties, shall wilfully keep a false poll list;

Or shall knowingly insert in his poll list any false statement, or any name or statement, or any check, alteration or mark, except as in this act provided;

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

§ 4. Every judge of election who shall wilfully exclude any vote duly tendered, knowing that the person offering the same is lawfully entitled to vote at such election;

Or shall wilfully receive a vote from any person who has been duly challenged in relation to his right to vote at such election, without exacting from such person such oath or other proof of qualification as may be required by law;

Or shall wilfully omit to challenge any person offering to vote, whom he knows or suspects not to be entitled to vote, and who has not been challenged by any other person;

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

§ 5. Every judge of election, member of any board of canvassers messenger, poll clerk or other officer authorized to take part in, or perform any duty in relation to, any canvass or official statement of the votes cast at any election in any precinct, or in any city, village or incorporated town, who shall wilfully make any false canvass of said votes;

Or shall make, sign, publish or deliver any false return of such election, or any false certificate or statement of the result of such election, knowing the same to be false;

Or who shall wilfully deface, destroy or conceal any statement, tally or certificate entrusted to his care or custody:

Shall, on conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than five nor more than ten years.

§ 6. If any person other than a judge of election shall, at any such election, knowingly and wilfully put, or cause to be put, any ballot or ballots, or other paper having the semblance thereof, into any box used at such election for the reception of votes:

Or if any such judge of election shall knowingly and wilfully cause or permit any ballot or ballots to be in said box at the opening of the polls and before the voting shall have commenced;

Or shall knowingly, wilfully or fraudulently put any ballot, or other paper having the semblance thereof, into any such box at any such election, unless the same shall be offered by an elector, and his name shall have been found and kept upon the registry, as hereinbefore provided, or who shall be entitled to vote under this act:

Or if any such judge of election or other officer or person shall fraudulently, during the canvass of ballots, in any manner change, substitute or alter any ballot taken from the ballot box then being canvassed, or from any ballot box which has not been canvassed:

Or shall remove any ballot or semblance thereof from, or add any ballot or semblance thereof to, the ballots taken from the ballot box then being canvassed, or from any ballot box which has not been canvassed:

Every such person shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

§ 7. If any judge of election, poll clerk or other officer of registration, revision, election or canvass, of whom any duty is required in this act, or by the general election laws of this State, so far as the same are consistent with the provisions of this act, shall be guilty of any wilful neglect of such duty;

Or of any corrupt or fraudulent conduct or practice in the execution of the same:

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

§ 8. Every judge of election, poll clerk or other officer or person having the custody of any record, register of voters or copy thereof, oath, return or statement of votes, certificate, poll list, or of any paper, document or vote of any description, in this act directed to be made, filed or preserved, who is guilty of stealing, wilfully destroying, mutilating, defacing, falsifying or fraudulently removing or secreting the whole or any part thereof;

Or who shall fraudulently make any entry, erasure or alteration therein, except as allowed and directed by the provisions of this act;

Or who permits any other person so to do;

Shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished for each and every such offense by imprisonment in the penitentiary for not less than one year nor more than ten years.

§ 9. Every person not an officer, such as is mentioned in the last preceding section, who is guilty of any of the acts specified in said last section, or who advises, procures or abets the commission of the same, or any of them, shall upon conviction thereof, be adjudged guilty of a felony, and for each and every such offense shall be punished by imprisonment in the penitentiary for not less than one year nor more than ten years. And such offense shall be deemed to have been committed whether such person has or had any custody or control, rightful or otherwise, over, or is charged with any duty in relation to, said records, register, ballots or other documents.

§ 10. Any person who shall be convicted of wilfully and corruptly swearing or affirming in taking any oath or affirmation prescribed by, or upon any examination provided for in this act, shall be adjudged guilty of wilful and corrupt perjury, and shall be punished according to the laws of this State.

§ 11. Every person who shall wilfully and corruptly instigate, advise, induce or procure any person to swear or affirm falsely as aforesaid, or attempt or offer so to do, shall be adjudged guilty of subornation of perjury, and shall upon conviction thereof, suffer the punishment directed by law in cases of wilful and corrupt perjury.

§ 12. If any person shall fraudulently change or alter the ballot of any elector, or substitute one ballot for another;

Or fraudulently furnish any elector with a ballot containing more than the proper number of names;

Or shall intentionally practice any fraud upon any elector to induce him to deposit a ballot as his vote, and to have the same thrown out and not counted, or to have the same counted for a person or candidate other than the person or candidate for whom such elector intended to vote;

Or otherwise defraud him of his vote;

Every such person shall, upon conviction thereof be adjudged guilty of a felony, and shall, if a judge of election, poll clerk or other officer of election, be punished by imprisonment in the penitentiary for not less than two nor more than five years.

And if not such judge, poll clerk or other officer of election, shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

§ 13. If any person who shall have been convicted of bribery, felony or other infamous crime under the laws of any state, and who has never received the pardon for such offense from the officer entitled to grant such pardon, shall thereafter vote or offer to vote at any election in such city, village or incorporated town, he shall, upon conviction thereof, be adjudged guilty of a felony, and, for each and every such offense, shall be punished by imprisonment in the penitentiary for not less than two nor more than five years.

§ 14. If any person shall wilfully disobey any lawful command of any judge of election or of any board of registry, given in the execution of his or their duty as such, at any election or registration, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than thirty days nor more than one year; or by a fine not less than two hundred and fifty (250) nor more than one thousand (1,000) dollars, or by both such fine and imprisonment. Any misdemeanor under this act for which no penalty is specifically provided shall be punished as provided in this section.

§ 15. If, at any general registration of voters, or revision thereof, or on any day of election, or during the canvass of the votes cast thereat, any person shall cause any breach of the peace, or be guilty of any disorderly violence or threats of violence, whereby any such registration, revision, election, or canvass shall be impeded or hindered;

Or whereby the lawful proceedings of any judge of election, or board of registration, or poll clerk, or other officer of such election or challenger, or person designated to be present at the canvass of any ballots, as hereinbefore provided, are interfered with;

Every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than thirty days nor more than one year;

or by a fine of not less than two hundred and fifty (250) dollars nor more than one thousand (1,000) dollars; or by both such fine and imprisonment.

§ 16. If any person knowingly or wilfully shall obstruct, hinder or assault, or by bribery, solicitation or otherwise, interfere with any judge of election, poll clerk, challenger, or person designated as provided in this act to be present at the canvass of any ballots, in the performance of any duty required of him, or which he may by law be authorized or permitted to perform;

Or if any person, by any of the means before mentioned or otherwise unlawfully shall, on the day of registration, revision of registration, or of election, hinder or prevent any judge of election, poll clerk, challenger, or person designated as provided in this act to be present at the canvass of ballots, in his free attendance and presence at the place of registration, or revision of registration, or of election in the election precinct, in and for which he is appointed or designated to serve;

Or in his full and free access and egress to and from any such place of registration, revision of registration, or of election;

Or to and from any room where such registration, revision of registration, or election, or canvass of votes, or making of any return or certificates thereof, may be had;

Or shall molest, interfere with, remove or eject from any such place of registration or poll of election, or of canvassing ballots cast thereat, or of making of returns or certificates thereof, any such judge of election, poll clerk, challenger, or person designated as provided in this act to watch the canvass of any ballot, except as otherwise provided in this act, or shall unlawfully threaten, or attempt or offer so to do;

Every such person shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by imprisonment in the county jail for not less than six months nor more than one year;

Or shall be fined not less than five hundred (500) nor more than two thousand (2,000) dollars, or both.

§ 17. If any person, upon the day of such election or before the canvass of votes is completed, shall conceal or wilfully break or destroy any ballot box used or intended to be used, at such election;

Or shall wilfully or fraudulently conceal, secrete or remove any such box from the custody of judges of election;

Or shall alter, deface, injure, destroy or conceal any ballot which has been deposited in any ballot box at such election, which has not been counted or canvassed;

Or poll list used at such election;

Or any report, return, certificate or other evidence in this act required, as provided for;

He shall, on conviction thereof, be adjudged guilty of a felony and shall, for each and every such offense, be punished by imprisonment in a state penitentiary for not less than two nor more than five years.

§ 18. If in any election precinct, at any registration of voters or revision thereof, or at any election hereafter held in such city, any judge of election or poll clerk shall knowingly or wilfully admit any person to registration, or make any entry upon any register or poll book;

Or receive any vote, or proceed with the canvass of ballots, or shall consent thereto, unless a majority of all the judges of election in said election precinct are present and concur;

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than thirty nor more than sixty days; or by a fine of not less than one hundred (100) nor more than one thousand (1,000) dollars, or by both such fine and imprisonment.

§ 19. If any judge of election, in any election precinct shall, without urgent necessity, absent himself from the place of registration or the polls in said precinct upon any day of election, whereby less than a majority of all the judges in such election precinct shall be present during such hours of registration, election or canvass of ballots;

He shall, upon conviction, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than sixty days nor more than six months; or shall be fined not less than five hundred (500) nor more than one thousand (1,000) dollars, or both.

§ 20. It shall be unlawful for any judge of election, poll clerk, challenger, or any person or persons within the polling place to electioneer or engage in any political discussion.

Any violation of this section shall be a misdemeanor, and shall be punished by imprisonment in the county jail for not less than ten nor more than ninety days, or by a fine of not less than one hundred (100) nor more than five hundred (500) dollars, or both.

§ 21. Whoever, during the hours of election in any election precinct in such city;

Or during the hours of registration, revision of registration or canvass of votes or of making returns thereof, shall bring, take, order or send into, or shall attempt to bring, take or send into any place of registration, or revision of registration, or of election, any distilled or spirituous liquors whatever; or, shall, at any such time and place, drink or partake of such liquor, shall be deemed and held to be guilty of a misdemeanor, and shall be punished according to law.

§ 22. Irregularities or defects in the mode of noticing, convening, holding or conducting an election authorized by law shall constitute no defense to a prosecution for a violation of the provisions of this act.

§ 23. Every act which, by the provisions of this act or the general election laws, is made a crime when committed with reference to the election of a candidate, is equally criminal when committed with reference to the determination of the question submitted to electors, to be decided by votes cast at an election.

The word "Election," as used in this act, shall be construed to designate elections had within any city, village or incorporated town adopting this act, for the purpose of enabling electors to choose some public officer or officers under the laws of this State or the United States;

Or to pass upon any amendment, law or other public act or proposition submitted to vote by law.

The word "Householder," as used in this act, shall mean the chief or head of a family, who resides with the family as a family, and who supports and provides for such family as an independent family.

§ 24. In case of misdemeanors committed, where a matter of fine shall be imposed instead of imprisonment, such party shall be discharged from imprisonment only on condition of payment of the fine;

And, unless paid, his imprisonment shall continue until such fine shall be canceled by an allowance of three (3) dollars per day for each day of imprisonment.

§ 25. All forfeiture provided for in this act shall be recovered in the name of the board of election commissioners, and shall be paid, when collected, into the county treasury.

§ 26. It shall be the duty of such election commissioners to aid in the prosecution of all crimes and offenses against this act;

And they shall keep a docket in which shall be entered all complaints against all persons claimed to be guilty of the violations of this law;

And when, in the judgment of such election commissioners, such offense has probably been committed, it shall be their duty to cause a prosecution to be instituted in accordance with the provisions of this act, and cause the parties to be punished accordingly.

Said election commissioners, when in session, shall have authority and it shall be their duty, to keep the peace, and to cause any person to be arrested for any breach of the peace or for any breach of election laws; and it shall be the duty of all officers of the law present to obey the order of such election commissioners or either of them, and an officer making an arrest by direction of any election commissioner shall be protected in making such arrest the same as if a warrant had been issued to him to make such arrest.

## ARTICLE VII.

SECTION 1. Such election commissioners and the chief clerk of the board of election commissioners shall be paid by the county. And for the purpose of fixing their fees and compensation the several counties of this State are divided into three classes, as they are now classified by law, as to fees and salaries.

In counties of the first class said election commissioners shall each receive a salary of \$500, and said chief clerk a salary of \$400 per annum.

In counties of the second class said election commissioners shall each receive a salary of \$700, and such chief clerk a salary of \$600 per annum.

In counties of the third class, to-wit: In Cook county such election commissioners shall each receive a salary of \$2,500, and such chief clerk a salary of \$4,000 per annum.

All expenses incurred by such board of election commissioners shall be paid by such city. Such salaries and expenditures are to be audited by the county judge, and such salaries shall be paid by the county treasurer upon the warrant of such county judge, out of any money in the county treasury not otherwise appropriated, and such expenditures shall be paid by the city treasurer, upon the warrant of such county judge, out of any money in the city treasury not otherwise appropriated. It shall also be the duty of the governing authority of such counties and cities, respectively, to make provisions for the prompt payment of such salaries and expenses as the case may be.

§ 2. All judges and clerks of election in counties of the third class, under this act, shall be allowed and paid at the rate of \$5 per day.

§ 3. Each judge of election who has performed all the duties and services required of him by this act, at the general registration and at the election following, shall be credited with four full days' services and no more, but at any election prior to which there is only an additional registration and revision, being a registration between the general registrations, he shall be credited with three full days' service and no more, in case he performs all the duties required of him under this act.

At the elections held under this act, where there is no additional registration or revision of registration each judge or clerk of election shall only be credited with one days' service each.

When any judge or clerk does not perform all the services required by this act then such board of election commissioners will audit his time and shall allow him pro rata compensation.

Each clerk of election, if he has performed all the services required by [of] him by this act at the general registration and at the election following, shall be credited with five days' service and no more, but at any election prior to which there was only an additional registration and revision, being a registration between the general registrations, he shall be credited with four full days' service and no more, in case he performs all the duties required of him by this act.

§ 4. At all city elections, general or special, though other than city officers may be elected at the same time with such city officers, and at all special elections in any part of such city, at which a city officer is elected, such city shall pay such judges and clerks of election for their services under this act.



§ 5. At all general county and State elections, which include officers elected through the whole county, though other than State and county officers are also elected, and at all exclusively judicial elections, and at all special elections for a county or State officer, or member of congress, or member of the Legislature, such county shall pay such judges and clerks of election for their services under this act.

§ 6. Said board of election commissioners shall audit all the claims of judges and clerks of election, and shall draw a warrant therefor upon such city or county treasury, as the case may be.

#### ARTICLE VIII.

SECTION 1. Whenever this act is adopted by any village or incorporated town, all its provisions shall be applicable and operative, except as hereinafter modified.

§ 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 election, 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.

§ 3. The quadruple returns of the judges and clerks of election of such village or incorporated town mentioned in the last section, in case of a village or town election for any officer of such village or town, shall be made to the same officer as now required by law, who shall receipt therefor; and all such returns shall be canvassed by the canvassing board of such village or town, as established by law, with the same powers of investigation and examination by such board as is authorized by this act to the canvassing board of any such city.

§ 4. The returns of the judges and clerks of election of such village or incorporated towns mentioned in the second section of this article, in case of all other elections therein, shall be made to the same officers as required by this act of returns of elections held in a city, and such returns shall be canvassed and the result declared by the same canvassing board.

§ 5. All oaths in writing, provided for in this act, must have a jurat, or certificate of the officer taking the same, attached and signed by him, and said election commissioners and said judges of election are hereby empowered to administer all oaths and affirmations required in the administration of the affairs of their several offices.

APPROVED, April 24, 1899.

## MAKING ABSTRACTS AND CANVASSING RETURNS.

§ 1. Amends sections 71, 76 and 78 of the Act of 1872:

§ 71. Abstracts of votes—how made.

§ 76. Abstracts to be forwarded to the Secretary of State.

§ 78. Canvassing votes by State officers.

AN ACT to amend Sections seventy-one (71), seventy-six (76) and seventy-eight (78) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, and in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections seventy-one (71), seventy-six (76) and seventy-eight (78) of an act entitled, "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, be, and the same is hereby, amended so as to read as follows, to-wit:

§ 71. Within seven days after the close of the election the county clerks of the respective counties, with the assistance of two justices of the peace of the county, shall open the returns and make abstracts of the votes in the following manner, as the case may require:

Of votes for Governor and Lieutenant Governor, on one sheet; of votes for State officers, on another sheet; of votes for Presidential Electors, on another sheet; of votes for Representatives to Congress, on another sheet; of votes for Judges of the Supreme Court, on another sheet; of votes for Clerk of the Supreme Court, on another sheet; of votes for Judges of the Circuit Court, on another sheet; of votes for Senators and Representatives to the General Assembly, on another sheet; of votes for members of the State Board of Equalization, on another sheet; of votes for trustees of the University of Illinois, on another sheet; of votes for amendments to the constitution, and for other propositions submitted to the electors of the entire State, on another sheet; of votes for county officers and for propositions submitted to the electors of the county only, on another sheet. The foregoing abstracts shall be preserved by the county clerk in his office.

§ 76. Immediately after the completion of the abstracts of votes the county clerk shall make two correct copies of the abstracts of votes for Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Attorney General and Superintendent of Public Instruction, both of which said copies he shall envelope and seal up, and endorse upon the envelopes in substance, "Abstracts of votes for State Officers from \_\_\_\_\_ county." and he shall address one of the envelopes containing said copies of Abstracts of votes for State Officers to "the Speaker of the House of Representatives." and the other he shall address to "the Secretary of State." The county clerk shall, at the same time, envelope and seal up a copy of each of the abstracts of votes for other officers and amendments to the constitution and other propositions voted on, and

indorse the same so as to show the contents of the package, and address the same to the Secretary of State. The several packages shall then be placed in one envelope and addressed to the Secretary of State.

§ 78. The Secretary of State, Auditor, Treasurer and Attorney General, or any two of them, in the presence of the Governor, shall proceed within twenty days after the election, and sooner if all the returns are received, to canvass the votes given for Representatives to Congress, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Circuit Court, Senators, Representatives to the General Assembly, members of the State Board of Equalization and Trustees of the University of Illinois, respectively, and the persons having the highest number of votes for the respective offices, shall be declared duly elected; but if it appears that more than the number of persons to be elected have the highest and equal number of votes for the same office, the Secretary of State, in the presence of the other officers and the Governor, shall decide by lot which of such persons shall be elected; and to each person duly elected, the Governor shall give a certificate of election or commission, as the case may require, and shall cause proclamation to be made of the result of the canvass, and they shall at the same time and in the same manner, canvass the vote cast upon amendments to the constitution, and upon other propositions submitted to the electors of the entire State; and the Governor shall cause to be made such proclamation of the result or the canvass as the statutes elsewhere provide.

APPROVED April 24, 1899.

#### POLLING PLACES AT SOLDIERS' AND SAILORS' HOMES.

§ 1. Amends section 30 of the Acts of 1872 and 1895:

§ 20. Change of election precincts dividing precincts into districts—polling places—provides for elections on grounds of State Soldiers' and Sailors' Home or Homes.

AN ACT to amend Section 30 of an act entitled "An act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved April 4, 1895, in force July 1, 1895.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 30 of an act entitled "An act in regard to election and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, and amended by an act approved April 4, 1895, in force July 1, 1895, be amended to read as follows:

§ 30. The county board in each county shall, at its regular (or at a special) meeting in the month of July, 1895, respectively divide its election precincts which contain more than four hundred and fifty voters into election districts so that each district shall contain, as

near as may be practicable, four hundred voters, and not more in any case than four hundred and fifty. Said district shall be composed of contiguous territory, and in as compact a form as can be for the convenience of the electors voting therein. The several county boards, in establishing said district, shall describe them by metes and bounds and number them. And so often thereafter as it shall appear by the number of votes cast at the general election held in November of any year. that any election district, or undivided election precinct, contains more than four hundred and fifty. the county board of the county in which such district or precinct may be shall. at its regular (or at a special) meeting in the month of July next after such November election, re-divide or re-adjust the election district, or divide such election precincts, so that no district or undivided election precinct shall contain more than the number of voters above specified.

If said division or re-adjustment is not made at such July meeting. it may be made at an adjourned or special meeting of said county board, to be held in the month of August next thereafter. The county board in every case shall fix and establish the places for holding elections in its respective county, and all general and special elections shall be held at the places so fixed. The said polling places shall in all cases be upon the ground floor, in the front room, the entrance to which is in a highway or public street, which is at least forty feet wide, and as near the center of the voting population of the district as is practicable, and for the convenience of the greatest number of electors to vote thereat; and in no case shall an election be held in any room used or occupied as a saloon, dram-shop, billiard hall, bowling alley or as place of resort for idlers and disreputable persons, or in any room connecting therewith by doors or hallways. No person shall be permitted to vote at any election except in the district in which he resides: *Provided*. that the county board may, if it deem it to be for the best interest of the voters of any town or precinct, divide any election precinct which contains more than three hundred legal voters into two election precincts, same precincts to contain as near two hundred voters as is possible: *Provided further*. that it shall be the duty of the county board in each county where any State soldiers' and sailors' home or homes are located, the inhabitants of which are entitled to vote, to fix and establish the place or places for holding such election or elections at some convenient and comfortable place or places. easy of access, on the ground or grounds, and within the inclosure where such State soldiers' and sailors' home or homes are located.

APPROVED April 24, 1899.

## PRIMARY ELECTIONS FOR COUNTIES OTHER THAN COOK.

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| § 1. Cities, towns and villages in counties of less than 125,000 population may adopt primary election law.   | § 8. Judges—filling vacancies.  |
| § 2. What organization may hold—time.   | § 9. Manner of voting.  |
| § 3. Primary election districts.  | § 10. Qualifications of voter—penalty for illegal voting.   |
| § 4. Polling places—penalty for violations.   | § 11. Bribing voter—penalty for.  |
| § 5. Establishment of districts and polling places—executive committees to appoint judges and clerks.   | § 12. Per diem of judges—who shall furnish poll books, tallysheets, etc.—expenses—how paid.                 |
| § 6. County clerk's duties—notice of election—contents—publication of—ballot boxes—delivery and return of—county clerk to deliver ballots—manner of marking ballot—who may vote—names of candidates reported to county clerk—county clerks to stamp ballots—specimen ballots of instructions—receipt and return of ballots—penalty for failure to account for ballots not returned. | § 13. Filling vacancies of delegates.   |
| § 7. Manner of selecting delegates to nominating conventions—chairman or secretary may certify names of candidates, delegates and alternates to county clerks—manner of marking ballots—time for opening and closing polls.   | § 14. Ballot box to be exhibited before opening polls—clerks to keep poll book.                             |
|   | § 15. Judges—may swear and examine persons and decide their right to vote—authorized to keep peace—arrests. |
|   | § 16. Canvass of votes—disposition of returns—penalty for neglect of duty by judges—prosecutions.           |
|   | § 17. Repeals all conflicting laws.   |
|   | § 18. Manner of adopting this act.  |

AN ACT providing for primary elections of delegates to nominating conventions of political parties or organizations, and to provide for the purity thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all counties having a population of less than 125,000, as shown by the last federal census, incorporated cities, towns or villages, the primary election for delegates to constitute the various conventions of the different political parties or organizations held to nominate candidates for public office in this State, or any part thereof, or for Congress of the United States, shall be chosen in the manner provided in this act: *Provided*, said act be adopted as hereinafter provided.

§ 2. Any political party or organization which at the last general election in this State polled at least 25 per cent of the entire vote cast in such county, incorporated city, town or village, shall be entitled under this act to hold one primary election on a day not less than thirty days preceding any regular spring election, also not less than thirty days preceding any regular November election.

§ 3. For the purpose of primary elections under this act, each township in counties under township organization, and each election precinct in counties not under township organization may constitute a primary election district, or each ward of incorporated cities, towns and villages may constitute a primary election district.

§ 4. The polling place for each district shall be as near the center of population as practicable, but no building shall be designated or used as such polling place in which spirituous or intoxicating liquors are sold, nor within 100 feet of such place. Any person who knowingly names a voting place in violation of this section shall be guilty of a misdemeanor and, on conviction thereof, shall be fined not less than one hundred dollars (\$100.00), nor more than two hundred dollars (\$200.00), or imprisoned not to exceed one year in the county jail, in the discretion of the court.

§ 5. The board of supervisors in counties having township organization, or county commissioners in counties not under township organization, shall establish such primary election districts and such polling places, which shall be the same for all political parties according to this act. In default of such supervisors or county commissioners designating such districts they shall be designated by the county judge of such county. The executive committee of such political party, entitled under this act, shall designate three judges (two of whom shall act as clerks) of their own political party, for each district, who are residents of such districts and legal voters therein.

§ 6. At least ten days before the primary election day, designated as aforesaid by such political party, it shall be the duty of the county clerk, or clerk of any incorporated city, town or village, upon the application of any political party as aforesaid to give notice of such primary election. Such notice shall give the name of the political party, the time the primaries are to be held, and the location of the polling place for each district. Such notice shall be published in some newspaper published in the territory where such primary election is held, if there be one, and in such newspaper as shall be designated by the political party holding the primary election. The county clerk, or such other party having charge of the ballot boxes and booths, shall, when demanded, deliver to the judges of each election precinct within two days of such election one ballot box and key and the necessary booths to hold such election under the general laws of the State. Said judges shall receipt for them and return them to their proper place after the election is over.

The county clerk, or clerk of any incorporated city, town or village, shall furnish the judges of each primary district a sufficient number of ballots on white paper and of the same size, to contain the names of all the candidates to come before the nominating convention, and the office for which they seek a nomination. The voter shall make a cross before the name of the candidate of his choice for each of the offices to be filled, and each candidate shall receive his pro rata of votes cast in each district in the nominating convention for two ballots.

Any legal voter who will have a right to vote at a primary election held under this act, may have his name appear on the official ballot for the nomination to any office to be filled at the election for which these primaries are held.

The names of all persons who desire to have their names printed on the ballot as candidates shall be reported to the county clerk or clerk of the incorporated city, town or village, as the case may be, not less than five days prior to the day on which such primary election shall be held.

The county clerk, or clerk of the incorporated city, town or village, shall stamp or print on the back of each ballot a *fac simile* of his name, officially, together with the words "official ballot," and no ballots shall be counted which do not contain the above marks.

Beside the official ballots, the county clerk, or clerk of any incorporated city, town or village, shall cause to be printed on colored paper ballots of instruction, containing all the names and arrangement of the legal ballot; a reasonable number to be given to the judges of each district, who shall distribute them among the voters at their polling places, the same to be tacked up in a conspicuous place, easy of access.

The judges shall receipt to the county clerk, or clerk of any incorporated city, town or village, for the number of ballots received, and return all ballots not used. They shall account for all ballots not returned, and if they fail to account for the same they shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00), or be imprisoned not to exceed one year in the county jail, in the discretion of the court.

§ 7. The selection of delegates to all nominating conventions shall be made in the following manner: The requisite number of delegates to which each precinct, ward or district is entitled shall first be determined, and a like number of blank lines placed on each ballot. Names of candidates, delegates and alternates who may be certified as such to the county clerk seven days prior to the holding of such primary election by the chairman and secretary of the city, township or county central committee of the party holding such primary election, shall be printed upon the official ballot. The voter, while in the booth, shall write or paste<sup>5</sup> on the blank lines provided on the ballot the requisite number of names of persons of his choice, to act as delegates: and the requisite number of persons for delegates receiving the highest number of votes cast shall constitute the delegates from such precinct, ward or district to the nominating convention thereof, and the requisite number receiving the next highest number of votes cast shall constitute the alternates.

The polls shall be opened at 12 o'clock m. on the day of election, and close at 7 o'clock p. m. of the same day, except in rural districts, where they may close at 5 o'clock p. m.: *Provided*, they so specify in the call for such election.

§ 8. If any judge who has been appointed shall fail to appear within fifteen minutes after the time for opening the polls, the bystanders of the political party holding the primary election shall fill such vacancy.

§ 9. The voter shall receive his ballot from one of the judges, and the same law governing the voting at any general election shall govern the voting at a primary election.

§ 10. No person shall be allowed to vote at any primary election except he be a citizen of the State and a resident of the district in which he desires to vote, and must have voted with said party at the last general election holding a primary election, except he be a first voter; nor shall any person vote more than one time, or at any other than at the polling place in the district wherein he resides.

Any person who shall violate the provisions of this section shall be fined not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00), or imprisoned in the penitentiary for one year, or both in the discretion of the court.

§ 11. Any person who shall bribe, or attempt to bribe, any voter by offering money or other valuable thing, or promising a position to a voter to get him to vote for or against any particular candidate, or any voter who shall receive any bribe as aforesaid, shall each be guilty of a misdemeanor, and on conviction shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or imprisoned in the penitentiary for one year, in the discretion of the court.

§ 12. The judges of such election shall each receive \$1.50 per day for their services.

The county clerk, or clerk of an incorporated city, town or village, shall furnish the judges all poll books, tally sheets and other necessities to carry out the provisions of this act.

The expenses of conducting such primary elections shall be paid by the county, incorporated city, town or village in which such primary election is held.

All bills shall be audited by the county clerk, or clerk of the incorporated city, town or village, and he shall issue his warrant on the proper treasurer for the amount due.

§ 13. Whenever any delegate who has been elected to a nominating convention shall not attend, the remaining delegates shall fill the vacancy from among the alternates elected from such district, and if others are required they may elect any legal voters of the same political party residing in the same district.

§ 14. Before the voting begins the ballot box shall be shown to those present to be empty, then locked and the key given to one of the judges, who shall not allow it to be opened again until the polls are closed, and said ballot box shall be kept continually in view. Each clerk shall keep a poll-book, the same as in a general election and the certificate thereon shall be the same.

§ 15. Any person may be sworn by one of the judges of election and examined under oath and the judges shall decide whether or not he is entitled to vote at said primary election.



The judges shall have authority to keep the peace, and it shall be the duty of all officers of the law present to obey the orders of the judges of election, and the officer making the arrest shall be protected the same as if a warrant had been issued to him to make the arrest.

§ 16. Immediately on the closing of the polls the judges of the election shall proceed to count the ballots and canvass the votes polled, and upon the completion thereof the judges shall declare the result. They shall make one certificate of the same and attach it to the poll book, and send another in a sealed envelope to the executive committee holding the primary election.

All judges of such election who knowingly neglect or refuse to do their duty as such officers shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$500.00), in the discretion of the court.

It shall be the duty of the county clerk, or clerk of the incorporated city, town or village, to aid the State's attorney with such evidence as he may have in his office to prosecute all offenses under this act.

§ 17. All laws and parts of laws inconsistent with this act are hereby repealed.

§ 18. The electors of any county, incorporated city, town or village may adopt this act in the following manner:

Whenever 50 per cent of the legal voters of such county, incorporated city, town or village shall petition the county judge to submit the proposition whether or not the electors thereof shall adopt this act it shall be the duty of such county judge to submit such proposition at the next election of any county, incorporated city, town or village, or State.

The proposition so to be voted for shall be on a separate ballot in plain, prominent type, and be prepared and provided for that purpose in the same manner as other ballots: (For adopting the act for primary election of political parties in counties having a population of less than 125,000 inhabitants, Yes or No.)

If a majority of the votes cast shall be for such proposition the act shall be adopted, and the county judge shall enter of record an order declaring this act in force in such county, incorporated city, town or village: *Provided*, this act shall not apply to counties having a population of 125,000 or over as ascertained by the last federal census.

*Provided*, if any county, incorporated city, town or village shall adopt the provisions of this act it shall work a repeal of all laws or parts of laws conflicting herewith.

APPROVED April 24, 1899.

## PUBLICATION OF PROPOSITIONS TO BE VOTED FOR.

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| § 1. Secretary of State to prepare statement of constitutional amendments or other propositions to be voted for and submit same to the Attorney General. | § 2. Secretary of State to certify statements to county clerks. |
|  | § 3. County clerks to publish and post statements.              |

AN ACT to provide for the publication of all constitutional amendments or other propositions required by law to be voted for.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any constitutional amendment or other proposition required by law to be voted upon before its adoption, shall be submitted to the people, it shall be the duty of the Secretary of State to prepare a statement setting forth in detail the section or sections of the constitution or law sought to be amended by said vote, together with such statements and suggestions as may be necessary for a proper understanding of said proposition, which said statements and suggestions shall be submitted to the Attorney General for his approval.

§ 2. It shall be the duty of the Secretary of State, after said statements and suggestions shall have been approved by the Attorney General as provided in section 1 of this act, to certify to each county clerk, under seal, said statements and suggestions.

§ 3. It is hereby made the duty of the county clerk to have the statements and suggestions mentioned in sections 1 and 2 of this act published and posted at the same time, in the same manner and at the same places that the sample ballots and instructions to voters are required by law to be posted.

APPROVED April 22, 1899.

## EVIDENCE AND DEPOSITIONS.

## PARTNERS AND JOINT CONTRACTORS.

- § 1. Amends section 4 of the Act of 1872:
- § 4. Corroboration of testimony of adverse party concerning admission or conversation of deceased partner or joint contractor.
- § 2. Repeal.

AN ACT to amend 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 4 of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, and thereafter amended by an act entitled "An act to amend section 4 of an act entitled 'An

act in regard to evidence and depositions in civil cases," approved May 31, 1879, in force July 1, 1879. be amended so as to read as follows:

§ 4. PARTNERS, JOINT CONTRACTORS AND DECEASED AGENTS.] In any action, suit or proceeding by or against any surviving partner or partners, joint contractor or joint contractors, no adverse party or person adversely interested in the event thereof, shall, by virtue of section 1 of this act, be rendered a competent witness to testify to any admission or conversation by any deceased partner or joint contractor, unless some one or more of the surviving partners or joint contractors were also present at the time of such admission or conversation: and in every action, suit or proceeding a party to the same who has contracted with an agent of the adverse party—the agent having since died—shall not be a competent witness as to any admission or conversation between himself and such agent unless such admission or conversation with the said deceased agent was had or made in the presence of a surviving agent or agents of such adverse party, and then only except where the conditions are such that under the provisions of sections 2 and 3 of this act he would have been permitted to testify if the deceased person had been a principal and not an agent.

§ 2. REPEAL.] All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED April 24, 1899.

## FEES AND SALARIES.

### CONCERNING FEES OF CIRCUIT CLERKS.

§ 1. Amends section 14 of the Act of 1872:

§ 14. Fees of clerk of the circuit court—poor persons.

§ 2. Repeal.

AN ACT to amend Section 14 of 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 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 14 of "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 act approved March 28, 1874, in force July 1, 1874, be, and the same is hereby, amended to read as follows:

§ 14. The fees of the clerk of the circuit court in counties of the first and second class shall be as follows:

First—For all cases of *narr* and *cognovit*, for judgments to be entered in vacation or in term time, in counties of the first class, \$4.50.

Second—In counties of the second class, \$4.00.

Third—In transcripts from a justice of the peace, or courts of record, or in cases of change of venue, in cases of appeal to said courts in both first and second class counties, \$4.00.

Fourth—In transcripts of judgment from justices of the peace or courts of record, for the purpose of creating a lien, in counties of the first and second class, including one execution, \$3.00.

Fifth—In cases of proceedings for the exercise of eminent domain, the petitioner or petitioners shall pay the said clerk the sum of, in counties of the first class, \$20.00.

Sixth—In counties of the second class, \$16.00.

Seventh—In all other cases in common law, in counties of the first class, \$6.00.

Eighth—In counties of the second class, \$5.00.

Ninth—In actions of chancery, in all divorce cases, in counties of the first class, \$6.00.

Tenth—In counties of the second class, \$5.00.

Eleventh—In partition cases, in counties of the first class, \$15.00.

Twelfth—In counties of the second class, \$12.00.

Thirteenth—In cases to foreclose mortgages, in counties of the first class, \$10.00.

Fourteenth—In counties of the second class, \$9.00.

Fifteenth—In all other chancery cases, in counties of the first class, \$9.00.

Sixteenth—In counties of the second class, \$8.00.

Seventeenth—In all criminal cases, in counties of the first class, \$6.00.

Eighteenth—In counties of the second class, \$5.00.

Nineteenth—For all executions, issued either as *alias* or *pluries*, \$1.00. "For issuing each writ of *habeas corpus*, *certiorari*, or *procedendo*, in counties of the first class, 40 cents; in counties of the second class, 25 cents."

Twentieth—For each appearance of the defendant or defendants, respondent or respondents, appellee or appellees, the clerk in all cases in counties of the first and second class, \$1.00: *Provided*, that no fee shall be required when appearance is entered by guardian *ad litem* for minor defendants: which sums shall in like manner be in full for all services rendered or to be rendered by the clerk for, or on behalf of the defendant or defendants, respondent or respondents, appellee or appellees, in or during the progress of such suit to the final termination thereof: *Provided*, for making up a complete record of proceedings and judgments, or transcripts for change of

venue, when directed by the court, for every one hundred words, in counties of the first class, 15 cents. In counties of the second class, 10 cents.

In all cases except in criminal cases, wherein the same are dismissed or settled without trial at the term to which process is made returnable, one-half the fees provided in the foregoing shall be allowed.

For taking depositions when requested and certifying to and sealing the same, for every one hundred words, in counties of first class, 15 cents; in counties of second class, 12 cents.

For swearing persons to declaration of intention to become a citizen, and filing the same, in counties of the first and second class, 25 cents.

For copy of the same with certificate and seal, in all counties of the first and second class, 25 cents.

For making entry of record or [of] naturalization and for a copy thereof, or either, in all counties of the first and second class, 50 cents.

For taking acknowledgment of deed or other instrument of writing with seal, in counties of first and second class, 25 cents.

For recording any deed or other instrument in writing, for every one hundred words, in counties of first class, 10 cents; in counties of second class, 8 cents, and a certificate to be made by the recorder of the recording of a deed or other writing and the date of recording the same, signed by the clerk shall be deemed sufficient evidence of the recording thereof, and for which, including indexing said instrument, there shall be charged a fee of twenty-five cents in all counties of first and second class.

For copies of records, the same fees as for recording.

For entering each tract in entry book of conveyance, in counties of first class, 10 cents; in counties of second class, 5 cents.

For recording every city, town or assessor's plat, each lot or tract of land included in said plat, in counties of first class, 10 cents; in counties of second class, 8 cents when the number of lots does not exceed twenty, and for each additional lot, 5 cents.

For entering each tract of land or town lot named in any one deed, above five, in the entry book, 5 cents in first and second class.

*Provided*, that any poor person shall be allowed to commence suit without the payment of costs, by filing an affidavit that he is a poor person and unable to pay costs.

§ 2. All acts or parts of acts so far as they conflict with the provisions of the foregoing be, and the same are hereby, repealed.

APPROVED April 24, 1899.

## FIRE ESCAPES.

## SUPERVISION OF COUNTY AND MUNICIPAL AUTHORITIES.

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| § 1. Fire escapes to be provided for certain buildings within six months—kind of—to be approved by county boards and corporate authorities. | § 4. Penalty for failure to comply.  |
| § 2. All buildings hereafter erected be provided with fire escapes as set forth in section 1.   | § 5. Disposition of fines.   |
| § 3. Notice to owners or occupants.   | § 6. Complaints made in writing to authorities—penalty for failure of duty of authorities. |
|   | § 7. Repeals Act of 1897.  |
|   | § 8. Emergency.  |

## AN ACT relating to fire escapes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That within six (6) months after the passage of this act, all buildings in this State which are four or more stories in height, excepting such as are used for private residences exclusively, but including flats and apartment buildings, shall be provided with one or more metallic ladder or stair fire escapes attached to the outer walls thereof and extending from, or suitably near the ground, to the uppermost story thereof, and provided with platforms of such forms and dimensions, and in such proximity to one or more windows of each story above the first, as to render access to such ladder or stairs from each such story easy and safe; the number, location, material and construction of such escapes to be subject to the approval of the board of supervisors in counties under township organization, and a board of county commissioners in counties not under township organization, except in villages, towns and cities organized under any general or special law of this State, such approval shall be had by the corporate authorities of such villages, towns and cities: *Provided*, however, that all buildings more than two stories in height, used for manufacturing purposes or for hotels, dormitories, schools, seminaries, hospitals or asylums, shall have at least one such fire escape for every fifty (50) persons for which working, sleeping or living accommodations are provided above the second stories of said buildings; and that all public halls, which provide seating room above the first or ground story, shall be provided with such numbers of said ladder or stair fire escapes as the board of supervisors or commissioners or corporate authorities aforesaid may direct.

§ 2. All buildings of the number of stories and used for the purposes set forth in section one (1) of this act, which shall be hereafter erected within this State, shall upon or before their completion each be provided with fire escapes of the kind and number, and in the manner set forth in said section 1 of this act.

§ 3. The boards of supervisors and commissioners, and in villages, towns and cities, the corporate authorities thereof as aforesaid shall direct the sheriff of their respective counties to serve a written notice in behalf of the people of the State of Illinois, upon the owner or

owners, trustees, lessee or occupant of any building within their county not provided with fire escapes in accordance with the requirements of this act commanding such owners, trustees, lessee or occupant, or either of them, to place or cause to be placed upon such building such fire escape or escapes within thirty (30) days after the service of such notice. And the grand juries of the several counties of this State may also, during any term, visit or hear testimony relating to any building or buildings within their respective counties, for the purpose of ascertaining whether it or they are provided with fire escapes in accordance with the requirements of this act, and submit the result of their inquiry, together with any recommendations they may desire to make, to the circuit court, except in Cook county, and to the criminal court of Cook county, and said court may thereupon, if it find from the report of said grand jury that said building or buildings is [not] or are not provided with a fire escape or escapes in accordance with this act, cause the sheriff to serve a notice or notices upon the owner, trustees, lessee or occupant of such building or buildings.

§ 4. Any such owner or owners, trustees, lessee or occupant, or either of them, so served with notice as aforesaid, who shall not within thirty (30) days after the service of such notice upon him or them, place or cause to be placed such fire escape or escapes upon such building as required by this act and the terms of such notice, shall be subject to a fine of not less than twenty-five (25) nor more than two hundred (200) dollars, and to a further fine of fifty (50) dollars for each additional week of neglect to comply with such notice.

§ 5. All the money or moneys collected as fines under and by virtue of this act, shall be paid into or placed to the credit of the common school fund of the counties in which they are collected.

§ 6. Any person may at any time make complaint in writing to the board of supervisors or commissioners or corporate authorities whose duty it is hereunder to enforce this law, that such escape or escapes are needed or are unsafe or insufficient, and it shall be the duty of such board of supervisors or commissioners or corporate authorities to at once inspect such building and escape or escapes and cause the sheriff to notify the owner, occupant or party in control, to immediately take such steps as to overcome the cause of complaint, and any officer, officers or persons failing to comply with this act, upon such complaint being made, shall be fined upon conviction, for each offense, not less than five dollars nor more than one hundred dollars, in any court of competent jurisdiction.

§ 7. That an act entitled, "An act relating to fire escapes for buildings," approved May 27, 1897, and in force July 1, 1897, and all other acts and parts of acts inconsistent with the provisions of this act, be, and the same are hereby, repealed.

§ 8. WHEREAS, an emergency exists that this act shall take effect without delay, therefore this act shall take effect and be in force from and after its passage.

APPROVED April 21, 1899.

## FISH AND GAME.

## AN ACT FOR THE PROTECTION OF GAME.

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| <p>§ 1. Enacting clause.</p> <p>§ 1. Specifies time when game may be killed, and how—penalties for violation.</p> <p>§ 2. Having game in possession and offering for sale, transportation, etc.—penalties for violation.</p> <p>§ 3. What birds not to be killed—penalty—game birds defined.</p> <p>§ 4. Robbing nests of game birds—penalty.</p> <p>§ 5. Trapping birds—penalty.</p> <p>§ 6. Selling or exposing for sale any of the animals or wild fowls mentioned in this act after five days—proviso.</p> <p>§ 7. Exceptions as to common carriers shipping game through State.</p> <p>§ 8. Prosecutions—disposition of fines.</p> <p>§ 9. Prosecutions—limited as to time of commencing.</p> <p>§ 10. Unlawful to kill certain wild animals and fowls for five years—penalty.</p> <p>§ 11. Ownership of and title to wild game and birds declared to be in the State.</p> <p>§ 12. Specifies time when certain birds may be killed—how killed—penalty.</p> <p>§ 13. Robbing nests of wild game or birds—penalty.</p> <p>§ 14. Eggs taken for scientific purposes.</p> <p>§ 15. County clerks may grant certain persons certificates to collect birds, their nests and eggs for scientific purposes—clerk's fee—bond—penalties for violations.</p> <p>§ 16. Time certificates are in force—certificates are not transferable.</p> | <p>§ 17. State Game Commissioner—appointment—duties—authorized to appoint game wardens who may appoint deputies.</p> <p>§ 18. Duties of commissioner, game warden and deputies—sheriff, deputy sheriff's, coroners and police officers to be <i>ex-officio</i> deputy game wardens—duties.</p> <p>§ 19. Compensation of game commissioner—how drawn—commissioner allowed necessary printing, stationery, postage, office room and furniture and assistance—how paid—compensation of game wardens and deputies—how drawn.</p> <p>§ 20. Search warrants.</p> <p>§ 21. Hearing on warrants.</p> <p>§ 22. Judgment on sale.</p> <p>§ 23. Distribution of proceeds of sale.</p> <p>§ 24. Annual report to the Governor—contents.</p> <p>§ 25. Commissioner, wardens and deputies not liable for wrongful seizure.</p> <p>§ 26. License for non-residents—Secretary of State to issue—fee—number of birds allowed to be taken—license good for only one county—penalty for violations.</p> <p>§ 27. Penalty for altering license.</p> <p>§ 28. Prosecutions relating to license—how made—disposition of amount recovered.</p> <p>§ 29. Unlawful to hunt within the grounds of another without permission.</p> <p>§ 30. Prosecutions under section 29.</p> <p>§ 31. Penalty for violating provisions of section 29—disposition of fines.</p> <p>§ 32. Repeal.</p> |
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AN ACT to provide additional remedies for the protection of game, wild fowl and birds, and to amend, revise and consolidate the amended game law, approved June 1, 1889, and in force July 1, 1889, and the game warden act, approved June 27, 1885, in force July 1, 1885, and the act to prohibit persons from hunting within the enclosures of others without leave, as amended by act approved June 17, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 2, 3, 4, 6, 8 and 9 of an act entitled, "An act to revise and consolidate the several acts relating to the protection of game and for the protection of deer, wild fowl and birds," approved June 1, 1889, in force July 1, 1889, and sections 3, 6, 7 and 8 of an act entitled, "An act to provide an additional remedy for the protection of game and for the protection of deer, wild fowl and birds, and for the appointment of game wardens and defining the duties and powers of the same," approved June 27, 1885, in force July 1, 1885, and sections 1, 2 and 3 of "An act to prohibit persons from hunting within the enclosures of others without leave," as amended by an act approved June 17, 1891, in force July 1, 1891, be amended to read as follows:

§ 1. It is hereby declared to be unlawful to hunt, kill, net, entrap, ensnare or destroy, or to attempt to hunt, kill, net, entrap, ensnare or destroy or to have in possession any wild buck, doe or fawn, or wild turkey, between the 15th day of January and the 1st day of September of each and every year, or any pinnated or ruffled grouse, prairie chicken, pheasant or partridge between October 1st and August 31st of the succeeding year, or any quail between the 20th day of December and the 1st day of November of the succeeding year, or of any woodcock or mourning dove between the 1st day of December and the 1st day of September of the succeeding year, or of any grey, red, fox or black squirrel between the 15th day of December and the 1st day of September of each succeeding year, or of any jack snipe, Wilson's snipe, sand snipe or any kind of snipe, or any golden plover, upland plover, yellow legged plover or any other kind of plover between the 25th day of April and the 1st day of September of each succeeding year, and it shall be unlawful to kill, hunt, destroy, ensnare, entrap or attempt to kill, hunt, ensnare, entrap or otherwise destroy any wild goose, duck, brant or other water fowl at any time between the 15th day of April and the 1st day of September of any year. And it shall be unlawful to hunt, kill, entrap, ensnare or to attempt to hunt, kill, entrap, ensnare or otherwise destroy any wild goose, brant, duck, rail or other water fowl between the sunset of any day and the sunrise of the next succeeding day at any period of the year. And it shall further be unlawful, at any time, to hunt, kill, entrap or ensnare or to attempt to hunt, kill, entrap or ensnare or otherwise destroy any wild goose, brant, duck or other water fowl from any fixed or artificial ambush beyond a natural covering of reeds, canes, flags, wild rice or other vegetation above the water of any lake, river, bay or inlet or other water course wholly within this

State, or in such part of such stream or water course wholly within this State, or with the aid and use of any device commonly called sneak boat, sink boat, sink box or other device used for the purpose of concealment in the open waters of this State. And it shall further be unlawful to shoot, kill or destroy or shoot at any wild goose, duck, brant or other water fowl with a swivel gun, or from any sail boat, electric launch or steamboat at any time in any part of the water of any lake, river, bay or inlet or other water course wholly within this State: *Provided*, that the animals, fowls and birds mentioned in section 10 of this act shall not be killed for a period of five years from and after the taking effect of this act. Any person so offending shall, for each and every offense, be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than fifteen dollars nor more than fifty dollars and costs of suit, and shall stand committed to the county jail until such fines and costs are paid: *Provided*, that such imprisonment shall not exceed ten days, and the killing of each bird or animal herein specified shall be deemed a separate offense.

§ 2. It shall be unlawful for any person to buy, sell or have in possession any of the animals, wild fowl or birds mentioned in section 1 of this act, at any time when the killing, trapping, netting and ensnaring of such animals, wild fowl or birds shall be unlawful which shall have been killed, entrapped, netted or ensnared contrary to the provisions of this act. And it shall further be unlawful for any person or persons at any time to sell or expose for sale, or to have in his or their possession for the purpose of selling, any quail, pinnated grouse or prairie chicken, ruffed grouse or pheasant, grey, red, fox or black squirrel or wild turkey that shall have been caught, ensnared, trapped or killed within the limits of this State. And it shall further be unlawful for any person, corporation or carrier to receive for transportation, to transport, carry or convey any of the aforesaid quail, pinnated grouse or prairie chicken, ruffed grouse or pheasant, squirrel, or wild turkey that shall have been caught, ensnared, trapped or killed within the limits of this State, knowing the same to have been sold, or to transport, carry or convey the same to any place where it is to be sold or offered for sale, or to any place outside of this State for any purpose, except such person have a license from this State so to do. And any person guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each and every offense, and shall stand committed to the county jail not exceeding ten days until such fines and costs are paid: *Provided*, that the selling, exposing for sale, having in possession for sale, transporting or carrying and conveying, contrary to the provisions of this section, of each and every animal or bird forbidden herein, shall be deemed a separate offense.

§ 3. Any person who shall, within the State, kill or catch or have in his or her possession, living or dead, any wild bird other than a game bird, English sparrow, crow, crow-black bird or chicken hawk,

or who shall purchase, offer or expose for sale any such wild bird after it has been killed or caught, shall, for each offense, be subject to a fine of five dollars for each bird killed or caught, or had in possession, living or dead, or imprisonment for ten days, or both, at the discretion of the court: *Provided*, that nothing in this section shall be construed to prevent the owner or occupant of lands from destroying any of such birds when deemed necessary by him for the protection of fruits or property. For the purposes of this act the following only shall be considered game birds: The Antidæ, commonly known as swans, geese, brant and river and sea ducks; the Rallidæ, commonly known as rails, coots, mud-hens and gallinules; the Linicole, commonly known as shore birds, plover, surf birds, snipe, wood-cock, sand-pipers, tattlers and curlews; the Gallinæ, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges, quails, and mourning doves.

§ 4. It shall be unlawful for any person or persons to destroy or remove from the nests of any prairie chicken, grouse or quail, wild turkey, duck, goose or brant, any egg or eggs of such fowl or bird, or for any person to buy, sell, have in possession or traffic in such eggs or wilfully destroy the nests of such birds or fowls, or any or either of them. And any person so offending shall, on conviction, be fined five dollars for each offense.

§ 5. No person or persons shall at any time, with trap, snare or net, take or attempt to trap, ensnare or net any wild turkey, prairie chicken, quail, grouse or pheasant at any time, and every person so offending shall, on conviction, be fined in a sum not less than five dollars nor more than twenty-five dollars and costs of suit, and shall stand committed to the county jail until such fine is paid: *Provided*, that such imprisonment shall not exceed fifteen days.

§ 6. 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 animals, wild fowls or birds mentioned in section one (1) of this act after the expiration of five (5) days next succeeding the first day of the period in which it shall be unlawful to kill, entrap or ensnare such animals, wild fowls or birds; nor shall any of such animals, wild fowls or birds be sold or offered for sale during the first two days of the open season. Any person so offending shall, on conviction, be fined and dealt with as specified in section one (1) of this act, and selling or exposing for sale, or having the same in possession for the purpose of selling or exposing for sale, any of the animals or birds mentioned in this section, after the expiration of the time mentioned in this section, shall be *prima facie* evidence of the violation of this act: *Provided*, that the provisions of this act shall not apply to the killing of birds by or for the use of taxidermists for preservation either in public or private collection, if so preserved: *Provided further*, that nothing contained in this section shall be construed as modifying or being in conflict with section two (2) of this act, or authorizing or legalizing the sale or exposing for sale, transportation or receiving for transportation, any of the animals, birds or game as therein prohibited: *And provided, also*, that inhabitants of villages

and cities may receive game from other states, and expose and sell the same on the market in said villages and cities between the first day of October and the first day of February of the following year.

§ 7. The provisions of this act shall not be construed as applicable to any express company or common carrier, into whose possession any of the animals, wild fowl or birds herein mentioned shall come in the regular course of their business for transportation whilst they are in transit through this State from any place without this State where the killing and transportation of said animals, wild fowl or birds shall be lawful. But notwithstanding this provision, the having or being in possession of any such animals, wild fowl or birds as are mentioned in section one (1) upon any of the days upon which the killing, entrapping, ensnaring, netting, buying, selling, or having in possession any such animals, wild fowls or birds, shall be unlawful by the provisions of this act, shall be deemed and taken as *prima facie* evidence that the same was ensnared, trapped, netted or killed in violation of this act.

§ 8. All prosecutions under the provisions of this act, except as otherwise herein provided, 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 the 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 violation 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 whom there is probable cause to believe are guilty of violating any of the provisions of this act: one-half of the amount recovered in any penal action under the provisions of this act shall be paid to the person filing the complaint in such action, and the remaining one-half to the game protection fund.

§ 9. All prosecutions under this act shall be commenced within six months from the time such offense was committed and not afterwards.

§ 10. That it shall be unlawful for any person or persons in the State of Illinois for and during a period of five years from and after the passage of this act, to injure, take, kill, expose or offer for sale, or have in possession except for breeding purposes, any wild buck, doe or fawn, ring-neck, Mongolian pheasant, any green Japanese pheasant, English pheasant, any copper pheasant or Scholmeringom, any Trogapan pheasant, silver pheasant or golden pheasant, any Cucubis, any chucker partridge, and sand-grouse, any black India partridge.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, and in default of payment of the fine imposed shall be imprisoned in the county jail at the rate of one day for each dollar of the

fine imposed. The one-half of all fines imposed and collected under this act shall be paid to the informer and the balance shall be paid to the game protection fund.

§ 11. The ownership of and title to all wild game and birds in the State of Illinois is hereby declared to be in the State, and no wild game or birds shall be taken or killed in any manner or at any time, except the person so taking or killing shall consent that the title to said game shall be and remain in the State of Illinois for the purpose of regulating the use and disposition of the same after such taking or killing. The taking or killing of wild game or birds at any time or in any manner or by any person shall be deemed a consent of said person that the title to such game or birds shall be and remain in the State for said purpose of regulating the use and disposition of the same.

§ 12. It shall be unlawful for any person, except during the month of September in each year, to injure, take, kill, expose or offer for sale, or have in possession, except for breeding purpose, any pinnated grouse or prairie chicken, any ruffled grouse or partridge, that shall have been killed or taken in the State of Illinois: *Provided*, such birds may be killed with a shot-gun during the month of September only.

Any person violating the provisions of this section shall, on conviction, be fined not less than twenty-five (25.00) dollars nor more than one hundred (100.00) dollars, and in default of payment of the fine imposed shall be imprisoned in the county jail at the rate of one day for each dollar of the fine imposed until the fine is paid.

§ 13. Any person who shall, within the State of Illinois, take or needlessly destroy the nest or the eggs of any wild game or birds, or shall have such nest or eggs in his or her possession, shall be subject for each offense to a fine of five (5.00) dollars, or imprisonment for ten days, or both, at the discretion of the court.

§ 14. Sections 3 and 13 of this act shall not apply to any person holding a certificate giving the right to take birds and their nests and eggs for scientific purposes, as provided for in section 15 of this act.

§ 15. Certificates may be granted by the county clerks of the several counties of this State to any properly accredited person of the age of fifteen years or upwards, permitting the holder thereof to collect birds, their nests or eggs, for strictly scientific purposes only. In order to obtain such certificates the applicant for the same must present to the county clerk, to whom the application is made, written testimonials from two well-known scientific men, certifying to the good character and fitness of said applicant to be intrusted with such privilege; must pay to said county clerk one dollar to defray the necessary expenses attending the granting of such certificates; and must file with said county clerk a properly executed bond, in the sum of two hundred dollars, signed by two responsible citizens of the State as sureties. This bond shall be forfeited to the State, and the certificate become void upon proof that the holder of such certificate

has killed any bird, or taken the nest or eggs of any bird, for other than the purpose named in sections 3 and 13 of this act, and shall be further subject for each offense to the penalties provided therefor in sections 3 and 13 of this act.

§ 16. The certificate authorized by this act shall be in force until the 1st day of June next succeeding only from the date of their issue, and shall not be transferable.

§ 17. In order that the provisions of this act may be more fully carried out, the Governor of the State shall appoint one State Game Commissioner, whose term of office shall be for the period of incumbency of the Governor appointing him or until his successor is appointed, whose duty it shall be to secure the enforcement of all the statutes of the State for the preservation of game and birds; to bring and cause to be brought actions and proceedings in the name of the People of the State of Illinois; to recover any and all fines and penalties provided for in such laws relating to game and birds, and to prosecute all violators of said statutes. The State Game Commissioner is empowered to appoint, by and with the approval of the Governor, one game warden for each congressional district of the State; he is also authorized to appoint one or more deputy game wardens from each county of the State. They shall have like authority with the State Game Commissioner in the enforcement of the laws of the State relative to game and birds throughout the State, and shall be immediately responsible to the State Game Commissioner and to report to him within ten days on request. Such game wardens and deputy game wardens shall be subject to removal by the State Game Commissioner at any time.

§ 18. Such game commissioners, game wardens and their deputies shall have full power to execute and serve all warrants and processes of law issued by any justice of the peace or police magistrates, or by *and* any court having jurisdiction under any law relating to game in the same manner as any constable may serve and execute such process, and may arrest on sight and without warrant any person detected by them actually violating any of the provisions of the laws of the State relating to game and birds, and may take such person so offending before any court having jurisdiction of the offense and make proper complaint before such court, which shall proceed with the case in the manner and form provided by law for misdemeanors. It shall further be the duty of such game commissioner, game wardens or their deputies, upon receiving information that any law relative to game and birds has been violated, to immediately cause a thorough investigation of such complaint to be made, and to cause proceedings to be instituted if the proof at hand warrants; and all sheriffs, deputy sheriffs, coroners and police officers of the State are hereby declared to be *ex-officio* deputy game wardens, and it shall be the duty of each and every one of them to assist the State Game Commissioner, game wardens and their deputies in the enforcement of the State game laws, the same as it is their duty to assist in the

enforcement of other laws, and such game commissioner, game wardens and deputy game wardens shall seize on sight without process any game found in the possession of any person or corporation which is so in possession contrary to law.

§ 19. Such State Game Commissioner shall receive a salary of twenty-five hundred dollars per year, payable monthly, and his actual expenses and disbursements while traveling in the line of his duties, such expenses and disbursements to be audited and paid from the game protection fund upon vouchers therefor filed with the Secretary of State and approved by the Governor. He shall also be allowed the necessary printing, stationery and postage, and shall be furnished a suitable room and necessary office furniture, and such assistance, such as clerk and stenographer, as the office requires, and the same to be paid for from the game protection fund.

The district game wardens provided for in this act, shall receive a per diem not exceeding three dollars per day, to be fixed by the State Game Commissioner, by and with the approval of the Governor, which per diem shall only include such days as such wardens shall be under the direct order of the State Game Commissioner to perform services in the enforcement of the game laws, and upon certificate of the State game commissioner that such services have actually been rendered at his instance. In addition to the per diem provided for, such game wardens shall receive the actual and necessary expenses incurred while working under the directions of the State Game Commissioner, which expenses shall be paid upon vouchers therefor filed with the Secretary of State and approved by the Governor, and countersigned by the State Game Commissioner. All money used for the payment of the vouchers so mentioned in this act shall be taken from and charged to the game protection fund. The deputy game wardens appointed from any county shall receive one-half of all fines wherein the case has been brought by them for violation of the game and license law; the remaining one-half shall be paid into the game protection fund. And in such cases, wherein the violator does not pay a fine but is committed to jail, the game warden or deputy shall be reimbursed for his actual expenses on vouchers filed and approved, the same as that provided for the game warden, and shall also be paid the sum of five dollars for such conviction, to be paid out of the game protection fund; but such fee shall not be paid in any case other than game cases or cases relating to licenses.

§ 20. If said game commissioner, game wardens and deputies, or either of them, has reason to believe, or does believe, that any person or corporation has in his or their possession, contrary to law, any game, deer, wild fowl or bird, it shall be the duty of such game commissioner, game wardens or deputies to go before any justice of the peace in the county and make affidavit of that fact; said justice shall thereupon issue a search warrant against the person or corporation so complained of, directed to any constable of the county, commanding him to proceed at once and search for said game, deer, wild fowl or bird and upon finding the same, to seize and take possession

of the same and keep it until further ordered by the justice; said constable shall also read said warrant to the owner or person in whose possession said game, deer, wild fowl or bird is found. Said warrant shall be substantially as follows:

State of Illinois, }  
 \_\_\_\_\_ County. } ss.

To any Constable in said county. Greeting: You are hereby commanded to search (here describe place), and seize and take possession of and hold any game, wild fowl or bird found there. And you (here name owner, or person or corporation in whose possession game is found) are hereby notified to appear before me, at my office in (here locate office), on (here state time of trial), and show cause why the game, deer, wild fowl or birds should not be sold and the proceeds thereof distributed, as required by law.

(Date of warrant.)

(Signature of Justice.)

Justice of the Peace.

Which said warrant shall be returnable within not less than twelve nor more than twenty-four hours from the date thereof.

§ 21. At the time mentioned in said warrant, said justice shall proceed to hear and determine whether said game, deer, wild fowl or bird was in the possession of the person or corporation contrary to law, and if said justice finds that said game, deer, wild fowl or bird was in the possession of the defendant contrary to law, then said justice shall enter judgment against the defendant and order a sale of the game, deer, wild fowl or bird seized; but if said justice shall find that the possession of said game, deer, wild fowl or bird was not contrary to law, then the judgment of the court shall be that the same be returned to the person or corporation from whom the same was taken.

§ 22. In case of a judgment and order of sale, as specified in section 21, then said constable shall at once post two notices, one at the justice's office and one at the place of sale, specifying in each notice the time and place of sale, not less than five hours from the date of judgment, also a description of the game, deer or wild fowl to be sold; said place of sale shall be upon the principal produce street or market of the city; said constable shall at the time and place mentioned in said notices sell said game, deer, wild fowl or bird at public auction to the highest bidder for cash, and at once pay the proceeds of such sale into the justice's court; said constable shall give to the purchaser a certificate of purchase, in which shall be a particular description of the game sold, together with the date of sale.

§ 23. Said justice shall, as soon as the proceeds of sale are paid into his court, deduct the amount of his costs, together with the constable's costs, and distribute the balance as follows: One-half shall be paid to the game warden or deputy making the complaint, which shall be kept by him for his services, and one-half paid into the State treasury for the benefit of the game protection fund.



§ 24. Said game commissioner, game wardens and deputies shall each make an annual report to the Governor, showing the number and kind of game, deer, wild fowl and birds seized, and what disposition was made of them, and the amount of the proceeds of sales.

§ 25. The game commissioner, game wardens and deputy game wardens shall not be liable for any damage or costs sustained by any person or corporations by reason of the wrongful seizure of game, deer, wild fowl or birds, under this act.

§ 26. For the purpose of increasing the game protection fund and preventing unauthorized persons from killing game and birds, no person not a resident of the State of Illinois shall at any time hunt, pursue or kill with gun, any of the wild animals, fowl or birds that are protected during any part of the year without first having procured a license so to do, and then only during the respective periods of the year when it shall be lawful: said license shall be procured in the following manner, to-wit: The applicant shall fill out a blank application to be furnished by the Secretary of State, stating name, age, occupation and place of residence of applicant, and the county in which the applicant desires to hunt, which said application shall be subscribed and sworn to by the applicant before any officer authorized to administer oaths in the State of Illinois, and said applicant shall pay to the Secretary of State the sum of ten (10) dollars as a license fee, together with the sum of 50 cents as a fee of the Secretary of State for issuing the license, which said license shall bear the seal of the State of Illinois, and such licensee is hereby authorized to take from the State twenty-five (25) birds of all kinds killed by himself or herself, which shall be carried openly for inspection, together with his or her license: and the license fee above provided for shall be paid to the State Treasurer by the Secretary of State within sixty days after its receipt and shall be placed to the credit of a fund to be known as the "State game protection fund," and shall be disbursed by the State Treasurer on warrants signed by the Governor of the State and countersigned by the State Game Commissioner when such warrants are accompanied by vouchers, signed by the Auditor of Public Accounts, showing the liabilities of the State incurred in the protection of game, wild fowls and birds.

Any such license issued as aforesaid shall entitle the person to whom issued to hunt, pursue and kill game in the county designated in such application and license at any time when it shall be lawful to hunt, pursue and kill such game, and no person to whom a license has issued shall be entitled to hunt, pursue or kill game in this State without at the time of such hunting, pursuit or killing of game, he or she shall have such license in his or her name and possession, ready to exhibit the same for inspection, and such license shall be void after the first day of June next succeeding its issuance. Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five (25) dollars nor more than two hundred (200) dollars for each and every

offense, and shall stand committed to the county jail until such fine and costs are paid, but such imprisonment shall not exceed ninety days for each one offense; or such person may be proceeded against in action of debt in the name of the People of the State of Illinois, for the recovery of the penalty herein prescribed.

§ 27. Any person who shall at any time alter or change in any material manner any license issued as aforesaid shall be deemed guilty of forgery, and on conviction thereof shall be subject to the penalties provided for the commission of forgery.

§ 28. All prosecutions for violation of the provisions of this act relating to licenses 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, so far as it relates to licenses, before any court of competent jurisdiction, and it is hereby made the duty of all State's attorneys to see that the provisions of this act are enforced in their respective counties, and shall prosecute all offenders on receiving information of the violation of any of the provisions of this act; and it is made the duty of all sheriffs, deputy sheriffs, constables and police officers to inform against and prosecute all persons whom there is reasonable cause to believe are guilty of violating any of the provisions of this act; one-half of the amount recovered in any penal action under this act, in so far as it relates to licenses, shall be paid to the person filing the complaint in such action, and the remaining one-half to the State game protection fund; the moneys for such fund shall be, by the magistrate or court before whom the case is tried, at once transmitted to the State Treasurer, and by him placed to the credit of said fund.

§ 29. It shall be unlawful for any person or persons to hunt with gun, dog or net within or upon the grounds or lands of another without first obtaining from the owner, agent or occupant of such grounds or lands his, her or their permission so to do.

§ 30. Any person or persons violating section 29 of this act shall be deemed guilty of a misdemeanor, and may be prosecuted in the name of the People of the State of Illinois, before any justice of the peace, or by indictment, or information in any court in the county where such misdemeanor was committed; and in all such prosecutions, the fact being established that the defendant was within or upon the grounds or lands of another with gun, dog or net, without permission from the owner, agent or occupant, shall be taken as *prima facie* evidence of guilt: *Provided*, in all such prosecutions the owner or owners or persons in possession of said grounds or lands shall not be required to prove title to the grounds or lands in controversy.

§ 31. Any person convicted of violating section 29 of this act shall be fined in a sum not less than three dollars and not exceeding one hundred dollars. All fines collected by virtue of this act shall be paid into the common school fund of the township in which the offense is committed.

§ 32. All acts and parts of acts in conflict herewith are hereby repealed.

APPROVED April 24, 1899.

## REGULATING THE CATCHING, SHIPPING AND SALE OF FISH.

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| § 1. When certain fish may not be caught in Lake Michigan—prohibits use of gill, pound or fike net within one-quarter of a mile of main shore—dip nets. | § 2. Time for shipping certain fish prohibited—packages to be plainly marked—shipping fish into State. |
|   | § 3. Penalty for violation   |

*AN ACT to regulate fishing in Lake Michigan, and the shipping of fish in the State of Illinois.*

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 or corporation to take, catch or kill, or attempt to take, catch or kill in any manner or by any means whatsoever, in the waters of Lake Michigan, any white fish or lake trout between the fourteenth day of October in each year and the succeeding thirtieth day of November. It shall be unlawful for any person to set or cause to be set or used in the water of Lake Michigan within one-quarter of a mile of the main shore thereof, any gill, pound or fike net. No dip-nets shall be used except for catching minnows for bait, said dip-nets not to exceed twenty inches in diameter.

§ 2. All packages containing fish shall be labeled in plain letters on the address side of the package, so as to disclose the fact that said package contains fish, and the nature of said fish so contained in said package. It shall be unlawful for any person to deliver to any common carrier for transportation any package or parcel containing fish, which said package or parcel shall not be labeled as herein required, or to place upon said package or parcel a false statement as to the contents thereof. Every person delivering to a common carrier a package or parcel containing fish shall place upon said package the name and address of the owner or consignor of said package or parcel. It shall be unlawful and is hereby prohibited by any common carrier or agent, servant or employé of a common carrier, to receive for transportation or transport any package or parcel containing fish unless the same shall be labeled as provided in this act. It shall be unlawful and is hereby prohibited for any person, firm or corporation acting as a common carrier to bring into this State any fish from any state during the time that such other state prohibits the transportation of such fish from said state to a point without the same.

§ 3. PENALTY.] Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

APPROVED April 21, 1899.

## FLAGS.

### NATIONAL FLAG FOR ADVERTISING PURPOSES PROHIBITED.

- § 1. Prohibits use of national flag for advertising purposes. | § 2. Construction of act.

AN ACT *to prohibit the use of the national flag or emblem for any commercial purposes or as an advertising medium.*

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, firm, organization or corporation to use or display the national flag or emblem, or any drawing, lithograph, engraving, daguerreotype, photograph or likeness of the national flag or emblem, as a medium for advertising any goods, wares, merchandise, publication, public entertainment of any character or for any other purpose intended to promote the interests of such person, firm, corporation or organization.

§ 2. Nothing in this act shall be construed as affecting either public or private exhibitions of art, or shall in any way restrict the use of the national flag or emblem for patriotic purposes.

§ 3. 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 the State's attorney 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 violation of any of the provisions of this act; and it is made the duty of the sheriffs, deputy sheriffs, constables and police officers to inform against and prosecute all persons whom there is probable cause to believe are guilty of violating the provisions of this act; one-half of the amount recovered in any penal action under the provisions of this act shall be paid to the person filing the complaint in such action, and the remaining one-half to the school fund of the county in which the said conviction is obtained.

§ 4. All prosecutions under this act shall be commenced within six months from the time such offense was committed, and not afterwards.

§ 5. Any persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$10.00 nor more than \$100.00 and costs, and in default of payment of said fine and costs imposed shall be imprisoned in the county jail at the rate of one day for each dollar of fine and costs imposed.

APPROVED April 22, 1899.

## INSURANCE.

## BURGLARY AND CASUALTY COMPANIES.

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| <p>§ 1. Insurance companies on the mutual plan against loss from burglary or robbery or loss of currency or securities shipped by registered mail or express, may be incorporated subject to conditions governing mutual fire, marine and inland navigation insurance companies.</p> <p>§ 2. Business confined to banks, bankers, loan companies and county treasurers—provides for re-insurance reserve fund.</p> | <p>§ 3. Foreign companies—appointment of attorneys—filing appointment in office of insurance superintendent.</p> <p>§ 4. Companies required to file annual statement with insurance superintendent—renewal certificate—penalty for violations.</p> <p>§ 5. Fees—filing fee for annual statement—two per cent tax on cash collected as premiums from policy holders, which shall be in lieu of all other taxes.</p> |
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*AN ACT to incorporate companies to do the business of burglary and casualty insurance on the mutual plan, and to control such companies of this State and of other states and foreign governments doing business in this State.*

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 thirteen, may associate and form an incorporated company for the following purposes to-wit:

To make insurance on the mutual plan against loss or damage resulting from burglary and robbery, or attempt thereat, and the loss of currency and securities in course of transportation when shipped by registered mail or express.

Any and all such insurance companies hereafter organized in this State, and all such companies organized under the laws of any other state or foreign government, shall be organized and licensed to do business in this State in the same manner and under the same conditions as is now provided by law for the organization and admission of mutual fire, marine and inland navigation insurance companies.

All such companies organized under the laws of this State or licensed to do business in this State, shall be governed, regulated and controlled in all respects in the same manner as is now provided by law for the regulation, government and control of companies doing the business of fire, marine and inland navigation insurance on the mutual plan.

§ 2. Any company organized, admitted and licensed to transact business in this State under this act shall confine its line of business to that stated in the first section of this act, and shall confine its business in this State to banks, bankers, loan companies and county treasurers, and shall not issue any policy or policies to any persons, firm or corporations in this State other than banks, bankers, loan companies and county treasurers. Every such company shall set aside a re-insurance reserve of fifty (50) per cent of its cash premiums.

§ 3. It shall not be lawful for any insurance company, association or partnership incorporated by or organized under the laws of any other state of the United States for any of the purposes specified in this act, directly or indirectly, to take risks or to transact any business of insurance in this State, by any agent or agents in this State until it shall first appoint an attorney in this State, who shall be the insurance superintendent, on whom process of law can be served, and file in the office of the insurance superintendent a written instrument, duly signed and sealed, certifying such appointment, and any process issued by any court of record in this State, and served upon such attorney by the proper officer of the county in which such attorney may reside or be found, shall be deemed a sufficient service of the process upon said company, but service of process upon such company may also be made in any other manner provided by law.

§ 4. The statement and evidences of membership, assets and investments, required by said act, shall be renewed from year to year in such manner and form as may be required by said Insurance Superintendent, with an additional statement of the amount of premiums received in this State during the preceding year, so long as such agency continues, and the said insurance superintendent, on being satisfied that the membership, assets, securities and investments remain secure, as hereinbefore mentioned, shall furnish a renewal of the certificate as aforesaid. Any violation of any of the provisions of this act shall subject the party violating the same to a penalty of not more than five hundred (500.00) dollars.

§ 5. All companies organized, authorized, admitted and licensed under this act shall pay a filing fee of thirty (30.00) dollars on filing their annual statement, and a tax of two (2) per cent on the cash collected as premiums during the preceding year, from policy-holders residing in Illinois, which shall be in lieu of all other municipal or State taxes.

APPROVED April 24, 1899.

## CASUALTY COMPANIES.

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| <p>§ 1. Corporation may form for purpose of issuing insurance as follows:</p> <ol style="list-style-type: none"> <li>1. Accident and benefits for disability from disease.</li> <li>2. Accident to employé when insured is liable.</li> <li>3. To guarantee against loss from credit.</li> <li>4. Loss by burglary or theft.</li> <li>5. Upon glass against breakage.</li> <li>6. Upon steam boilers, engine, etc., against explosion or accident and loss or damage to life or property resulting therefrom.</li> <li>7. Against any other risk specified in articles subject to insurance.</li> </ol> <p>§ 2. Declaration—filing—to contain copy of charter—contents of charter.</p> <p>§ 3. Capital stock—amount—how invested—\$100,000 of securities deposited with insurance superintendent for protection of policy holders—withdrawal of securities.</p> <p>§ 4. Articles—examination of by Attorney General—certificate filed with insurance superintendent—open books for stock subscription—examination by agent of insurance superintendent.</p> <p>§ 5. Investment of surplus.</p> <p>§ 6. Enlargement of object of accident companies now organized in this State—manner.</p> | <p>§ 7. Foreign companies—requirements to do business in this State.</p> <p>§ 8. Limiting amount of loss in any one policy—re-insurance.</p> <p>§ 9. Corporations not to deal in merchandise—amount of real estate held—real estate acquired through mortgage may be held 5 years.</p> <p>§ 10. Re-insurance reserve—dividends—penalty for violation.</p> <p>§ 11. Increase of capital stock.</p> <p>§ 12. Annual statement to be filed with insurance superintendent—penalty for failure.</p> <p>§ 13. Insurance superintendent to cancel authority of company to do business in this State when capital stock is impaired—companies to discontinue issuing policies—penalty for violation—reduction of capital stock—stockholders to make good deficiency—cancellation of stock—insolvency of company—appointment of receiver.</p> <p>§ 14. Re-insurance by receiver.</p> <p>§ 15. Agents to procure certificate before soliciting business—fee—penalty for failure.</p> <p>§ 16. Excessive fees charged by other states.</p> <p>§ 17. Fees for filing charters, annual statements, etc.</p> <p>§ 18. Publication of annual statements.</p> <p>§ 19. Repeals all conflicting acts.</p> |
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AN ACT to incorporate and to govern casualty insurance companies and to control such companies of this State and of other states doing business in the State of Illinois, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict therewith.

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 thirteen, may, in the manner hereinafter prescribed, form a corporation for the purpose of issuing policies for any of the following kinds of insurance business:

First—Insuring any person against bodily injury, disablement or death resulting from accident, and providing benefits for disability caused by disease.

Second—Insuring against loss or damage resulting from accident to, or injury suffered by, an employé or other person for which accident or injury the person insured is liable.

Third—To guarantee or indemnify merchants, traders and all others engaged in business and giving credit therein from loss or damage by reason of giving or extending credit to their customers.

Fourth—Against loss by burglary or theft, or both.

Fifth—Upon glass against breakage.

Sixth—Upon steam boilers and pipes, engines and machinery connected therewith or operated thereby; against explosion and accident and loss or damage to life or property resulting therefrom and to make inspection of and to issue certificates of inspection upon such boilers and pipes, engines and machinery; also upon elevators and machinery forming a part thereof and to make inspection and to issue certificates of inspection upon the same.

Seventh—Against any other casualty or insurance risk specified in the article of organization, which may lawfully be the subject of insurance and the formation of corporation for insuring against which is not otherwise provided for by these statutes.

§ 2. Such persons shall make, sign, acknowledge and file in the office of the insurance superintendent a declaration of their intention to form a company under the provisions hereof, which declaration shall contain a copy of the charter proposed to be adopted by them, which charter shall state:

First—The name of the corporation and the place where the principal office for the transacting of business shall be located.

Second—The amount of capital stock, the number of shares thereof and the amount of each share.

Third—The designation of the general officers and the number of directors or trustees.

Fourth—The mode and manner of electing directors or trustees, filling vacancies in their number and their term of office.

Fifth—The period for the commencement and termination of their fiscal year.

Sixth—That they associate for the purpose of transacting the business of casualty insurance, stating the nature and kind thereof, which may include such kinds of business as are specified under subdivisions 1 and 2 of section 1 hereof, or under subdivisions 3, 4, 5, 6 and 7 of section 1 hereof, and that no policy shall embrace more kinds of insurance than are specified in one of the subdivisions named in section 1 of this act.

Seventh—Such other provisions or articles, not inconsistent with law, as they may deem proper to be therein inserted for the interest of such corporation or the accomplishment of the purposes thereof; and shall thereupon publish a notice of such intention once in each week for at least four weeks in a newspaper of general circulation published in the county where such corporation is proposed to be



located, and shall file in the office of the insurance superintendent proof of such publication by affidavit of the publisher, clerk or foreman of such publisher. The persons so associating for the purpose of forming a corporation as aforesaid shall sign and acknowledge the articles before a person authorized to take acknowledgments. The name of any previously existing corporation, or a name so similar as to mislead the public, shall not be adopted unless with the written consent of the principal officers of such existing corporation. The articles shall so classify the directors that a proportional number of them shall hold office for one, two and three years, respectively, and thereafter their terms shall be three years.

§ 3. No such corporation for any of the purposes specified in this act shall do business with a capital stock of less than one hundred thousand dollars fully paid in in cash, with an additional fifty thousand dollars fully paid in in cash for every kind of insurance, more than one, which it is authorized to do: *Provided*, that it may not do the business named in subdivision two (2) of section 1 hereof on a capital of less than two hundred thousand dollars fully paid in in cash. Before any such corporation commences business its whole capital must be invested in treasury notes, stocks or bonds of the United States, or of this State, or of cities, villages, towns or counties herein, or in mortgages being first liens on real estate in this State worth double the amount loaned thereon, exclusive of buildings unless such buildings are kept insured and the policy held by such corporation: at least one hundred thousand dollars worth of which stocks, bond and mortgages aforesaid, approved by the insurance superintendent, shall be duly made or assigned to him in trust for the purposes hereinafter mentioned. Said insurance superintendent shall hold such securities for the benefit and protection of the policy-holders of the corporation, and so long as any such corporation continues solvent shall permit it to collect the interest of dividends thereon, and from time to time withdraw such securities or any part thereof on depositing with the said insurance superintendent other securities of the kind heretofore named, and of equal value with those withdrawn. If such company shall at any time cause all of its unexpired policies to be paid or canceled, and all its liabilities under such policies thereby be extinguished, then the insurance superintendent, on application of such company under oath of its president or secretary, on satisfying himself by an examination of its books and its officers, under oath, that all of its policies are so paid, canceled or extinguished, shall deliver up to it such securities.

§ 4. The articles of organization, notices and proof of publication aforesaid shall be examined by the Attorney General, and if found to be in due form, he shall so certify to the insurance superintendent, who shall thereupon notify the incorporators of his approval of such articles, after receipt of which notice they may open books for subscription to the capital stock of such proposed corporation and keep the same open until the whole amount thereof be subscribed, and collect the capital and complete the organization of the corporation. Before any such corporation shall commence transacting business the

insurance superintendent shall examine or cause an examination of it to be made by a disinterested person, especially appointed by him for that purpose, and if it shall be found that the proper capital has been paid in and is possessed in money or invested as required by law, he shall file a certificate in the office of the superintendent, and the incorporators or officers shall also file with him a certificate, under oath, that the capital exhibited to such examiner is bona fide the property of the corporation, and deposit with the insurance superintendent the securities provided for in the preceding section. The insurance superintendent shall then deliver to them a certificate of deposit and certified copy of declaration, signed by the incorporators, which when filed for record in the office of the recorder of deeds in the county in which such corporation is to be located, shall be authority to commence the business of insurance therein defined.

§ 5. Any corporation organized under these provisions may invest any surplus money in excess of its capital stock, in or loan the same upon the pledge of stocks or bonds of the United States, or any of the states, or of any city or county of this State, or in the stocks or bonds or other evidences of indebtedness of any solvent dividend paying corporation incorporated under the laws of this State or of the United States, except their own stock: *Provided*, the market value of such stock, bonds or other evidences of indebtedness shall be at all times, during the continuance of such loan, at least ten per cent more than the sum loaned thereon.

§ 6. Any company or association heretofore incorporated under any of the laws of this State for the purpose of furnishing accident insurance on the mutual or assessment plan, actually doing business at the time of the passage of this act and having surplus assets sufficient to reinsure all its outstanding risks, after having given notice once a week for four weeks of their intention and of the meeting hereinafter provided for, in a newspaper published in the county where such company is located, may, with the consent of two-thirds of the members present at any regular annual meeting or at any special meeting duly called for the purpose or with the consent in writing of a majority of the members of such corporation and the consent also of three-fourths of the trustees or directors, become a joint stock company with authority to transact the classes of business named under subdivisions one (1) and two (2) of section one (1) of this act, by conforming its charter to and otherwise proceeding in accordance with this act; and every member of such corporation on the day of said annual or special meeting or the date of said written consent shall be entitled to priority in subscribing to the capital stock of said company for fifteen days after the opening of the books of subscription to such capital stock in proportion to the amount of such cash premiums paid in by such members on unexpired policies in force on the date of such annual or special meeting or the date of such written consent, and every corporation so changed shall come under the provisions of this act in the same manner as if it had been incorporated originally under this act.

§ 7. Any casualty insurance corporation organized under the laws of any other state or foreign country may be admitted to transact business in this State by filing with the insurance superintendent for his approval, the following documents and papers:

First—An application for license to do business in this State, setting forth the full name of the corporation, the location of its principal office of business, and, separately, the several kinds of business to be transacted; said application shall contain the declaration prescribed in an act entitled “An act for the better regulation of the business of insurance, and for the protection of the citizens of this State in their dealing with insurance companies,” approved June 4th, 1879, in force July 1st, 1879, and otherwise conform to the requirements of said act, and such company shall also be subject to all the provisions, requirements and penalties of said act upon such form of blank as the said superintendent may prescribe.

Second—A certificate of deposit from the state official having the custody of the securities showing to the satisfaction of said insurance superintendent that the corporation has the amount of funds required by this act to be deposited by companies incorporated in this State invested in securities deposited with the superintendent of the insurance department, State Treasurer or other proper officer of the state in which it is incorporated. if incorporated in the United States, and if a foreign corporation, then in some one of the states of the United States, that such securities are not pledged or incumbered and have a market value of at least one hundred thousand dollars, but are held and remain for the benefit and security of the policy-holders of such corporation residing in the United States, or in default of such certificate of deposit shall deposit with the insurance superintendent, for the benefit and security of its policy-holders the amount and kind of securities required to be deposited by companies of this State. The stocks and securities so deposited may be exchanged from time to time for other securities, to be approved by the insurance superintendent and so long as the corporation so depositing shall continue solvent and comply with the laws of this State, it may be permitted by the insurance superintendent to collect the interest or dividends on said securities.

Third—A duly certified copy of its charter and by-laws together with a certificate from the insurance superintendent or other proper officer of the state wherein incorporated, that the corporation is duly organized and licensed to transact the business of casualty insurance in such state, stating separately the different kinds of insurance as provided in section 1 of this act, together with an appointment of the insurance superintendent of this State, and his successors in office as attorney upon whom any summons, notice or process of any court of this State may be served.

Fourth—*A Complete Statement of the Financial Condition of the Corporation.*] All such corporations admitted to transact business in this State must comply with the laws governing like corporations organized under the laws of this State, except that such corporations as are at the date of the passage of this act admitted to transact in

this State more than four of the kinds of business named in subdivisions of section 1 hereof, may continue such business on a capital of not less than two hundred thousand dollars, and all such corporations and all persons acting as agents thereof shall be subject to the same penalties prescribed by these statutes relating thereto for a violation of any of the provisions thereof and to the same methods for the enforcement of such penalties. The said company shall apply annually to the insurance superintendent for a certificate for each of its agents to do business in this State.

§ 8. No casualty insurance corporation organized under these statutes or doing business in this State shall expose itself to any loss on any one accident to an amount exceeding ten per cent of its capital: *Provided*, that no such corporation issuing a policy of boiler insurance shall expose itself to any loss under any one accident thereunder to an amount exceeding twenty-five per cent of its capital. Each such corporation may effect re-insurance of the whole or any part of any risk taken by it in any other authorized corporation of like kind and may re-insure the risks taken by any other such corporation. No portion of any obligation which shall have been re-insured in a casualty insurance corporation or upon which it shall be otherwise fully protected against loss, shall be included in determining the limitation of risk prescribed in this section.

§ 9. No casualty corporation organized in this State shall deal or trade in goods, wares, merchandise or other commodities, or hold or convey real estate except 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. All real estate acquired through the collection of debts shall not be held longer than five years unless the corporation shall procure a certificate from the insurance superintendent that its interests will suffer materially by the forced sale thereof, in which event the sale may be postponed for such period as the superintendent shall direct in said certificate.

§ 10. Any company organized under the provisions of this act shall form a re-insurance reserve equal to the unearned premium on all outstanding risks and policies. The directors of any such corporation shall not make any dividend, except from the surplus profits arising from their business, nor divide, withdraw or in any way pay to the stockholders or any of them any part of its capital, or reduce the net surplus of the corporation to an amount less than ten per cent of its capital stock, except as authorized by law. For a violation of any of the provisions of this section the directors under whose administration the same happened (except those who have caused dissent therefrom to be entered at large upon the minutes of such directors' meetings at the time or were not present when the action was taken) shall jointly and severally be liable to the corporation and its creditors to the full amount of the capital of the corporation so divided, withdrawn, paid out or reduced. In estimating such profits there shall be reserved therefrom a sum equal to the whole amount of unearned premiums on unexpired risks and policies, all sums due the corporation on bonds, mortgages, stocks and book accounts of which

no part of the principal or the interest thereon has been paid during the last year and for the collection of which no action or proceeding has been commenced, or which after judgment obtained thereon, shall remain more than two years unsatisfied and on which interest shall not have been paid; all interest due and remaining unpaid and all deposits for the special protection of policy-holders of other states or of foreign countries. Any such corporation may declare dividends in any year if, in addition to the amount of capital stock plus ten per cent thereof and of such dividends and all its outstanding liabilities, it shall have accumulated and be in possession of a lawful fund equal to the amount of all unearned premiums on risks not terminated at the time of making such dividend. Each stockholder receiving any dividend made contrary to these provisions shall be liable to the creditors of the corporation to the extent of the dividend received in addition to any other penalties and punishments prescribed by law.

§ 11. Any domestic casualty insurance corporation, whenever it shall have accumulated and be in possession of a fund, in addition to the amount of its capital stock and all actual outstanding liabilities, including re-insurance reserve on risks not terminated, may, on amending its charter as hereinafter prescribed, increase its capital stock from such fund and distribute the increase pro rata to its stockholders: *Provided*, that such increase shall be equal to at least twenty-five per cent of the original capital stock and shall have been authorized by at least three-fourths of the directors and approved by the insurance superintendent. It may at any time increase its capital stock (after notice of such intention given once a week for four weeks in any newspaper published in the county where such corporation is located) with the written consent of three-fourths in amount of its stockholders, unless otherwise provided in its charter, by altering or amending the same in this respect and filing a copy thereof, so amended, together with a declaration under its corporate seal, signed by its president and directors, of its desire so to do, with such written consent of its stockholders to such increase, in the office of the insurance superintendent, whereupon the same proceedings shall be had as are required upon the organization of such corporation.

§ 12. Every company organized or doing business under this act shall, on or before the first day of March each year, transmit to the insurance superintendent, and file in his office a statement of its business standing and affairs in such form as shall be prescribed by the superintendent, adapted to the business done by such company, signed and sworn to by the president or vice-president and secretary, and made out for the year ending on the preceding thirty-first day of December; and the superintendent is hereby authorized and empowered to address any inquiries to such company in relation to its condition or doings, and it shall be the duty of such company so addressed to reply promptly, in writing, and any company not incorporated under the laws of this State, failing to answer such inquiries, shall not be authorized to transact business in this State, and their certificate of authority may be revoked and canceled.

It shall be the duty of the superintendent to make, or cause to be made, an examination of the condition of any company incorporated under this act whenever he shall deem it expedient to do so, and the said superintendent, upon being satisfied that the capital, securities and investments remain secure as herein provided, may renew the authority of said company to transact business in this State.

§ 13. Whenever it shall appear to the insurance superintendent from any statement made to him, or from an examination made by him or by any examiner appointed by him, that the capital stock of any corporation doing business under this act is impaired to an amount exceeding twenty per cent thereof, it shall be his duty to cancel the authority of such corporation to transact business in this State, and he shall give notice to such corporation to discontinue issuing new policies in this State until such capital stock has been made good. Any officer or agent who issues a new policy on behalf of such corporation after such notice, shall for each offense forfeit a sum not exceeding one thousand dollars. If such corporation is incorporated under this act, and he shall be of the opinion that the interest of the public will not be prejudiced by permitting such corporation to continue business with reduced capital, such corporation may, with his permission, reduce its capital stock and the par value of the shares thereof to such an amount as he shall certify to be in his opinion justified by the assets of such corporation; but no part of such assets shall be distributed to the stockholders, nor shall such capital stock be reduced to an amount less than the sum required by law for the organization of a new corporation for the transaction of the same kind of business as the corporation is engaged in. Such a reduction of the capital shall only be made upon a vote of the majority of the stock represented at a meeting legally called for that purpose. If, in the opinion of the insurance superintendent, such reduction will not be to the interest of the policy holders, or in event of the refusal of the stockholders to consent thereto, he shall determine the amount of the impairment or deficiency, and issue a written requisition to the corporation requiring its stockholders to make good the amount of impairment or deficiency within such period as he may designate, not less than thirty nor more than ninety days from the service of the requisition. Upon receipt of such requisition, the directors shall forthwith call upon the stockholders ratably for such amounts as will make up such impairment or deficiency. If any stockholder refuses or neglects to pay the amount called for after notice, given personally or by advertisement, in such time as will comply with the order of said superintendent, the directors may by resolution, declare the stock of such person canceled; but such failure to pay shall not release the stockholder from any liability to the corporation. The directors may issue new certificates of stock in lieu of the stock so forfeited, and dispose of the same at not less than par. For any losses accruing upon new risks taken after the expiration of the period limited by the insurance superintendent in any such order, and before such impairment shall be made up, the directors shall be jointly and severally liable.

to the extent thereof; and any transfer of stock made during the pendency of such examination or after any such order shall have been made, and before any impairment or deficiency specified therein shall be made good, shall not release the person making the transfer from his liability for loss accruing previous thereto. If the amount of such impairment or deficiency shall not be made good within the time specified in such order, the corporation shall be deemed insolvent, and it shall be the duty of the insurance superintendent to apply to any circuit court in this State for the appointment of a receiver, and the forfeiture of its franchise.

§ 14. The receiver of any casualty insurance corporation, when authorized by the court so to do, may reinsure all its policy risks in any solvent corporation authorized to do a similar business in this State, if the assets of the corporation of which he is receiver are sufficient to effect such re-insurance; if such assets are insufficient the receiver, upon the like consent, may re-insure a percentage of each such risk of such corporation outstanding to the extent of its assets available for that purpose.

§ 15. No person, company or corporation shall act as agent for the purpose of soliciting risks or making insurance for any casualty insurance company incorporated under the laws of any other state or foreign country, directly or indirectly taking risks or transacting the business named in this act, in this State, without first procuring from the insurance superintendent a certificate of authority stating that such company has complied with all the laws of this State relating to such company, which certificate shall continue in force until the first day in March next after its issue unless revoked for cause. A fee of two dollars shall be paid to the superintendent for each such certificate. Any company, association, individual or individuals making insurance in violation of this act, or any person acting as agent or who shall solicit any insurance for such company, association, individual or individuals shall forfeit for each offense a sum not exceeding one thousand dollars.

§ 16. Whenever the existing or future laws of any other state of the United States shall require of companies transacting the business named in this act, incorporated by or organized under the laws of this State, and having agencies in such other state, or of the agents thereof, any deposit of securities in such state for the protection of policy-holders or otherwise, or any payment of taxes, fines, penalties, certificates of authority, license fee or otherwise, greater than the amount required for such purposes from similar companies of other states, by the then existing laws of this State, then, and in every such case, all companies of such states doing such business as is named herein, establishing or having heretofore established an agency or agencies in this State, shall be, and are hereby, required to make the same deposit for a like purpose with the insurance superintendent of this State, and to pay to the insurance superintendent fines, penalties, certificates of authority, license fees or any other obligation, an amount

equal to the amount of such charges and payments imposed by the laws of such other states upon the companies of this State and the agents thereof.

§ 17. For filing certified copies of charter as required by this act the insurance superintendent shall be paid thirty dollars; for filing the annual statement, ten dollars; for each agent's certificate of authority, two dollars; for every copy of a paper filed in the superintendent's office, twenty cents per folio; and for affixing the seal of said office to such copy, certifying the same, one dollar; for the examination required by section 4 and for the examination of the affairs of any company when deemed necessary the expense incurred therein shall be paid to the said superintendent by the company.

§ 18. Every such company shall publish its annual statements under the same rules and regulations and in the same manner now required of fire insurance companies.

§ 19. All act and parts of acts in conflict with this act are hereby repealed.

APPROVED April 21, 1899.

## FIRE INSURANCE.

### EXAMINATIONS BY INSURANCE SUPERINTENDENT.

§ 1. Amends sections 10, 22 and 23 of the Act of 1869:

- § 10. Examination by Superintendent of Insurance—examiner's certificate filed in office of Superintendent of Insurance—certified copy of charter and certificates when filed with county clerk shall be evidence of organization.
- § 22. Requirements of foreign companies doing business in this State—any foreign company ceasing to do business in this State to appoint agent—file certified copy of charter or deed of settlement and statement—contents of statement—deposit required by companies organized under any foreign government—exchange of securities—fees—for examining abstracts and appraisal of property—agents to procure certificate of authority—annual statements—penalty for violations.
- § 23. Investigation by Superintendent of Insurance or his agent—publication of result—dissolution of insolvent companies—assessing stockholders—liability of directors—insufficiency of assets of mutual companies—liability of trustees or directors—transfer of stock during examination no release from liability—revoking certificates—publication of notice—copy mailed to agents.

*AN ACT to amend sections numbered ten, twenty-two and twenty-three of an act entitled, "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved March 11, 1869, in force July 1, 1869, as amended by an act approved June 6, 1889, and in force July 1, 1889.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections numbered ten, twenty-two and twenty-three of an act entitled, "An act to incorporate and govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved March 17th, 1869,*



and in force July 1st, 1869, as amended by an act approved June 6th, 1889, and in force July 1st, 1889, be, and they are hereby, amended to read as follows:

§ 10. The charter and proof of publication herein required to be filed by every such company shall be examined by the superintendent of insurance, and if found conformable to this act, and not inconsistent with the constitution or laws of this State, shall be certified to by him, and he shall thereupon cause an examination to be made, either by himself or by three disinterested persons, especially appointed by him for that purpose, who shall certify under oath, that the capital herein required of the company named in the charter, according to the nature of the business proposed to be transacted by such company, has been paid in and is possessed by it in money, or in such stocks and bonds and mortgages as are required by the eighth section of this act, or if a mutual company, that it has received and is in actual possession of the capital, premiums or bona fide engagements of insurance or other securities, as the case may be, to the full extent of the value required by the sixth section of this act; and the name and residence of the maker of each premium note or subscription forming part of the capital, and the amount of such note or subscription shall be returned to the said insurance superintendent; and the corporators and officers of such company shall be required to certify under oath, that the capital exhibited to those persons is bona fide property of the company. Such certificate shall be filed in the office of the said insurance superintendent, who shall thereupon deliver to such company a certified copy of the charter and of said certificates, which, on being filed in the office of the clerk of the county where the company is to be located, shall be their authority to commence business and issue policies; and such certified copy of the charter and of said certificates may be used in evidence for or against such company with the same effect with the originals, and shall be conclusive evidence of the fact of the organization of such company.

§ 22. It shall not be lawful for any insurance company, association or partnership incorporated by or organized under the laws of any other state of the United States, or any foreign government, for any of the purposes specified in this act, directly or indirectly, to take risks or to transact any business of insurance in this State unless possessed of the amount of actual capital required of similar companies formed under the provisions of this act; nor shall it be lawful for any mutual insurance company of any other state to transact any kind of business within this State other than that prescribed by section 13 of this act, unless said company is possessed of an amount of cash assets over and above all liabilities, including re-insurance reserve equal to the amount of capital stock required of stock companies; and any such company desiring to transact any such business as aforesaid by any agent or agents in this State, shall first appoint an attorney in this State on whom process of law can be served, and file in the office of the insurance superintendent a written instrument duly signed and sealed, certifying such appointment, which shall con-

tinue until another attorney be substituted, and in case of death or removal of said attorney so designated by said company, service of any process from any court in this State on the superintendent of insurance during such vacancy shall be sufficient until said company shall appoint another attorney, as required by this act; and any process issued by any court of record in this State and served upon such attorney by the proper officer of the county in which such attorney may reside, or may be found, shall be deemed a sufficient service of process upon such company, but service of process upon such company may also be made in any other manner provided by law.

In case any insurance company not incorporated in this State shall cease to transact business in the State according to the laws thereof, the agents last designated or acting as such for such corporation, shall be deemed to continue agents for such corporation for the purpose of serving process for commencing action upon any policy or liability issued or contracted while such corporation transacted business in this State, and service of such process for the cause aforesaid upon any such agent, shall be deemed a valid personal service upon such corporation.

And every such company, association or partnership shall also file a certified copy of their charter or deed of settlement, together with a statement, under the oath of the president or vice-president or other chief officer and secretary of the company for which he or they may act, stating the name of the company and place where located, the amount of its capital, with a detailed statement of its assets, showing the amount of cash on hand, in bank or in the hands of agents, the amount of real estate and how the same is incumbered by mortgage, the number of shares of stock of every kind owned by the company, the par and market value of the same, amount loaned on bond and mortgage, the amount loaned on other security, stating the kind and the amount loaned on each, and the estimated value of the whole amount of such securities; any other assets or property of the company, also stating the indebtedness of the company, the amount of losses adjusted and unpaid, the amount incurred and in process of adjustment, the amount resisted by the company as illegal and fraudulent, and all other claims existing against the company; also a copy of the last annual report, if any, made under any law of the state by which said company was incorporated, and no agent shall be allowed to transact business for any such company whose capital (or if a mutual company whose reinsurance reserve as required in section 13 of this act) is impaired to the extent of twenty per cent thereof, which such deficiency shall continue.

And any company incorporated by or organized under any foreign government shall, in addition to the foregoing, deposit with the insurance superintendent for the benefit and security of policyholders residing in the United States, a sum not less than two hundred thousand dollars (\$200,000), in stocks of the United States, or of the State of Illinois, in all cases to be equal to a stock producing six per cent per annum—said stocks not to be received by said insurance superintendent at a rate above their par value, or above

their current market value—or in bonds and mortgages on improved unincumbered real estate in the State of Illinois, worth fifty per cent more than the amount loaned thereon.

The stocks and securities so deposited may be exchanged from time to time for other securities as aforesaid.

And so long as the company so depositing shall continue solvent, and comply with the laws of this State, such company or association may be permitted by the said insurance superintendent to collect the interest or dividends on said deposits; and where a deposit is made of bonds and mortgages, accompanied by full abstracts of title and searches, the fees for an examination of title by counsel, to be paid by the party making the deposit, shall not exceed twenty dollars for each mortgage, and the fee for an appraisal of property shall be five dollars to each appraiser, not exceeding two, besides expenses for mortgage.

Nor shall it be lawful for any agent or agents to act for any company or companies referred to in this section, directly or indirectly, in taking risks or transacting the business of fire and inland navigation insurance in this State, without procuring annually from the insurance superintendent, a certificate of authority, stating that such company has complied with all the requisitions of this act which apply to such companies, and the name of the attorney appointed to act for the company.

The statement and evidences of investments required by this section shall be renewed from year to year, in such manner and form as may be required by said insurance superintendent, with an additional statement of the amount of premiums received and losses incurred in the State during the preceding year, so long as such agency continues, and said insurance superintendent, on being satisfied that the capital, securities and investments remain secure, as hereinbefore provided, shall furnish a renewal of the certificate as aforesaid.

Any violation of any of the provisions of this act shall subject the party violating the same to a penalty not exceeding five hundred dollars for each violation, and of the additional sum of one hundred dollars for each month during which any such agent shall neglect to file such affidavits and statements as are herein required.

Every agent of any insurance company shall, in all advertisements of such agency, publish the location of the company, giving the name of the city, town or village in which the company is located, and the State or government under the laws of which it is organized. The term "agent" or "agents" used in this section shall include an acknowledged agent, surveyor, broker or any other person or persons who shall in any manner aid in transacting the insurance business of any insurance company not incorporated by the laws of this State.

The provisions of this section shall apply to all foreign companies, partnerships, associations and individuals, whether incorporated or not. All insurance companies, associations or partnerships, incorporated by or organized under the laws of any other state of the United States, or any foreign government, transacting the business of

fire or marine insurance, or any other kind of insurance in this State, shall make annual statements of their condition and affairs to the insurance superintendent's office, in the same manner and in the same form as similar companies organized under the laws of this State.

In case of neglect or refusal to make such annual statement as aforesaid, all persons acting in this State as agents or otherwise in transacting the business of insurance for said companies, corporations, associations, partnerships or individuals, shall be subject to the same penalties provided by law in case of the failure of any insurance company organized under the laws of this State to make an annual statement as provided in this act.

Foreign insurance companies shall be required to make and file their annual statements and evidences on the first day of January in each year, or within thirty days thereafter, made out for the year ending on the preceding 30th of September. The supplementary annual statements of their business and affairs in the United States, duly verified by the resident manager of such company, shall be filed in the month of January of each year, made out for the year ending the 31st day of December immediately preceding.

§ 23. It shall be the duty of the insurance superintendent, whenever he shall deem it expedient so to do, in person, or by one or more persons to be appointed by him for that purpose, not officers or agents of, or in any manner interested in, any insurance company doing business in this State, except as policy-holders, to examine into the affairs of any insurance company incorporated in this State, or doing business by its agents in this State; and it shall be the duty of the officers or the agents of any such company doing business in this State, to cause their books to be opened for inspection of the insurance superintendent, or the person or persons so appointed, and otherwise to facilitate such examinations, so far as it may be in their power to do, and to pay all reasonable expenses incurred therein, and for that purpose the said insurance superintendent, or person or persons so appointed by him, shall have the power to examine, under oath, the officers and agents of any company relative to the business of said company; and whenever the said insurance superintendent shall deem it for the best interest of the public so to do, he shall publish the result of said investigation in one or more papers in this State.

And whenever it shall appear to the said insurance superintendent from such examination, that the assets of any company incorporated in this State are insufficient to justify the continuance in business of any such company, he may direct the officers thereof to require the stockholders (or if a mutual company the members thereof) to pay in the amount of such deficiency within such periods as he may designate in such requisition; or he may apply to the circuit court of the county in which the principal office of said company shall be located for an order requiring them to show cause why the business of such company shall not be closed, and the court shall thereupon proceed to hear the allegations and proofs of the respective parties; and in case it shall appear to the satisfaction of said court that the

assets and funds of said company are not sufficient as aforesaid, or that the interests of the public so require, the said court shall decree a dissolution of said company and a distribution of its effects. The said circuit court shall have power to refer said application to a master in chancery to inquire into and report upon the facts stated therein. Any company receiving the aforesaid requisition from the said insurance superintendent shall forthwith call upon its stockholders for such amounts as will make its capital equal to the amounts fixed by the charter of said company; and in case any stockholder of such company shall refuse or neglect to pay the amount so called for, after notice personally given, or by advertisement, in such time and manner as the said insurance superintendent shall approve, it shall be lawful for the said company to require the return of the original certificate of stock held by such stockholder, and, in lieu thereof, to issue new certificates for such number of shares as the said stockholder may be entitled to, in the proportion that the ascertained value of the funds of the said company may be found to bear to the original capital of the said company—the value of such shares for which new certificates shall be issued, to be ascertained under the direction of the said insurance superintendent and the company paying for the fractional parts of shares; and it shall be lawful for the directors of such company to create new stock and dispose of the same, and to issue new certificates therefor, to an amount sufficient to make up the original capital of the company.

And it is hereby declared that, in the event of any additional losses accruing upon new risks taken after the expiration of the period limited by the said insurance superintendent in the aforesaid requisition for the filling up of the deficiency in the capital of such company, and before said deficiency shall be made up, the directors shall be individually liable to the extent thereof.

And if, upon examination, it shall appear to the said insurance superintendent that the assets of any company chartered on the plan of mutual insurance under this act are insufficient to justify the continuance of such company in business, it shall be his duty to proceed in relation to such company in the same manner as is herein required in regard to joint stock companies, and the trustees or directors of such company are hereby made personally liable for any losses which may be sustained upon risks taken after the expiration of the period limited by said insurance superintendent for filling up the deficiency in the capital, and before such deficiency shall have been made up.

Any transfer of the stock of any company organized under this act, made during the pending of any such investigation, shall not release the party making the transfer from his liability for losses which may have accrued previous to the transfer.

And whenever it shall appear to the said insurance superintendent from the report of the person or persons appointed by him, that the affairs of any company not incorporated by the laws of this State are in an unsound condition, he shall revoke the certificates granted

in behalf of such company, and shall cause a notification thereof to be published in a newspaper of general circulation published in the city of Springfield, and mail a copy thereof to each agent of the company; and the agent or agents of such company, after such notice, shall be required to discontinue the issuing of any new policy and the renewal of any previously issued.

APPROVED April 24, 1899.

## FIRE INSURANCE.

### JOINT STOCK AND MUTUAL COMPANIES.

§ 1. Amends section 17 of the Act of 1869:

§ 17. Authorizes extension of charter of joint stock or mutual fire insurance companies—requirements—mutual companies desiring to change to joint stock companies—requirements—subscriptions to stock—members entitled to priority in subscribing to stock—no company to reorganize or extend charter unless doing business at the time of passage of this act.

AN ACT to amend Section seventeen (17) of "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved March 11, 1869, in force July 1, 1869, and amended by an act 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 seventeen (17) of an act entitled "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved March 11, 1869, in force July 1, 1869, and amended by an act in force July 1, 1877, be, and the same is hereby, amended so as to read as follows:

§ 17. Any existing joint-stock or mutual fire insurance company heretofore incorporated under the laws of this State, and any company organized under this act, having a capital of at least \$100,000 may, without increasing its capital, at any time within six years previous to the termination of its charter, after giving notice at least once a week for four weeks, successively, in a newspaper published in the county where such company is located, of such intention and with a declaration under its corporate seal, signed by the president and two-thirds of its directors of their desire for such extension, extend the term of its original charter to the time specified in the twenty-fifth section of this act, by altering and amending the same so as to accord with the provisions of this act, and filing a copy of such amended charter with the declaration aforesaid in the office of the Auditor of Public Accounts, whereupon the same proceedings shall be had as are required in the tenth section of this act. And any mutual insurance company, heretofore incorporated or organized under any of the laws of this State, having surplus assets, aside from premiums and stock notes sufficient to re-insure all its outstanding risks, after having given notice, once a week for four weeks, of their

intention and of the meeting hereinafter provided for, in a newspaper published in the county where such company is located, may, with the consent of two-thirds of the corporators or members present at any regular annual meeting, or at any special meeting duly called for the purpose, or with the consent in writing of two-thirds of the corporators or members of such company, and the consent also, of three-fourths of the trustees or directors, unless otherwise provided in the charter, become a joint-stock company, by conforming its charter to, and otherwise proceeding in accordance with this act; and every member of such company on the day of said annual or special meeting, or the day of such written consent, shall be entitled to priority in subscribing to the capital stock of said company, for one month after the opening of the books of subscription to such capital stock, in proportion to the amount of cash premiums paid in by such members on unexpired risks in force on the day of said annual or special meeting, or the date of said written consent; and every company so extended or changed shall come under the provisions of this act in the same manner as if it had been incorporated originally under this act: *Provided*, that no mutual fire insurance company shall be entitled to reorganize under this law, or to have its organization renewed or extended unless it shall actually be doing business at the time of the passage of this act.

APPROVED April 24, 1899.

#### FIRE INSURANCE.

##### LIMITING AUTHORITY TO RE-INSURE OR ASSUME RE-INSURANCE.

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| <p>§ 1. No company to re-insure, dispose of or reduce risk in or with any company not authorized to do business in this State.</p> <p>§ 2. No company to re-insure for any company not authorized to do business in this State.</p> <p>§ 3. No company to re-insure any risk not assumed in accordance with laws of this State.</p> | <p>§ 4. Annual statement of re-insurance filed with insurance superintendent.</p> <p>§ 5. Penalty for violation of this act.</p> <p>§ 6. Re-licensing companies—time.</p> <p>§ 7. Repeals conflicting acts.</p> |
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AN ACT *limiting the authority of fire insurance companies to reinsure or assume reinsurance on any risk or liability covering property located in whole or in part in this State.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no fire insurance company authorized to do business in this State shall reinsure, dispose of by treaty, cede, pool, divide, or in any manner or form whatsoever reduce any portion of its risk or liability, covering property located in whole or in part in this State, in or with any company, association, person or persons whether incorporated or otherwise not authorized by law to do the business of fire insurance in this State.

§ 2. No fire insurance company authorized to do business in this State shall reinsure, or assume as a reinsuring company, or otherwise, in any manner or form whatsoever, the whole or any part of any risk or liability, covering property located in whole or in part in this State, of or for any insurance company, association, person or persons, whether incorporated or not, not authorized by law to do fire insurance business in this State.

§ 3. No fire insurance company authorized to do business in this State shall reinsure or assume as a reinsuring company, or otherwise in any manner or form whatsoever, the whole or any part of any risk or liability, covering property located in whole or in part in this State, of any insurance company, association, person or persons whether incorporated or not unless the risk or liability reinsured shall have been assumed in full accord with the provisions of the statutes of this State.

§ 4. It shall be the duty of the insurance superintendent of this State annually, and at such other times as he may see fit, to require the president and treasurer or other chief officer of each company or association at its home office; also the general agent, manager, resident secretary or other officer, officers, agent or underwriter having jurisdiction over the State of Illinois or any part thereof, to file a statement under oath, showing the names of each fire insurance company, association or underwriter, with whom or for whom any liability for insurance on property located in whole or in part in this State has been reinsured, disposed of by treaty, ceded, pooled, divided or in any manner or form whatsoever reduced or increased.

§ 5. Whenever the insurance superintendent shall have proof that any fire insurance company, association, underwriter, person or persons, whether incorporated or not, has violated any of the provisions of this act, it shall be his duty to revoke the license of such company, association, underwriter, person or persons, whether incorporated or not.

§ 6. The insurance superintendent shall not re-license for a period of fifteen months any fire insurance company, association, underwriter, person or persons, whether incorporated or not, whose license has been revoked, and then not until the affairs of the said party or corporation have been investigated by the insurance superintendent, and positive proof found that the said party or corporation has not since the date of revocation of said license violated any of the provisions of the statutes of this State.

§ 7. All acts and parts of acts, whether general or special, inconsistent with the provisions of this act are hereby repealed.

APPROVED April 24, 1899.



## FRATERNAL BENEFICIARY SOCIETIES.

§ 1. Amends section 1 of the Act of 1893:

§ 1. Fraternal beneficiary societies defined—reserve fund—payment of benefit funds—provisions.

AN ACT to amend Section 1 of an act entitled "An act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof and to control such societies of this State and other states doing business in this State and providing and fixing the punishment for violation of the provisions thereof and to repeal all laws now existing which conflict therewith," approved and in force June 22, 1893, as amended by an act approved June 21, 1895, in force July 1, 1895.

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 provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members or accident or permanent indemnity disability to members thereof and to control such societies of this State and other states doing business in this State and providing and fixing the punishment for violation of the provisions thereof and to repeal all laws now existing which conflict therewith," approved and in force June 22, 1893, as amended by act approved June 21, 1895, and in force July 1, 1895, be, and the same is hereby, amended to read as follows:

SECTION 1. A fraternal beneficiary society is hereby declared to be a corporation, society or association formed, organized or carried on for the sole benefit of its members and their beneficiaries, and not for profit. Each such society shall have a lodge system, with ritualistic form of work and representative form of government, and may make provisions for the payment of benefits in case of disability and death, or of either, resulting from either disease, accident or old age of its members. Any such society, order or association may create, maintain and disburse a reserve fund in accordance with its constitution and by-laws. Such reserve fund, if any, shall represent certain prescribed accumulations or percentage retained for the benefit of its members or their beneficiaries, and no part thereof shall be used for expenses nor for any purpose except the payment of death and disability claims. The payment of such benefits in all cases being subject to compliance by the member with the contract, rules and laws of the society: *Provided*, the period in life at which payment of physical disability benefits on account of age may commence shall not be under seventy (70) years. The fund from which the payment of such benefits shall be made, and the fund from which the expenses of such society shall be defrayed shall be derived from assessments or dues collected from its members. Payment of death benefits shall only be made to the families, heirs, blood relations, affianced husband or affianced wife of, or to persons dependent upon

the member: *Provided*, that a member having no wife or children living, may, with the consent of the society, make a charitable institution his beneficiary: *Provided*, however, that societies formed to include only the membership of any religious denomination may be permitted to provide that benefits under their certificates of membership may be paid to charitable or religious institutions. The members of any religious denomination may incorporate under this act, and shall only be required to have a lodge or branch system and a representative form of government. Membership in such corporation shall be confined to the members of such religious organization. Commercial travelers shall also be allowed to incorporate under the provisions of this act, but membership of such incorporation shall be confined to those actively engaged as commercial travelers. Such commercial travelers' incorporation shall have a lodge or branch system and representative form of government. All such societies shall be governed by this act and shall be exempt from the provisions of all insurance laws of this State, and no law hereafter passed shall apply to them unless they be expressly designated therein: *Provided*, that this act shall not be construed to prevent any society having a supreme lodge with separate jurisdictions which by their law provide for a general relief or reserve fund, from making assessments to pay its pro rata share of such relief or reserve fund or from receiving their pro rata of any such fund.

APPROVED April 24, 1899.

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INSURANCE DEPARTMENT.

§ 1. Amends sections 3 and 10 of the Act of 1893:

§ 3. All powers heretofore granted the Auditor of Public Accounts and the Attorney General vested in the Superintendent of Insurance—relieves Auditor and Attorney General from all duties heretofore imposed upon them relating to insurance.

§ 10. Repeal.

AN ACT to amend Sections 3 and 10 of an act entitled "An act to provide for the establishment of an Insurance Department and the appointment of an Insurance Superintendent," approved June 20, 1893, in force July 1, 1893, and to add a section thereto.

SECTION. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 3 and 10 of an act entitled "An act to provide for the establishment of an insurance department and the appointment of an insurance superintendent," approved June 20, 1893, in force July 1, 1893, and to add a section thereto, be, and the same is hereby, amended to read as follows:

§ 3. The insurance superintendent shall possess and have all the powers, and he may perform all the duties in regard to the business of insurance in this State, which are now attached by law to the office of Auditor of Public Accounts and the Attorney General.

And he shall exercise the same control over the insurance companies, their officers and agents in this State, and shall collect from them all taxes, fees, fines and penalties, and may institute and prosecute in his name all suits and do all things heretofore required to be done by the laws of this State by the Auditor of Public Accounts and the Attorney General.

And the said Auditor of Public Accounts and the Attorney General are hereby relieved from any duty heretofore imposed upon them by any law of this State in relation thereto, and the said superintendent of insurance fully authorized and empowered, from and after date of his appointment and qualification as such superintendent, to perform the same.

§ 10. All acts and parts of acts in conflict with this act are hereby repealed.

APPROVED April 24, 1899.

#### LIFE INSURANCE COMPANIES.

##### DEPOSIT OF RESERVE AND REGISTRATION OF POLICIES AND ANNUITY BONDS.

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| <p>§ 1. Provides that life insurance companies may deposit with insurance superintendent not less than \$10,000 in addition to amount now required by law.</p> <p>§ 2. Endorsement on policies after deposit is made—duty of insurance superintendent.</p> <p>§ 3. Additional deposits required—market value of deposits to equal value of registered policies, etc.</p> <p>§ 4. Superintendent to keep record of securities—companies failing to keep deposit equal to registered policies and annuity bonds declared insolvent.</p> | <p>§ 5. Companies may make deposits equal in value to non-registered policies and annuity bonds—superintendent to issue certificates to be attached to policies.</p> <p>§ 6. Rights of companies when deposits exceed value of registered policies, etc.—companies may exchange securities—collection of interest and coupons.</p> <p>§ 7. Deposits to be kept separate.</p> <p>§ 8. Insolvent companies, proceedings against.</p> <p>§ 9. Fee for making deposits.</p> <p>§ 10. Assessment companies exempt.</p> |
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AN ACT to provide for the deposit of reserve and the registration of policies and annuity bonds by life insurance companies of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any life insurance company now incorporated, or which may hereafter be incorporated under the laws of this State, may deposit with the insurance superintendent securities of the kind, and in addition to the amount now required and authorized by law to be deposited with him (under an act to organize and regulate the business of life insurance, approved March 26, 1869, in force July 1, 1869), to any amount not less than ten thousand dollars, which shall be legally transferred by it to him as insurance superintendent for the common benefit of all the holders of its registered policies and annuity bonds issued under the provisions of this act, which shall be held by him in trust for the purposes and objects specified herein.

§ 2. After making the deposit mentioned in the preceding section, no company shall issue a policy of insurance or endowment or an annuity bond, unless it shall have upon its face a certificate in the following words: "This policy or annuity bond, as the case may be, is registered and secured by pledge of bonds, stocks or securities deposited with this department," which certificate shall be signed by the superintendent and sealed with the seal of his office. Such policies and bonds shall be known as registered policies and annuity bonds, and a duplicate or copy of each kind, class and issue shall be kept in the office of the insurance superintendent. All policies and bonds of each kind and class issued, and the copies thereof filed in the office of the superintendent, shall have imprinted thereon some appropriate designating letter, combination of letters or terms, identifying the special form of contract, together with the year of adoption of such form, and whenever any change or modification is made in the form of contracts, policy or bond, the designating letters or terms and year of adoption thereon shall be correspondingly changed.

The superintendent shall prepare and keep such registers thereof as will enable him to compute their value at any time. Upon written proof attested by the president or vice-president and secretary of the company which shall have issued such policies or annuity bonds, that any of them have been commuted or terminated, the superintendent shall commute or cancel them upon such register. The net present value of every policy or annuity bond, according to the standard prescribed in the laws of this State for the valuation of policies of life insurance companies, when the first premium shall have been paid thereon, less the amount of such liens, not exceeding such value as the company may have against it, shall be entered opposite the record of said policy or annuity bond in the register aforesaid at the time such record is made. On the first day of January of each year, or within sixty days thereafter, the superintendent shall cause the registered policies and annuity bonds of each company to be carefully re-valued, and the actual value thereof at the time fixed for such valuation, less such liens, not exceeding such value as the company may have against it, shall be entered upon the register opposite the record of such policy or bond, and the superintendent shall furnish a certificate of the aggregate of such value to the company. It shall be the duty of the superintendent to receive mutilated policies and annuity bonds issued by said companies, and deliver in lieu thereof other policies or bonds of like tenor and date.

§ 3. Each company which shall have made deposit herein provided for, shall make additional deposits from time to time, in amounts of not less than five thousand dollars, and of such securities as life insurance companies of this State are authorized by law to invest in, so that the market value of the securities deposited shall always be equal to the net value of the registered policies and annuity bonds issued by said company, less such liens, not exceeding such value, as the company may have against it. So long as any company shall maintain its deposit, as herein prescribed, at an amount equal to or in excess of the net value of its registered policies

and annuity bonds as aforesaid, it shall be the duty of the superintendent to sign and affix his seal to the certificates before mentioned on every policy and annuity bond presented to him for that purpose by any company so depositing.

§ 4. The superintendent shall keep a careful record of the securities deposited by each company, and when furnishing the annual certificates of value mentioned in section two, he shall enter thereon the amount and market value of such securities deposited by such company. If at any time it shall appear from such certificate or otherwise that the value of the securities held on deposit is less than the actual value of the registered policies and annuity bonds issued by such company it shall not be lawful for the superintendent to execute the certificate on any additional policies or annuity bonds of such company until it shall have made good the deficit. If any company shall fail or neglect to make good such deposit for sixty days it shall be deemed to be insolvent and shall be proceeded against in the manner provided by law in such cases.

§ 5. Every company which shall have made the deposit herein provided for may, at any time after the date upon which said deposit was made, deposit with the superintendent securities of the kind herein mentioned, and in accordance with the provisions hereof an amount, inclusive of the amount deposited under the other provisions of law, equal to the actual value of all the non-registered policies and annuity bonds which it shall have in force at that time, less such liens, not exceeding such actual cash value, as the company may have against them; and the superintendent shall, when requested so to do, furnish such company with a certificate of the description mentioned in section two, to be attached to each of said policies and annuity bonds. The superintendent shall enter upon each of such certificates the number of the policy or annuity bond to which it belongs.

§ 6. Any company depositing under the provisions of this act may increase its deposits at any time by making additional deposits of not less than five thousand dollars of such securities as are authorized by this act. Any such company whose deposits exceed the actual value of all registered policies and annuity bonds it has in force, less such liens, not exceeding such value as the company may hold against them, may withdraw such excess, or it may withdraw any of said securities at any time by depositing others of equal value, and of the character authorized by this act in their stead; and so long as said company shall remain solvent and keep up its deposits, as herein required, it may collect the interest and coupons on the securities deposited as the same accrue.

§ 7. The securities deposited under section 1 of this act shall be deposited and kept in the same manner, but separate from other deposits of the company.

§ 8. If at any time the affairs of any life insurance company which has deposited securities under the provisions of this act shall, in the opinion of the superintendent, appear in such condition as to

render the issuing of additional policies and annuity bonds by such company injurious to the public interest, the superintendent may take such proceedings against such company as may be authorized by law to be taken against other insolvent companies, and said companies shall in all respects be subject to the provisions of law affecting other companies.

§ 9. Every company making deposit under the provisions of this act shall pay to the superintendent for each certificate on registered policies or annuity bonds, including seal, a fee of fifty cents: *Provided*, that for each certificate, including seal, issued in accordance with the provisions of section 5 of this act, the fee shall be twenty-five cents.

§ 10. The provisions and obligations of this act shall not affect, or be construed to apply to fraternal corporations or associations, secret societies or any organization doing a life insurance business in this State on the assessment plan.

APPROVED April 18, 1899.

#### SURETY COMPANIES.

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| 1. Formation authorized.  | § 8. Penalty for violating provisions of section 7.  |
| § 2. Declaration filed with insurance superintendent—contents of declaration—majority of officers to be residents of this State—Insurance Superintendent to issue certificate—similarity of names prohibited. | § 9. Examinations by insurance superintendent—expense of examination paid by corporation.  |
| § 3. Insurance superintendent's certificate to be published in newspaper—subscriptions to capital stock.  | § 10. Agents to procure certificate of insurance superintendent.   |
| § 4. Board of directors—election—division—term—vacancies.   | § 11. Violations, penalty for.   |
| § 5. Corporators to report proceedings to insurance superintendent—examination of capital stock—investment of capital—expenses of examination—how paid.   | § 12. Fees for declarations, etc.  |
| § 6. Deposit of \$100,000 with insurance superintendent.  | § 13. Insurance superintendent to notify claimants of corporations having ceased to do business—time in which to file claims.    |
| § 7. Insurance superintendent to issue certificate of deposit and certificate of organization—contents.   | § 14. Corporations subject to "An act concerning corporations" and "An act in regard to the dissolution of insurance companies." |
|   | § 15. Increase of capital stock—requirements.  |
|   | § 16. Emergency.   |

AN ACT to provide for the organization, management and regulation of surety companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That corporations may be formed in the manner provided by this act for the purpose of guaranteeing the fidelity of persons holding public or private places of trust, and the performance by persons, firms and corporations of

contracts, bonds, recognizances and undertakings of every kind, and of becoming surety on bonds required by law, and on every kind of contract, obligation and undertaking of persons, firms and corporations.

§ 2. Whenever any number of persons not less than three nor more than seven shall propose to form a corporation under this act, they shall file with the insurance superintendent 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 insurance superintendent shall examine the same, 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 cause the same 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. No name shall be assumed by any company incorporating under this act identical with or similar to one already appropriated.

§ 3. Whenever the incorporators who shall have received from the insurance superintendent such certified copy 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.

§ 4. As soon as may be after the capital stock shall be fully subscribed the incorporators shall convene a meeting of subscribers for the purpose of electing directors and the transaction of such other business as shall 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. In all elections for directors of corporations organized under this act, every subscriber or stockholder shall have the right to vote in person, or by proxy, 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 think fit; and such directors shall not be elected in any other manner. It shall be lawful for any such corporation by

resolution of the stockholders to divide its board of directors into three classes, numbered consecutively, the term of office of the first class to expire on the day of the annual election of said corporation then next ensuing; the second class one year thereafter and the third class two years thereafter. At each annual election after such classification, the stockholders of such corporation shall elect, for a term of three years, a number of directors equal to the number in the class whose term expires on the day of such election. All other vacancies to be filled in accordance with the by-laws of the corporation.

§ 5. The corporators 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 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 corporators, and shall be filed in the office of the insurance superintendent. The insurance superintendent shall thereupon make, or cause to be made, an examination by one or more disinterested persons especially appointed by him for that purpose, who shall certify under oath that the capital herein required of the company named in the charter has been paid in and is possessed by it in money or in the securities and investments authorized herein, and a majority of the directors shall make oath that the money has been paid in by the stockholders towards payment of their respective shares, and not for any other purpose, and that it is intended that the same shall remain as the capital of the company to be invested as authorized herein. It shall be lawful for any company incorporated under this act to invest its capital and the funds accumulated in the course of its business in such securities as are authorized by law for the investment of the funds of life insurance companies. The expenses of such examination shall be paid to the insurance superintendent by the company examined.

§ 6. Every such corporation before commencing business shall, in addition to other requirements of law, deposit with the insurance superintendent, in trust, for the special and sole benefit and security of all its creditors and holders of its obligations and contracts of suretyship, guaranty and indemnity not less than one hundred thousand dollars of its paid-up capital in bonds of the United States or State or municipal bonds or in mortgages on improved or productive real estate in this State, being first liens thereon, and the real estate being worth at least twice the amount loaned thereon. The bonds and securities so deposited may be exchanged from time to time for other securities of any of the classes above mentioned. All said securities shall be subject to sale and to the disposal of the proceeds by the insurance superintendent only in pursuance of the order or decree of a court of competent jurisdiction in a suit or proceeding to which the corporation shall be a party, and on due notice to it, so long as the corporation so depositing shall continue solvent, such corporation shall be entitled to receive from the insurance superintendent the interest or dividends on the deposit.



When any part of such deposit is made in notes or bonds secured by mortgages, they shall be accompanied by full abstracts of title and searches, which shall be examined and approved by or under the direction of the insurance superintendent. The fee for an examination of title by counsel, to be paid by the corporation making the deposit, shall not exceed twenty dollars for each mortgage, and the fee for each appraiser, not exceeding two, besides expenses, shall be five dollars for each mortgage.

§ 7. When the corporators shall have complied with the foregoing provisions the insurance superintendent shall furnish them a certificate of deposit and shall issue to them a certificate of organization of the corporation, making a part thereof a copy of the certificates of examination, and all other papers filed in his office in and about the organization of the corporation and duly authenticated under his hand and seal of office, and the same shall be recorded in a book for that purpose in the office of the recorder of deeds of the county where the principal office of such company is located. Upon the recording of said copy, the corporation shall be deemed fully organized and may proceed to qualify to do business in this State as provided by an act governing surety companies transacting business in this State, entitled "An act to amend an act entitled, '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;' approved May 13, 1887, in force July 1, 1887; (approved June 8, 1897, in force July 1, 1897.)" And nothing contained in this act shall be construed to modify or change the provisions of said last mentioned act or to relate to foreign corporations. Unless such corporation shall be organized within two years after the date of filing of its declaration and charter it shall be deemed to have lost the right to use the name appropriated.

§ 8. It shall be unlawful for any corporation, organized under this act, to do business in this State without first having complied with the provisions of the act referred to in section 7 of this act, and any corporation violating any of the provisions thereof shall be fined not less than one hundred dollars nor more than one thousand dollars, to be recovered by an action in the name of the State, and on collection to be paid into the State treasury.

§ 9. It shall be the duty of the insurance superintendent to make, or cause to be made, an examination of the condition and affairs of any company incorporated under this act doing business in this State whenever he shall deem it expedient to do so, and also whenever he shall have good reason to suspect the correctness of any annual statement, or that the affairs of any company making such statements are in an unsound condition. The expenses of such examination shall be paid to the insurance superintendent by the company examined.

§ 10. It shall not be lawful for any agent or agents to act for any company or companies incorporated under this act, directly or indirectly, in soliciting or procuring business or issuing policies, with-

out procuring from the insurance superintendent a certificate of authority, stating that such company has complied with all the requisitions of this act which apply to such companies.

§ 11. Any violation of the provisions of this act shall subject the party violating the same to a penalty of not less than one hundred dollars nor more than one thousand dollars, to be recovered by an action in the name of the State, and on collection paid into the State treasury.

§ 12. There shall be paid by every corporation to which this act shall apply the following fees:

For filing declarations and certified copy of charter, the sum of thirty dollars. For filing annual statement, ten dollars. For each agent's certificate of authority, two dollars. For each copy of paper filed, twenty cents per folio, and for certifying the same and affixing seal, one dollar.

§ 13. At any time after such corporation shall have ceased doing business the insurance superintendent shall, upon the request in writing of such corporation and within ten days after such request, notify each and every claimant or pretended claimant against such corporation therein designated, to bring suit upon his claim within thirty days after such notice, or lose all right to the protection and security of the deposit mentioned in section six (6) of this act or any part thereof, and if any such claimant shall not within said thirty days begin suit against such corporation, or whenever any such suit shall be dismissed or decided adversely to such claimant, such deposit shall be thereby freed from liability in respect of any claim of such claimant.

§ 14. Corporations formed under this act shall be subject to all laws of this State governing corporations for pecuniary profit, as provided for in an act entitled, "An act concerning corporations," approved April 18, 1872, in force July 1, 1872, and amendments thereto, in force July 1, 1897, and the duties thereof, and shall have the powers thereof, so far as the same are not inconsistent with the provisions of this act. Such companies shall also be subject to the provisions and requirements of an act entitled, "An act in regard to the dissolution of insurance companies," approved February 17, 1874, in force July 1, 1874.

§ 15. Any such company may at any time increase the amount of its capital stock by altering or amending its charter in this respect and filing a copy of its charter so amended, together with a declaration under its corporate seal, signed by its president and directors, of their desire so to do, with the written consent of three-fourths in amount of its stockholders to such increase, in the office of the insurance superintendent, who shall thereupon make such examina-

tion in respect to such increased capital as is required in respect to the original capital in the organization of companies hereunder and shall issue to such company a certificate of such increase of capital.

§ 16. WHEREAS, an emergency exists that this act shall take effect without delay, therefore this act shall take effect and be in force from and after its passage.

APPROVED April 17, 1899.

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TAX ON GROSS PREMIUM RECEIPTS OF COMPANIES OTHER THAN LIFE.

§ 1. Provides that all companies pay to insurance superintendent two per cent of gross premiums on business done in this State—exception.

AN ACT *providing for a tax on gross premium receipts of insurance companies and associations, other than life.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every insurance company or association, other than life, organized or incorporated under the laws of any other state or nation, and every other insurance company, other than life, whose charter may be owned or a majority of whose stock may be controlled, or whose business shall be carried on in the interest or for the benefit of any insurance company or association incorporated under the laws of any other state or nation shall, at the time of making the annual statements as required by law, pay to the insurance superintendent as taxes two per cent of the gross amount of premiums received by it for business done in this State, including all insurance upon property situated in this State during the preceding calendar year.

The payment of said taxes shall be a condition precedent to the privilege of doing business in this State. Upon compliance with the laws of this State and the payment of said taxes, the insurance superintendent shall issue the annual certificate as provided by law, and the taxes provided in this act shall be in full for all taxes, State and local, against such corporations or associations, except taxes on real estate, and such reciprocal tax as is required by law: *Provided*, where fire insurance companies pay into cities and villages that have an organized fire department a tax of two dollars or less on every one hundred dollars of premiums received by the company, in such city or village, said amount shall be deducted from the amount to be paid to the Insurance Superintendent by provisions of this act.

APPROVED April 19, 1899.

## JURY COMMISSIONERS.

### APPOINTMENT.

§ 1. Amends section 1 of the act of 1887:

‡ 1. Judges of the several courts of record to appoint jury commissioners—term of office—oath and bond—filling vacancies—emergency.

*AN ACT to amend Section 1 of an act entitled, "An act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties," approved June 15, 1887, in force July 1, 1887, as amended by an act approved June 9, 1897, in force July 1, 1897.*

**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 authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties," approved June 15, 1887, in force July 1, 1887, as amended by an act approved June 9, 1897, in force July 1, 1897, be amended to read as follows:

§ 1. In every county of this State now containing, or which may hereafter contain, more than two hundred and fifty thousand (250,000) inhabitants, the judges of the several courts of record of such county, or a majority of them, shall choose three competent and discreet electors, who shall not be, by law, exempt or disqualified from serving as jurors, and who shall not be so chosen on account of party affiliations, who shall be known as jury commissioners. Such commissioners shall, in counties now containing the required number of inhabitants, be chosen on the first Monday of July, 1897, and in counties hereafter containing the required number of inhabitants such commissioners shall be so chosen on the first Monday of July after it shall have been determined by the last preceding national census that the inhabitants of such county are of the number required. 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 chosen for the term of three years. Each of such commissioners, before entering upon the duties of his office, shall take and subscribe to an oath of office before one of such judges, and shall execute a bond to the People of the State of Illinois in such sums 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, and fill all vacancies occurring in the office of any such commissioners by death, resignation or removal.

WHEREAS, emergency exists, therefore this act shall take effect and be in full force after its passage and approval by the Governor.

APPROVED April 24, 1899.

## JUSTICES AND CONSTABLES.

## APPOINTMENT OF CHICAGO JUSTICES.

§ 1. Amends section 2 of article I, Act 1895—  
 appointment of Chicago justices.

§ 2. Emergency.

AN ACT to amend Section two (2) of Article one (1) of an act entitled, "An act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois' represented in the General Assembly:* That section two (2) of article one (1) of an act entitled, "An act in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895, be, and the same is hereby, amended to read as follows:

## ARTICLE I.

## JUSTICES OF CHICAGO.

§ 2. It shall be the duty of the judges of the circuit, superior, probate and county courts of Cook county, a majority of the judges concurring therein, on or before the first day of June, in the year of our Lord 1895, and every four years thereafter, to recommend to the Governor nine fit and competent persons to fill the office of justice of the peace in the town of West Chicago; also nine fit and competent persons to fill the office of justice of the peace in the town of South Chicago; also five fit and competent persons to fill the office of justice of the peace in the town of North Chicago; also five fit and competent persons to fill the office of justice of the peace in the town of Lake View; also five fit and competent persons to fill the office of justice of the peace in the town of Jefferson; also five fit and competent persons to fill the office of justice of the peace in the town of Lake; also seven fit and competent persons to fill the office of justice of the peace in the town of Hyde Park; also three fit and competent persons to fill the office of justice of the peace in that part of the town of Calumet that is annexed to the city of Chicago; also one fit and competent person to fill the office of justice of the peace in that part of the town of Evanston annexed to the city of Chicago; also one fit and competent person to fill the office of justice of the peace for that part of Norwood Park which lies within the city of Chicago and the county of Cook, all in the city of Chicago and county of Cook, and the persons thus recommended the Governor shall nominate, and by and with the advice and consent of the Senate (a majority of the Senators elected concurring by yeas and nays), appoint justices of the peace in and for each of said towns respectively, and in the case the Governor rejects any person recommended, or the Senate refuses to confirm any person nominated, the Governor shall give notice of such rejection or refusal to the said judges, who shall, within ten days after the receiving of such notice, recommend

some other fit and competent person for such appointment. Such persons so recommended shall be electors in the town in and for which they are to be appointed such justices of the peace.

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

APPROVED March 14, 1899.

## LABOR.

### FREE EMPLOYMENT AGENCIES IN CERTAIN CITIES.

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| <p>§ 1. Creation of in certain cities—number in each city—purpose—name.</p> <p>§ 2. Officers—how appointed—salaries.</p> <p>§ 3. Duties of superintendent—registers—form of—not open to public.</p> <p>§ 4. Superintendent to report to bureau of labor statistics each week—circulation of reports.</p> <p>§ 5. Superintendent to correspond with employers and advertise for employment—allows \$400 for advertising.</p> <p>§ 6. Superintendent to make annual report to bureau of labor statistics.</p> <p>§ 7. No fee charged applicants—penalty for receiving fee.</p> | <p>§ 8. No employes to be furnished in case of strike or lockout.</p> <p>§ 9. Defines terms "applicant for employment" and "applicant for help."</p> <p>§ 10. Private agencies to procure license—amount of license—bond—similarity of name to that of State agency prohibited—penalty for violation.</p> <p>§ 11. Grounds for removal of superintendent.</p> <p>§ 12. Secretary of State to furnish printing for agencies.</p> |
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*AN ACT to create free employment offices in cities of certain designated populations, and to provide for the maintenance, management and control of the same, and to prevent private imitations of the name of the same and regulating private employment agencies.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That free employment offices are hereby created as follows: One in each city of not less than fifty thousand population, and three in each city containing a population of one million or over, for the purpose of receiving applications of persons seeking employment, and applications of persons seeking to employ labor. Such offices shall be designated and known as Illinois Free Employment Offices.

§ 2. Within sixty days after this act shall have been in force, the State Board of Commissioners of Labor shall recommend, and the Governor, with the advice and consent of the Senate, shall appoint a superintendent and assistant superintendent and a clerk for each of the offices created by section 1 of this act, and who shall devote their entire time to the duties of their respective offices. The assistant superintendent or the clerk shall in each case be a woman. The tenure of such appointment shall be two years, unless sooner removed for cause. The salary of each such superintendent shall be \$1,200 per

annum, the salary of such assistant superintendent shall be \$900 per annum. The salary of such clerks shall be \$800 per annum, which sums, together with proper amounts for defraying the necessary costs of equipping and maintaining the respective offices, shall be paid out of any funds in the State treasury not otherwise appropriated.

§ 3. The superintendent of each such free employment office shall, within sixty days after appointment, open an office in such locality as shall have been agreed upon between such superintendent and the secretary of the bureau of labor statistics as being most appropriate for the purpose intended; such office to be provided with a sufficient number of rooms or apartments to enable him to provide, and he shall so provide, a separate room or apartment for the use of women registering for situations or help. Upon the outside of each such office, in position and manner to secure the fullest public attention, shall be placed a sign which shall read in the English language, Illinois Free Employment Office, and the same shall appear either upon the outside windows or upon signs in such other languages as the location of each such office shall render advisable. The superintendent of each such free employment office shall receive and record in books kept for that purpose names of all persons applying for employment or help, designating opposite the name and address of each applicant the character of employment or help desired. Separate registers for applicants for employment shall be kept, showing the age, sex, nativity, trade or occupation of each applicant, the cause and duration of [non-]employment, whether married or single, the number of dependent children, together with such other facts as may be required by the bureau of labor statistics to be used by said bureau: *Provided*, that no such special registers shall be open to public inspection at any time, and that such statistical and sociological data as the bureau of labor may require shall be held in confidence by said bureau, and so published as not to reveal the identity of any one: *And, provided further*, that any applicant who shall decline to furnish answers to the questions contained in special registers shall not thereby forfeit any rights to any employment the office might secure.

§ 4. Each such superintendent shall report on Thursday of each week to the State Bureau of Labor Statistics the number of applications for positions and for help received during the preceding week; also those unfilled applications remaining on the books at the beginning of the week. Such lists shall not contain the names or addresses of any applicants, but shall show the number of situations desired and the number of persons wanted at each specified trade or occupation. It shall also show the number and character of the positions secured during the preceding week. Upon receipt of these lists, and not later than Saturday of each week, the secretary of the said bureau of labor statistics shall cause to be printed a sheet showing separately and in combination the lists received from all such free employment offices; and he shall cause a sufficient number of such sheets to be printed to enable him to mail, and he shall so mail, on Saturday of each week, two of said sheets to each superintendent of a free employment

office, one to be filed by said superintendent, and one to be conspicuously posted in each such office. A copy of such sheet shall also be mailed on each Saturday by the secretary of the State Bureau of Labor Statistics to each State Inspector of Factories and each State Inspector of Mines. And it is hereby made the duty of said factory inspectors and coal mine inspectors to do all they reasonably can to assist in securing situations for such applicants for work, and describe the character of work and cause of the scarcity of workmen, and to secure for the free employment offices the coöperation of the employers of labor in factories and mines. It shall be the duty of such factory inspectors and coal mine inspectors to immediately notify the superintendent of free employment offices of any and all vacancies or opportunities for employment that shall come to their notice.

§ 5. It shall be the duty of each such superintendent of a free employment office to immediately put himself in communication with the principal manufacturers, merchants and other employers of labor, and to use all diligence in securing the coöperation of the said employers of labor, with the purposes and objects of said employment offices. To this end it shall be competent for such superintendents to advertise in the columns of daily newspapers for such situations as he has applicants to fill, and he may advertise in a general way for the coöperation of large contractors and employers in such trade journals or special publications as reach such employers, whether such trade or special journals are published within the State of Illinois or not: *Provided*, that not more than four hundred dollars, or as much thereof as shall be necessary, shall be expended by the superintendent of any one such office for advertising any one year.

§ 6. It shall be the duty of each such superintendent to make report to the State Bureau of Labor Statistics annually, not later than December first of each year, concerning the work of his office for the year ending October first of same year, together with a statement of the expenses of the same, including the charges of an interpreter when necessary, and such reports shall be published by the said bureau of labor statistics annually with its coal report. Each such superintendent shall also perform such other duties in the collection of statistics of labor as the secretary of the bureau of labor statistics may require.

§ 7. No fee or compensation shall be charged or received, directly or indirectly from persons applying for employment or help through said free employment offices; and any superintendent, assistant superintendent or clerk, who shall accept, directly or indirectly, any fee or compensation from any applicant, or from his or her representative, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five nor more than fifty dollars and imprisoned in the county jail not more than thirty days.

§ 8. In no case shall the superintendent of any free employment office created by this act, furnish or cause to be furnished, workmen or other employés to any applicant for help whose employés are at that time on strike, or locked out; nor shall any list of names and addresses of applicants for employment be shown to any employer



whose employés are on strike or locked out; nor shall such list be exposed where it can be copied or used by an employer whose employés are on strike or locked out.

§ 9. The term "applicant for employment" as used in this act shall be construed to mean any person seeking work of any lawful character, and "applicant for help" shall mean any person or persons seeking help in any legitimate enterprise; and nothing in this act shall be construed to limit the meaning of the term "work" to manual occupation, but it shall include professional service, and any and all other legitimate services.

§ 10. No person, firm or corporations in the cities designated in section 1 of this act, shall open, operate or maintain a private employment agency for hire, or where a fee is charged to either applicants for employment or for help, without first having obtained a license from the Secretary of the State, which license shall be two hundred dollars per annum, and who shall be required to give a bond to the People of the State of Illinois in the penal sum of one thousand dollars for the faithful performance of the duties of private employment agent: and no such private agent shall print, publish, or paint on any sign, window, or newspaper publication, a name similar to that of the Illinois Free Employment Offices. And any person, firm or corporation violating the provisions of this act, or any part thereof, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty nor more than one hundred dollars.

§ 11. Whenever, in the opinion of the board of commissioners of labor, the superintendent of any free employment office is not duly diligent or energetic in the performance of his duties, they may summon such superintendent to appear before them and show cause why he should not be recommended to the Governor for removal, and unless such cause is clearly shown the said board may so recommend. In the consideration of such case an unexplained low percentage of positions secured to applicants for situations and help registered, lack of intelligent interest and application to the work, or a general inaptitude or inefficiency, shall be considered by said board a sufficient ground upon which to recommend a removal. And if, in the opinion of the Governor, such lack of efficiency can not be remedied by reproof and discipline, he shall remove as recommended by said board: *Provided*, that the Governor may at any time remove any superintendent, assistant superintendent or clerk for cause.

§ 12. All such printing, blanks, blank books, stationery and postage as may be necessary for the proper conduct of the business of the offices herein created shall be furnished by the Secretary of State upon requisition for the same made by the secretary of the bureau of labor statistics.

APPROVED April 11, 1899.

## MEDICINE AND SURGERY.

### DENTAL SURGERY.

§ 1. Amends sections 6, 8, 9 and 10 of the Act of 1881:

- § 6. Examinations—license—college graduates exempt from examination—license fee.
- § 8. Violations—penalty.
- § 9. Fees—compensation of board—surplus—board to make annual report to Governor.
- § 10. Registering license with county clerk—county clerk's fee—forfeiture of license—penalty.

AN ACT to amend an act entitled, "*An act to insure the better education of the practitioners of dental surgery, and to regulate the practice of dentistry in the State of Illinois,*" approved May 30, 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 sections 6, 8, 9 and 10 of "*An act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of Illinois,*" approved May 30, 1881, in force July 1, 1881, be amended to read as follows:

§ 6. Any and all persons, who shall so desire, may appear before said board at any of its regular meetings and be examined with reference to their knowledge and skill in dental surgery, and if the examination of any such person or persons shall prove satisfactory to said board, the board of examiners shall issue to such persons as they shall find from such examination to possess the requisite qualifications, a license to practice dentistry in accordance with the provisions of this act. But said board shall at all times issue a license to any regular graduate of any reputable dental college without examination, upon the payment by such graduate to the said board, of a fee of five dollars. All licenses issued by said board shall be signed by the members thereof, and be attested by its president and secretary; and such license shall be *prima facie* evidence of the right of the holder to practice dentistry in the State of Illinois.

§ 8. Any person who shall violate any of the provisions of this act shall be liable to prosecution before any court of competent jurisdiction, in the name of the People of the State of Illinois, and upon conviction may be fined in any sum not less than twenty-five dollars, nor more than one hundred dollars, for each and every offense. All fines and penalties recovered under this act shall be paid to the Illinois State Board of Dental Examiners for their use.

§ 9. In order to provide the means for carrying out and maintaining the provisions of this act, the said board of examiners may charge each person applying to, or appearing before them for examination for license to practice dentistry, a fee of ten dollars, and out of the funds coming into possession of the board from the fees so charged, the members of said board may receive as compensation the sum of

five dollars for each day actually engaged in the duties of their office, and all legitimate and necessary expenses incurred in attending the meetings of said board. Said expenses shall be paid from the fees and penalties received by the board under the provisions of this act. All moneys received in excess of said per diem, allowance and other expenses above provided for, shall be held by the secretary of said board as a special fund for meeting the expenses of said board, by giving such bond as the board shall from time to time direct. And said board shall make an annual report of its proceedings to the Governor, by the fifteenth of December of each year, together with an account of all moneys received and disbursed by them pursuant to this act.

§ 10. Any person who shall be licensed by said board to practice dentistry shall cause his or her license to be registered with the county clerk of the county in which such person may reside to engage in the practice of dentistry, within six months from its date, and the date of registering shall be endorsed thereon. The county clerks of the several counties in this State shall charge a fee of twenty-five cents for registering such license. Any person holding such license who removes to another county, or desires to practice in more than one county, shall register his or her license as above directed in each of such county or counties. The holder of a license shall not practice in a county until his license is registered in such county. Any failure, neglect or refusal to register the license in some one county in this State for a period of six months from the date of its issue, shall work a forfeiture of the license, and no license when once forfeited shall be re-issued except upon payment to the State Board of Dental Examiners of a penalty of twenty-five dollars for such neglect, failure or refusal.

APPROVED April 24, 1899.

PRACTICE REGULATED.

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| <p>§ 1. Organization and duties of State Board of Health.</p> <p>§ 2. License from State Board of Health required—applications for license—examinations—graduates of legally chartered medical colleges in Illinois in good standing granted certificates.</p> <p>§ 3. License to practice—provisions.</p> <p>§ 4. Certificates to be recorded in office of county clerk—records of county clerk.</p> <p>§ 5. Examination fees.</p> | <p>§ 6. Unprofessional or dishonorable conduct—board may withhold or revoke certificates—hearing.</p> <p>§ 7. Definition of this Act.</p> <p>§ 8. Itinerant vendors—license—penalties.</p> <p>§ 9. Penalty for practicing without license.</p> <p>§ 10. Enforcing penalties—appeals.</p> <p>§ 11. Board to make report of proceedings and pay all funds into State treasury on September 30th of each year.</p> <p>§ 12. Repeal.</p> |
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*AN ACT to regulate the practice of medicine in the State of Illinois, and to repeal an act therein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That 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 the authority to administer oaths, and the board to take testimony in all matters relating to its duties.

§ 2. No person shall hereafter begin the practice of medicine or any of the branches thereof, or midwifery in this State without first applying for and obtaining a license from the State Board of Health to do so. Application shall be in writing and shall be accompanied by the examination fees hereinafter specified, and with proof that the applicant is of good moral character. Applications from candidates who desire to practice medicine and surgery in all their branches shall be accompanied by proof that the applicant is a graduate of a medical college or institution in good standing, as may be determined by the board. When the application aforesaid has been inspected by the board and found to comply with the foregoing provisions the board shall notify the applicant to appear before it for examination at the time and place mentioned in such notice.

Examinations may be made in whole or in part in writing by the board, and shall be of a character sufficiently strict to test the qualifications of the candidate as a practitioner. The examination of those who desire to practice medicine and surgery in all their branches shall embrace those general subjects and topics, a knowledge of which is commonly and generally required of candidates for the degree of doctor of medicine by reputable medical colleges in the United States. The examination of those who desire to practice midwifery shall be of such character as to determine the qualification of the applicant to practice midwifery. The examination of those who desire to practice any other system or science of treating human ailments who do not use medicines internally or externally, and who do not practice operative surgery shall be of a character sufficiently strict to test their qualifications as practitioners.

All examinations provided for in this act shall be conducted under rules and regulations prescribed by the board, which shall provide for a fair and wholly impartial method of examination: *Provided*, that graduates of legally chartered medical colleges in Illinois in good standing as may be determined by the board may be granted certificates without examinations.

§ 3. If the applicant successfully passes his examination, or presents a diploma from a legally chartered medical college in Illinois of good standing, the board shall issue to such applicant a license authorizing him to practice medicine, midwifery or other system of treating human ailments, as the case may be: *Provided*, that those who are authorized to practice other systems can not use medicine internally or externally or perform surgical operations: *Provided further*, that only those who are authorized to practice medicine and surgery in all their branches shall call or advertise themselves as physicians or doctors: *And, provided further*, that those who are authorized to practice midwifery shall not use any drug or medicine or attend other than cases of labor. Such license shall be in such

Form as may be determined by the board, and in accordance with the provisions of this act: *Provided*, however, that any willful violation on the part of an applicant of any of the rules and regulations of the board governing examinations shall be sufficient cause for the board to refuse to issue a license to such applicant. Such certificates shall be signed by all members of the board and attested by the secretary.

§ 4. 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 or practices 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. Any person practicing in another county shall record the certificate in like manner in the county in which he practices, and the holder of the certificate shall pay to the county clerk the usual fee for making the record. 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. The register of the county clerk shall be open to public inspection during business hours.

§ 5. The fees for examination and for a certificate shall be as follows: Ten (10) dollars for examination in medicine and surgery, and five (5) dollars for a certificate if issued. Five (5) dollars for an examination in midwifery, and three (3) dollars for a certificate if issued. For all other practitioners ten (10) dollars for an examination and five (5) dollars for a certificate if issued.

§ 6. The State Board of Health may refuse to issue the certificates provided for in this act to individuals who have been convicted of the practice of criminal abortion, or who have by false or fraudulent representation obtained or sought to obtain practice in their profession, or by false or fraudulent representation of their profession have obtained or sought to obtain money or any other thing of value, or who advertise under names other than their own, or for any other unprofessional or dishonorable conduct, and the board may revoke such certificates for like causes: *Provided*, that no certificates shall be revoked or refused until the holder or applicant shall be given a hearing before the board.

§ 7. Any person shall be regarded as practicing medicine, within the meaning of this act, who shall treat or profess to treat, operate on or prescribe for any physical ailment or any physical injury to, or deformity of, another: *Provided*, that nothing in this section shall be construed to apply to the administration of domestic or family remedies in cases of emergency, or to the laws regulating the practice of dentistry or of pharmacy. And this act shall not apply to surgeons of the United States army, navy or marine hospital service in the discharge of their official duties, or to any person who ministers to or treats the sick or suffering by mental or spiritual means, without the use of any drug or material remedy.

§ 8. That any itinerant vender of any drug, nostrum, ointment or appliance of any kind intended for the treatment of diseases or in-

jury, who shall, by writing or printing, or any other method, profess to the public to cure or treat disease or deformity by any drug, nostrum or application, shall pay a license of one hundred dollars (\$100) per month into the treasury of the board, to be collected by the board in the name of the People of the State of Illinois, for the use of said board. And it shall be lawful for the State Board of Health to issue such license on application made to said board, said license to be signed by the president of the board and attested by the secretary with the seal of the board; but said board may, for sufficient cause, refuse said license. And such itinerant vender who shall, by writing or printing, or any other method, profess to cure or treat disease or deformity by any drug, nostrum or appliance, without a license so to do, shall be deemed guilty of a violation of this section, and upon conviction shall be subject to the penalties hereinafter provided.

§ 9. Any person practicing medicine or surgery or treating human ailments in the State without a certificate issued by this board in compliance with the provisions of this act, or any itinerant vender violating the provisions of section 8 of this act, shall, for each and every instance of such practice or violation, forfeit and pay to the People of the State of Illinois, for the use of the said 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 a crime of forgery: *Provided*, that this section shall not apply to physicians who hold unrevoked certificates from the State Board of Health, issued prior to the time of the taking effect of this act.

§ 10. Upon conviction of either of the offenses mentioned in this act the court shall, as a 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, for first offense not more than thirty (30) days, and for each subsequent offense not more than ninety (90) days: *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 courts, 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.

§ 11. On the 30th day of September of each year the State Board of Health shall make report of its proceedings, showing all items of receipts from all sources and disbursements for all purposes, and all:

funds in the treasury on said date which have been received in the enforcement of this act, shall be paid into the State treasury.

§ 12. An act to regulate the practice of medicine in the State of Illinois, approved June 17, 1887, in force July 1, 1887, and all other acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED April 24, 1899.

VETERINARY MEDICINE AND SURGERY.

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| <p>§ 1. Enacting clause.</p> <p>§ 2. Appointment of board of examiners—meetings—examinations.</p> <p>§ 3. Who may practice—license.</p> <p>§ 4. Application for license—Secretary of Board of Live Stock Commissioners to act as secretary of board of examiners—applications accompanied by diploma or affidavits—license fee when applicant has diploma or is a practitioner—examination—fee.</p> <p>§ 5. Duties of board of examiners—refusal of license by live stock board—hearing—report of proceedings—contents.</p> | <p>§ 6. Per diem and expenses of board—paid out of fees and penalties—custodian of fees and penalties.</p> <p>§ 7. License to be filed with county clerk—recorder—license forfeited for failure to file within three months—fee for restoring license.</p> <p>§ 8. Practitioners of veterinary medicine and surgery defined.</p> <p>§ 9. Practitioners to make application for license within six months—temporary permits.</p> <p>§ 10. Violation—penalty.</p> <p>§ 11. Penalty for filing forged, fictitious or fraudulent diploma or certificate—disposition of fines.</p> |
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*AN ACT to regulate the practice of veterinary medicine and surgery in the State of Illinois.*

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 practice veterinary medicine and surgery in this State who shall not have complied with the provisions of this act.

§ 2. The State Board of Live Stock Commissioners shall, as soon as practicable after this act goes into effect, appoint three competent veterinary surgeons, not to exceed two of which shall be graduates of the same veterinary college, who shall constitute a board of veterinary examiners, and who shall continue to serve on such board at the pleasure of said board of live stock commissioners. The board of veterinary examiners shall meet at such times and places as may be ordered by the State Board of Live Stock Commissioners for the purpose of examining diplomas and credentials and conducting examinations of applicants for license to practice veterinary medicine and surgery in the State of Illinois.

§ 3. All persons in the State of Illinois who, at the time of the passage of this act, shall be in possession of a diploma from a recognized college duly authorized to graduate students in veterinary medicine and surgery, or who shall have been in the continuous practice of veterinary medicine and surgery in this State for a period of three consecutive years prior thereto, shall be entitled to practice veterinary medicine and surgery upon making application to the

State Board of Live Stock Commissioners within six months from the date on which this act shall go into effect, and receiving from said board a license as provided by the terms of this act: *Provided*, that any person may make application to the State Board of Live Stock Commissioners and may be granted a license by said board by passing an examination before the board of veterinary examiners: herein provided for, and otherwise complying with the provisions of this act. Any person who, subsequent to the passage of this act, becomes a graduate of a college duly authorized to graduate students in veterinary medicine and surgery, as evidenced by its diploma, or being possessed of such diploma becomes a citizen of this State by removal thereto from another state, may make application to the State Board of Live Stock Commissioners and receive a license as aforesaid upon proving the genuineness of such diploma: *Provided*, however, that in such cases an examination before the board of veterinary examiners may, in the discretion of said board of veterinary examiners, be required of such applicant.

§ 4. All applications for a license to practice veterinary medicine and surgery in the State of Illinois under the provisions of this act shall be made to the State Board of Live Stock Commissioners through its secretary, who shall act as secretary for the board of veterinary examiners, and each application must set forth fully the grounds upon which the application is based and, in the case of graduates of veterinary colleges, must be accompanied by the diploma of the applicant and an affidavit setting forth that the applicant is a graduate of a certain veterinary college mentioned in the diploma and is the person to whom the diploma in question was originally issued. And in the case of practitioners who are non-graduates, the application shall be accompanied by an affidavit stating the number of years that the applicant has been engaged in the continuous practice of veterinary medicine and surgery in the State of Illinois, and any other information that may be required by the State Board of Live Stock Commissioners. Each application for a license by a graduate in possession of a diploma and by a practitioner shall be accompanied by a license fee of five dollars (\$5.00). The State Board of Veterinary Examiners shall examine all applicants not entitled to practice by reason of being in possession of a diploma, or of having practiced three years, presenting themselves for that purpose; said examination to be written or oral, or both, and shall include the following subjects: Veterinary anatomy, surgery, practice of medicine, obstetrics, pathology, chemistry, veterinary diagnosis, materia medica, therapeutics, physiology, sanitary medicine and meat and milk inspection, and such other branches as the board of veterinary examiners may prescribe. All applicants for examination before the board of veterinary examiners who shall not possess a diploma as aforesaid, or who shall not have practiced three years or more, shall accompany said application by an examination fee of twenty dollars (\$20.00).

§ 5. It shall be the duty of the board of veterinary examiners, when called to meet by the State Board of Live Stock Commission-



ers, to examine the applications, diplomas and affidavits of all applicants who are graduates or practitioners under the terms of this act, and when satisfied of the genuineness of the same it shall certify to the State Board of Live Stock Commissioners the names of the applicants entitled to receive a license under the terms of this act: *Provided*, that the said board of examiners may, before acting upon an application, if deemed necessary, require additional statements or affidavits or the personal attendance before it of any applicant. The said board of examiners shall examine all applicants for examination as hereinbefore provided, and shall certify to the State Board of Live Stock Commissioners the names of all applicants that are, in the judgment of the board, entitled to a license to practice veterinary medicine and surgery. The board of live stock commissioners shall, at its next meeting after the receipt of such certified list or lists, issue a license to each person so certified which shall entitle the person therein named to practice veterinary medicine and surgery in this State, and the license shall state the grounds upon which it is granted, and shall be signed by the president and attested by secretary of said board: *Provided*, that the State Board of Live Stock Commissioners shall have the power, upon the recommendation of the board of veterinary examiners, to refuse a license to any applicant on the ground of his having been guilty of gross immorality or gross malpractice, and upon such recommendation it shall have the power to revoke a license on the said grounds: *Provided*, that before making such recommendation the party charged with such immorality or malpractice shall be cited by the board of veterinary examiners to appear for a hearing before said board. A full report of the proceedings of the board of veterinary examiners shall be filed at the close of each meeting with the board of live stock commissioners, which shall include a statement of the number of days employed in the discharge of its duties, and of the traveling and necessary incidental expenses of the members thereof, and of the secretary.

§ 6. Each member of the board of veterinary examiners shall be entitled to receive five dollars (\$5.00) per day and necessary traveling and incidental expenses incurred while actually engaged in the discharge of his official duties under the direction of the State Board of Live Stock Commissioners. Said compensation and expenses and all expenses involved in carrying out the provisions of this act shall be paid out of the fees and penalties received under the provisions of this act, and no part thereof shall be paid from the State treasury. The State Board of Live Stock Commissioners shall designate a custodian to receive all fees and penalties paid under the provisions of this act, who shall execute a bond to said board in such sum as shall be prescribed from time to time by said board and subject to the approval of said board, to faithfully discharge the duties of custodian, and shall pay out such funds only on vouchers certified by a majority of said board and attested by its secretary.

§ 7. Every person qualified as required by this act shall, upon receipt of license to practice, have said license recorded in the office of the clerk or recorder of the county in which he resides, and the record shall be endorsed thereon. Any person removing to another county shall procure an endorsement to that effect upon his license from the county clerk or recorder and shall record the license in like manner in the county to which he removes, and shall at the time of removal notify the secretary of the State Board of Live Stock Commissioners of the fact of his removal and of his new postoffice address. The holder of such license shall pay to the county clerk or recorder the usual recording fee. Any failure, neglect or refusal on the part of any person holding such license to register same in the office of the county clerk or recorder as above directed, for a period of three months shall forfeit his license and no license when forfeited shall be restored except upon the payment to said board of live stock commissioners of the sum of twenty-five dollars (\$25.00), as a penalty for such failure, neglect or refusal.

§ 8. Any person shall be regarded as practicing veterinary medicine and surgery within the meaning of this act who professes publicly to be a veterinary surgeon, or appends to his name any initials or title implying qualifications to practice; but nothing in this act shall be construed to prohibit veterinary students from prescribing under the supervision of preceptors, nor to prohibit gratuitous services of any individual who may be called by the owner of live stock, and castrating male and spaying female animals shall not be regarded as practicing veterinary surgery. The terms of this act shall not apply to commissioned veterinarians in the United States army, or to any lawfully qualified veterinarians residing in other states or countries meeting registered veterinarians of this State in consultation.

§ 9. All veterinary surgeons or persons practicing veterinary surgery in this State at the time this act goes into effect shall make application to the State Board of Live Stock Commissioners within six months from said date for a license to practice as herein provided. Any veterinary surgeon entering this State to begin the practice of veterinary surgery after the passage of this act shall, on entering upon such practice, apply to the State Board of Live Stock Commissioners and submit his credentials as herein provided, and the board may in its discretion, grant such applicant a temporary permit to practice until such time as the board of veterinary examiners shall be called to meet, when his application will take its regular course as hereinbefore provided.

§ 10. Any person practicing veterinary medicine and surgery in this State without a license as hereinbefore provided, or who shall fail to comply with any of the terms of this act, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars (\$25.00), nor more than one hundred dollars (\$100.00) for each and every offense, said misdemeanor to be prosecuted and costs assessed as in other cases of misdemeanor under chapter 38 of the Revised Statutes of Illinois.

§ 11. Any person filing or attempting to file as his own, the diploma of another, or a forged or fictitious or a fraudulently obtained diploma or certificate, upon conviction, shall be subject to such fine and imprisonment as are made and provided by the statutes of this State for the crime of forgery. All fines collected under this act shall be paid into the county treasury of the county in which the prosecution is held.

APPROVED April 24, 1899.

## MILITARY AND NAVAL CODE.

### PARADING WITH ARMS.

§ 1. Amends section 2 of article XI of the act of 1897:

#### ARTICLE XI.

§ 2. Unlawful for any body of men other than State militia, United States troops, Grand Army posts or camps of the Sons of Veterans to parade with arms without the consent of the Governor—permits certain organizations to wear swords.

§ 2. Emergency.

AN ACT to amend Section 2 of Article 11 of an act entitled, "An act to revise the military and naval code of the State of Illinois," approved June 10, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2, article 11 of an act entitled, "An act to revise the military and naval code of the State of Illinois," approved June 10, 1897, in force July 1, 1897, be amended to read as follows:

Article 11, Section 2. It shall not be lawful for any body of men other than the regularly organized volunteer militia of this State, the troops of the United States, Grand Army posts or camps of the Sons of Veterans, to associate themselves together as a military company or organization, to drill or parade with arms in this State, except as hereinafter provided: *Provided*, that by and with the consent of the Governor, independent regiments, battalions or companies, organized for the purpose of recreation, or to acquire a military knowledge that may better enable them to serve the State in time of public peril, if such should arise, may associate themselves together as a military body or organization, and may drill or parade with arms in public in this State: *Provided further*, that students in educational institutions, where military drill is part of the course of instruction, may, with the consent of the Governor, drill and parade with arms in public under command of their military instructor: *Provided*, that nothing here contained shall be construed so as to prevent benevolent or social organizations from wearing swords. All military organizations in and by this section permitted to drill and parade with arms, shall, on all occasions of public parade, be required

to carry the United States flag in addition to any private ensign which they may carry: *Provided*, that the consent herein specified may be withdrawn at the pleasure of the Governor.

WHEREAS, An emergency exists, this act shall be in force from and after its passage.

APPROVED April 24, 1899.

## MILITARY CODE.

### REVISION OF MILITARY AND NAVAL CODE.

§ 1. Enacting clause.

#### ARTICLE I.

§ 1. Who liable to military duty.

§ 2. Enrollment.

§ 3. Officers, privates, etc., exempt from jury duty—road labor—poll tax, etc.—arms, etc., exempt from execution, etc.—privilege from arrest.

#### ARTICLE II.

§ 1. Land forces designated "Illinois National Guard"—number of battalions, regiments and troops, etc.—naval force designated "Naval Militia of Illinois," to consist of two ship's crews, etc.

§ 2. Staff—rank—duties—adjutant general.

§ 3. Brigade staff.

§ 4. Organization of regiments—officers—rank.

§ 5. Battalion—officer—staff—unassigned battalion—commissioned staff.

§ 6. Compensation—officers.

§ 6½. Cavalry regiment—officers—staff.

§ 7. Cavalry—squadron—officers—staff—non-commissioned staff.

§ 8. Artillery battalion—officers—staff.

§ 9. Artillery battery—officers.

§ 10. Band—officers.

§ 11. Engineers—officers.

§ 12. Signal corps—officers.

§ 13. Medical department—officers—hospital corps.

§ 14. Naval force—how commanded—staff—rank—officers.

§ 15. Ship's crew—commander—officers.

§ 16. Line officers.

§ 17. Organization of naval force.

§ 18. Commander of naval force.

§ 19. Uniforms of naval force.

§ 20. Duty of naval force.

§ 21. Inspectors and instructors in the art of naval warfare.

§ 22. Assignment of officers to duty as instructors.

§ 23. Examination for promotion or appointment to office.

§ 24. Band for naval force.

#### ARTICLE III.

§ 1. Appointments—commissioned officers subject to the approval of Commander-in-Chief—Commander-in-Chief to appoint his staff and the general officers—appointment of non-commissioned officers—election of regimental officers above the rank of captain—term of office—election of company officers—term of office.

§ 2. Consolidation of companies.

§ 3. Rules and regulations of government.

§ 4. Organization, equipment, etc., to conform with usages of the army and navy of the United States.

§ 5. Meetings for election of officers—Commander-in-Chief may fill vacancies.

§ 6. Examining board—duties.

§ 7. Enlistments—term—oath.

§ 8. Re-enlisting—no soldier or seaman not honorably discharged shall be re-enlisted nor hold commission.

§ 9. Naval officers—appointment—election of.

## ARTICLE IV.

- § 1. Drills.
- § 2. Annual camp duty and ship's cruise.
- § 3. Commander of camp—authority.

## ARTICLE V.

- § 1. Rifle practice under charge of inspector.
- § 2. Duties of brigade, regimental and battalion inspectors.
- § 3. Compensation of inspectors—expense of procuring rifle ranges, ammunition, etc.—how paid—how drawn.

## ARTICLE VI.

- § 1. Issuing arms, etc.—bond—arms to be kept at armory.
- § 2. Inspector general—duties.
- § 3. Annual inspection—expenses.
- § 4. Commanders to report to inspector general.
- § 5. Inspector general's report.
- § 6. Brigade inspectors—duties.
- § 7. Armories—penalty for false return.
- § 8. Naval armories—where situated.

## ARTICLE VII.

- § 1. Courts-martial—may try commissioned officers—how constituted.
- § 2. Courts-martial for trial of enlisted men—how constituted.
- § 3. Regimental courts-martial—how constituted.
- § 4. Jurisdiction of a general court-martial—punishments.
- § 5. Summary courts-martial—minor offense—punishment.
- § 6. Findings, etc., forwarded to officer ordering courts-martial.
- § 7. Witnesses—fees—how paid.
- § 8. Manner of collecting fines.
- § 9. Keepers of county jails to receive military offenders—term of imprisonment—final discharge.
- § 10. Dishonorable discharge of enlisted men for failure to pay fine.
- § 11. Disposition of fines.
- § 12. Summary courts for enlisted men appointed for ship's crew by commanding officer—who may act—courts martial of officers—how constituted.
- § 13. Judge advocate.

## ARTICLE VIII.

- § 1. Retired list.

## ARTICLE IX.

- § 1. Pay of officers and enlisted men when in actual service.
- § 2. Pay of officers and enlisted men during annual encampment.
- § 3. Pay for attending courts martial.

## ARTICLE X.

- § 1. Governor may order military or naval force to the assistance of civil authorities in quelling mobs or riots.
- § 2. To report for duty to and be under orders of civil authorities—powers.
- § 3. Orders from civil authorities—report of to Commander-in-Chief.
- § 4. Penalty for molesting officers or men while on duty.
- § 5. Penalty for members of mob failing to disperse when ordered.
- § 6. Penalty for assaulting any member or body of national guard or naval force or civil officer while in performance of duties prescribed in this chapter.
- § 7. Commanding officer to take needful steps for safety of his command when attacked.
- § 8. Prosecution of any member of national guard or naval militia defended by Attorney General—expenses of—how paid.

## ARTICLE XI.

- § 1. Company not to leave State with arms.
- § 2. Parading with arms without consent of the Governor prohibited—exceptions.
- § 3. Penalty for violating section 2 of this chapter.
- § 4. Military and naval property—use of—penalty for selling, injuring, destroying, etc.
- § 5. Penalty for wearing uniforms.
- § 6. Desertion—absence from drills.
- § 7. Absence from duty for over twenty-four hours while in service considered desertion.

AN ACT to revise the *Military Code of the State of Illinois*.

1. SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the military code of Illinois, and other laws bearing upon the military and naval forces of this State, be amended, re-enacted and consolidated so as to read as follows:

THE MILITARY AND NAVAL CODE OF ILLINOIS.

ARTICLE I.

LIABILITY, ENROLLMENT AND EXEMPTIONS.

2. § 1. All able-bodied male citizens of this State, between the ages of eighteen and forty-five years, except such as are expressly exempted by the laws of the United States, or are State or county officers, or on account of their profession or employment are exempted by the Commander-in-Chief, shall be subject to military duty and designated as the Illinois State Militia.

3. § 2. When it is necessary to execute the laws, suppress insurrection or repel invasion, or to quell riots, or when a requisition shall be made by the president of the United States for troops or seamen, the Governor, as Commander-in-Chief, may, by his proclamation, require the enrollment of the unorganized militia of the State, or such portion thereof as may be necessary, and he shall appoint necessary enrolling officers, and prescribe their duties, issuing all proper orders that may be required in the premises. He may designate the place of rendezvous, provide for the organization of the land forces of the militia into companies, battalions, regiments and brigades, and the naval forces into divisions, ships' crews and squadrons, and their equipment, as the case may require. The unorganized militia, when called into active service, shall receive the same pay and allowances as is provided for like troops in the service of the United States.

4. § 3. Every officer, non-commissioned officer, musician, private or enlisted man of the Illinois National Guard and the naval force of Illinois shall be exempt from jury duty, from payment of road labor, and head or poll tax of every description during the time he shall hold a commission as officer or be enrolled as an enlisted man in the Illinois National Guard or the naval forces of Illinois; the exemption from jury duty shall continue after discharge for a period equal to that honorably completed in the national guard or naval force of Illinois. The uniforms, arms and equipments of every member of the Illinois National Guard or naval force of Illinois shall be exempt from all suits, distresses, executions or sales for debt or payment of taxes. The members thereof shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest and imprisonment by civil authority while under orders in the active service of the State from the date of the issuing such orders to the time when such service shall cease.

## ARTICLE II.

## ORGANIZATION.

5. § 1. The land forces of the organized militia shall be designated as the "Illinois National Guard," and shall consist of not more than twenty-two battalions of infantry, one battalion of artillery, one regiment of cavalry of eight (8) troops of forty (40) men each; a company of engineers; one signal corps; a medical department and hospital corps.

The naval force of the organized militia shall be designated as the "Naval Militia of Illinois," and in time of peace shall consist of not more than two ships' crews or complements, four divisions constituting a ship's crew or complement: *Provided*, the Commander-in-Chief shall have the power, in case of war, insurrection, invasion or imminent danger thereof, to increase the said naval force beyond such limit of two ships' crews or complements, and to organize the same as the exigencies of the case may require. The Commander-in-Chief may transfer, consolidate, muster-out, disband and make such other changes in the organization of the Illinois National Guard and the naval force of Illinois, from time to time, as the best interests of the service may require, and shall make such brigade and regimental organizations as may be necessary for the land forces, and such squadron and ship's crew organization as may be necessary for the naval forces: *Provided*, that the number of general officers appointed to carry out such organization shall never exceed three.

3. § 2. The staff of the Commander-in-Chief shall consist of an adjutant general, with the rank of brigadier general, who shall be *ex-officio* chief of the staff, commissary general, quartermaster general and chief of ordnance; an inspector general, a surgeon general, a judge advocate general, one general inspector of rifle practice, each with rank of colonel; one aid from each congressional district, each with rank of colonel; and one assistant adjutant general, with rank of colonel: *Provided*, that no employé of the State or a county, while drawing his salary as such, shall receive any pay by reason of any service in the militia of the State. The adjutant general shall issue and transmit all orders of the Commander-in-Chief with reference to the militia, military or naval organizations of the State, and shall keep a record of all officers commissioned by the Governor, and of all general and special orders and regulations, and of all such matters as pertain to the organization of the State militia, the Illinois National Guard, and the naval forces of Illinois, and perform the duties of an adjutant general, commissary general, quartermaster general and chief of ordnance. He shall have charge of the State arsenal, arsenal grounds, and all military camps and rifle ranges, and shall receive and issue all ordnance and ordnance stores, clothing, camp and garrison equipage, subsistence stores and all other public property pertaining to the military forces of the State, on the order of the Commander-in-Chief. He may appoint, with the approval of the Governor, an ordnance sergeant, at a salary

of not more than eight hundred dollars per annum, who shall, under the direction of the adjutant general, aid and assist him in the discharge of his duties. The adjutant general shall receive for his services the sum of three thousand dollars per annum. He shall have charge of and carefully preserve the colors, flags, guidons and military trophies of war belonging to the State, and shall not allow the same to be loaned out or removed from their proper place of deposit. He shall furnish, at the expense of the State, all proper blank books, blanks and forms, and such military and naval instruction books as shall be approved by the Commander-in-Chief. He shall also, on or before the first day of October next preceding the regular session of the General Assembly, make out a full and detailed account of all the transactions of his office, with the expense of the same for the preceding two years, and such other matters as shall be required by the Governor, and shall also report at such other times as the Governor may require. He shall reside at the State capital, and shall hold his office during the pleasure of the Governor.

7. § 3. The staff of a brigade shall consist of assistant adjutant general, with rank of lieutenant colonel; judge advocate, with rank of lieutenant colonel; assistant inspector general, with rank of lieutenant colonel; inspector of rifle practice, with rank of lieutenant colonel; quartermaster, with rank of major; commissary of subsistence, with rank of major; and two (2) aids-de-camp, each with rank of first lieutenant.

8. § 4. A regiment of infantry shall consist of one colonel, one lieutenant colonel and regimental staff consisting of one adjutant, with the rank of captain, one quartermaster with rank of captain, one inspector of rifle practice, with the rank of captain, one chaplain, with rank of captain, one sergeant major, one quartermaster sergeant, one ordnance sergeant, one commissary sergeant, one chief trumpeter, two color sergeants, one band and not less than two nor more than three battalions, of not less than eight nor more than twelve companies.

9. § 5. A battalion of infantry shall consist of one major and a battalion staff consisting of one adjutant, with the rank of first lieutenant, one sergeant major, one quartermaster sergeant, one trumpeter sergeant and not less than two nor more than four companies. The commissioned staff of an unassigned battalion shall be the same as that of a regiment, except that the rank of its members shall be that of first lieutenant; the non-commissioned staff shall be the same as that of a regiment, with only one color sergeant.

10. § 6. A company of infantry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, two musicians, one artificer, one wagoner, one corporal for every seven privates, thirty-five privates as a minimum and eighty-four privates as a maximum.



10½ § 6½. A regiment of cavalry shall consist of one colonel, one lieutenant colonel, one regimental staff consisting of one adjutant, with rank of captain; one quartermaster, with rank of captain; one ordnance officer, with rank of captain; one chaplain; one veterinary surgeon, with rank of captain; one sergeant major; one quartermaster sergeant; one ordnance sergeant; one commissary sergeant; one color sergeant; one saddler sergeant; one farrier sergeant; one chief trumpeter; one band; not less than two squadrons of not more than eight troops.

11. § 7. A squadron of cavalry shall consist of one major, and a commissioned staff the same as that of an unassigned battalion; a non-commissioned staff, the same as that of an unassigned battalion, with the addition of one farrier sergeant, one saddler sergeant, and not less than two nor more than four troops. A troop shall consist of the same officers and number of privates as a company of infantry. One farrier, one blacksmith and one saddler may be appointed from privates.

12. § 8. A battalion of artillery shall consist of one major and a commissioned staff the same as that of an unassigned battalion, a non-commissioned staff the same as that of an unassigned battalion, or squadron of cavalry, and not less than two nor more than four batteries.

13. § 9. A battery of artillery shall consist of one captain, one first lieutenant and second lieutenant for each platoon, one first sergeant, one quartermaster sergeant, one veterinary sergeant, four artificers, two trumpeters; two or three platoons of two guns each with their caissons, with the following allowance for each gun and caisson: one sergeant, two corporals, six to ten cannoneers, four to eight drivers.

14. § 10. A band shall consist of one chief musician, two principal musicians, one drum major with rank of sergeant, not less than twelve nor more than twenty-four privates.

15. § 11. A company of engineers shall consist of one captain, three first lieutenants, six sergeants, ten corporals and seventy privates.

16. § 12. The signal corps shall consist of one captain, three first lieutenants, ten sergeants, ten corporals and seventy privates.

17. § 13. The medical department shall consist of one surgeon general, with rank of colonel, as provided in section 2, article 2; three assistant surgeon generals, with rank of lieutenant colonel; ten surgeons, with the rank of major; ten assistant surgeons, with the rank of captain; twenty-five assistant surgeons, with the rank of first lieutenant. The hospital corps shall consist of fifty hospital stewards and one hundred privates. After five years' service the assistant surgeons shall be entitled to the rank of captain.

18. § 14. The naval force of Illinois shall be commanded by an officer with the rank of captain, who shall have the power to appoint a staff, consisting of a chief of staff, with the rank of commander; a navigating officer, with the rank of lieutenant commander; an

ordnance and equipment officer, with the rank of lieutenant; a signal officer with the rank of lieutenant junior grade; a secretary to the captain, with the rank of lieutenant junior grade; one aide to the captain, with the rank of ensign; a surgeon, with the relative rank of lieutenant commander; a paymaster, with the relative rank of lieutenant commander; a chief engineer, with the relative rank of lieutenant commander; a chaplain, with the relative rank of lieutenant; There shall also be attached to the captain's staff the following petty officers: One master-at-arms, who shall be the chief petty officer of the naval force; one gunner's mate, one equipment yeoman, one apothecary, one ship's armorer, two torpedo electricians, four machinists, one chief quartermaster, one coxswain and one chief bugler.

19. § 15. Each ship's crew or complement of four divisions shall be commanded by an officer with the rank of commander. To each ship's crew or complement there shall be allowed the following additional commissioned officers, viz.: One lieutenant [lieutenant] commander, who shall be the executive officer; one lieutenant, who shall be the navigating and ordnance officer; one ensign, who shall be the aid to the commander, and a staff, to consist of one passed assistant surgeon, with the relative rank of lieutenant; two assistant surgeons, with the relative rank of lieutenant, junior grade; an engineer, with the relative rank of lieutenant; a passed assistant engineer, with the relative rank of lieutenant, junior grade; an assistant engineer, with the relative rank of ensign; a passed assistant paymaster, with the relative rank of lieutenant; and a chaplain, with the relative rank of lieutenant. There shall be allowed to each ship's crew or complement such number of petty officers as the Commander-in-Chief shall, from time to time, order and direct. To each division there shall be one lieutenant, one lieutenant of the junior grade, two ensigns, one bugler and thirty-five petty officers and men as a minimum, and one hundred petty officers and men as a maximum. Each division shall contain at least eight men with a practical knowledge of electricity, and eight others with a practical knowledge of the construction and management of steam machinery.

20. § 16. Chiefs of staff, executive officers, navigating and ordnance officers, signal officers and aides-de-camp shall not be deemed to be staff officers, but shall be line officers, and as such entitled to assume command. Navigating and ordnance officers shall have rank and precedence without regard to date of commission over all of the same grade. Acting executive and navigation and ordnance officers shall be entitled to the same rank and precedence while so acting as officers regularly commissioned as such.

21. § 17. The organization of the naval force shall conform generally to the provisions of the laws of the United States and the system of discipline and exercise shall conform, as nearly as may be, to that of the navy of the United States, or as otherwise directed by the Commander-in-Chief. The Governor shall have the power to alter, divide, annex, consolidate or disband the same whenever, in his judgment, the efficiency of the forces will thereby be increased.

22. § 18. Whenever the naval force of the State or any part thereof shall be in the field or afloat upon actual service the senior officer of the force present shall command the same, and whenever operating or acting in conjunction with the land forces of the State the senior officers present, according to relative rank of either force, shall command the whole, unless otherwise specially ordered or directed by the Commander-in-Chief. But no officer of the staff shall be entitled by virtue of his rank to assume command when officers of the line are present and capable of assuming command, unless expressly authorized so to do by law or by the terms of his commission where an officer of similar rank and position in the United States naval service would not be entitled to assume command unless by express direction of the Commander-in-Chief.

23. § 19. The uniform of the naval force shall conform to the regulations in force for the navy of the United States, subject to such changes as the Commander-in-Chief may approve.

24. § 20. The duty of the naval force required by law, or any part of it, may be performed afloat in United States vessels. Officers and men of the naval force, mustered temporarily into the service of the United States for instruction and drill, and receiving compensation therefor from the United States shall not, during the same time, be entitled to compensation or allowance from the State.

25. § 21. The Governor is authorized to apply to the President of the United States for the detail of commissioned and petty officers of the navy to act as inspectors and instructors in the art of naval warfare.

26. § 22. The Commander-in-Chief shall have the power to assign any officer, warrant or petty officer, or seaman of the United States navy, detailed for or assigned to duty with the naval force as instructors or otherwise, to such duties as he may deem proper and suitable, and shall have power to confer on any such officer, warrant or petty officer, or seaman, such rank in the naval service of the State during such detail or assignment as he may deem best.

27. § 23. The captain commanding the naval force may prescribe such examination for promotion or appointment to any warrant or petty office on the captain's staff as he may deem proper, and may detail officers to conduct such examination. Officers commanding ships' crews or complements shall have the same power with regard to chief petty officers of the ship's crew or complement and petty officers of divisions.

28. § 24. In addition to ships' buglers and division buglers, there shall be allowed to the naval force, as soon as two ships' crews or complements shall have been fully equipped and established, a band of not to exceed twenty-four musicians, who shall be under the direct command and supervision of the captain, and shall be carried on the captain's muster rolls as attached to his staff.

## ARTICLE III.

## APPOINTMENTS—ELECTIONS.

29. § 1. The appointment and commission of all commissioned officers shall be subject to the approval of the Commander-in-Chief. He shall appoint and commission the members of his staff, who will hold office during his pleasure. He shall appoint and commission the general officers, who shall hold their offices until removed for cause, resignation or retirement. All staff officers shall be appointed and commissioned by the Commander-in-Chief, upon the recommendation of their immediate commanders, which commissions shall expire when the nominating officers or their successors shall make nominations for their respective offices, and such nominations shall be confirmed by the Commander-in-Chief. Non-commissioned staff officers of regiments or independent battalions of infantry, squadron of cavalry and battalion of artillery of the national guard shall be appointed by warrant by commanders of regiments or battalions of squadron, as the case may be. Regimental officers above the rank of captain shall be elected by the line officers of the regiment, and, when confirmed by the Commander-in-Chief, shall hold their office for five years. Company officers shall be elected by the members of their companies, and, when confirmed by the Commander-in-Chief, shall hold office for three years. All non-commissioned officers of companies, on recommendation of their captain, shall be appointed by warrant by the commander of the regiment, unassigned battalion, squadron of cavalry or battalion of artillery. The assistant surgeon generals shall be recommended for appointment by the surgeon general and by him assigned to the staff of general officers: *Provided*, that such assignment is first approved by the general officer with whom such assistant surgeon general is to serve; the remaining officers of this department, upon the recommendation of regimental, unassigned battalion, squadron or battalion commanders and the surgeon general. They will be assigned among the regiments wherever needed. The officers of this department shall hold their offices for the term of five years.

30. § 2. Whenever any company of the Illinois National Guard shall be reduced to a number of less than the minimum herein provided uniformed and active members, to be ascertained by an inspection, it may be disbanded or consolidated with another company by the Commander-in-Chief.

31. § 3. The Commander-in-Chief is hereby authorized to make rules and regulations for the government of the military and naval forces of this State, but such rules and regulations shall conform to the laws of this State, and as nearly as practicable to the regulations for the army and navy of the United States.

32. § 4. The organization, equipment, discipline and government of the Illinois National Guard and of the naval force of Illinois, not otherwise provided for in this act or in general regulations, shall conform to the regulations, customs and usages of the army and navy of the United States.

33. § 5. All meetings for the election of officers shall be ordered by the Commander-in-Chief. The order therefor shall be addressed to an officer of the Illinois National Guard or the naval force of the State to preside at such meeting, who shall, at least one week previous thereto, send a notice thereof by mail or otherwise to each person entitled to vote thereat. The voting shall be by ballot, and a majority of all votes cast shall be necessary to elect, and the result thereof shall be forthwith returned by the officer presiding, through military channels to the adjutant general, who shall, when such election is confirmed by the Commander-in-Chief, issue the proper commissions. If there shall be a failure to elect any officer at two meetings ordered therefor, the Commander-in-Chief may fill the vacancy by direct appointment. If the officers designated to preside at such meeting shall not appear thereat, the senior officer present shall preside.

34. § 6. An examining board of three or more competent officers appointed by the Commander-in-Chief shall convene at such times and places as he shall direct, and examine in military tactics all commissioned officers below the rank of brigadier general who shall be ordered before it.

The Commander-in-Chief shall give at least one week's notice to all such officers to appear thereat. Said board shall in twenty days after such examination, make a detailed report of its result to the Commander-in-Chief, who may revoke appointments of all officers failing to pass an examination satisfactory to said board. If any officer shall fail to appear for examination on receiving proper notice, he may be allowed an opportunity for an examination at the next session of the board, if he shall give a satisfactory excuse for his absence: *Provided*, that no officer who has passed a satisfactory examination shall be re-examined.

35. § 7. Enlistments therein shall be for three years, re-enlistments after three years' service, for one or more years, and will be made by signing enlistment papers prescribed by the adjutant general, and by taking the following oath or affirmation, which may be administered by any commissioned officer, to-wit:

"You do solemnly swear (or affirm) that you will bear true allegiance to the United States and the State of Illinois, that you will support the constitution thereof; that you will serve the State of Illinois faithfully in its military service for the term of three years, unless sooner discharged, or you cease to be a citizen thereof; that you will obey the orders of the Commander-in-Chief, and such officers as may be placed over you and the laws governing the military forces of the State of Illinois, so help you God."

36. § 8. Any soldier or seaman who shall not receive an honorable discharge shall not be re-enlisted, nor shall he hold a commission in the military or naval service of the State until his disability shall be removed.

37. § 9. The captain commanding the naval force shall be appointed by the Commander-in-Chief. Commanders, lieutenant commanders, lieutenants to act as navigators and aids to the commander, shall be chosen by the commissioned officers of their respective ship's crew or complements; lieutenants, lieutenants of the junior grade and ensigns shall be chosen by the officers and enlisted men of their respective divisions.

Petty officers shall be nominated, appointed and examined, and if found qualified, warranted in like manner as non-commissioned officers in the national guard. The time and place of holding elections and the confirmation and commissioning of officers appointed or elected shall be the same as prescribed for the Illinois National Guard.

#### ARTICLE IV.

##### PARADES AND ENCAMPMENTS.

38. § 1. The commanding officer of each regiment, battalion, company, troop or battery of the national guard, or ship's crew or division of the naval force, may order weekly evening drills.

39. § 2. The Commander-in-Chief may order a tour of camp duty for the national guard, or cruise for ship's crews of the naval force, of not less than six nor more than ten days annually.

40. § 3. The commanding officer of any encampment or parade may cause those under his command to perform any field or camp duty he shall require, and may put under arrest, during such encampment or parade, any member of his command who shall disobey a superior officer or be guilty of disorderly or unmilitary conduct, and any other person who shall trespass on the parade or encampment ground, or in any way interrupt or molest the orderly discharge of duty by the members of his command, and he may prohibit the sale of all spirituous or malt liquors within one mile of such encampment, and enforce such prohibition by force, if necessary: *Provided*, however, that nothing herein contained shall be construed to interfere with the regular business of any liquor dealer whose place of business shall be situated within said limits before the commencement of said encampment.

#### ARTICLE V.

##### RIFLE PRACTICE.

41. § 1. The general inspector of rifle practice shall have charge of rifle practice throughout the State, and shall superintend the manner in which the same shall be conducted, under the orders of the Commander-in-Chief.

42. § 2. The brigade, regimental and battalion inspectors of rifle practice shall perform such duties as may from time to time be prescribed by the general inspector of rifle practice.

43. § 3. Such inspectors of rifle practice shall be paid as hereinafter prescribed the same as for camp duty, subject to the approval of the Commander-in-Chief. The expense of procuring and maintaining proper rifle ranges, procuring ammunition and all other things deemed proper for the promotion of rifle practice by the Illinois National Guard, shall be paid for from the military fund, on bills of particulars drawn by the adjutant general and approved by the Commander-in-Chief.

## ARTICLE VI.

### ARMS AND ARMORIES.

44. § 1. Upon the muster in of any new organization in the Illinois National Guard, or any ship's crew, or division of the naval force of Illinois, on the requisition of its commanding officer and the approval of the Governor, the adjutant general shall issue all necessary clothing, equipage, ordnance stores and all other public property: *Provided, however,* that when any clothing, equipage, ordnance stores, arms or munitions are delivered to any commander, he shall execute and deliver to the adjutant general a bond, payable to the People of the State of Illinois, in a sufficient amount and with sufficient security, to be approved by the Governor, conditioned for the proper use of such clothing, equipage, ordnance stores, arms and munitions, and the return of the same, when requested by the proper officer, in good order, wear, use and unavoidable loss and damage excepted. All such clothing, equipage, ordnance stores, arms and munitions shall be kept at the company, regimental, division or ship's crew armory, and same shall not be removed therefrom for any purpose whatever, except for regular drills or when authorized by the Commander-in-Chief.

45. § 2. The inspector general shall critically inspect, whenever directed by the Commander-in-Chief, every branch connected with [the] military service, including armories, arsenals and military storehouses; and he shall report to the adjutant general the improvement in discipline and tactical instruction of the Illinois National Guard and the naval force of Illinois.

46. § 3. The entire Illinois National Guard and the naval force of Illinois, and all armories, ordnance stores and camp equipage belonging to the State, shall be inspected at least once in each year, whenever practicable, under such rules and regulations as may be provided by the inspector general, with the approval of the Commander-in-Chief, and all necessary traveling expenses incurred therein shall be paid on requisition, in the same manner as hereinafter provided for.

47. § 4. Commanders of regiments, battalions, troops, batteries or separate companies shall furnish to the inspector general such information as he may require as to the number and kind of arms, equipments and military property of the State issued to their respective regiments, battalions, troops, batteries or separate companies;

and at the inspection of any armory, arsenal or military storehouse, if the inspector general finds the property which ought to be kept therein, or any part of it, missing, injured or unfit for use, or deficient in any respect, he shall forthwith report the facts in respect thereto to the adjutant general.

48. § 5. In his annual report, the inspector general shall state what general and field officers have been in command of parades and encampments, what changes of general and field officers have been made, and what degree of improvement has been attained by both officers and men, and whether the general regulations have been observed, together with such other suggestions as he may see fit to make.

49. § 6. The brigade inspectors, whenever required by the inspector general, shall report to him the condition of their respective brigades, and shall also, upon his request, report to him upon any matter properly belonging to his department which may require examination, within their respective brigades. All such reports shall be addressed to the inspector general, but shall be forwarded through brigade commanders.

50. § 7. The armory of each regiment, battalion, company, ship's crew or division shall be subject to the order of the adjutant general, be under the charge of its commanding officer, who shall keep therein all property furnished by the State; and no company or division shall be furnished with arms or equipments until a suitable armory shall be provided for their deposit; nor shall such arms be loaned or taken from such armories by individual members of the companies. Any officer, non-commissioned officer or private of the Illinois National Guard or the naval force of Illinois, knowingly making any false certificate, or false returns of State property in his hands, or neglecting or refusing to apply all money drawn from the State Treasurer for the purpose named in the requisition therefor, shall be deemed guilty of embezzlement, and shall be punished in the manner as provided for that offense in the criminal code of this State.

51. § 8. Armories of the naval force shall be situated immediately on or near navigable waters of the State in such position as best to promote the efficiency of the service. The word "armory," as used in this section and in any part of this act when applied to the naval force, shall be held to include a vessel, boat house or dock used as an armory for the purpose of instruction, drill and defense.

## ARTICLE VII.

### COURTS-MARTIAL.

52. § 1. General courts-martial for the trial of commissioned officers shall be ordered by the Commander-in-Chief and shall consist of seven officers, a majority of whom shall constitute a quorum.



53. § 2. General courts-martial for the trial of enlisted men shall be ordered by the Commander-in-Chief and shall consist of five officers, any three of whom shall constitute a quorum.

54. § 3. The commanding officer of a brigade, regiment, unassigned battalion or troops in active service may appoint a summary court, to consist of one commissioned officer of his command for the trial of enlisted men.

55. § 4. A general court martial shall have jurisdiction to try all offenses against the military law, breaches of order or discipline, or neglect of duty. On conviction of any such offenses the court may impose one or more of the following punishments: Cashing out and dismissal of officers, reduction of non-commissioned officers to the ranks, reprimand, dishonorable discharge, fine not exceeding one hundred dollars, and, in default of payment, imprisonment in the county jail not exceeding thirty days.

56. § 5. A summary court-martial shall have jurisdiction to try minor offenses against military discipline, and upon conviction the court may impose one or more of the following punishments: Reprimand, forfeiture of whole or part of pay and a fine not exceeding five dollars, or, in default of payment after approval, imprisonment not exceeding three days.

57. § 6. All proceedings of courts-martial shall be forwarded to and receive approval of the officer ordering the same before the sentence can go into effect, and such officer may remit, mitigate or commute such sentence.

58. § 7. Witnesses for the prosecution or defense may be summoned to attend by subpoena signed by the judge advocate. Any witness, duly summoned, who shall fail to appear and testify may be by warrant of the president of the court, directed to the sheriff or any constable, arrested and treated as in like cases before civil courts. The fees of all witnesses shall be the same as allowed in civil cases, to be taxed with the necessary expenses of the judge advocate and the court, by the president thereof. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant on the State Treasurer for the payment of the above fees and expenses, the same to be certified to by the adjutant general and approved by the Governor. All such sums so certified and approved shall be payable from the appropriation made for ordinary and contingent expenses of the Illinois National Guard. The warrant shall be made payable to the judge advocate, who shall pay all the expenses of the trial when received by him.

59. § 8. It shall be the duty of the president of any general court-martial or summary court, after the sentence of such court-martial shall have been duly approved, to issue his warrant for the collection of all fines imposed by such court-martial, directed to the sheriff or any constable of the county wherein the person against whom such is imposed resides, and such officer shall collect all such fines in the same manner as he is author-

ized to collect debts in civil suits, and he shall make return within twenty days after receiving the same to the officer issuing such warrant. In default of the payment of any such fine, or if the officer executing such warrant shall certify that there is no property of the defendant out of which to satisfy such warrant, then the officer issuing such warrant shall issue his warrant of commitment, directed to such sheriff or constable, who shall forthwith take the body of such delinquent and convey him to the common jail of such county and make return thereof to such court.

60. § 9. It shall be the duty of the keepers and wardens of all county jails to receive and confine all military offenders when delivered by such sheriff or constable under proper warrant of commitment for and during the term of sentence set forth in such commitment. No such imprisonment shall exceed a period of thirty days, and the officer ordering the court that imposed such fine may liberate such prisoner at any time.

61. § 10. Enlisted men fined by a military court who shall neglect or refuse to pay such fine within forty days after the same has been imposed may be dishonorably discharged from the service.

62. § 11. All fines levied and collected under the provisions of this article shall be paid to the Treasurer of the State, who shall credit the same to the military fund of the State.

63. § 12. Summary courts for enlisted men shall be appointed by the commanding officer of each ship's crew or complement for his command. Any officer of the naval force or a judge advocate of the national guard may be assigned to act as a judge advocate of a general court martial or a court of inquiry. General courts-martial, courts of inquiry and delinquent courts of officers may be wholly or partly composed of officers junior in rank to the officer to be tried or investigated where, in the judgment of the Commander-in-Chief, the interests of the service so requires.

64. § 13. Whenever there is no judge advocate available for duty with courts-martial, then the Commander-in-Chief may, in his discretion, designate an officer of the Illinois National Guard to act as such for the time being.

## ARTICLE VIII.

### RETIRED LIST.

65. § 1. Any commissioned officer who shall have served for the period of ten years may, upon his own request, be placed upon the retired list and withdrawn from active service and command, and the vacancy thereby created shall be filled in the same manner as other vacancies.

## ARTICLE IX.

### PAY AND ALLOWANCES.

66. § 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 and of the naval force of Illinois shall receive the same pay as provided by law for officers of the United States army and navy of like grade, and the enlisted men of the Illinois National Guard and of the naval force of Illinois 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.

67. § 2. The officers shall receive one-half the pay provided by law for officers of like grade in the army and navy of the United States without increase of service pay, and enlisted men shall receive one (1.00) dollar for each day's service, with transportation and necessary subsistence at any encampment or cruise 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 ten 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.

68. § 3. For each day's duty, when under orders from the Commander-in-Chief, or as a witness or a defendant under summons from the president or judge advocate of a court-martial, officers and men shall be paid as hereinbefore provided in section 2 of this article.

## ARTICLE X.

### MOBS AND RIOTS.

69. § 1. 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 or naval force, as he may deem necessary, to aid the civil authorities in suppressing such violence and executing the law.

70. § 2. Whenever the military or naval force 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 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 law may use such force as may be necessary.

71. § 3. All orders from civil officers to military or naval commanders shall contain only the specific act to be performed by the military or naval officer. The manner of performing the said act shall be left to the discretion of the military or naval officer. Military or naval commanders shall transmit a copy of such orders at once through channels to the Commander-in-Chief.

72. § 4. If any person shall molest, interrupt or insult by abusive words or behavior, or shall obstruct any officer or soldier or seaman 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 officer or constable of a county, city or town wherein such duty, parade or drill is held, to be dealt with as the law directs.

73. § 5. Any person or persons composing or taking part in any riot, rout, tumult, mob or lawless combination or assemblage, who, after being commanded by a civil officer, if one is present, or by a military officer if no civil officer is present, to disperse, wilfully and intentionally fails to do so, shall be guilty of a misdemeanor, and shall, on conviction, be fined in any sum not exceeding five hundred (500) dollars, or imprisoned in the county jail not exceeding one year, or by both such fine and imprisonment.

74. § 6. It shall be unlawful for any person to assault, or fire upon, throw any missile at, against or upon any member or body of the national guard or naval force, or civil officer [or] other person lawfully aiding them, when going to, returning from, or assembled for performing any duty under the provisions of this chapter; and any person so offending shall be guilty of a felony, and must on conviction be imprisoned in the penitentiary for not less than two years nor more than five years.

75. § 7. If any portion of the national guard or naval force, or person lawfully aiding them in the performance of any duty, under the provisions of this chapter, are assaulted, attacked, or in imminent danger thereof, the commanding officer of such national guard or naval force may at once proceed to quell such attack and disperse the attacking parties, and take all other needful steps for the safety of his command.

76. § 8. If any member of the national guard or naval force shall be prosecuted by civil or criminal action for any act performed by such member while in the performance of his military duty and in pursuance thereof, the action against such member shall be defended by the Attorney General. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant on the State Treasurer for the payment of the costs and expenses of such defense, the same to be certified to by the adjutant general and approved by the Governor and Attorney General. All such sums so certified and approved shall be payable from the appropriation made for the ordinary and contingent expenses of the Illinois National Guard.

## ARTICLE XI.

## GENERAL PROVISIONS.

77. § 1. No military company or division of the naval force shall leave the State with arms and equipments without the consent of the Commander-in-Chief.

78. § 2. It shall not be lawful for any body of men whatever, other than the regular organized volunteer militia of this State, the troops of the United States, Grand Army Posts, Sons of Veterans and students in educational institutions, where military drill is a part of the course of instruction, to associate themselves together as a military company or organization or to drill or parade with arms in this State, except that permission may be granted by the Governor of the State to other infantry, cavalry and artillery organizations to drill and parade in public; *Provided*, that nothing herein contained shall be so construed as to prevent benevolent or social organizations from wearing swords.

79. § 3. Whoever offends against the provisions of the preceding section, or belongs to or parades with any such unauthorized body of men with arms, shall be punished by a fine not exceeding the sum of ten dollars (\$10.00), or by imprisonment in the common jail for a term not exceeding six months, or both.

80. § 4. All military and naval property issued by the State shall be used only in the discharge of military duty, and any non-commissioned officer or enlisted man who shall wilfully and wantonly injure or destroy, secrete, sell or attempt to sell, retain after proper demand made, or in any manner pawn or pledge any such military property, shall be tried by court-martial, and upon conviction shall be sentenced to pay a fine of not exceeding one hundred dollars, and in default of the payment of such fine may be imprisoned in the county jail not exceeding thirty days.

81. § 5. Any person not a member of the national guard, the Army of the United States, the Grand Army of the Republic, or the Sons of Veterans or naval force, who shall wear any uniform or designation of rank in use by the national guard and naval force issued or authorized in this act shall forfeit to the People of the State one hundred dollars.

82. § 6. If a soldier or seaman, in time of peace, habitually absents himself for the space of four months from all drills or parades of his company, he may be considered a deserter, and shall be reported to the adjutant general through the regular military channels.

83. § 7. If a soldier or seaman on duty by order of the proper authority for the suppression of insurrection, preservation of the peace, or similar duty, wilfully absents himself from his company for more than twenty-four hours, he may be considered a deserter.

APPROVED April 24, 1899.

## MINES AND MINING.

## COAL MINES.

## REVISION OF LAW RELATING TO COAL MINES.

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| <p>§ 1. (a) Maps or plans of mines—(b) surface survey—(c) underground survey—(d) for every seam—(e) separate map for surface—(f) dip—(g) copies for inspectors and recorders—(h) annual surveys—(i) abandoned mines (j) special survey—(k) penalty for failure.</p> <p>§ 2. Main shaft—(a) sinking, subject to inspection—(b) passageway around the bottom—(c) gates at top—(d) general equipment.</p> <p>§ 3. Escapement shaft—(a) two places of egress—(b) unlawful to employ more than ten men until escapement shaft is completed—(c) passageways to escapement—(d) distance from main shaft—(e) buildings on surface between shafts—(f) equipment—(g) obstructions in—(h) inspection of—(i) communication with adjacent mine—unlawful to close.</p> <p>§ 4. Engine and boiler house—location—fire-proof—equipment.</p> <p>§ 5. Powder to be stored in fire-proof building.</p> <p>§ 6. State Mining Board — appointment — duty — term — supplies — meetings — rules for examination.</p> <p>§ 7. (a) Examination—inspectors—(b) names certified to Governor—(c) appointment—(d) examination of mine managers—(e) hoisting engineers—(f) mine managers.</p> <p>§ 8. (a) Certificates issued by board—contents—(b) register of—(c) effect of—(d) foreign—(e) unlawful to employ any but certificated miners—(f) hoisting engineers or (g) mine examiners—exceptions—mine managers to act as mine examiner—mine manager's certificate exchanged for mine examiner's certificate—(h) cancellation of certificates.</p> <p>§ 9. Fees for examination and certificates.</p> <p>§ 10. Compensation of board—secretary's salary—how drawn.</p> | <p>§ 11. (a) Division of State into inspection districts—(b) changes may be made in boundaries of districts—new districts.</p> <p>§ 12. Inspectors—(a) bonds—(b) instruments to be furnished by State—(c) duties (d) authority to enter mines—(e) procedure in case of objections—(f) notices to be posted—(g) <i>ex-officio</i> sealer of weights—(h) State to furnish testing weights—(i) annual reports — (j) publication of reports — supplies furnished by Secretary of State—employers of labor to assist in procuring statistics for publication—penalty for failure.</p> <p>§ 13. Compensation for inspectors — how drawn.</p> <p>§ 14. Removal of inspectors—petition for—hearing.</p> <p>§ 15. Counties to appoint county inspectors as assistants — duties — must hold State certificate—compensation.</p> <p>§ 16. Mine managers' duties.</p> <p>§ 17. Hoisting engineers' duties.</p> <p>§ 18. Mine managers' duties.</p> <p>§ 19. Ventilation—(a) amount of air to be kept in circulation—(b) measurements—(i) inspector may order men out of mine when air is insufficient.</p> <p>§ 20. Powder or explosives — (a) prohibits storing in mines—amount allowed each man—care of while in mines—(b) manner of handling—(c) none but copper tools to be used in charging—(d) use of squibs—(e) exploding blasts—(f) missed shots—(g) sprinkling dusty mines.</p> <p>§ 21. Places of refuge to be cut in side walls — size — distance apart — storing material in prohibited.</p> <p>§ 22. Children and females prohibited from working.</p> <p>§ 23. Hoisting signals.</p> |
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| <p>§ 24. Weighing and weighmen—(a) operators to furnish scales—(b) duties and oaths of weighmen—(c) check weighmen permitted—paid by miners—duties.</p> <p>§ 25. Boundaries—ten-foot limit—approaching old works.</p> <p>§ 26. Notice to inspectors of accidents—sinking shafts—abandoning mines, etc.</p> <p>§ 27. Accidents—(a) duties of inspectors—operator to keep record of on blanks furnished by inspectors—(b) corners' inquest—(c) inspector to investigate cause of accident.</p> <p>§ 28. Men on cages—(a) top and bottom man (b) lights on landings—(c) speed of cages—tools and timber prohibited on except for repairs—(d) right of way for men to come out.</p> | <p>§ 29. Safety lamps—(a) operator to furnish in case of fire damp—(b) care of.</p> <p>§ 30. Operator to have on hand blankets, stretchers and bandages for use in case of accidents.</p> <p>§ 31. Caution to miners—unlawful to injure shaft, safety lamp, instruments, etc.</p> <p>§ 32. Operators to post rules not inconsistent with this act.</p> <p>§ 33. Penalty for violation of any of the provisions of this act.</p> <p>§ 34. Defines terms—(a) mine, coal mine—(b) excavations or workings—(c) shaft—(d) slope or drift—(e) operator—(f) inspector—(g) mine manager—(h) mine examiner.</p> |
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AN ACT to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

#### MAPS OR PLANS OF MINES.

SECTION 1. MAPS NECESSARY.] (a) That the operator of every coal mine in this State, shall make, or cause to be made, an accurate map or plan of such mine, drawn to a scale not smaller than two hundred feet to the inch, and as much larger as practicable, on which shall appear the name of the state, county and township in which the mine is located, the designation of the mine, the name of the company or owner, the certificate of the mining engineer or surveyor as to the accuracy and date of the survey, the north point and the scale to which the drawing is made.

SURFACE SURVEY.] (b) Every such map or plan shall correctly show the surface boundary lines of the coal-rights pertaining to each mine, and all section or quarter-section lines or corners within the same: the lines of town lots and streets: the tracks and side-tracks of all railroads, and the location of all wagon roads, rivers, streams, ponds, buildings, landmarks and principal objects on the surface.

UNDERGROUND SURVEY.] (c) For the underground workings said maps shall show all shafts, slopes, tunnels or other openings to the surface or to the workings of a contiguous mine; all excavations, entries, rooms and cross-cuts: the location of the fan or furnace and the direction of the air currents; the location of pumps, hauling engines, engine planes, abandoned works, fire walls and standing water; and the boundary line of any surface outcrop of the seam.

MAP FOR EVERY SEAM.] (d) A separate and similar map, drawn to the same scale in all cases, shall be made of each and every seam,

which, after the passage of this act, shall be worked in any mine, and the maps of all such seams shall show all shafts, inclined planes, or other passageways connecting the same.

SEPARATE MAP FOR THE SURFACE.] (e) A separate map shall also be made of the surface whenever the surface buildings, lines or objects are so numerous as to obscure the details of the mine workings if drawn upon the same sheet with them, and in such case the surface map shall be drawn on transparent cloth or paper, so that it can be laid upon the map of the underground workings, and thus truly indicate the local relation of lines and objects on the surface to the excavations of the mine.

THE DIP.] (f) Each map shall also show by profile drawing and measurements, in feet and decimals thereof, the rise and dip of the seam from the bottom of the shaft in either direction to the face of the workings.

COPIES FOR INSPECTORS AND RECORDERS.] (g) The originals or true copies of all such maps shall be kept in the office at the mine, and true copies thereof shall also be furnished to the State Inspector of Mines for the district in which said mine is located, and shall be filed in the office of the recorder of the county in which the mine is located, within thirty days after the completion of the same. The maps so delivered to the inspector shall be the property of the State and shall remain in the custody of said inspector during his term of office, and be delivered by him to his successor in office; they shall be kept at the office of the inspector and be open to the examination of all persons interested in the same, but such examination shall only be made in the presence of the inspector, and he shall not permit any copies of the same to be made without the written consent of the operator or the owner of the property.

ANNUAL SURVEYS.] (h) An extension of the last preceding survey of every mine in active operation shall be made once in every twelve months prior to July 1, of every year, and the results of said survey, with the date thereof, shall be promptly and accurately entered upon the original maps and all copies of the same, so as to show all changes in plan or new work in the mine, and all extensions of the old workings to the most advanced face or boundary of said workings, which have been made since the last preceding survey. The said changes and extensions shall be entered upon the copies of the maps in the hands of the said inspector and recorder, within thirty days after the last survey is made.

ABANDONED MINES.] (i) When any coal mine is worked out or is about to be abandoned or indefinitely closed, the operator of the same shall make or cause to be made a final survey of all parts of such mine, and the results of the same shall be duly extended on all maps of the mine and copies thereof, so as to show all excavations and the most advanced workings of the mine, and their exact relation to the boundary or section lines on the surface.

SPECIAL SURVEY.] (j) The State Inspector of Mines may order a survey to be made of the workings of any mine, and the results to be extended on the maps of the same and the copies thereof, when-



ever, in his judgment. the safety of the workmen, the support of the surface, the conservation of the property or the safety of an adjoining mine requires it.

**PENALTY FOR FAILURE.]** (k) Whenever the operator of any mine shall neglect or refuse, or, for any cause not satisfactory to the mine inspector, fail, for the period of three months, to furnish to the said inspector and recorder, the map or plan of such mine or a copy thereof, or of the extensions thereto, as provided for in this act, the inspector is hereby authorized to make or cause to be made, an accurate map or plan of such mine at the expense of the owner thereof, and the cost of the same may be recovered by law from the said operator in the same manner as other debts by suit in the name of the inspector and for his use, and a copy of the same shall be filed by him with said recorder.

#### THE MAIN SHAFT.

**§ 2. SINKING SUBJECT TO INSPECTION.]** (a) Any shaft in process of sinking, and any opening projected for the purpose of mining coal, shall be subject to the inspection of the State Inspector of Mines for the district in which said shaft or opening is located.

**PASSAGE-WAY AROUND THE BOTTOM.]** (b) At the bottom of every shaft and at every caging place therein, a safe and commodious passage-way must be cut around said landing place to serve as a traveling way by which men or animals may pass from one side of the shaft to the other without passing under or on the cage.

**GATES AT THE TOP.]** (c) The upper and lower landings at the top of each shaft, and the opening of each intermediate seam from or to the shaft, shall be kept clear and free from loose materials, and shall be securely fenced with automatic or other gates, so as to prevent either men or materials from falling into the shaft.

**GENERAL EQUIPMENT.]** (d) Every hoisting shaft must be equipped with substantial cages fitted to guide-rails running from the top to the bottom. Said cages must be safely constructed; they must be furnished with suitable boiler-iron covers to protect persons riding thereon from falling objects; they must be equipped with safety catches. Every cage on which persons are carried must be fitted up with iron bars or rings in proper place and sufficient number to furnish a secure hand-hold for every person permitted to ride thereon. At the top-landing cage supports, where necessary, must be carefully set and adjusted so as to act automatically and securely hold the cages when at rest.

#### THE ESCAPEMENT SHAFT.

**§ 3. TWO PLACES OF EGRESS.]** (a) For every coal mine in this State, whether worked by shaft, slope or drift, there shall be provided and maintained, in addition to the hoisting shaft, or other place of delivery, a separate escapement shaft or opening to the surface, or an underground communicating passage-way between every

such mine and some other contiguous mine, such as shall constitute two distinct and available means of egress to all persons employed in such coal mine.

The time allowed for completing such escapement shaft or making such connections with an adjacent mine, as is required by the terms of this act, shall be three months for shafts 200 feet or less in depth, and six months for shafts less than 500 feet and more than 200 feet, and nine months for all other mines, slopes or drifts or connections with adjacent mines. The time to date in all cases from the hoisting of coal from the main shaft.

UNLAWFUL TO EMPLOY MORE THAN TEN MEN.] (b) It shall be unlawful to employ at any one time more men than in the judgment of the inspector is absolutely necessary, for speedily completing the connections with the escapement shaft or adjacent mine; and said number must not exceed ten men at any one time for any purpose in said mine until such escapement or connection is completed.

PASSAGE-WAYS TO ESCAPEMENT.] (c) Such escapement shaft or opening, or communication with a contiguous mine as aforesaid, shall be constructed in connection with every seam of coal worked in such mine, and all passage-ways communicating with the escapement shaft or place of exit, from the main hauling ways to said place of exit, shall be maintained free of obstruction at least five feet high and five feet wide. Such passage-ways must be so graded and drained that it will be impossible for water to accumulate in any depression or dip of the same, in quantities sufficient to obstruct the free and safe passage of men. At all points where the passage-way to the escapement shaft, or other place of exit, is intersected by other roadways or entries, conspicuous sign boards shall be placed, indicating the direction it is necessary to take in order to reach such place of exit.

DISTANCE FROM MAIN SHAFT.] (d) Every escapement shaft shall be separated from the main shaft by such extent of natural strata as may be agreed upon by the inspector of the district and the owner of the property, but the distance between the main shaft and escapement shaft shall not be less than 300 feet without the consent of the inspector, nor more than 300 feet without the consent of the owner.

BUILDINGS ON THE SURFACE.] (e) It shall be unlawful to erect any inflammable structure or building in the space intervening between the main shaft and the escapement shaft on the surface, or any powder magazine, in such location or manner as to jeopardize the free and safe exit of the men from the mine, by said escapement shaft, in case of fire in the main shaft buildings.

STAIRWAYS OR CAGES.] (f) The escapement shaft at every mine shall be equipped with safe and ready means for the prompt removal of men from the mine in time of danger, and such means shall be a substantial stairway set at an angle not greater than forty-five degrees, which shall be provided with hand-rails and with platforms or landings at each turn of the stairway.

In any escapement shaft which may, at the time of the passage of this act, be equipped with a cage for hoisting men, such cage must

be suspended between guides and be so constructed that falling objects can not strike persons being hoisted upon it. Such cage must also be operated by a steam hoisting engine, which shall be kept available for use at all times, and the equipment of said hoisting apparatus shall include a depth indicator, a brake on the drum, a steel or iron cable and safety catches on the cage.

OBSTRUCTIONS IN SHAFT.] (g) No accumulations of ice, nor obstructions of any kind shall be permitted in any escapement shaft, nor shall any steam, or heated or vitiated air be discharged into said shaft; and all surface or other water which flows therein shall be conducted by rings or otherwise to receptacles for the same, so as to keep the stairways free from falling water.

WEEKLY INSPECTIONS.] (h) All escapement shafts and the passages leading thereto, or to the works of a contiguous mine, must be carefully examined at least once a week by the mine manager, or a man specially delegated by him for that purpose, and the date and findings of such inspection must be duly entered in the record book in the offices at the mine. If obstructions are found, their location and nature must be stated together with the date at which they are removed.

COMMUNICATION WITH ADJACENT MINE.] (i) When operators of adjacent mines have, by agreement, established underground communication between said mines, as an escapement outlet for the men employed in both, the roadways to the boundary on either side shall be regularly patrolled and kept clear of every obstruction to travel by the respective operators, and the intervening door shall remain unlocked and ready at all times for immediate use.

When such communication has once been established between contiguous mines, it shall be unlawful for the operator of either mine to close the same without the consent both of the contiguous operator and of the State inspector for the district. *Provided*, that when either operator desires to abandon mining operations, the expense and duty of maintaining such communication shall devolve upon the party continuing operations and using the same.

#### THE ENGINE AND BOILER HOUSE.

§ 4. LOCATION.] (a) Any building erected after the passage of this act, for the purpose of housing the hoisting engine or boilers at any shaft, shall be substantially fire-proof, and no boiler house shall be nearer than sixty feet to the main shaft or opening or to any building or inflammable structure connecting therewith.

BRAKE ON DRUM.] (b) Every hoisting engine shall be provided with a good and sufficient brake on the drum, so adjusted that it may be operated by the engineer without leaving his post at the levers.

FLANGES.] (c) Flanges shall be attached to the sides of the drum of any engine used for hoisting men, with a clearance of not less than four inches when the whole rope is wound on the drum.

CABLE FASTENINGS.] (*d*) The ends of the hoisting cables shall be well secured on the drum, and at least two and a half laps of the same shall remain on the drum when the cage is at rest at the lowest caging place in the shaft.

INDICATOR.] (*e*) An index dial or indicator, to show at all times the true position of the cages in the shaft, shall be attached to every hoisting engine for the constant information and guidance of the engineer.

SIGNALS.] (*f*) The code of signals as provided for in this act shall be displayed in conspicuous letters at some point in front of the engineer when standing at his post.

GAUGES.] (*g*) Every boiler shall be provided with a steam gauge, except where two or more boilers are equipped and connected with a steam drum, properly connected with the boilers to indicate the steam pressure, and another steam gauge shall be attached to the steam pipe in the engine house, the two to be placed in such positions that both the engineer and fireman can readily see what pressure is being carried. Such steam gauges shall be kept in good order and adjusted and be tested as often at least as every six months.

SAFETY VALVES.] (*h*) Every boiler or battery of boilers shall be provided with a safety valve of sufficient area for the escape of steam, and with weights and springs properly adjusted.

INSPECTION OF BOILERS.] (*i*) All boilers used in generating steam in and about coal mines shall be kept in good order, and the operator of every coal mine where steam boilers are in use shall have said boilers thoroughly examined and inspected by a competent boiler-maker or other qualified person, not an employé of said operator, as often as once in every six months, and oftener if the inspector shall deem it necessary, and the result of every such inspection shall be reported on suitable blanks to said inspector.

#### THE POWDER HOUSE.

§ 5. All blasting powder and explosive material must be stored in a fire-proof building on the surface, located at a safe distance from all other buildings.

#### THE STATE MINING BOARD.

§ 6. MANNER AND PURPOSE OF APPOINTMENT.] (*a*) For the purpose of securing efficiency in the mine inspection service, and a high standard of qualification in those who have the management and operation of coal mines, the State Commissioners of Labor shall appoint a board of examiners, to be known as the State Mining Board, whose duty it shall be to make formal inquiry into and pass upon the practical and technical qualifications and personal fitness of men seeking appointments as State Inspectors of Mines, and of those seeking certificates of competency as mine managers, as hoisting engineers and as mine examiners. This board shall be composed of

five members, two of whom shall be practical coal miners; one an expert mining engineer, and who shall, when practicable, be also a hoisting engineer, and two shall be coal operators.

DATE AND TERM OF APPOINTMENT.] (b) Their appointment shall date from July 1, 1899, and they shall serve for a term of two years, or until their successors are appointed and qualified; they shall organize by the election of one of their number as president, and some suitable person, not a member, as secretary, after which they shall all be sworn to a faithful performance of their duties.

SUPPLIES FURNISHED BY SECRETARY OF STATE.] (c) The Secretary of State shall assign to the use of the board suitably furnished rooms in the State House for such meetings as are held at the capitol, and shall also furnish whatever blanks, blank-books, printing and stationery the board may require in the discharge of its duties.

FREQUENCY OF MEETINGS.] (d) The board shall meet at the capitol in regular session on the second Tuesday in September of the year 1899, and bi-ennially thereafter, for the examination of candidates for appointment as State Inspectors of Mines. For the examination of persons seeking certificates of competency as mine managers, hoisting engineers and mine examiners, the board shall hold meetings at such times and places within the State as shall, in the judgment of the members, afford the best facilities to the greatest number of probable candidates. Special meetings may also be called by the commissioners of labor, whenever, for any reason, it may become necessary to appoint one or more inspectors. Public notice shall be given through the press or otherwise, announcing the time and place at which examinations are to be held.

RULES OF PROCEDURE.] (e) The examinations herein provided for shall be conducted under such rules, conditions and regulations as the members of the board shall deem most efficient for carrying into effect the spirit and intent of this act. Such rules, when formulated, shall be made a part of the permanent record of the board, and such of them as relate to candidates shall be published for their information and governance prior to each examination; they shall also be of uniform application to all candidates.

#### EXAMINATIONS.

§ 7. FOR INSPECTORS.] (a) Persons coming before the State Mining Board as candidates for appointment as State Inspectors of Mines must produce evidence satisfactory to the board that they are citizens of this State, at least thirty years of age, that they have had a practical mining experience of ten years, and that they are men of good repute and temperate habits: they must also submit to and satisfactorily pass an examination as to their practical and technical knowledge of mining engineering and mining machinery and appliances, of the proper development and operation of coal mines, of ventilation in mines, of the nature and properties of mine gases, of the geology of the coal measures in this State and of the laws of this State relating to coal mines.

NAMES CERTIFIED TO THE GOVERNOR.] (b) At the close of each examination for inspectors the board shall certify to the Governor the names of all candidates who have received a rating above the minimum fixed by the rules of the board as properly qualified for the duties of inspectors.

INSPECTORS APPOINTED.] (c) From those so named the Governor shall select and appoint seven State Inspectors of Mines, that is to say, one inspector for each of the seven inspection districts provided for in this act, or more, if, in the future, additional inspection districts shall be created, and their commissions shall be for a term of two years from October first: *Provided*, that any one who has satisfactorily passed two of the State examinations for inspectors, and who has served acceptably as State inspector for two full terms, upon making written application to the board setting forth the facts, shall also be certified to the Governor as a person properly qualified for appointment. But no man shall be eligible for appointment as a State Inspector of Mines who has any pecuniary interest in any coal mine, either as owner or employé.

FOR MINE MANAGERS.] (d) Persons coming before the board for certificates of competency as mine managers must produce evidence satisfactory to the board that they are citizens of this State, at least twenty-four years of age, that they have had at least four years practical mining experience, and that they are men of good repute and temperate habits; they must also submit to and satisfactorily pass such an examination as to their experience in mines and in the management of men, their knowledge of mine machinery and appliances, the use of surveying and other instruments, the properties of mine gases, the principles of ventilation and the specific duties and responsibilities of mine managers, as the board shall see fit to impose.

FOR HOISTING ENGINEERS.] (e) Persons seeking certificates of competency as hoisting engineers must produce evidence satisfactory to the board that they are citizens of the United States, at least twenty-one years of age, that they have had at least two years experience as fireman or engineer of a hoisting plant, and are of good repute and temperate habits. They must be prepared to submit to and satisfactorily pass an examination as to their experience in handling hoisting machinery, and as to their practical and technical knowledge of the construction, cleaning and care of steam boilers, the care and adjustment of hoisting engines, the management and efficiency of pumps, ropes and winding apparatus, and their knowledge of the laws of this State in relation to signals and the hoisting and lowering of men at mines.

FOR MINE EXAMINERS.] (f) Persons seeking certificates of competency as mine examiners must produce evidence satisfactory to the board that they are citizens of this State, at least twenty-one years of age, and of good repute and temperate habits. They must be prepared to submit to and satisfactorily pass an examination as to their experience in mines generating dangerous gases, their practical and technical knowledge of the nature and properties of fire-damp, the

laws of ventilation, the structure and uses of the safety lamps, and the laws of this State relating to safeguards against fires from any source in mines.

#### CERTIFICATES.

§ 8. ISSUED BY THE BOARD.] (a) The certificates provided for in this act shall be issued under the signatures and seal of the State Mining Board, to all those who receive a rating above the minimum fixed by the rules of the board; such certificates shall contain the full name, age and place of birth of the recipient, and the length and nature of his previous service in or about coal mines.

REGISTER TO BE PRESERVED.] (b) The board shall make and preserve a record of the names and addresses of all persons to whom certificates are issued, and at the close of each examination shall make report of the same to the commissioners of labor, who shall cause a permanent register of all certificated persons to be made and kept for public inspection in the office of the State Bureau of Labor Statistics in the State capitol.

EFFECT OF CERTIFICATES.] (c) The certificates provided for in this act shall entitle the holders thereof to accept and discharge the duties for which they are thereby declared qualified, at any mine in this State, where their services may be desired.

FOREIGN CERTIFICATES.] (d) The board may exercise its discretion in issuing certificates of any class, but not without examination, to persons presenting, with proper credentials, certificates issued by competent authority in other states.

UNLAWFUL TO EMPLOY OTHER THAN CERTIFICATED MINE MANAGERS.] (e) It shall be unlawful for the operator of any coal mine to employ, or suffer to serve, as mine manager at his mine, any person who does not hold a certificate of competency issued by a duly authorized board of examiners of this State: *Provided*, that whenever any exigency arises by which it is impossible for any operator to secure the immediate services of a certificated mine manager, he may place any trustworthy and experienced man, subject to the approval of the State inspector of the district, in charge of his mine, to act as temporary mine manager for a period not exceeding thirty days.

UNLAWFUL TO EMPLOY OTHER THAN CERTIFICATED HOISTING ENGINEER.] (f) It shall be unlawful for the operator of any mine to employ, or suffer to serve, as hoisting engineer for said mine, any person who does not hold a certificate of competency issued by a duly authorized board of examiners of this State, or to permit any other to operate his hoisting engine except for the purpose of learning to operate it, and then only in the presence of the certificated engineer in charge, and when men are not being hoisted or lowered: *Provided*, that whenever any exigency arises by which it is impossible for any operator to secure the immediate services of a certificated hoisting engineer, he may place any trustworthy and experienced man, subject to the approval of the State inspector of the district, in charge of his engines, to act as temporary engineer, for a period not to exceed thirty days.

UNLAWFUL TO EMPLOY OTHER THAN CERTIFICATED MINE EXAMINERS.] (g) It shall be unlawful for the operator of any mine to employ, or suffer to serve, as mine examiner, any person who does not hold a certificate of competency issued by the State Mining Board: *Provided*, that any one holding a mine manager's certificate may serve as mine examiner. Any one holding a certificate as fire boss, on presentation of the same to the State Mining Board, may have it exchanged for a mine examiner's certificate.

CANCELLATION OF CERTIFICATES.] (h) The certificate of any mine manager, hoisting engineer or mine examiner, may be cancelled and revoked by the State Mining Board whenever it shall be established to the satisfaction of said board that the holder thereof has become unworthy of official endorsement, by reason of violations of the law, intemperate habits, manifest incapacity, abuse of authority, or for other causes satisfactory to said board: *Provided*, that any person against whom charges or complaints are made shall have an opportunity to be heard in his own behalf. And he shall have thirty days notice in writing of such charges.

#### FEEES FOR EXAMINATIONS.

§ 9. An applicant for any certificate herein provided for, before being examined, shall register his name with the secretary of the board, and file with him the credentials required by this act, to wit: An affidavit as to all matters of fact establishing his right to receive the examination, and a certificate of good character and temperate habits signed by at least ten of the citizens who know him best in the place in which he lives.

Each candidate, before receiving the examination, shall pay to the secretary of the board the sum of one dollar as an examination fee, and those who pass the examination for which they are entered, before receiving their certificates, shall also pay to the secretary the further sum of two dollars each as a certificate fee. All such fees shall be duly accounted for by the board, and covered into the State treasury at the close of each fiscal year.

#### PAY OF THE BOARD.

§ 10. The members of the State Mining Board shall receive as compensation for their services the sum of five dollars each per day, for a term not exceeding one hundred days in any one year, and whatever sums are necessary to reimburse them for such traveling expenses as may be incurred in the discharge of their duties.

The salary of the secretary shall be determined by the board, but shall in no case exceed the sum of one thousand dollars per annum, and he shall be reimbursed for any amounts expended for actual and necessary traveling expenses in the discharge of his duties. All such salaries and expenses of the board and of its secretary shall be paid upon vouchers duly sworn to by each and approved by the president of the board and by the Governor, and the Auditor of Public



Accounts is hereby authorized to draw his warrants on the State Treasurer for the amounts thus shown to be due, payable out of any money in the treasury not otherwise appropriated.

#### INSPECTION DISTRICTS.

§ 11. BOUNDARIES DEFINED.] (a) The State shall be divided into seven inspection districts, as follows:

The first district shall be composed of the counties of Boone, McHenry, Lake, DeKalb, Kane, DuPage, Cook, LaSalle, Kendall, Grundy, Will, Livingston, and Kankakee.

The second district shall be composed of the counties of Jo Daviess, Stephenson, Winnebago, Carroll, Ogle, Whiteside, Lee, Rock Island, Henry, Bureau, Mercer, Stark, Putnam, Marshall, Peoria, and Woodford.

The third district shall be composed of the counties of Henderson, Warren, Knox, Hancock, McDonough, Schuyler, Fulton, Adams, and Brown.

The fourth district shall be composed of the counties of Tazewell, McLean, Ford, Iroquois, Vermilion, Champaign, Piatt, DeWitt, Macon, Logan, Menard, Mason, and Cass.

The fifth district shall be composed of the counties of Pike, Scott, Morgan, Sangamon, Christian, Shelby, Moultrie, Douglas, Coles, Cumberland, Clark, Edgar, Montgomery, Macoupin, Greene, Jersey, and Calhoun.

The sixth district shall be composed of the counties of Monroe, St. Clair, Madison, Bond, Clinton, Fayette, Marion, Effingham, Clay, Jasper, Richland, Crawford, and Lawrence.

The seventh district shall be composed of the counties of Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Johnson, Massac, Union, Alexander, and Pulaski.

HOW CHANGES MAY BE MADE.] (b) *Provided*, that the Commissioners of Labor, may, from time to time, make such changes in the boundaries of said districts as may, in their judgment, be required in order to distribute more evenly the labors and expenses of the several inspectors of mines, but this provision shall not be construed as authorizing the board to increase the number of districts.

#### DUTIES OF INSPECTORS.

§ 12. BOND.] (a) Those who receive appointment as State Inspectors of Mines must, before entering upon their duties as such, take an oath of office, as provided for by the constitution, and enter into a bond to the State in the sum of five thousand (\$5,000) dollars, with sureties to be approved by the Governor, conditioned upon the faithful performance of their duties in every particular, as required by this act; said bond, with the approval of the Governor endorsed thereon, together with the oath of office, shall be deposited with the Secretary of State.

INSTRUMENTS.] (b) For the more efficient discharge of the duties herein imposed upon them, each inspector shall be furnished at the expense of the State with an anemometer, a safety lamp, and whatever other instruments may be required in order to carry into effect the provisions of this act.

EXAMINATIONS OF MINES.] (c) State Inspectors of Mines shall devote their whole time and attention to the duties of their office, and make personal examination of every mine within their respective districts, and shall see that every necessary precaution is taken to insure the health and safety of the workmen employed in such mines, and that the provisions and requirements of all the mining laws of this State are faithfully observed and obeyed, and the penalties for the violation of the same promptly enforced.

AUTHORITY TO ENTER.] (d) It shall be lawful for State inspectors to enter, examine and inspect any and all coal mines and the machinery belonging thereto, at all reasonable times, by day or by night, but so as not to obstruct or hinder the necessary workings of such coal mine, and the operator of every such coal mine is hereby required to furnish all necessary facilities for making such examination and inspection.

PROCEDURE IN CASE OF OBJECTION.] (e) If any operator shall refuse to permit such inspection or to furnish the necessary facilities for making such examination and inspection, the inspector shall file his affidavit, setting forth such refusal, with the judge of the circuit court in said county in which said mine is situated, either in term time or vacation, or, in the absence of said judge, with the master in chancery in said county in which said mine is situated, and obtain an order on such owner, agent or operator so refusing as aforesaid, commanding him to permit and furnish such necessary facilities for the inspection of such coal mine, or to be adjudged to stand in contempt of court and punished accordingly.

NOTICES TO BE POSTED.] (f) The State Inspector of Mines shall post up in some conspicuous place at the top of each mine visited and inspected by him, a plain statement of the condition of said mine, showing what in his judgment is necessary for the better protection of the lives and health of persons employed in said mine; such statement shall give the date of inspection and be signed by the inspector. He shall also post a notice at the landing used by the men, stating what number of men will be permitted to ride on the cage at one time, and at what rate of speed men may be hoisted and lowered on the cages. He must observe especially that a proper code of signals between the engineer and top man and bottom man is established and conspicuously posted for the information of all employés.

SEALER OF WEIGHTS.] (g) State Inspectors of Mines are hereby made *ex-officio* sealer of weights and measures in their respective districts, and as such are empowered to test all scales used to weigh coal at coal mines. Upon the written request of any mine owner or operator, or of ten coal miners employed at any one mine, it shall be his duty to try and prove any scale or scales at such mine against which

complaint is directed, and if he shall find that they or any of them do not weigh correctly he shall call the attention of the mine owner or operator to the fact, and direct that said scale or scales be at once overhauled and readjusted so as to indicate only true and exact weights, and he shall forbid the further operation of such mine until such scales are adjusted. In the event that such tests shall conflict with any test made by any county sealer of weights, or under and by virtue of any municipal ordinance or regulation, then the test by such mine inspector shall prevail.

TEST WEIGHTS.] (*h*) For the purpose of carrying out the provisions of this act each inspector shall be furnished by the State with a complete set of standard weights suitable for testing the accuracy of track scales, and of all smaller scales at mines; said test weights to be paid for on bills of particulars, certified by the Secretary of State and approved by the Governor. Such test weights shall remain in the custody of the inspector for use at any point within his district, and for any amounts expended by him for the storage, transportation or handling of the same, he shall be fully reimbursed upon making entry of the proper items in his quarterly expense voucher.

INSPECTORS' ANNUAL REPORTS.] (*i*) Each State Inspector of Mines shall, at the close of the official year, to-wit: after June 30. of every year, prepare and forward to the secretary of the bureau of labor statistics a formal report of his acts during the year in the discharge of his duties, with any recommendations as to legislation he may deem necessary on the subject of mining, and shall collect and tabulate upon blanks furnished by said Secretary all desired statistics of mines and miners within his district to accompany said annual report.

REPORTS TO BE PUBLISHED.] (*j*) On the receipt of said inspectors' reports the secretary of the bureau of labor statistics shall proceed to compile and summarize the same as a report of said bureau, to be known as the Annual Coal Report, which shall be duly transmitted to the Governor for the information of the General Assembly and the public. The printing and binding of said reports shall be provided for by the Commissioners of State Contracts in like manner and in like number as they provide for the publication of other official reports to the Governor.

The Secretary of State shall furnish to said inspectors, upon the requisition of the secretary of the State Bureau of Labor Statistics, whatever instruments, blanks, blank books, stationery, printing and supplies may be required by said inspectors in the discharge of their official duties; said instruments to be paid for on bills of particulars, certified by the Secretary of State and approved by the Governor.

It shall be the duty of every coal operator and every employer of labor in this State to afford to the State Commissioners of Labor, or their representatives, every facility for procuring statistics of the wages and condition of their employés for the purpose of compiling and publishing statistics of labor and of social and industrial conditions within the State as required by law. Any person who shall hinder or obstruct the investigation of the agents of the commis-

sioners, or shall neglect or refuse, for a period of ten days, to furnish the information called for by the schedules of the commissioners as provided above, shall be adjudged guilty of a misdemeanor and be subjected to a fine of one hundred dollars.

#### PAY OF INSPECTORS.

§ 13. Each State Inspector of Mines shall receive as compensation for his services, the sum of eighteen hundred dollars per annum, and for his traveling expenses the sum actually expended for that purpose, in the discharge of his official duties, both to be paid quarterly by the State Treasurer, on warrants of the Auditor of Public Accounts, from the funds in the treasury not otherwise appropriated; said expense vouchers shall show the items of expenditures in detail, with sub-vouchers for the same so far as it is practicable to obtain them. Said voucher shall be sworn to by the inspector and be approved by the secretary of the bureau of labor statistics and the Governor.

#### REMOVAL OF INSPECTORS.

§ 14. Upon a petition signed by not less than three coal operators, or ten coal miners, setting forth that any State Inspector of Mines neglects his duties, or that he is incompetent, or that he is guilty of malfeasance in office, or guilty of any act tending to the injury of miners or operators of mines, it will be lawful for the commissioners of labor of this State to issue a citation to the said inspector to appear, at not less than fifteen days' notice on a day fixed, before them, when the said commissioners shall proceed to inquire into and investigate the allegations of the petitioners; and if the said commissioners find that the said inspector is neglectful of his duty, or that he is incompetent to perform the duties of said office, or that he is guilty of malfeasance in office, or guilty of any act tending to the injury of miners or operators of mines, the said commissioners shall declare the office of inspector of the said district vacant, and a properly qualified person shall be duly appointed, in the manner provided for in this act, to fill said vacancy.

#### COUNTY INSPECTORS.

§ 15. The County Board of Supervisors, or of Commissioners in counties not under township organization, of any county in which coal is produced, upon the written request of the State inspector of Mines for the district in which said county is located, shall appoint a County Inspector of Mines as assistant to such State inspector; but no person shall be eligible for appointment as county inspector who does not hold a State certificate of competency as mine manager, and the compensation of such county inspector shall be fixed by the county board at not less than three dollars per day, to be paid out of the county treasury.

The State inspector may authorize any county inspector in his district to assume and discharge all the duties and exercise all the

powers of a State inspector in the county for which he is appointed, in the absence of the State inspector: but such authority must be conferred in writing and the county inspector must produce the same as evidence of his powers upon the demand of any person affected by his acts; and the bond of said State inspector shall be holden for the faithful performance of the duties of such assistant inspector.

#### DUTIES OF MINE MANAGERS AND MINERS.

§ 16. (a) The mine managers shall instruct employés as to their respective duties, and shall visit and examine the various working places in the mine as often as practicable. He shall always provide a sufficient supply of props, caps and timber delivered on the miners' cars at the usual place when demanded, as nearly as possible, in suitable lengths and dimensions for the securing of the roof by the miners, and it shall be the duty of the miner to properly prop and secure his place with materials provided therefor.

VENTILATION.] (b) It shall be the duty of the mine manager to see that cross-cuts are made at proper distances apart to secure the best ventilation at the face of all working places, and that all stoppings along air-ways are properly and promptly built. He shall keep careful watch over all ventilating apparatus and the air-currents in the mine, and in case of accident to fan or machinery by which the currents are obstructed or stopped, he shall at once order the withdrawal of the men and prohibit their return until thorough ventilation has been re-established.

AIR-CURRENTS AND OUTLET PASSAGE-WAYS.] (c) He shall measure or cause to be measured the air-current with an anemometer at least once a week at the inlet and outlet, and shall keep a record of such measurements for the information of the inspector. Once a week he shall make a special examination of the roadways leading to the escapement shaft or other opening for the safe exit of men to the surface, and shall make a record of any obstructions to travel he may encounter therein, together with the date of their removal.

HANDLING EXPLOSIVES.] (d) He shall give special attention to and instructions concerning the proper storage and handling of explosives in the mine, and concerning the time and manner of placing and discharging the blasting shots, and it shall be unlawful for any miner to fire shots except according to the rules of the mine. In dusty mines he must see that all hauling roads are frequently and thoroughly sprinkled. He must also see that all dangerous places above and below are properly marked, and that danger signals are displayed wherever they are required.

CARE OF ROPES, CAGES, ETC.] (e) The mine manager or superintendent must have special attention given to the condition of the hoisting ropes; they must be carefully and frequently scrutinized. Before the men are lowered in the morning the soundness of the ropes must be tested by hoisting the cages. He must also have the cages, safety catches, pumps, sumps and stables examined frequently;

he must have the mine examined every morning by the mine examiner before the men are allowed to go to work, and know that the top man and bottom man are on duty, and that sufficient lights are maintained at the top and bottom landings when the men are being hoisted and lowered.

EARLY AND LATE DUTY.] (*f*) The mine manager or his agent shall be at his post at the mine when the men are lowered into the mine in the morning for work; he shall by some device keep a record of the number of men lowered either for a day or night shift, and he or his agent shall remain at night until all the men employed during the day shall have been hoisted out.

MAY HAVE ASSISTANTS.] (*g*) In mines in which the works are so extensive that all the duties devolving on the mine manager can not be discharged by one man, competent persons may be designated and appointed as assistants to the mine manager who shall exercise his functions, under his instructions.

#### DUTIES OF HOISTING ENGINEERS.

§ 17. CONSTANT ATTENDANCE.] (*a*) The hoisting engineer at any mine shall be in constant attendance at his engine or boilers at all times when there are workmen underground.

OUTSIDERS EXCLUDED.] (*b*) The engineer shall not permit any one to enter or to loiter in the engine room, except those authorized by their position or duties to do so, and he shall hold no conversation with any officer of the company or other person while the engine is in motion or while his attention is occupied with the signals. A notice to this effect shall be posted on the door of the engine house.

CARE OF ENGINE AND BOILERS.] (*c*) The engineer or some other properly authorized employé must keep a careful watch over the engine, boilers, pumps, ropes and winding apparatus. He must see that his boilers are properly supplied with water, cleaned and inspected at frequent intervals, and that the steam pressure does not exceed the limit established by the boiler inspector; he shall frequently try the safety valves and shall not increase the weights on the same; he shall observe that the steam and water gauges are always in good order, and if any of the pumps, valves or gauges become deranged or fail to act he shall promptly report the fact to the proper authority.

SIGNALS.] (*d*) The engineer must thoroughly understand the established code of signals, and these must be delivered in the engine room in a clear and unmistakable manner, and when he has the signal that men are on the cage he must work his engine only at the rate of speed hereafter specified in this act.

HANDLING OF ENGINES.] (*e*) The engineer shall permit no one to handle or meddle with any machinery under his charge, nor suffer any one who is not a certificated engineer to operate his engine, except for the purpose of learning to operate it, and then only in the presence of the engineer in charge, and when men are not on the cage.

## DUTIES OF MINE EXAMINERS.

§ 18. TO ENTER AND EXAMINE ALL PLACES.] (a) A mine examiner shall be required at all mines. His duty shall be to visit the mine before the men are permitted to enter it, and, first, he shall see that the air-current is traveling in its proper course and in proper quantity. He shall then inspect all places where men are expected to pass or to work, and observe whether there are any recent falls or obstructions in rooms or roadways, or accumulations of gas or other unsafe conditions. He shall especially examine the edges and accessible parts of recent falls and old gobs and air-courses. As evidence of his examination of all working places, he shall inscribe on the walls of each, with chalk, the month and the day of the month of his visit.

TO POST DANGER NOTICES.] (b) When working places are discovered in which accumulations of gas, or recent falls, or any dangerous conditions exist, he shall place a conspicuous mark thereat as notice to all men to keep out, and at once report his finding to the mine manager.

No one shall be allowed to remain in any part of the mine through which gas is being carried into the ventilating current, nor to enter the mine to work therein, except under the direction of the mine manager, until all conditions shall have been made safe.

TO MAKE DAILY RECORD.] (c) The mine examiner shall make a daily record of the conditions of the mine, as he has found it, in a book kept for that purpose, which shall be preserved in the office for the information of the company, the inspector and all other persons interested, and this record shall be made each morning before the miners are permitted to descend into the mine.

## VENTILATION.

§ 19. Throughout every coal mine there shall be maintained currents of fresh air sufficient for the health and safety of all men and animals employed therein, and such ventilation shall be produced by a fan, or some other artificial means.

AMOUNT OF AIR REQUIRED.] (a) The quantity of air required to be kept in circulation and passing a given point shall be not less than 100 cubic feet per minute for each person, and not less than 600 cubic feet per minute for each animal in the mine, measured at the foot of the downcast, and this quantity may be increased at the discretion of the inspector whenever, in his judgment, unusual conditions make a stronger current necessary. Said currents shall be forced into every working place throughout the mine, so that all parts of the same shall be reasonably free from standing powder smoke and deleterious air of every kind.

MEASUREMENTS.] (b) The measurement of the currents of air shall be taken with an anemometer at the foot of the downcast, at the foot of the upcast, and at the working face of each division or split of the air-current. And a record of such measurements shall be made and preserved in the office, as elsewhere provided for in this act.

**AIR CURRENTS TO BE SPLIT.]** (c) The main current of air shall be so split, or subdivided, as to give a separate current of reasonably pure air to every 100 men at work, and the inspector shall have authority to order separate currents for smaller groups of men, if, in his judgment, special conditions make it necessary.

**VENTILATION OF STABLE.]** (d) The air-current for ventilating the stable shall not pass into the intake air-current for ventilating the working parts of the mine.

**SELF-CLOSING DOORS.]** (e) All permanent doors in mines, used in guiding and directing the ventilating currents, shall be so hung and adjusted as to close automatically.

**TRAPPERS.]** (f) At all principal door-ways, through which cars are hauled, an attendant shall be employed for the purpose of opening and closing said doors when trips of cars are passing to and from the workings. Places for shelter shall be provided at such door-ways to protect the attendants, from being injured by the cars, while attending to their duties.

**CROSS-CUTS.]** (g) Cross-cuts shall be made not more than sixty feet apart, and no room shall be opened in advance of the air current.

**STOPPINGS.]** (h) When it becomes necessary to close cross-cuts connecting the inlet and outlet air-courses in mines generating dangerous gases, the stoppings shall be built in a substantial manner with brick or other suitable building material laid in mortar or cement, if practicable, but in no case shall they be built of lumber, except for temporary purposes.

**AUTHORITY OF INSPECTOR.]** (i) Whenever the inspector shall find men working without sufficient air, he shall at once give the mine manager or operator notice and a reasonable time in which to restore the current, and upon his or their refusal or neglect to act promptly, the inspector may order the endangered men out of the mine.

#### POWDER AND BLASTING.

§ 20. No blasting powder or other explosives shall be stored in any coal mine, and no workman shall have at any time more than one twenty-five pound keg of black powder in the mine, nor more than three pounds of high explosives.

**PLACE AND MANNER OF STORING.]** (a) Every person who has powder or other explosives in a mine, shall keep it or them in a wooden or metallic box or boxes securely locked, and said boxes shall be kept at least ten feet from the track, and no two powder boxes shall be kept within fifty feet of each other, nor shall black powder and high explosives be kept in the same box.

**MANNER OF HANDLING.]** (b) Whenever a workman is about to open a box or keg containing powder or other explosive, and while handling the same, he shall place and keep his lamp at least five feet distant from said explosive and in such position that the air current cannot convey sparks to it, and no person shall approach nearer than five feet to any open box containing powder or other explosive with a lighted lamp, lighted pipe or other thing containing fire.



**COPPER TOOLS.]** (e) In the process of charging and tamping a hole no person shall use any iron or steel pointed needle. The needle used in preparing a blast shall be made of copper and the tamping bar shall be tipped with at least five inches of copper. No coal dust nor any material that is inflammable or that may create a spark shall be used for tamping, and some soft material must always be placed next to the cartridge or explosive.

**USE OF SQUIBS.]** (d) A miner who is about to explode a blast with a manufactured squib shall not shorten the match, saturate it with mineral oil nor ignite it except at the extreme end; he shall see that all persons are out of danger from the probable effects of such shot, and shall take measures to prevent any one approaching, by shouting "fire!" immediately before lighting the fuse.

**NOT MORE THAN ONE SHOT AT A TIME.]** (e) Not more than one shot shall be ignited at the same time in any one working place, unless the firing is done by electricity or by fuses of such length that neither of the shots will explode in less than three minutes from the time they are lighted. When successive shots are to be fired in any working place in which the roof is broken or faulty, the smoke must be allowed to clear away and the roof must be examined and made secure between shots.

**MISSED SHOTS.]** (f) No person shall return to a missed shot until five minutes shall have elapsed, unless the firing is done by electricity, and then only when the wires are disconnected from the battery.

**DUSTY MINES.]** (g) In case the galleries, roadways or entries of any mine are so dry that the air becomes charged with dust, the operator of such mine must have such roadways regularly and thoroughly sprayed, sprinkled or cleaned, and it shall be the duty of the inspector to see that all possible precautions are taken against the occurrence of explosions which may be occasioned or aggravated by the presence of dust.

#### PLACES OF REFUGE.

§ 21. **ENGINE PLANES.]** (a) On all single track hauling roads wherever hauling is done by machinery, and on all gravity or inclined planes in mines, upon which the persons employed in the mine must travel on foot to and from their work, places of refuge must be cut in the side wall not less than three feet in depth and four feet wide, and not more than twenty yards apart, unless there is a clear space of at least three feet between the side of the car and the side of the road, which space shall be deemed sufficient for the safe passage of men.

On every such road which is more than 100 feet in length a code of signals shall be established between the hauling engineer and all points on the road.

A conspicuous light must be carried on the front car of every trip or train of pit cars moved by machinery, except when such trip is on an inclined plane.

**MULE ROADS.]** (b) On all hauling roads or gangways on which the hauling is done by draft animals, or gangways whereon men have to

pass to and from their work, places of refuge must be cut in the side-wall at least two and a half feet deep, and not more than twenty yards apart; but such places shall not be required in entries from which rooms are driven at regular intervals not exceeding twenty yards, and wherever there is a clear space of two and one-half feet between the car and the rib, such space shall be deemed sufficient for the safe passage of men.

All places of refuge must be kept clear of obstructions, and no material shall be stored nor be allowed to accumulate therein.

#### BOYS AND WOMEN.

§ 22. No boy under the age of fourteen years, and no woman or girl of any age shall be permitted to do any manual labor in or about any mine, and before any boy can be permitted to work in any mine he must produce to the mine manager or operator thereof an affidavit from his parent or guardian or next of kin, sworn and subscribed to before a justice of the peace or notary public, that he, the said boy, is fourteen years of age.

#### SIGNALS.

§ 23. At every mine operated by shaft and by steam power, means must be provided for communicating distinct and separate signals to and from the bottom man, the top man and the engineer. The following signals are prescribed for use at mines where signals are required:

From the bottom to the top. One bell shall signify to hoist coal or the 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 the cager shall ring one bell to start.

Four bells shall signify to hoist slowly, implying danger.

Five bells shall signify accident in the mine and a call for a stretcher.

Six bells shall call for a reversal of the fan.

From the top to the bottom. One bell shall signify: All ready, get on cage.

Two bells shall signify: Send away empty cage.

*Provided*, that the operator of any mine may, with the consent of the inspector, add to this code of signals in his discretion, for the purpose of increasing its efficiency or of promoting the safety of the men in said mine, but whatever code may be established and in use at any mine, must be conspicuously posted at the top and at the bottom and in the engine room for the information and instruction of all persons concerned.

## WEIGHING AND WEIGHMEN.

§ 24. SCALES.] (a) The operator of every coal mine where miners are paid by the weight of their output, shall provide at such mine suitable and accurate scales of standard manufacture for the weighing of such coal, and a correct record shall be kept of all coal so weighed, and said record shall be open at all reasonable hours to the inspection of miners and others interested in the product of said mine.

WEIGHMAN.] (b) The person authorized to weigh the coal and keep the record as aforesaid shall, before entering upon his duties, make and subscribe to an oath before some person duly authorized to administer oaths, that he will accurately weigh and carefully keep a true record of all coal weighed, and such affidavit shall be kept conspicuously posted at the place of weighing.

CHECK-WEIGHMAN.] (c) It shall be permitted to the miners at work in any coal mine to employ a check-weighman at their option and 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 scales, and be afforded every facility for verifying the weights while the weighing is being done. The check-weighman so employed by the miners, before entering upon his duties, shall make and subscribe to an oath before some person duly authorized to administer oaths, that he will faithfully discharge his duties as check-weighman, and such oath shall be kept conspicuously posted at the place of weighing.

## BOUNDARIES.

§ 25. TEN-FOOT LIMIT.] (a) In no case shall the workings of any mine be driven nearer than ten feet to the boundary line of the coal rights pertaining to said mine, except for the purpose of establishing an underground communication between contiguous mines, as provided for elsewhere in this act.

APPROACHING OLD WORKS.] (b) Whenever the workings of any part of a mine are approaching old workings, believed to contain dangerous accumulations of water or of gas, the operator of said mine must conduct the advances with narrow work, and maintain bore holes at least twenty feet in advance of the face of the work, and such side holes as may be deemed prudent or necessary.

## NOTICE TO INSPECTORS.

§ 26. Immediate notice must be conveyed to the inspector of the proper district by the operator interested:

1. Whenever an accident occurs whereby any person receives serious or fatal injury,
2. Whenever it is intended to sink a shaft, either for hoisting or escapement purposes, or to open a new mine by any process.

3. Whenever it is intended to abandon any mine or to re-open any abandoned mine.

4. Upon the appearance of any large body of fire damp in any mine, whether accompanied by explosion or not, and upon the occurrence of any serious fire within the mine or on the surface.

5. When the workings of any mine are approaching dangerously near any abandoned mine, believed to contain accumulations of water or of gas.

6. Upon the accidental closing or intended abandonment of any passage-way to an escapement outlet.

#### ACCIDENTS.

§ 27. DUTY OF INSPECTOR.] (a) Whenever loss of life or serious personal injury shall occur by reason of any explosion, or of any accident whatsoever, in or connected with any coal mine, it shall be the duty of the person having charge of said mine to report that fact, without delay, to the inspector of the district in which the mine is located, and the said inspector shall, if he deem necessary from the facts reported, and in all cases of loss of life, immediately go to the scene of said accident and render every possible assistance to those in need.

It shall moreover be the duty of every operator of a coal mine to make and preserve for the information of the inspector, and upon uniform blanks furnished by said inspector, a record of all injuries sustained by any of his employés in the pursuance of their regular occupations.

CORONER'S INQUEST.] (b) If any person is killed by any explosion, or other accident, the operator must also notify the coroner of the county, or in his absence or inability to act, any justice of the peace of said county, for the purpose of holding an inquest concerning the cause of such death. At such inquest the inspector shall offer such testimony as he may be possessed of, and may question or cross question any witness appearing in the case.

INVESTIGATION BY INSPECTOR.] (c) The inspector may also make any original or supplemental investigation which he may deem necessary, as to the nature and cause of any accident within his jurisdiction, and shall make a record of the circumstances attending the same, and of the result of his investigations, for preservation in the files of his office. To enable him to make such investigation he shall have the power to compel the attendance of witnesses, and to administer oaths or affirmations to them, and the cost of such investigations shall be paid by the county in which such accident has occurred, in the same manner as the costs of coroners' inquests are paid.

#### MEN ON CAGES.

§ 28. TOP MAN AND BOTTOM MAN.] (a) At every shaft operated by steam power, the operator must station at the top and at the bottom of such shaft, a competent man charged with the duty of attend-

ing to signals, preserving order, and enforcing the rules governing the carriage of men on cages. Said top man and bottom man shall be at their respective posts of duty at least a half hour before the hoisting of coal begins in the morning, and remain for half an hour after hoisting ceases for the day.

LIGHTS ON LANDINGS.] (b) Whenever the hoisting or lowering of men occurs before daylight or after dark, or when the landing at which men take or leave the cage is at all obscured by steam or otherwise, there must always be maintained at such landing a light sufficient to show the landing and surrounding objects distinctly. Likewise, as long as there are men underground in any mine, the operator shall maintain a good and sufficient light at the bottom of the shaft thereof, so that persons coming to the bottom may clearly discern the cage and objects in the vicinity.

SPEED OF CAGES AND OTHER REGULATIONS.] (c) Cages on which men are riding shall not be lifted nor lowered at a rate of speed greater than six hundred feet per minute, except with the written consent of the inspector. No person shall carry any tools, timber or other materials with him on a cage in motion, except for use in repairing the shaft, and no one shall ride on a cage containing either a loaded or empty car. No cage having an unstable or self-dumping platform shall be used for the carriage of men or materials, unless the same is provided with some convenient device by which said platform can be securely locked, and unless it is so locked whenever men or materials are being conveyed thereon. No coal shall be hoisted in any shaft while men are being lowered therein.

RIGHTS OF MEN TO COME OUT.] (d) Whenever men who have finished their day's work, or have been prevented from further work, shall come to the bottom to be hoisted out, an empty cage shall be given them for that purpose, unless there is an available exit by slope or by stairway in an escapement shaft, and providing there is no coal at the bottom ready to be hoisted.

#### SAFETY LAMPS.

§ 29 OPERATOR MUST FURNISH.] (a) At any mine where the inspector shall find that fire-damp is being generated so as to require the use of a safety lamp in any part thereof, the operator of such mine, upon receiving notice from the inspector that one or more such lamps are necessary to the safety of the men in such mine, shall at once procure and keep for use such number of safety lamps as may be necessary.

MINE MANAGER MUST CARE FOR.] (b) All safety lamps used for examining mines or for working therein shall be the property of the operator, and shall remain in the custody of the mine manager, or other competent person, who shall clean, fill, trim, examine and deliver the same, locked and in a safe condition, to the men, upon their request, when entering the mine, and shall receive the same from the men at the end of their shift. But miners shall be responsible for the condition and proper use of safety lamps when in their possession.

## STRETCHERS AND BLANKETS.

§ 30. At every mine where fifty men are employed underground it shall be the duty of the operator thereof to keep always on hand, and at some readily accessible place, a properly constructed stretcher, a woolen and waterproof blanket, and a roll of bandages in good condition and ready for immediate use for binding, covering and carrying any one who may be injured at the mine. When two hundred or more men are employed in any mine, two stretchers and two woolen and two waterproof blankets, with a corresponding supply of bandages, shall be provided and kept on hand. At mines where fire-damp is generated there shall also be provided and kept in store, a suitable supply of linseed or olive oil, for use in case men are burned by an explosion.

## CAUTION TO MINERS.

§ 31. It shall be unlawful for any miner, workman or other person knowingly or carelessly to injure any shaft, safety lamp, instrument, air-course or brattice, or to obstruct or throw open any air-way, or carry any open lamp or lighted pipe or fire in any form into any place worked by the light of safety lamps, or within five feet of any open powder, or to handle or disturb any part of the hoisting machinery, or open any door regulating an air-current and not close the same, or to enter any part of the mine against caution, or to use other than copper needles and copper-tipped tamping bars, or to disobey any order given in pursuance of this act, or to do any willful act whereby the lives or health of persons working in mines or the security of the mine or the machinery thereof is endangered.

§ 32. It shall be the duty of every operator to post, on the engine house and at the pit top of his mine, in such manner that the employés in the mine can read them, rules not inconsistent with this act, plainly printed in the English language, which shall govern all persons working in the mine. And the posting of such notice, as provided, shall charge all employés of such mine with legal notice of the contents thereof.

## PENALTIES.

§ 33. Any willful neglect, refusal or failure to do the things required to be done by any section, clause or provision of this act, on the part of the person or persons herein required to do them, or any violation of any of the provisions or requirements hereof, or any attempt to obstruct or interfere with any inspector in the discharge of the duties herein imposed upon him, or any refusal to comply with the instructions of [of] an inspector given by authority of this act, shall be deemed a misdemeanor punishable by a fine not exceeding five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months or both, at the discretion of the court: *Provided*, that in addition to the above penalties, in case of the failure of any operator to comply with the provisions of this act in relation to the sinking of escapment shafts and the ventilation of mines,

the State's attorney for the county in which such failure occurs, or any other attorney, in case of his neglect to act promptly, shall proceed against such operator by injunction without bond, to restrain him from continuing to operate such mine until all legal requirements shall have been fully complied with.

Any inspector who shall discover that any section of this act, or part thereof, is being neglected or violated, shall order immediate compliance therewith, and in case of continued failure to comply, shall, through the State's attorney, or any other attorney, in case of his failure to act promptly, take the necessary legal steps to enforce compliance therewith through the penalties herein prescribed.

If it becomes necessary, through the refusal or failure of the State's attorney to act, for any other attorney to appear for the State in any suit involving the enforcement of any provision of this act, reasonable fees for the services of such attorney shall be allowed by the board of supervisors, or county commissioners, in and for the county in which such proceedings are instituted.

For any injury to person or property, occasioned by any willful violations of this act, or willful 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 willful violation or willful 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.

#### DEFINITIONS.

§ 34. MINE.] (a) In this act the words "mine" and "coal mine," used in their general sense, are intended to signify any and all parts of the property of a mining plant, on the surface or underground, which contribute, directly or indirectly, under one management, to the mining or handling of coal.

EXCAVATIONS OR WORKINGS.] (b) The words "excavations" and "workings" signify any or all parts of a mine excavated or being excavated, including shafts, tunnels, entries, rooms and working places, whether abandoned or in use.

SHAFT.] (c) The term "shaft" means any vertical opening through the strata which is or may be used for purposes of ventilation or escapement, or for the hoisting or lowering of men and material in connection with the mining of coal.

SLOPE OR DRIFT.] (d) The term "slope" or "drift" means any inclined or horizontal way, opening or tunnel to a seam of coal to be used for the same purposes as a shaft.

OPERATOR.] (e) The term "operator" as applied to the party in control of a mine in this act, signifies the person, firm or body cor-

porate who is the immediate proprietor as owner or lessee of the plant, and, as such, responsible for the condition and management thereof.

INSPECTOR.] (f) The term "inspector" in this act signifies the State Inspector of Mines, within and for the district to which he is appointed.

MINE MANAGER.] (g) The "mine manager" is the person who is charged with the general direction of the underground work, or both the underground and outside work of any coal mine, and who is commonly known and designated as "mine boss," or "foreman," or "pit boss."

MINE EXAMINER.] (h) The "mine examiner" is the person charged with the examination of the condition of the mine before the miners are permitted to enter it, and who is commonly known, and has been designated in former enactments as the "fire-boss."

APPROVED April 18, 1899.

## PARKS AND BOULEVARDS.

### ADDITIONAL TAX FOR PARK PURPOSES.

§ 1. Authorizes additional tax on property within park district for locating and maintaining a public park, boulevard, driveway, etc.

*AN ACT to enable park commissioners to maintain and govern parks, boulevards, driveways, promenades and pleasure grounds under their control.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That persons who have been or may be appointed or otherwise selected as commissioners or officers and constituted a board of public park commissioners for any three towns, under and in pursuance of any act or acts of the General Assembly of this State, which has or have been or may be submitted to the legal voters of such three towns and by them respectively adopted for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway or other public work or improvement shall, in addition to the amount of money now authorized to be raised by any such board by taxation on the property embraced in such park district in such three towns, be allowed a sum not exceeding one and one-half mill on each dollar of taxable property embraced in such park district, according to the valuation of the same, as made for the purpose of State and county taxation by the general assessment last preceding the time when such one and one-half mill tax shall be levied. And the county clerk of the county in which such park district is located, or such other officer or officers, as are by law authorized to spread or assess taxes for park purposes and other purposes, shall, on receiving a certificate from such board of park commissioners that the



amount mentioned in such certificate, not exceeding the amount aforesaid, is necessary for the proper improvement, governance and maintenance of the park property under its control, spread and assess such amount upon the taxable property embraced in such park district the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

APPROVED April 21, 1899.

#### ENLARGEMENT OF PARK SYSTEMS.

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| <p>§ 1. Provides that park commissioners of any three towns may acquire contiguous territory to enlarge park system.</p> | <p>§ 2. Lands—how paid for.</p> |
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*AN ACT to enable park commissioners to alter or enlarge park systems under their control by acquiring additional lands or territory contiguous to or abutting upon any park, boulevard or driveway under the control of such park commissioners, and to pay for the lands and territory thus acquired.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That persons who have been or may be appointed or otherwise selected as commissioners or officers, and constituted a board of public park commissioners for any three towns, under and in pursuance of any act or acts of the General Assembly of this State, which has or have been or may be submitted to the legal voters of such three towns, and by them respectively adopted for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway or any other public work or improvement, who may desire to alter or enlarge the park system under their control by acquiring additional lands or territory abutting upon or contiguous to any public park, boulevard, driveway, highway, pleasure ground or other public work or improvement under their control, are hereby vested with power to take and acquire title to such pieces, parcels or tracts of land as may be necessary for such alteration or enlargement, 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 such park commissioners.

§ 2. Such park commissioners shall have the power to pay for any lands or territory thus acquired out of their general revenues.

APPROVED April 21, 1899.

## LAKE FRONT.

§ 1. Name "Lake Front" changed to "Grant Park."

AN ACT to convey and designating certain submerged lands known as "Lake Front" for park purposes.

WHEREAS, Many Grand Army posts, members of the Grand Army, civic organizations and clubs, and citizens of the city of Chicago, and State of Illinois, have petitioned the General Assembly to name and designate by act, the park which is making and about to be made upon the lake front in the city of Chicago; and

WHEREAS, The title to the land in Chicago, commonly known and designated as the "Lake Front," lying along the lake shore, and extending south of Randolph street, north of Park Row and east of Michigan avenue, and a part of which is yet submerged under the waters of Lake Michigan, but the reclamation of which is contemplated and being now undertaken by the filling in from the present shore line hereafter, is still, we believe, in the State of Illinois; and

WHEREAS, The city of Chicago, by the action of the city council, has formally transferred the possession, care, improvement and management of said "Lake Front" to what is known as the "Board of South Park Commissioners," for the express purpose of establishing a public park and pleasure ground thereon, but the title to which not being vested in said "Board of South Park Commissioners," said board is prevented and delayed from carrying out and perfecting the plans necessary for the proper development and improvement of a public park in said "Lake Front," and in discharging all their obligations and duties in that behalf, as contemplated and planned by said "Board of South Park Commissioners;" and

WHEREAS, There are now in the city of Chicago a number of public parks and squares named, respectively, after such illustrious statesmen, heroes and scientists as Washington, Lincoln, Jackson, Jefferson, Sheridan, Garfield, Douglas, Logan, Dearborn and Humboldt, but not one named after the great, silent soldier of Illinois, U. S. Grant; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the land or lands located in the city of Chicago, county of Cook, State of Illinois, extending south of Randolph street, north of Park Row, and east of Michigan avenue, commonly known and designated as the "Lake Front," shall be, and are hereafter to be, called, designated and known as "Grant Park."

APPROVED April 24, 1899.

## ORGANIZATION OF PARK DISTRICTS AND TRANSFER OF SUBMERGED LANDS.

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| § 1. Amends sections 11, 15, 26 and 38 of the Act of 1895.<br>§ 11. Powers of commissioners—violation of ordinances—police.<br>§ 15. How and what land park districts may acquire | § 26. Duties of town clerk and collector.<br>§ 38. How property may be annexed—election. |
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AN ACT to amend Sections eleven (11), fifteen (15), twenty-six (26), and thirty-eight (38) of an act entitled "An act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections eleven, fifteen, twenty-six and thirty-eight of an act entitled "An act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895, be, and the same are hereby, amended so as to read as follows:

§ 11. POWERS OF COMMISSIONERS—VIOLATION OF ORDINANCES—POLICE.] The commissioners elected in any park district organized under this act shall constitute the corporate authorities of such district and a majority thereof shall constitute a quorum at any meeting thereof. They shall have power to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of said board and of said corporation and for carrying into effect the objects for which said park district is formed. They shall have full power to manage and control all the officers and property of said district, and all parks, boulevards and driveways maintained by such park district, or committed to its care and custody. They may by ordinance regulate and restrain the use by the public or by individuals of any or all such parks, boulevards and driveways, and may exclude therefrom funeral processions, hearses, traffic teams and teaming, and all objectionable travel and traffic, and may prescribe such fines and penalties for the violation of ordinances as they shall deem proper, not exceeding two hundred dollars for any one offense, which fines and penalties may be recovered by suit in the name of such park district before any justice of the peace in the county in which such violation occurred. The procedure in such suits shall be the same as that provided by law for like suits for the violation of ordinances of cities organized under the general laws of this State, and offenders may be imprisoned for non-payment of fines and costs in the same manner as in such cities. All fines when collected shall be paid into the treasury of such park district. In addition to the officers above mentioned, said board of commissioners may employ such engineers, clerks and other employés, including a police

force, as may be required, and may define and prescribe their respective duties and compensation. The park commissioners and all police officers appointed by them shall be conservators of the peace within and upon such parks, boulevards, driveways and property controlled by such park district, and shall have power to make arrests on view of the offense, or upon warrants for violation of any of the penal ordinances of such park districts, or for any breach of the peace, in the same manner as the police in such cities.

§ 15. HOW AND WHAT LAND PARK DISTRICTS MAY ACQUIRE.] Said park district shall have power to acquire by gift, grant or purchase, or by condemnation under the act of eminent domain, any and all real estate, lands, riparian estates or rights, and all other property required or needed for any such park or boulevard, or for extending, adorning or maintaining the same, and located within its territory. When condemnation proceedings are had they shall conform as nearly as practicable to such proceedings by cities and villages as set out in article IX. of chapter 24 of the Revised Statutes of Illinois and any amendments thereto.

§ 26. DUTIES OF TOWN CLERK AND COLLECTOR.] The town clerk and the treasurer of such park district shall perform the duties in regard to the collection of said assessment provided in said article IX. to be performed by the city clerk and the city collector, respectively.

§ 38. HOW PROPERTY MAY BE ANNEXED—ELECTION, ETC.] Territory adjoining and in the same county with any park district organized under this act may be annexed to and become a part of such district in the manner following: Any one hundred legal voters, residents within the territory proposed to be annexed, may petition the county judge of the county wherein land proposed to be annexed lies, to cause the question to be submitted to the legal voters of such park district and of the territory proposed to be annexed whether such territory shall be annexed and become a part of the adjoining park district, and the petition shall set forth the name of the park district and define the limits of the territory proposed to be annexed thereto. Upon the filing of the petition in the office of the county clerk of the county in which such territory is situated, it shall be the duty of the county judge of said county to order an election to be held in the territory proposed to be annexed, and also in said park district, and in such order said judge shall fix the time and place or places when and where the election may be held to determine the question of annexation, and shall name the persons to act as judges of such election, and shall give twenty days' notice thereof by causing notice to be posted in five public places within the territory proposed to be annexed, and also in five public places within such park district. The ballot to be used at such election shall be in the following form:

“For annexation”——

“Against annexation”——

The judges at such election shall make return thereof to the county judge, who shall canvass such returns and cause a statement of the

result of such election to be entered upon the records of the county court, a certified copy of which record shall be by said commissioners spread upon the records of said park district. If a majority of the votes cast upon that question at such election in the territory proposed to be annexed shall be for annexation, and also if a majority of the votes cast upon that question in the park district shall be for annexation, then said adjoining territory shall thenceforth become and be a part of such district the same as though originally included therein.

APPROVED April 22, 1899.

## RAILROADS.

### ACT IN REGARD TO STREET RAILROADS.

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| <p>§ 1. Eminent domain—how operated.</p> <p>§ 2. Compensation for property taken or damaged.</p> <p>§ 3. Location of road—consent—notice—damages.</p> | <p>§ 4. Control of street preserved—police powers.</p> <p>§ 5. Repeals Acts of 1874 and 1897.</p> <p>§ 6. Emergency.</p> |
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AN ACT *entitled an act in regard to street railroads, and to repeal certain acts herein referred to.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any company which has been or shall be incorporated under the general laws of this State for the purpose of constructing, maintaining or operating any horse, dummy or street railroad or tramway, may enter upon and appropriate any property necessary for the construction, maintenance and operation of its road, and all necessary siding, side tracks and appurtenances, and may, subject to the provisions contained in this act, locate and construct its road upon and over any street, alley, road or highway, or across or over any waters in this State, in such manner as not to unnecessarily obstruct the public use of such street, alley, road or highway, or interrupt the navigation of such waters: *Provided*, every such street railway may be operated by animal, cable, electric or any other motive power that may have been or shall hereafter be granted to it by the proper public officers or authorities, except steam locomotive engines.

§ 2. When it is necessary for the construction, maintenance or operation of such road, or the necessary sidings, side tracks or appurtenances, to take or damage private property, the same may be done, and the compensation therefor may be ascertained and made in the manner which may be then provided by law for the exercise of the right of eminent domain.

§ 3. No such company shall have the right to locate or construct its road upon or along any street or alley, or over any public ground in any incorporated city, town or village without the consent of the

corporate authorities of such city, town or village, nor upon or along any road or highway, or upon any public ground without any incorporated city, town or village, except upon the consent of the county board. Such consent may be granted for any period not longer than twenty years, on the petition of the company, upon such terms and conditions not inconsistent with the provisions of this act, as such corporate authorities or county board, as the case may be, shall deem for the best interests of the public: *Provided*, no such consent shall be granted unless at least ten days' public notice of the time and place of presenting such petition shall have been first given by publication in some newspaper published in the city or county where such road is to be constructed, and except upon the condition that the company will pay all damages to owners of property abutting upon the street, alley, road, highway or public ground upon or over which such road is to be constructed, which they may sustain by reason of the location or construction of the road; the same to be ascertained and paid in the manner provided by law for the exercise of the right of eminent domain.

§ 4. Every grant to any such company of a right to use any street, alley, road, highway or public ground shall be subject to the right of the proper authorities to control the use, improvement and repair of such street, alley, road, highway or public ground, to the same extent as if no such grant had been made, and to make all necessary police regulations concerning the management and operation of such railroad, whether such right is reserved in the grant or not.

§ 5. That an act entitled "An act in regard to horse and dummy railroads," approved March 19, 1874, and in force July 1, 1874; an act entitled "An act to amend the title and sections one (1) and three (3) of an act entitled 'An act in regard to horse and dummy railroads,'" approved June 9, 1897, in force July 1, 1897, and all acts or parts of acts inconsistent herewith are hereby repealed.

§ 6. WHEREAS, the public interests require that this act take effect immediately, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED March 7, 1899.

#### TRAINS TO STOP AT COUNTY SEATS.

§ 1. Amends section 25, Act of 1874, as amended 1879. | § 25. Stopping passenger trains at county seats.

AN ACT to amend Section 25 of "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874, as amended by an act 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 section 25 of an act entitled, "An act in relation to fencing and operating railroads,"

approved March 31, 1874, in force July 1, 1874, as amended by an act approved May 29, 1879, in force July 1, 1879, be amended so as to read as follows:

§ 25. Every railroad corporation shall cause its passenger trains to stop upon its arrival at each station advertised by such corporation as a place for receiving and discharging passengers, upon and from such trains, a sufficient length of time to receive and let off such passengers with safety: *Provided*, all regular passenger trains shall stop a sufficient length of time at the railroad stations of county seats, to receive and let off passengers with safety: *But, provided further*, that where three (3) regular passenger trains each way each day are so stopped at the railroad stations of county seats on any division of any railroad in this State, it shall be lawful for not more than two through express or mail passenger trains carrying mail or express and passengers from one state to another, each way each day, to pas sthrough the railroad stations of the county seats on such division in this State without stopping.

APPROVED April 11, 1899.

## REFORMATORY, STATE.

### PAROLE SYSTEM.

§ 1. Amends sections 16 and 17 of the Act of 1891.

§ 16. Board of managers may permit prisoners to go on parole if arrangements have been made for six months' useful employment.

§ 17. Duties of board of managers—superintendent to keep record of name, age, nationality, etc.—physician to examine prisoner on admission and keep record of examination—treatment of prisoner violating conditions of parole.

AN ACT to amend Sections 16 and 17 of an act entitled, "An act to establish the Illinois State Reformatory and making an appropriation therefor," approved June 18, 1891, in force July 1, 1891.

Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 16 and 17 of an act entitled, "An act to establish the Illinois State Reformatory and making an appropriation therefor," approved June 18, 1891, in force July 1, 1891, be amended so as to read as follows:

§ 16. The said board of managers shall have power to establish rules and regulations under which prisoners within the reformatory may be allowed to go upon parole outside of the reformatory building and inclosure, but to remain while on parole in the legal custody and under control of the board of managers; and subject at any time to be taken back within the inclosure of said reformatory; and full power to enforce such rules and regulations, to re-take and reimprison any inmate so upon parole is hereby conferred upon said board. The warrant of the superintendent, with the seal of the reformatory attached thereto, shall be a sufficient warrant for the officer

named in it to authorize such officer to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute said warrant the same as ordinary criminal process: *Provided*, that no prisoner shall be released on parole until the said board of managers shall have satisfactory evidence that arrangements have been made for his honorable and useful employment for at least six months while upon parole in some suitable occupation.

§ 17. It shall be the duty of said board of managers to adopt such rules concerning all prisoners committed to their custody as shall prevent them from returning to criminal courses, best secure their self-support and accomplish their reformation. When any prisoner shall be received into said reformatory, the general superintendent shall cause to be entered into a register the date of such admission, the name, age, nativity, nationality, with such other facts as can be ascertained of parentage, education, occupation and early social influences as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and, based upon these, an estimate of the present condition of the prisoner and the best probable plan of treatment. And the physician of said reformatory shall carefully examine each prisoner when received, and shall enter in a register to be kept by him the name, nationality or race, the weight, stature and family history of each prisoner; also a statement of the condition of the heart, lungs and other leading organs, the rate of the pulse and respiration, the measurement of the chest and abdomen, and any existing disease or deformity or other disability acquired or inherited. Upon the general superintendent's register shall be entered, from time to time, minutes of observed improvement or deterioration of character and notes as to methods and treatment employed; also all alterations affecting the standing or situation of such prisoner and any subsequent facts or personal history which may be brought officially to his knowledge, bearing upon the question of the parole or final release of said prisoner. And it is hereby provided that if any prisoner on parole shall violate the conditions of his parole or conditional release (by whatever name) as affixed by the managers, he shall thereafter be treated as an escaped prisoner owing service to the State, and shall be liable, when arrested, to serve out the unexpired term of his maximum possible imprisonment, and the time from the date of his declared delinquency to the date of his arrest shall not be counted as any part or portion of time served. And any prisoner at large, upon parole or conditional release, who shall commit a fresh crime, and upon conviction thereof, shall be sentenced anew to the reformatory or penitentiary, shall be subject to serve the second sentence after the first sentence is served or annulled, said second sentence to commence from the termination of his liability upon the first or former sentence.

APPROVED April 21, 1899.



## REVENUE.

## APPOINTMENT OF DEPUTY ASSESSORS.

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| <p>§ 1. Amends section 6 of the Act of 1898,</p> <p>§ 6. Deputy assessors—number, term of office, duties, compensation—county treasurer of certain counties to pay deputies—map and plats to be kept in office.</p> | <p>§ 2. Emergency.</p> |
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AN ACT to amend Section 6 of an act entitled "An act for the assessment of property, and providing the means therefor" and to repeal a certain act therein named, approved February 25, 1898.

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 for the assessment of property, and providing the means therefor," and to repeal a certain act therein named, approved February 25, 1898, in force July 1, 1898, be amended to read as follows:

§ 6. The board of assessors shall have power to appoint as many suitable persons as in their judgment are necessary to act as deputies, subject to the approval of the board of review as to the number and time of service of such deputies to assist them in making the assessment, who shall perform such duties as may be assigned to them by the board of assessors. They shall hold their office during the will of the board of assessors, and shall receive such compensation as shall be determined by the the board not exceeding five dollars (\$5.00) per day: *Provided*, that the assessors and deputy assessors of counties of one hundred and twenty-five thousand inhabitants or over shall be paid for their services out of the county treasury. Such deputy assessors shall before entering upon their duties take and subscribe the oath or affirmation prescribed for the assessors.

The board of assessors shall have power and authority to make and purchase such maps and plats as will facilitate the business of their office, which maps and plats shall always be and remain in their office, and shall be open and accessible to the public.

§ 2. WHEREAS, an emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.

APPROVED April 24, 1899.

## GENERAL LEVY FOR STATE PURPOSES.

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| § 1. Provides for the levying of \$3,300,000 per annum for "revenue fund" and \$1,000,000 per annum for "State school fund." | § 2. Governor and Auditor to compute rates per cent. |
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AN ACT to provide for 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 the State, the following sums for the purposes hereinafter set forth:

For general State purposes, to be designated "revenue fund," the sum of three million three hundred thousand (3,300,000) dollars upon the assessed value of property for the year A. D. 1899; three million three hundred thousand (3,300,000) dollars upon the assessed value of property for the year A. D. 1900; and for State school purposes, to be designated "State school fund," the sum of one million (1,000,000) dollars upon the assessed taxable property for the year A. D. 1899, and the sum of one million (1,000,000) dollars upon the assessed taxable property for the year A. D. 1900, 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 April 24, 1899.

## ROADS AND BRIDGES.

## CHANGING BOUNDARIES OF ROAD DISTRICTS

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| <p>§ 1. Enacting clause.</p> <p>§ 116. County commissioners given power to change boundaries of road districts.</p> <p>§ 117. Incorporated cities, towns and villages excluded from all districts unless by ordinance they elect to be included.</p> | <p>§ 2. Emergency.</p> |
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AN ACT to amend Section 1 of an act entitled, "An act to amend an act entitled '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,' approved May 4, 1887, and in force July 1, 1887, by adding thereto sections to be numbered 116 and 117," approved June 18, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "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," approved May 4, 1887, and in force July 1, 1887, be amended by adding thereto sections to be numbered:

§ 116. The board of county commissioners of each county shall have full and complete power and jurisdiction to alter the boundaries of road districts and to change road district lines in their respective counties to suit the convenience of the inhabitants residing therein, but no such change shall be made under the provisions of this act unless at least twenty of the legal voters of such road district shall petition for such alteration or change; nor shall such alteration or change be made by such board of county commissioners without notice thereof having been given by posting up notices in not less than five of the most public places in each of the several road districts interested in such proposed alterations or changes.

§ 117. That hereafter all incorporated cities, towns and villages shall be excluded from all road districts now formed or to be formed in counties not under township organization in this State. *Provided*, however, that such incorporated cities, towns and villages, in counties not under township organization, may by ordinance elect to be included in such districts. Upon the filing with the county clerk of such county a copy of such ordinance, it shall be the duty of the county board of commissioners, at their first session thereafter, to create such city, town or village into a road district, or to make it a part of some road district already formed.

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

APPROVED April 24, 1899.

## CONSTRUCTION OF BRIDGES AND CULVERTS.

- § 1. Constructed so as to sustain a weight of 100 pounds to the square foot. | § 2. Penalty.

AN ACT to regulate the construction of bridges and culverts.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That it shall be unlawful hereafter to construct any bridge or culvert over any ravine, creek or river upon a public highway or street in any town, county or city in this State, unless such bridge or culvert shall have the capacity of sustaining a weight of at least one hundred pounds to the square foot.

§ 2. Any person who shall violate section 1 of this act shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not to exceed two hundred dollars.

APPROVED April 21, 1899.

## CONSTRUCTION OF BRIDGES ON COUNTY LINES.

- § 1. Amends section 21, Act of 1883. | § 21. Bridges over streams between counties or towns—how built—courts may compel county to make appropriation.

AN ACT to amend Section 21 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,*" 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 21 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,*" approved June 23, 1883, in force July 1, 1883, be amended to read as follows:

§ 21. Bridges over streams which divide towns or counties, and bridges over streams on roads on county or town lines, shall be built and repaired at the expense of such towns or counties. And all bridges over streams which form the boundary line between two counties, when the cost of constructing the same shall be \$5,000 or over, shall be built by the counties respectively which are so divided by said stream in the proportion that the taxable property in each county respectively bears to each other according to its assessed value as equalized at the time of constructing such bridge. And when any county desires to build a bridge across any stream which is the boundary line between such county and another county, and the cost of such bridge will equal or exceed \$5,000, and the county desiring to construct such bridge has appropriated its share of the cost of constructing the same, then it shall be the duty of such other county to make an appropriation for its proportion of the cost of said bridge

on the basis of the assessed value of the property, real and personal, of each of said counties according to the last preceding assessment thereof as equalized, and if such other county fails or refuses to make an appropriation for its proper proportion of the cost of constructing such bridge, any court of competent jurisdiction shall issue an order to compel such county to make such appropriation upon a proper petition for that purpose, and the cost and expense of maintaining and keeping the same in repair after the same is built and constructed shall be borne in the proportion of the assessed value of the property in each of said counties according to the latest equalized assessment thereof: *Provided*, that for the building and maintaining of bridges over streams near county or town lines in which both are interested and where the cost thereof is less than \$5,000, the expense of building and maintaining any such bridges shall be borne by both counties or towns in such portion as shall be just and equitable between said towns 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 22 of this act.

APPROVED April 12, 1899.

#### ITINERANT CAMPING ON PUBLIC HIGHWAYS.

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| <p>§ 1. Feeding stock, or temporary camping on highways exceeding twelve hours in one township, prohibited.</p> <p>§ 2. Declared a public nuisance.</p> | <p>§ 3. Complaint and penalty.</p> <p>§ 4. Levy on and sale of stock.</p> <p>§ 5. Disposition of fines.</p> |
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#### AN ACT *in regard to itinerant camping on public highways.*

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 itinerant person or persons on any public highway in this State to either hitch or turn loose any stock, cows, horses or other animals for purpose of feeding same, or for purpose of temporary camping on such public highways of this State for a period to exceed twelve hours in any one township.

§ 2. Any person or persons so found camping on or alongside the public highways of this State, or found feeding any stock, as heretofore designated, along said public highways, shall be deemed and hereby declared a public nuisance.

§ 3. Any legal voter or resident of this State may enter complaint before any justice of the peace for this State against any person or persons found violating the preceding sections of this act and it shall be the duty of such justice of the peace to issue his warrant for the arrest of such violators and have them brought forthwith before said justice of the peace for examination, and if found guilty of such violation as charged, shall be fined in a sum not less than ten

dollars (\$10.00) or exceeding fifty dollars (\$50.00) for each such offense, or committed to the county jail not exceeding thirty days, at the discretion of such justice of the peace.

§ 4. Upon failure to pay such fine as may be assessed as above provided, execution may be issued and immediate levy made upon the stock of such violators and the same sold to the highest bidder at public auction, as is provided in other levies and sales under execution.

§ 5. All funds collected under this act shall be turned over to the treasurer of the commissioners of highways of the town or township wherein such violation occurs, to be expended upon the roads and bridges of said township.

APPROVED April 21, 1899.

#### HIGH WATER ROADS IN COUNTIES NOT UNDER TOWNSHIP ORGANIZATION.

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| <p>§ 1. Special tax to build or repair high water roads—election—tax rate—board of county commissioners to make appropriation—anticipation warrants—interest on warrants.</p> <p>§ 2. Warrants not to be sold below par.</p> <p>§ 3. Plat of road—filing—estimate of cost.</p> <p>§ 4. Vote upon proposition.</p> <p>§ 5. Roads to be under control of board of county commissioners.</p> <p>§ 6. Extending taxes.</p> | <p>§ 7. County collector—duties.</p> <p>§ 8. County treasurer—duties.</p> <p>§ 9. Warrants signed by county commissioners.</p> <p>§ 10. Money to be expended only on high water roads.</p> <p>§ 11. Special election—notice—contents—posting.</p> <p>§ 12. County tax now authorized not affected.</p> <p>§ 13. Emergency.</p> |
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*AN ACT to enable counties not under township organization to levy taxes by a vote of the electors thereof, not in excess of one-half per cent annually for a period not exceeding ten years, to build, raise or repair roads upon or over land subject to overflow or inundation from water from a navigable river or rivers or over or upon land lying below flood line of such rivers, and to issue anticipation warrants upon such taxes.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That when a vote is taken at any regular or special election in any county not under township organization resulting in a majority of the legal votes cast at such election being for a tax to build, raise or repair a road or roads, wholly or in part, over or upon land subject to overflow or inundation by headwater, backwater or seipe water from any navigable river or wholly or in part over or upon land below the flood line of such river or rivers, such tax not exceeding the rate of one-half per cent per annum to be levied annually for a period not exceeding ten years on the taxable property in such county not under township organization as now contain such roads as aforesaid, or in which it may be necessary to build such roads, it shall be lawful by an order

of the board of county commissioners of such county, signed by the chairman and at least one other member of the board to make an appropriation of the taxes so authorized by such vote; and it shall be lawful for said board of county commissioners to make an order levying such taxes for the whole period so authorized by such vote to be annually extended and to draw anticipation warrants thereon to the amount that such levy would produce, based on the assessment of the preceding year upon taxable property in such county. Such warrants shall draw interest at not to exceed the rate authorized by the vote taken and not to exceed 7 per cent per annum.

§ 2. Such warrants drawn as herein provided shall not be sold below par.

§ 3. It shall be the duty of the board of county commissioners before submitting the question of building, raising or repairing such road or roads to have prepared by a competent surveyor a plat upon which shall be plainly designated what road or parts of roads are to be raised or repaired and the route of any new road or addition to a road to be built, and such plat shall be filed in the office of the county clerk, together with an estimate by a competent engineer of the probable cost of the contemplated work, which plat and estimate shall at all reasonable hours be subject to inspection by any citizen of the county.

§ 4. The county clerk shall in submitting such question, designate in some suitable words, as near as may be, the substance of the substance of the proposition upon which a vote is to be taken, and the ballot shall be arranged so that a vote may be cast for or against such proposition. The vote upon the proposition shall be taken in the manner and under the law governing the election of road district officers in counties not under township organization.

§ 5. Such road or roads built, raised or repaired, as herein provided, shall be under the control of the board of county commissioners, and said board shall have charge of all work upon such roads to be built, raised or repaired under the provisions of this act: *Provided*, that the county board may, at any time after the completion of the work undertaken under the provisions of this act, by order of that body, place the road or roads so built, raised or repaired, under the control and management of the commissioners of highways of the road district in which the road is located.

§ 6. It shall be the duty of the county clerk of the county in which a tax, as herein provided for, is to be levied, to annually extend each year such taxes when an order is certified to him by the board of county commissioners making such levy, and such tax is to be extended at the rate fixed in such order not exceeding one-half per cent and not exceeding ten years, and to extend the same in a separate column designated "high-water road tax."

§ 7. It shall be the duty of the collector of taxes of such county, not under township organization, when he receives moneys levied as a "high-water road tax" to pay the county treasurer every two weeks

all moneys that may be in his hands as collector of such tax, informing such treasurer in writing that the same is "high-water road tax," and taking receipt for the same.

§ 8. It shall be the duty of the county treasurer of such county to receive from the collector of taxes moneys raised for such purposes, and in the manner specified, and pay the same out as rapidly as possible, only on warrants issued thereon, as herein provided, so long as such warrants remain unpaid.

§ 9. All warrants drawn against such fund shall be signed by the three members of the board of county commissioners: *Provided*, that in case of a vacancy in the said board of county commissioners the signature of two members of said board to said warrants shall be sufficient.

§ 10. All moneys collected under the provisions of this act shall be expended by the board of county commissioners of the county voting such tax and for the sole purpose of building, raising or repairing roads, wholly or in part upon or over land subject to overflow or inundation by the headwater, back water or seipe water from a navigable river, or wholly or in part over or upon land lying below the flood line of such river.

§ 11. The board of county commissioners of counties not under township organization and containing territory subject to inundation or overflow by the waters of a navigable river or rivers, or lying below the flood line of such river or rivers, upon or over which it may be desired to build, repair or raise roads, may, not less than sixty days after this act goes into effect, order a special election for the purpose of submitting to the legal voters of the county the question of the levy of the tax, as hereinbefore set forth, and the board of county commissioners shall give at least twenty days' notice of such special election, which notice shall contain the proposition to be voted upon, and such notice shall be posted in the manner now provided by law for the posting of notices for general elections.

§ 12. Such tax so authorized shall still permit the levy of the 75 cents per \$100 valuation now authorized to be levied for county purposes annually as heretofore.

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

APPROVED April 24, 1899.



## PRIVATE LETTING OF CONTRACTS.

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| § 1. Amends section 27 of the Act of 1883.<br>§ 27. Public lettings—rejection of bids—<br>provides for private lettings in<br>cases of emergency. | § 2. Repeal. |
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AN ACT to amend Section 27 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," 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 27 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," approved June 23, 1883, in force July 1, 1883, be, and is hereby, amended to read as follows:

§ 27. At any such public letting, as provided in the two preceding sections, the commissioners of highways, or where county aid is furnished, the joint board of commissioners and county committee, shall have the right to reject any and all bids if they deem it to the best interests of the town, and may thereafter re-advertise and let at public letting; or if, because emergency, they deem it advisable, they may, without further advertising, proceed to let and contract at private letting: *Provided*, such private letting shall be made at an amount or rate not exceeding ninety per cent of that of the lowest responsible bid made and rejected at the prior public letting or bidding; and all work, material or articles so contracted for shall be of an equal or superior grade or quality to that required by the specifications of the said prior public letting, and no contract so made either at public or private letting shall be considered as let unless the contractor shall, within ten days after the letting, enter into contract and file bond, etc. (as provided in the original act.)

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

APPROVED April 24, 1899.

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 SCHOOLS.
 

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## COUNTY SUPERINTENDENTS.

- § 1. Manner of filling vacancies in the office of county superintendent of schools.

AN ACT to amend Section 8 of Article 2 of an act entitled "An act to establish and maintain a system of free schools," approved and in force May 21, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 8 of article 2 of an act entitled "An act to establish and maintain a system of free

schools," approved and in force May 21, 1889, be, and the same is hereby, so amended as to read as follows:

§ 8. When the office of county superintendent of schools shall become vacant by death, resignation, the removal of the incumbent by the county board or otherwise, the county board shall fill the vacancy by appointment, and the person so appointed shall hold his office until the next election of county officers, at which election the county board shall order the election of a successor: *Provided*, that if a vacancy shall not be filled by the county board within thirty days of the time the vacancy occurs by reason of a tie vote of said board upon the vote to fill the vacancy, or from any other cause, then it shall be the duty of the clerk to the county board to summons the county judge of the county in which the vacancy exists to meet with the county board at a time and place to be designated by the clerk, of which meeting the members of the county board shall have notice; and said county board and county judge, when so notified, shall meet at the time and place designated, of [at] which meeting the county judge shall preside, and in case of a tie vote he shall give the casting vote. Upon the appointment of a person to fill the vacancy of county superintendent of schools, the clerk of the county board shall notify the person so selected and appointed by the board of his selection and appointment, and he shall hold his office until the next election of county officers, at which election the county board shall order the election of a successor.

APPROVED April 22, 1899

#### EXAMINATIONS OF TEACHERS.

§ 1. Enacting of clause.

§ 29. Grants boards of education in certain cities power to examine teachers and issue certificates—payment of examination fee.

§ 2. Repeal.

AN ACT to amend Article 6 of an act entitled, "An act to establish and maintain a system of free schools," approved and in force May 21, 1889, by adding thereto a new section to be known as Section 29.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That article 6 of an act entitled, "An act to establish and maintain a system of free schools," approved and in force May 21, 1889, be, and the same is hereby, amended by adding thereto a new section to be known as section 29, as follows:

§ 29. Boards of education in all cities having but one board exercising jurisdiction over the schools of the district of which said city may be a whole or part and having a population exceeding thirty thousand and not exceeding one hundred thousand inhabitants as shown by the last preceding federal or school census, shall

have power to examine all persons offering themselves as candidates for teachers, and, when found well qualified, to give them certificates. Any such certificate shall be held to authorize the teacher having the same to teach only in the schools of such district, and to entitle such teacher to receive compensation therefor from the public school fund. The examination herein provided for shall in every case extend to and include all the branches enumerated in the examination now, or which shall be hereafter required by general law to be given by county superintendents, and shall not be construed so as to dispense with the teaching in the public schools of this State of any study which is now or may hereafter be prescribed by general law. Every applicant for a teacher's certificate shall pay to the board of education the fees which may be required to be paid to county superintendents by general law, and said board shall transmit the same monthly to said county superintendents.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

APPROVED April 24, 1899.

IN CITIES UNDER SPECIAL CHARTER.

§ 1. Control and government of schools annexed to cities having a population of less than 20,000.

§ 2. Tax levy for school purposes in annexed territory.

AN ACT giving cities organized under special charters and having the government of public schools under such charters, the government of public schools in any territory annexed to said cities, with the right to levy and assess taxes for school purposes against the property in said territory so annexed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cities in this State, having a population of less than twenty thousand, and incorporated under any special law, whose public or common schools within the corporate limits of said city are governed by virtue of such special acts, where any territory has been heretofore, or may hereafter be annexed to said city for general corporate purposes, such territory so annexed shall be included in, and shall be subject to the control and government of, said cities for school purposes upon petition signed by a majority of the legal voters in the territory to be annexed as fully and to the same extent as if the said territory were originally within the corporate limits of said city as created by such special acts, and said territory, when so annexed, shall thereby become disconnected from any school district to which, prior to such annexation, it may have been connected or belonged.

§ 2. All cities referred to in section 1 of this act shall have the right to levy, assess and collect taxes for school purposes in the territory so annexed, in the same manner, and as fully and to the same extent as the said cities may now have said right over the territory comprised within the original corporate limits of said cities.

APPROVED April 12, 1899.

## PARENTAL OR TRUANT SCHOOLS.

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| <p>§ 1. Provides for establishment of parental or truant schools in certain cities within two years.</p> <p>§ 2. Establishment of—purchase of site, construction of buildings, or renting premises for schools—board of education to furnish schools with furniture, fixtures, etc.</p> <p>§ 3. Board of education—employment of superintendent, teachers, etc.—duties of board.</p> <p>§ 4. Religious exercises.</p> <p>§ 5. Truant officer or agent—duties—petitioning court to inquire into the case of a child not attending school—contents of petition—hearing—no child committed who has ever been confined in a penal institution.</p> <p>§ 6. Clerk of court to issue writ for bringing child into court—notice of hearing to parent or guardian.</p> | <p>§ 7. Parent or guardian to furnish clothing—in case of failure so to do the board of education may provide same and have action against parent or guardian.</p> <p>§ 8. Parole of children to attend other schools.</p> <p>§ 9. Person having charge of school attended by any paroled child to report its conduct once each month—final discharge.</p> <p>§ 10. Violations of parole—penalty.</p> <p>§ 11. Court may commit incorrigible child to juvenile reformatory.</p> <p>§ 12. Cities of over 25,000 and less than 100,000 may establish schools—question submitted to vote.</p> |
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*AN ACT to enable boards of education or boards of school trustees to establish and maintain parental or truant schools.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in cities having a population of 100,000 inhabitants or more, there shall be established, maintained and conducted, within two years from the date of taking effect of this act, one or more parental or truant schools for the purpose of affording a place of confinement, discipline, instruction and maintenance of children of compulsory school age who may be committed thereto in the manner hereinafter provided.

§ 2. For the purpose of establishing such school or schools, sites may be purchased and buildings constructed or premises rented in the same manner as is provided for in the case of public schools in such cities; but no such school shall be located at or near any penal institution. And it shall be the duty of the board of education to furnish such schools with such furniture, fixtures, apparatus and provisions as may be necessary for the maintenance and operation thereof.

§ 3. The board of education may also employ a superintendent and all other necessary officers, agents and teachers; and shall prescribe the methods of discipline and the course of instruction; and shall exercise the same powers and perform the same duties as is prescribed by law for the management of other schools.

§ 4. No religious instruction shall be given in said school except such as is allowed by law to be given in public schools; but the board of education shall make suitable regulation so that the inmates may

receive religious training in accordance with the belief of the parents of such children, either by allowing religious services to be held in the institution or by arranging for attendance at public service elsewhere.

§ 5. It shall be the duty of any truant officer or agent of such board of education to petition, and any reputable citizen of the city may petition, the county or circuit court of the county, to inquire into the case of any child of compulsory school age who is not attending school, and who has been guilty of habitual truancy, or of persistent violation of the rules of the public school, and the petition shall also state the names, if known, of the father and mother of such child, or the survivor of them; and if neither father nor mother of such child is living, or can not be found in the county, or if their names can not be ascertained, then the name of the guardian if there be one known; and if there be a parent living whose name can be ascertained, or a guardian, the petition shall show whether or not the father or mother or guardian consents to the commitment of such child to such parental or truant school. Such petition shall be verified by oath upon the belief of the petitioner, and upon being filed the judge of the county or circuit court shall have such child named in the petition brought before him for the purpose of determining the application in said petition contained. But no child shall be committed to such school who has ever been convicted of any offense punishable by confinement in any penal institution.

§ 6. Upon the filing of such petition the clerk of the court shall issue a writ to the sheriff of the county directing him to bring such child before the court, and if the court shall find that the material facts set forth in the petition are true, and if, in the opinion of the court, such child is a fit person to be committed to such parental or truant school, an order shall be entered that such child be committed to such parental or truant school, to be kept there until he or she arrives at the age of fourteen years unless sooner discharged in the manner hereinafter set forth. Before the hearing aforesaid notice in writing shall be given to the parent or guardian of such child, if known, of the proceedings about to be instituted, that he or she may appear and resist the same if they so desire.

§ 7. It shall be the duty of the parent or guardian of any child committed to this school to provide suitable clothing upon his or her entry into such school and from time to time thereafter as it may be needed, upon notice in writing from the superintendent or other proper officer of the school. In case any parent or guardian shall refuse or neglect to furnish such clothing, the same may be provided by the board of education, and such board may have an action against such parent or guardian of said child to recover the cost of such clothing with 10 per cent additional thereto.

§ 8. The board of education of such city shall have power to establish rules and regulations under which children committed to such parental or truant school may be allowed to return home upon parole, but to remain while upon parole in the legal custody and un-

der the control of the officers and agents of such school, and subject at any time to be taken back within the enclosure of such school by the superintendent or any authorized officer of said school except as hereinafter provided; and full power to enforce such rules and regulations to retake any such child so upon parole is hereby conferred upon said board of education. No child shall be released upon parole in less than four weeks from the time of his or her commitment, nor thereafter until the superintendent of such parental or truant school shall have become satisfied from the conduct of such child that, if paroled, he or she will attend regularly the public or private school to which he or she may be sent by his or her parents or guardian, and shall so certify to the board of education.

§ 9. It shall be the duty of the principal or other person having charge of the school to which such child so released on parole may be sent to report at least once each month to the superintendent of the parental or truant school, stating whether or not such child attends school regularly and obeys the rules and requirements of said school; and if such child so released upon parole shall be regular in his or her attendance at school and his or her conduct as a pupil shall be satisfactory for a period of one year from the date which he or she was released on parole, he or she shall then be finally discharged from the parental or truant school, and shall not be recommitted thereto except on petition as hereinbefore provided.

§ 10. In case any child released from said school upon parole, as hereinbefore provided, shall violate the conditions of his or her parole at any time within one year thereafter, he or she shall upon the order of the board of education, as hereinbefore provided, be taken back to such parental or truant school and shall not be again released upon parole within the period of three months from the date of such re-entering; and if he or she shall violate the conditions of a second parole he or she shall be recommitted to such parental or truant school and shall not be released therefrom on parole until he or she shall remain in such school at least one year.

§ 11. In any case where a child is found to be incorrigible and his or her influence in such school to be detrimental to the interests of the other pupils, the board of education may authorize the superintendent or any officer of the school to represent these facts to the circuit or county court by petition, and the court shall have authority to commit said child to some juvenile reformatory.

§ 12. Boards of education in cities having a population of over 25,000 and less than 100,000 may establish, maintain and operate a parental or truant school for the purposes hereinbefore specified, and, in case of the establishment of such a school, the boards of education shall have like power in their respective cities as is hereinbefore expressed: *Provided*, that no board of trustees or board of education under this section shall put this law into effect until submitted to a vote of the people and adopted by a majority vote at some general election.

APPROVED April 24, 1899.

## PURCHASE OF SCHOOL BUILDINGS AND SITES.

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| <p>§ 1. Amends sections 21, 25 and 26 of article 6 of the Act of 1889.</p> <p>§ 21. Powers and duties of board, with the concurrence of the city council, defined.</p> <ol style="list-style-type: none"> <li>1. To erect and purchase buildings for schools.</li> <li>2. To buy or lease sites.</li> <li>3. To issue bonds for building and purchasing sites—to borrow money on credit of city.</li> </ol> | <p>§ 25. Title to vest in city in trust—sale of.</p> <p>§ 26. Moneys shall be held by city treasurer as a special fund, subject to the order of the board of education.</p> |
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AN ACT to amend Sections twenty-one (21), twenty-five (25) and twenty-six (26), of Article 6, of "An act to establish and maintain a system of free schools," approved May 21, A. D. 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections twenty-one (21), twenty-five (25) and twenty-six (26), of article 6, of "An act to establish and maintain a system of free schools," approved May 21, A. D. 1889, be amended so that they shall respectively read as follows:

§ 21. The said board of education shall have charge and control of the public schools in such cities and shall have power with the concurrence of the city council:

First—To erect or purchase buildings suitable for school houses and keep the same in repair.

Second—To buy or lease sites for school houses with the necessary grounds. If said board of education shall be unable to agree with the owner or owners for the purchase of such site, then, with the concurrence of the city council, it may acquire the title to said site in the manner that may be now or hereafter provided for by any law of eminent domain. Such proceedings to condemn shall be in the name of said city in trust for the use of the schools.

Third—To issue bonds for the purpose of building, furnishing and repairing school houses, for purchasing sites for the same, and to provide for the payment of said bonds, to borrow money for school purposes upon the credit of the city.

§ 25. All conveyances of real estate shall be made to, and the title of all such as shall be acquired by condemnation shall rest in, the city in trust for the use of the schools, and no sale of real estate or interest therein used for school purposes or held in trust for schools shall be made, except by the city council upon the written request of such board of education.

§ 26. All moneys raised by taxation for school purposes or received from the State common school fund, or from any other source for school purposes, shall be held by the city treasurer as a special fund for school purposes, subject to the order of the board of educa-

tion, upon warrants to be countersigned by the mayor and city comptroller, if there shall be any city comptroller appointed, if not, then by the city clerk.

APPROVED April 22, 1899.

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TAX LEVY FOR SCHOOL PURPOSES.

<p>§ 1. Amends article 8, section 202, of the Act of 1889.</p>	<p>§ 202. Tax rate for ordinary and building purposes—limitation.</p>
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AN ACT to amend Article VIII., Section 202,\* of an act entitled "An act to establish and maintain a system of free schools," approved and in force May 21, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Article VIII., section 202,\* of an act entitled "An act to establish and maintain a system of free schools," approved and in force May 21, 1889, be, and the same is hereby, amended so as to read as follows:

§ 202.\* MAY LEVY TAX ANNUALLY FOR SCHOOL PURPOSES.] For the purpose of establishing and supporting free schools, for not less than five nor more than nine months in each year, and defraying all the expenses of the same of every description; for the purpose of repairing and improving school houses, of procuring furniture, fuel, library and apparatus, and all other incidental expenses in each district, village or city, anything in any special charter notwithstanding, the directors of such district and the authorities of such village or city shall be authorized to levy a tax annually upon all the taxable property of the district, village or city, not to exceed two and one-half per cent for educational and two and one-half per cent for building purposes, (except to pay indebtedness contracted previous to the passage of this act), the valuation to be ascertained by the last assessment for State and county taxes.

APPROVED April 12, 1899.

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TAX LEVY FOR SCHOOL PURPOSES.

<p>§ 1. Amends section 202 of article 8, Act of 1889.</p>	<p>§ 202. Tax rate for ordinary and building expenses — limitation — vacation schools and play grounds.</p>
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AN ACT to amend Section 202\*, Article VIII., of an act entitled "An act to establish and maintain a system of free schools," approved May 21, 1889, and as the same is amended by an act approved February 24, 1898.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 202,\* Article

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[\*This act is evidently intended to amend section one of Article VIII. of the act of 1889. The number, 202, cited in the act, is the number of the paragraph of Chapter 122, Hurd's Revised Statutes.]



VIII., of an act entitled "An act to establish and maintain a system of free schools," approved and in force May 21, 1889, and as the same is amended by an act approved February 24, 1898, be amended to read as follows:

§ 202. For the purpose of establishing and supporting free schools for not less than six nor more than nine months in each year, and defraying all the expenses of the same of every description, for the purpose of repairing and improving school houses, of procuring furniture, fuel, libraries and apparatus, and for all other necessary incidental expenses in each district, village or city, anything in any special charter to the contrary notwithstanding, the directors of such district and the authorities of such village or city shall be authorized to levy a tax annually upon all the taxable property of the district, village or city not to exceed two and one-half per cent for educational and two and one-half per cent for building purposes (except to pay indebtedness contracted previous to the passage of this act), the valuation to be ascertained by the last assessment for State and county taxes: *Provided*, that in cities having a population exceeding one hundred thousand inhabitants the board of education may establish and maintain vacation schools and play grounds under such rules as it shall prescribe.

*And, provided further*, that nothing herein contained shall be held to repeal or modify the limitations contained in section forty-nine (49) of an act entitled "An act for the assessment of property and providing the means therefor, and to repeal a certain act therein named," approved February 25, 1898.

APPROVED April 21, 1899.

TOWNSHIP TREASURER, SCHOOL BONDS.

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| <p>1. Amends section 3 of article 4, section 18 of article 4, section 16 of article 7, and sections 1 and 7 of article 9, Act of 1889.</p> <p>‡ 3, article 4. Township treasurers to loan funds—rate charged—time of loan—securities.</p> <p>‡ 18, article 4. Teachers' orders to draw 7 per cent interest per annum, if there are no funds in treasury.</p> <p>‡ 16, article 7. Teachers' wages due and payable monthly—directors or board of education to give order on township treasurer.</p> | <p>‡ 1, article 9. Bonds for building, purchasing sites, repairing, etc.—election for, authorizes directors to issue—amount of each bond—interest—sum borrowed not to exceed 5 per cent of taxable property in the district.</p> <p>‡ 7, article 9. New bonds.</p> |
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AN ACT to amend Section three of Article four, Section eighteen of Article four, Section sixteen of Article seven, Section one of Article nine, and Section seven of Article nine, of "An act to establish and maintain a system of free schools," approved May 21, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section three of article

four, section eighteen of article four, section sixteen of article seven, section one of article nine, and section seven of article nine of "An act to establish and maintain a system of free schools," approved May 21, 1859, in force July 1, 1899, be, and the same are hereby, amended so as to read as follows, to-wit.:

Section 3, Article 4. Township treasurers shall loan, upon the following conditions, all moneys which shall come to their hands by virtue of their office, except such as may be subject to distribution. The rate of interest shall not be less than five per cent nor more than seven per cent per annum, payable annually, the rate of interest to be determined by a majority of the township trustees at any regular or special meeting of their board. No loans shall be made for less than six months nor more than five years. For all sums not exceeding \$200 loaned for not more than one year, two responsible sureties shall be given; for all sums over \$200, and for all loans for more than one year, security shall be given by mortgage on real estate unincumbered in value forty per cent more than the amount loaned, with a condition that, in case additional security shall be at any time required, the same shall be given, to the satisfaction of the board of trustees for the time being: *Provided*, that nothing herein shall prevent the loaning of township funds to boards of school directors, taking bonds therefor, as provided in section one, article nine of this act.

Section 18, Article 4. When any order, drawn for the payment of a teacher, is presented to the township treasurer for payment, and is not paid for want of funds, the said treasurer shall make a written statement over his signature by an endorsement on such order, with date showing such presentation and non-payment, and shall make and keep a record of such endorsement. Such order shall thereafter draw interest at the rate of seven per cent per annum until paid, or until the treasurer shall, in writing, notify the clerk of the board of directors that he has funds to pay such order, and of said notice the said treasurer shall make and keep a record; after giving said notice, he shall hold the funds necessary to pay such order until it is presented for payment, and such order shall draw no interest after the giving of said notice to said clerk of the board.

Section 16, Article 7. Teachers' wages are hereby declared due and payable monthly, and upon certifying to the schedule or statement, as hereinbefore provided for, the directors or board of education may at once make out and deliver to the teacher an order upon the township treasurer for the amount named in the schedule or statement; which order shall state the rate at which the teacher is paid according to his contract, the limits of the time for which the order pays, and that the directors have duly certified a schedule covering the time specified in such order: *Provided*, that in case said order shall be presented to the township treasurer and not paid for want of funds, said treasurer shall certify on the back of such order the date of presentation as required by section 18 of article 4 of this act, and thereafter such order shall bear interest at the rate of 7 per cent per

annum until paid, or until the said treasurer shall notify the clerk of the board of directors issuing such order that he has funds with which to pay the same.

Section 1, Article 9. For the purpose of building school houses or purchasing school sites, or for repairing and improving the same, the directors of any school district, when authorized by a majority of all the votes cast at an election called for that purpose, may borrow money, issuing bonds signed by not less than two members of said board of directors, in sums of not less than \$100, and bearing interest at a rate not exceeding 7 per centum per annum: *Provided*, that the sum borrowed in any one year shall not exceed 5 per cent (including existing indebtedness) of the taxable property of the district, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness.

Section 7, Article 9. In all cases where any school district has heretofore issued or may hereafter issue bonds, or other evidences of indebtedness, for money on account of any public school building, or other public improvement, or for any other purposes which are now binding and subsisting legal obligations against said school district, and remaining outstanding and which are properly authorized by law, the proper authorities of such school district may, upon the surrender of any such bonds, or other evidences of indebtedness, or any number thereof, issue in place or in lieu thereof, or to take up the same, to the holders or owners of the same, or to other persons for money with which to take up the same, new bonds or other evidences of indebtedness, in such form, for such amount, upon such time, not exceeding the term of twenty years, and drawing such rate of interest, not exceeding 7 per centum per annum, as may be determined upon; and such new bonds or other evidences of indebtedness so issued shall show on their face that they are issued under this act: *Provided*, that the issue of such new bonds in lieu of such indebtedness shall first be authorized by a vote of the legal voters of such school district voting at an election called and conducted as other elections provided for by this article of this act: *And, provided further*, that such bonds or other evidences of indebtedness shall not be issued so as to increase the aggregate indebtedness of such school district beyond 5 per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes, prior to the issuing of such bonds or other evidences of indebtedness.

APPROVED April 24, 1899.

## SOLDIERS' AND SAILORS' HOME.

## SOLDIERS OF SPANISH-AMERICAN WAR ELIGIBLE.

§ 1. Amends section 3 of Act of 1885, establishing and maintaining Soldiers' and Sailors' Home.

§ 3. Persons eligible to admission to home —pension money—deposit and disposition of.

AN ACT to amend Section 3 of an act entitled "An act to establish and maintain a soldiers' and sailors' home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as amended by an act approved June 19, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 3 of an act entitled "An act to establish and maintain a soldiers' and sailors' home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as amended by an act approved June 19, 1893, in force July 1, 1893, be, and the same is hereby, amended to read as follows:

§ 3. All honorably discharged soldiers and sailors who served in the army or navy of the United States in the war of the rebellion, the Mexican war and the Spanish-American war, and have been residents of this State for two years immediately preceding the date of application for admission to the home, unless the service of applicants is accredited to the State of Illinois, and who are disabled by disease, wound or otherwise and have no adequate means of support, and by reason of such disability are incapable of earning their living, shall be entitled to be admitted to said home, subject to the rules and regulations adopted by the trustees to govern the admission of applicants. Whenever it shall be deemed necessary by the superintendent of the home for preserving order, enforcing discipline or preserving the health of the inmates, any pensioner residing in said home and accepting its benefits shall deposit with the superintendent of the home his pension money upon receipt of his pension check. In cases where any such pensioner has a wife, child or parent dependent upon him, such pension money shall be sent to such dependent person, and in other cases the same shall be kept on deposit for such pensioner, subject to the direction of the trustees, and all unexpended money shall be paid to the depositor on his final discharge from the home, or to his heirs or legal representatives upon his decease. The provisions herein concerning admission to the home shall apply at all times to inmates to be entitled to remain in said home.

APPROVED April 22, 1899.

## STATE BOARD OF HEALTH.

## SUPERVISION OF LODGING HOUSES.

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| <p>§ 1. Amends Act of 1877 creating State Board of Health.</p> <p>§ 15. Lodging houses—State board to have supervision of—power to order inspection of.</p> <p>§ 16. Sleeping rooms—number allowed in each—size—penalty—violations.</p> | <p>§ 17. Lodging house record—landlord to keep—contents of—penalty for failure.</p> <p>§ 18. Landlord to file annual statement with county clerk—blanks furnished by State Board of Health—penalty for failure—emergency.</p> |
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AN ACT to amend an act entitled "An act to create and establish a board of health in the State of Illinois," approved May 28, 1877, in force July 1, 1877, by adding thereto four new sections, to be numbered fifteen (15), sixteen (16), seventeen (17) and eighteen (18).

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 create and establish a board of health in the State of Illinois," be, and the same is hereby, amended by adding thereto four new sections, to be known as sections fifteen (15), sixteen (16), seventeen (17) and eighteen (18), all of which shall read as follows, to-wit:

§ 15. The State Board of Health shall have supervision of all lodging houses in cities of one hundred thousand inhabitants or more, as hereinafter provided. They shall order such inspection of such lodging houses from time to time as shall be deemed necessary to successfully carry out the regulations of the board and the provisions of this act.

§ 16. It shall be unlawful for more than six persons to occupy the same room for sleeping purposes at the same time in any such lodging house, and no room in such lodging house shall be occupied for sleeping purposes which does not contain four hundred cubic feet or more of space for each person sleeping therein at the same time.

Any person or persons violating any of the provisions of this section shall be adjudged guilty of a misdemeanor and shall be liable to a penalty not exceeding \$100.

And any landlord, keeper, manager or clerk of any lodging house who wilfully or knowingly aids, counsels, advises or permits any person to do any act in this section constituted an offense shall be deemed guilty of a misdemeanor and shall be liable to a penalty not exceeding \$100 nor less than \$25.

§ 17. The landlord, keeper, manager or clerk of every such lodging house shall keep in the office, or other public place therein if there be no office, a lodging house register, in which shall be entered the name and residence of every person who becomes a lodger in such house, and such register shall also show the number of the room or bed occupied by such person, and shall show the date of his arrival.

and the period for which he engaged lodging. Such register shall always be accessible without charge to any person asking to see the same.

Any landlord, keeper, manager or clerk of any such lodging house violating any of the provisions of this section shall be deemed guilty of a misdemeanor and shall be liable to a penalty not less than \$25 and not to exceed \$100.

§ 18. Within fifteen days from the date upon which this act shall take effect and upon the first day of March of each succeeding year, the landlord, keeper or manager of every such lodging house shall file with the county clerk of the county in which such house is located a written statement sworn to by him, in which he shall make such statements concerning such lodging house as shall be provided by the regulations of the State Board of Health adopted for that purpose. Such statement shall be made upon blanks furnished to the county clerk by the State Board of Health for that purpose.

Any landlord, keeper or manager of any such lodging house violating any of the provisions of this section shall be deemed guilty of a misdemeanor and shall be liable to a penalty not less than \$25 and not to exceed \$100.

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

APPROVED April 21, 1899.

## STATE CONTRACTS.

## PRINTING AND BINDING.

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| <p>§ 1. Amends sections 20, 29, 30, 31, 32, 33, 34 and 39 of the Acts of 1874 and 1889.</p> <p>§ 20. Printing—how work is to be executed.</p> <p>§ 29. Number of public documents printed, bound and distributed.</p> <ol style="list-style-type: none"> <li>1. Governor's message.</li> <li>2. Report of Secretary of State.</li> <li>3. Report of Auditor of Public Accounts.</li> <li>4. Insurance reports.</li> <li>5. Report of State Treasurer.</li> <li>6. Report of Superintendent of Public Instruction.</li> <li>7. Report of Adjutant General.</li> <li>8. Report of State Board of Agriculture.</li> <li>9. Report of University of Illinois.</li> <li>10. Report of State Board of Charities.</li> <li>11. Report of Railroad and Warehouse Commissioners.</li> <li>12. Report of Attorney General.</li> <li>13. Other reports.</li> <li>14. Public laws.</li> <li>15. House and Senate journals.</li> </ol> | <p>§ 30. Volume of reports—contents.</p> <p>§ 31. Size of reports.</p> <p>§ 32. Manner of printing reports—charges.</p> <p>§ 33. Volumes of reports—what not included—making up.</p> <p>§ 34. Binding reports.</p> <p>§ 39. Reports—how bound.</p> |
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AN ACT to amend Sections 20, 29, 30, 31, 32, 33, 34 and 39, of an act entitled, "An act to revise the law in relation to State contracts," approved March 31, 1874, in force July 1, 1874, as amended by act approved June 6, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 20, 29, 30, 31, 32, 33, 34 and 39, of an act entitled, "An act to revise the law in relation to State contracts," approved March 31, 1874, in force July 1, 1874, as amended by act approved June 6, 1889, in force July 1, 1889, be, and the same are hereby, amended so as to read as follows:

§ 20. The contractor for all printing under this act shall execute, as promptly as the Commissioners of State Contracts may require, and in a manner acceptable to said commissioners and the printer expert, all orders for printing issued to him. It shall be incumbent on the contractor for any class of printing to provide such material and appliances as are considered necessary by the printer expert for the prompt and workmanlike execution of the work, and the best quality of book ink shall be used in the press work. The contractor for work in the second and fourth classes shall read and correct the first proof of all work done by him, and see that the same is reasonably free from errors, properly made up, uniform in style, punctua-

tion and capitalization, and conformable to copy furnished. A second proof shall then be sent to the printer expert, who shall read the same in connection with some person who may be appointed by the printer expert for that purpose, and whose compensation shall not exceed the sum of four dollars per day for actual services. If additions or changes from copy be made in the second proof, the printer expert shall designate the same, and the contractor shall promptly correct such proof and return it to the printer expert with a revise, if required, and for making such changes the contractor shall be allowed such sum (to be estimated at forty cents per hour) as the printer expert may certify to the Commissioners of State Contracts is equitable. If any job is rejected on account of error attributable to the contractor, he shall promptly reprint the job without additional charge.

§ 29. Hereafter the number of public documents printed, bound and distributed by authority of the State shall be as follows:

First—Governor's message, 4,000 copies, of which 2,000 shall be delivered to the members of the General Assembly, 500 to the Governor, ten copies be retained for the State library, and the remainder to the Secretary of State for judicious distribution.

Second—The report of the Secretary of State, 3,000 copies, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library and the remainder to the Secretary of State.

Third—The financial report of the Auditor of Public Accounts, 5,000 copies of which one copy shall be delivered to each member of the General Assembly, one copy be sent to each county clerk and to each county collector in the State, ten copies be retained for the State library, and the remainder to the Auditor.

Fourth—The insurance report, 3,500 copies each of fire and life, one copy of which shall be delivered to each member of the General Assembly, one copy be sent to each insurance company doing business in the State, ten copies be retained for the State library, and the remainder to the Insurance Superintendent.

Fifth—The report of the State Treasurer, 2,000 copies, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library, and the remainder to the State Treasurer.

Sixth—The report of the Superintendent of Public Instruction, 6,000 copies, five copies of which shall be delivered to each member of the General Assembly, one copy be sent to each county superintendent of schools in the State, one copy to each board of township trustees in the State, ten copies be retained for the State library and the remainder to the State Superintendent of Public Instruction.

Seventh—The report of the Adjutant General, 2,000 copies, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library, and the remainder to the Adjutant General.



Eighth—The report of the State Board of Agriculture, 10,000 copies, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library, 1,000 copies to be deposited with the Secretary of State for judicious distribution, and the remainder to the Secretary of the State Board of Agriculture for general distribution.

Ninth—The report of the University of Illinois, 4,000 copies, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library, 500 copies to be delivered to the Secretary of State for general distribution, and the remainder to the said university.

Tenth—The report of the State Board of Public Charities, 4,000 copies, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library, one copy be sent to each public library, and one copy to each judge, county clerk and sheriff in the State, 500 copies to be deposited with the Secretary of State for general distribution, and the remainder to the Commissioners of Public Charities for such exchanges and judicious distribution as they may deem proper.

Eleventh—The report of the Railroad and Warehouse Commissioners, 2,500 copies, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library, one copy be sent to each county clerk and to each county board in the State, 500 copies be delivered to the Secretary of State for general distribution, and the remainder to the said commissioners.

Twelfth—The report of the Attorney General, 2,500 copies, of which one copy shall be sent to each member of the General Assembly, one copy to each judge and State's attorney in the State, five copies for the supreme court library, two copies for the appellate court law library of each division, ten copies be retained for the State library, and the remainder to the Attorney General.

Thirteenth—All other public reports (except reports of committees of the Senate and House of Representatives) required to be made to the Governor or the General Assembly, 3,000 copies each, of which one copy shall be delivered to each member of the General Assembly, ten copies be retained for the State library, 500 copies be delivered to the Secretary of State for general distribution, and the remainder to the institution, trustees, commissioners or officers making the report.

Fourteenth—The volume of public laws, 10,000 copies, of which one copy shall be sent to each member of the General Assembly enacting the same, and one copy to each member of the first next succeeding General Assembly, and one copy to each judge, State's attorney, county and circuit clerk, supreme and appellate court clerks, each county board, sheriff, treasurer, county collector, county superintendent of schools, police magistrates and justices of the peace in the State, five copies to each State department, 100 copies to be retained for the State library, two copies for each public

library in the State, ten copies for the supreme court library, ten copies for the appellate court law library of each division, and the remainder to the Secretary of State for judicious distribution.

Fifteenth—The bound volumes of House and Senate Journals, 2,000 copies, of which one copy shall be sent to each member and officer of the General Assembly, one copy to each officer of the executive department, ten copies to the State library, two copies to the office of each county clerk, and the remainder to the Secretary of State for judicious distribution.

§ 30. The Commissioners of State Contracts are hereby authorized, if in their judgment they deem it advisable, to print and have bound 250 copies of volumes of reports, which may include the following reports: The reports of the several State institutions and boards required to be made to the Governor or the General Assembly (except reports of committees of the Senate and House of Representatives): *Provided*, that the several reports mentioned in section 29, items first to twelfth, inclusive, of this act shall not be included in said volume of reports.

§ 31. No report of any institution, department or officer shall exceed four hundred printed pages, unless the Commissioners of State Contracts and the Governor shall, for good cause, certify to the Secretary of State that the interests of the State require that such report shall exceed four hundred pages.

§ 32. When the contractor for the public printing is ordered to print any report or other document that may be ordered by the Commissioners of State Contracts, also to appear in the volume of reports, he shall print upon the same type 250 copies of each of said reports or other documents, with bracket folios, for such volumes of reports. There shall be no charge for composition for the 250 copies of reports inserted in said volumes of reports, but the contractors for work that is bound in the volume of reports shall be allowed to charge fifty cents for each form that goes into said volumes as compensation for inserting the bracket folios, changing the title to a bastard title, and reimposing the forms to prevent more than one blank page being inserted at any one place in said volume.

§ 33. The volumes of reports, if ordered printed and bound as aforesaid, shall contain no reports, communications or other matters that are to be inserted in the laws and journals of the same year, and the various reports, communications and other documents inserted therein shall follow each other in as close, compact order as is consistent with good workmanship, without the intervention of unnecessary blanks or separate title or half-title pages, and the paging thereof shall be consecutive, and at the conclusion of each volume there shall be an index referring to the particular page at which each separate document commences.

§ 34. In every case provided in this act for the 250 copies of reports or documents to be placed in the bound volumes of reports, if so ordered by the Commissioners of State Contracts, it shall be the duty of the Secretary of State to order the delivery of said 250 copies

to the contractor for binding that class of work, and the said contractor shall bind and deliver such volumes of reports as prescribed in this act. The Commissioners of State Contracts shall designate what reports shall comprise a volume, and the size of each volume of the reports herein required to be bound.

§ 39. Of the number of laws, journals and volumes of reports required to be printed, 5,000 copies of the laws, and 1,000 copies of the journals, and the volume of reports shall be bound in the second class of binding, as described in section 37 of this act; and the number of reports required to be printed, 3,000 copies each of that of the Superintendent of Public Instruction, the Railroad and Warehouse Commission and the Insurance Department; 2,000 copies each of the State Board of Public Charities, University of Illinois, Bureau of Labor Statistics, Auditor, Secretary of State and other State officers and State boards; and 10,000 copies of the report of the State Board of Agriculture and the Illinois Farmers' Institute shall be bound in the third class of binding as described in section 37 of this act. The laws and journals, except as hereinbefore provided in this section, shall be bound in the first class binding, as described in section 37 of this act: the reports, except as hereinbefore provided in this section, shall be bound in the fourth class of binding, as described in section 37 of this act: *Provided*, however, that the Commissioners of State Contracts may make such changes in the number and class of binding as the interest of the several departments, institutions or officers making such report may require.

APPROVED April 21, 1899.

## STATE LANDS.

### GRANTING LANDS UNDER LAKE MICHIGAN TO CITY OF CHICAGO.

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| <p>§ 1. Grants certain lands under the waters of Lake Michigan to the city of Chicago for use as a pumping station.</p> | <p>§ 2. Emergency.</p> |
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AN ACT to grant to the City of Chicago certain lands under the waters of Lake Michigan in the City of Chicago, County of Cook and State of Illinois, for use as a pumping station for its system of intercepting sewers so as to prevent the contamination of the waters of said lake.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following described land under the waters of Lake Michigan be, and hereby is given, granted and conveyed to the city of Chicago, a municipal corporation created and subsisting under the laws of the State of Illinois, namely:

Beginning at a point in the center line of Thirty-ninth street produced northeasterly two hundred and fifty (250) feet distant (measured at right angles thereto) from the west side of the wall which is

the west boundary of the right of way and station grounds of the Illinois Central Railroad company; thence northerly at an angle of 84 degrees and 30 minutes with the center line of Thirty-ninth street produced northeasterly along the line of the breakwater one hundred and eighty-five (185) feet; thence northeasterly parallel with the center line of Thirty-ninth street produced one thousand (1,000) feet; thence southerly at right angles to the last mentioned line three hundred (300) feet; thence southwesterly parallel with the center line of Thirty-ninth street produced northeasterly nine hundred and eighty-five (985) feet to the breakwater; thence northerly along the breakwater to the place of beginning, situated in the city of Chicago, county of Cook and State of Illinois, for the purpose of enabling the said city to build and forever maintain thereon a pumping station, together with the necessary intakes for water with protecting piers therefor appurtenant to and in connection therewith, in pursuance of and in conformity, however, with the permission of the United States heretofore given to the department of public works of said city to build such intakes with the protecting piers therefor in Lake Michigan, which was granted by R. A. Alger, Secretary of War, bearing date October 13, 1898.

§ 2. WHEREAS, an emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.

APPROVED April 21, 1899.

## TOWNSHIP ORGANIZATION.

### ALTERATION OF TOWN BOUNDARIES—NEW TOWNS.

§ 1. Amends section 1 of article 3 of Act of 1874.      § 2. Emergency.

§ 1. Authorizes county boards to alter boundaries of towns, and to create new towns.

AN ACT to amend Section 1, of Article III, of "An act to revise the law in relation to township organization," [and] in force March 4, 1874, as amended June 4, 1889, in force July 1, 1889; as amended June 21, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1, of article III, of "An act to revise the law in relation to township organization," approved and in force March 4, 1874, and amended June 4, 1889, in force July 1, 1889, and amended June 21, 1895, in force July 1, 1895, be amended so as to read as follows:

§ 1. The county board of each county shall have jurisdiction to alter the boundaries of towns, to change town lines and to divide, enlarge and create new towns in their respective counties; and it shall

be the duty of the county board to make such alterations of the town boundaries and create a new town whenever in any territory of not less than sixteen square miles not less than three-fourths of the voters residing in such territory shall petition for such new town: *Provided*, however, that such new territory proposed to be organized into a new town shall contain at least two hundred legal voters: *Provided further*, that the portion of the town remaining after such new town is created shall also contain not less than two hundred legal voters and not less than sixteen square miles: *Provided*, however, the county board shall give notice thereof by posting up notices in not less than five of the most public places of the town interested at least sixty days before their final action; also by publishing such notice at least three times in some newspaper published in the county wherein said towns are situated if any shall be published therein: *Provided further*, that no incorporated town shall be divided except consent thereto is given by a majority of all the electors in said town, notice that the question of dividing said town will be submitted to the legal voters thereof having been given by the county clerk at the same time and in the same manner as the notice of general elections.

§ 2. WHEREAS, an emergency exists, this act shall take effect from and after its passage.

APPROVED April 22, 1899.

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MEETINGS OF BOARD OF SUPERVISORS.

§ 1. Enacting clause.	§ 2. Emergency.
§ 49. Time for annual and regular meetings of the board of supervisors.	

AN ACT to amend the law in relation to counties under township organization, approved and in force March 31, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 49 of an act to amend the law in relation to counties under township organization be, and is hereby, amended to read as follows:

§ 49. The annual meetings of the board of supervisors shall be holden on the second Tuesday of September in each and every year, at the county seat, and if the court house be convenient, shall be held therein. A regular meeting of the board shall be held on the second Monday of June, each and every year, at the county seat, and at such other times as may be prescribed by law.

§ 2. WHEREAS, an emergency exists, therefore this act shall take effect and be in force on and after its passage.

APPROVED April 22, 1899.

## TRADE AND COMMERCE.

## COMMISSION MERCHANTS.

## REGULATING SHIPMENT AND SALE OF PRODUCE.

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| § 1. Commission merchants to make itemized statement to consignor—contents of statement—merchants' record—inspection.        | § 6. Commission merchants' license.   |
| § 2. Penalty for violating section 1.  | § 7. Powers of board—system of books kept by merchants—forfeiture of license for failure to comply. |
| § 3. Creates board of inspectors—members of certain organizations—selection of—filling vacancies—compensation.               | § 8. Unlawful to receive consignments without license—penalty.                                      |
| § 4. Organization of board—election of officers—appointment of secretary and two inspectors—compensation—secretary's duties. | § 9. Definition of commission merchant.   |
| § 5. Monthly meeting of board in Chicago—permanent headquarters—rental for—yearly statement to Governor.                     | § 10. Board to prosecute dishonest dealers.   |
|  | § 11. Fee for complaint—disposition of fee.   |
|  | § 12. Expenses of board—how paid.   |
|  | § 13. Exempts retail dealers.   |
|  | § 14. Emergency.  |

*AN ACT to regulate the shipping, consignment and sale of produce, fruits, vegetables, butter, eggs, poultry or other products or property, and to license and regulate commission merchants and to create a board of inspectors and to prescribe its powers and duties.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be the duty of all commission merchants, firms, companies and corporations, and all other persons or consignees in the State of Illinois, receiving fruits, vegetables, butter, poultry, eggs or any other product or property to be sold on commission or otherwise, upon the consummation of the sale such commission merchant, firm, company or corporation, person or consignee, shall immediately thereafter make and render an itemized statement of such sale to the consignor, giving the gross amount of the sale, the freight or express charges, together with all other charges against the goods which the consignee may reasonably incur, and the net proceeds of the sale: *Provided further,* that such commission merchants, firms, companies and corporations and all other persons shall keep a record of the names of all purchasers, their post office address, and gross amount of each sale, and all freight, express and other charges against the goods which the consignee may reasonably incur, and the net proceeds of the sales; which record shall be open for inspection at any time upon request of any consignor or consignors, or his or their duly authorized agents or attorneys.

§ 2. That any commission merchant, firm, company, corporation or person, as expressly implied in section one of this act, violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$10 (ten dollars) nor more than \$200 (two hundred dollars) and cost of suit

for each and every offense, and shall stand committed until such fine or fines and costs are paid: *Provided*, however, that in case of clerical error or other unavoidable cause, the consignee, firm, company, corporation or person shall fail to render such itemized account of sales as expressly provided for in section 1 of this act, such consignee, firm, company, corporation or person shall have ten days from date of sale to comply with the provisions of this act.

§ 3. That a board of inspectors is hereby created, to be composed of one member from each of the following organizations: Illinois State Horticultural Society, Illinois State Dairyen's Association, Illinois State Retail Dealers' Association, Chicago Butter and Egg Board and Chicago branch of National League of Commission Merchants. In case any of the aforesaid organizations are not incorporated under the laws of the State of Illinois at the time of going into effect of this act, they shall not be disqualified from furnishing said members if the incorporation is completed on or before January 1, 1900.

The members of said board of inspectors shall be selected from the membership of said organizations by the members thereof at some regular or special meeting at which there shall be a quorum, and shall serve for a period of one year. In case of the failure or refusal of any such organization to so elect a member of such board of inspectors, it shall be the duty of the remaining members of said board to fill such vacancy by the selection of some person representing the line of business the representative organization of which has failed or refused to so elect.

Each member of said board shall receive as his compensation the sum of ten dollars (\$10) for each session attended, and ten cents per mile additional when required to travel a distance of more than ten miles to attend such meeting.

§ 4. Said board of inspectors shall organize by electing from their number a president, a vice-president and a treasurer, and may appoint a secretary, and, if needed, two inspectors, such secretary and inspectors to be compensated by said board.

It shall be the duty of the secretary to receive complaints regarding the disposition of the articles of country produce shipped on commission to licensed receivers, and instruct inspectors to investigate the same, and make a report to be submitted to said board at its next regular meeting.

§ 5. Said board shall meet monthly on the second Wednesday of each month for the purpose of transacting such business as may come before them; and said board is hereby authorized to provide a room or place of meeting and for permanent headquarters in the city of Chicago at an annual rental of not more than seven hundred and fifty dollars (\$750), said rent to be paid from the funds of said board. A detailed statement of all expenditures of the board shall be made to the Governor each year.

§ 6. Every person, firm or corporation in the State of Illinois doing business in a city of more than fifty thousand population re-

ceiving on consignment for sale on commission butter, eggs, poultry, game, dressed calf, green and deciduous fruits, berries, and other commodities the product of the farm, with the exceptions of grains, live stock and dressed meats, shall first procure from the board a license to carry on said business, for which said party or parties shall pay into the State treasury the sum of twenty-five dollars (\$25) annually, said license to be renewed annually.

§ 7. The board shall have power to prescribe a system of books and accounts to be kept by licensed commission receivers, and said inspectors and members of said board, or duly authorized agents of said board, shall have access to such books, accounts and memoranda upon demand, and have power to send for books and papers and examine under oath. Any refusal upon the part of said licensed dealers to exhibit such said books, accounts or memoranda, when called upon to do so by such legally constituted authorities, shall forfeit the license held, which shall not be reissued inside of three months without unanimous consent of said board.

§ 8 It shall be unlawful for any person, firm or corporation to receive or solicit consignments of such country produce as is mentioned in this act without first obtaining such license, and violators shall be fined not less than fifty dollars nor more than two hundred dollars, and it shall be the duty of the State's attorney of the county wherein prosecutions are brought to prosecute such violations, and the board may, at its discretion, employ such counsel as they may deem necessary for the prosecution of such violations.

§ 9. All contracts made for the delivery of such produce as is herein mentioned shall be considered to be received on commission if subject to inspection upon delivery and based upon market values existing in such market upon arrival, and all such receivers shall be required to procure license from said board upon engaging in or soliciting or contracting to receive such goods for delivery from outside of the city or village in which the business is conducted.

§ 10. When said board shall have received report of any authorized inspector upon any complaint and shall have satisfied a majority of said board that the person, firm or corporation has dealt dishonestly with said complainant, they shall take such action regarding such offense as can be prosecuted in the courts by said inspectors, or shall, in case of flagrant abuse of position as receiver of commission goods, apply to the courts to revoke license of such person, firm or corporation for any term not to exceed one year.

§ 11. Any person making complaint regarding transactions with any such licensed person, firm or corporation, shall pay a fee of one dollar to said board, said fee to be turned over to the Treasurer of the State.

§ 12. Warrants for the payment of expenses of said board shall be drawn by the secretary upon the State treasury and countersigned by the president of the said board of inspectors, but shall not be honored by said State Treasurer unless there are sufficient funds to the credit of such board to fully meet the amount of such warrants.



In case the income from license privileges is not sufficient to defray all expenses of such board, the board shall have power to reduce said expenses so as to come within the limits of such income.

§ 13. Nothing in this act shall be construed to require a license by any retail dealer who receives goods from the producer to be sold in broken lots to consumers.

§ 14. WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED April 24, 1899.

#### PROTECTION OF TRADE MARKS AND LABELS.

§ 1. Enacting clause.

§ 2. Enforcement of fines.

§ 7. Amends section 7 of the Act of 1891.

AN ACT to amend Section 7, of an act entitled, "An act to protect associations, unions of working men and persons in their labels, trade marks and forms of advertising," approved May 8, 1891, in force July 1, 1891, as amended by an act approved June 13, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 7 of an act entitled, "An act to protect associations, unions of working men and persons in their labels, trade marks and forms of advertising," approved May 8, 1891, in force July 1, 1891, as amended by an act approved June 13, 1895, in force July 1, 1895, be, and is hereby, amended to read as follows:

§ 7. The fines provided for in this act may be enforced before a justice of the peace in all cases where the party complaining shall so elect, and in case of conviction before such justice of the peace, the offender shall stand committed to the county jail until the fine and costs are fully paid under the provisions of section 8, article IX, of an act to revise the law in regard to criminal jurisprudence, in force July 1, 1874, or otherwise. The first process under this section in all prosecutions for the recovery only of the fines shall be a summons: *Provided*, however, that a warrant for the arrest of the offender, as in other cases when justices of the peace have original criminal jurisdiction, may issue upon the affidavit of any person that any of the provisions of this act have been violated, and that the person making the complaint has just and reasonable grounds to believe the party charged is guilty thereof.

APPROVED April 22, 1899.

## STATE FOOD COMMISSIONER'S OFFICE CREATED.

- § 1. Creates office of State Food Commissioner—appointment—term of office—compensation.
- § 2. State analyst—appointment—qualifications—compensation.
- § 3. Appointment of inspectors—number—rights—compensation.
- § 4. Duty of commissioner—inspection of dairy and food products—prosecution of offenders.
- § 5. Duty of commissioner—of State analyst—analysis of suspected articles—seizing samples for analysis—penalty for obstructing commissioner or assistants.
- § 6. State's attorneys to assist in prosecutions.
- § 7. Commissioner to examine and report on samples furnished by State Board of Health.
- § 8. Unlawful for State analyst to furnish certificate as to purity of any food product.
- § 9. Payment of salaries of commissioner and assistants.
- § 10. Appropriates \$1,500 for laboratory and apparatus—appropriates \$600 per annum for materials and expenses of making analysis—how drawn.
- § 11. Commissioner to make annual report to Governor—contents of report—commissioner may print and distribute monthly bulletins—State printer to do printing—disposition of fines and penalties.
- § 12. Adulterated food—manufacture and sale prohibited.
- § 13. Defines term "food."
- § 14. Defines adulteration—manufactured articles of food to be plainly stamped.
- § 15. Vinegar—apple or cider—must be the product of pure apple juice—must contain not less than one and three-fourths per cent of cider vinegar solids.
- § 16. Fruit vinegars to be branded—vinegar made from distilled liquor branded "distilled vinegar"—fermented vinegar must contain not less than one and one-fourth per cent of fruit solids, and not less than two and a half tenths of one per cent ash or mineral matter—contents of fruit or grain vinegar.
- § 17. Prohibits sale of vinegar containing any injurious ingredients—packages containing vinegar to be marked with name of manufacturer or dealer, together with brand.
- § 18. Ice—sale of, containing injurious ingredients, prohibited.
- § 19. Confectionery—adulteration of, prohibited—penalty.
- § 20. Canned goods—must be free from injurious ingredients and bear name and address of packer and dealer—"soaked" or "bleached goods" must be so marked.
- § 21. Imitation fruit jelly, jam or butter—sale of—labeled.
- § 22. Extracts—labeled—artificial extracts stamped "artificial"—chocolates and cocoas—contents of—prepared cocoa—contents.
- § 23. Penalty for falsely marking or branding, etc., or removing, altering, imitating, counterfeiting, etc., any mark or brand, and food product.
- § 24. Sale defined.
- § 25. Manufacturers to furnish samples for analysis—penalty for obstructing officers or failure to furnish samples.
- § 26. Repeal.
- § 27. Suspension of penalties and prosecutions until July 1, 1900.

AN ACT to provide for the appointment of a State Food Commissioner and to define his powers and duties and fix his compensation, and to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food, and to repeal certain acts or parts of acts herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the office of State Food Commissioner for the State of Illinois is hereby created. Within thirty days after this act shall take effect such commissioner shall be appointed by the Governor, by and with the advice and consent of the Senate, and his term of office shall be for two (2) years from the date of his appointment and until his successor is appointed and qualified. Thereafter the term of office of the commissioner shall be for four years and until his successor is qualified. The salary of the commissioner shall be twenty-five hundred dollars (\$2,500) per annum and his necessary and actual expenses in the discharge of his official duties.

§ 2. Such commissioner may, with the advice and consent of the Governor, appoint two assistant commissioners, each of acknowledged standing, ability and integrity, one of whom shall be an expert in the matter of dairy products, and the other of whom shall be a practical and analytical chemist, who shall be known as the State analyst. The salaries of such assistants shall not exceed eighteen hundred dollars (\$1,800) each per annum and their necessary and actual expenses incurred in the discharge of their official duties. In case of the absence or inability of the State analyst to perform all the duties of his office, the commissioner may appoint some competent person to assist in the same temporarily.

§ 3. The food commissioner shall have authority to appoint necessary inspectors not exceeding six in number to assist in the work of the food commissioner at such times and for such periods of time as may be required in the enforcement of the dairy and food laws of the State. Such inspectors shall have the same right of access to places to be inspected as the commissioner. The compensation of such inspectors shall be three dollars (\$3.00) per day for each day of actual service, and their necessary and actual expenses when so employed.

§ 4. It shall be the duty of the commissioner to enforce all laws that now exist or that may hereafter be enacted in this State regarding the production, manufacture or sale of dairy products, or the adulteration of any article of food, and personally or by his assistants to inspect any article of food made or offered for sale within this State, which he may, through himself or his assistants, suspect or have reason to believe to be impure, unhealthful, adulterated or counterfeit, and to prosecute, or cause to be prosecuted, any person or persons, firm or firms, corporation or corporations, engaged in the manufacture or sale of any adulterated or counterfeit article or articles of food contrary to the laws of this State.

§ 5. It shall be the duty of the food commissioner to carefully inquire into the quality of the dairy and food products, and the several articles which are foods or the necessary constituents of food which are manufactured for sale or sold or exposed or offered for sale in this State, and he may in a lawful manner procure samples of the same, and direct the State analyst to make due and careful examination of the same and report to the commissioner the results of the analysis of all or any such food or dairy products as are adulterated, impure or unwholesome, in contravention of the laws of this State, and it shall be the duty of the commissioner to make complaint against the manufacturer or vender thereof in the proper county, and furnish the prosecuting attorney with the evidence thereon and thereof to obtain a conviction for the offense charged. The food commissioner or his assistants, or any person by him duly appointed for that purpose, shall have power in the performance of their duties to enter any dairy, creamery, cheese factory, store, sale room, warehouse (except bonded warehouses for the storage of distilled spirits), where goods are stored or exposed for sale, or place where they have reason to believe food is stored or offered for sale, and open any cask, tub, jar, bottle or package containing or supposed to contain any article of food, and examine or cause to be examined the contents thereof, and take therefrom samples for analysis. The person making such inspection shall take such sample of such article or product in the presence of at least one witness, and he shall, in the presence of such witness, mark or seal such sample and shall tender, at the time of taking, to the manufacturer or vender of such product, or to the person having the custody of the same, the value thereof, but if the person from whom such sample is taken shall request him to do so, he shall at the same time and in the presence of the person from whom such property is taken, securely seal up two samples of the article seized or taken, the one of which shall be for examination or analysis under the direction of the commissioner, and the other of which shall be delivered to the person from whom the article was taken. Any person who shall obstruct the commissioner or any of his assistants by refusing to allow him entrance to any place which he desires to enter in the discharge of his official duty, or refuse to deliver to him a sample of any article of food made, sold, offered or exposed for sale by such person, when the same is requested, and when the value thereof is tendered, shall be guilty of a misdemeanor, punishable by a fine of not exceeding fifty (50) dollars for the first offense, and not exceeding five hundred (500) dollars or less than fifty dollars (\$50) for each subsequent offense.

§ 6. It shall be the duty of the State's attorney in any county of the State, when called upon by the commissioner or any of his assistants, to render any legal assistance in his power to execute the laws and to prosecute cases arising under provisions of this act.

§ 7. The State Board of Health may submit to the commissioner or to any of his assistants samples of food or drink for examination or analysis, and shall receive special reports showing the result of such examination or analysis.

§ 8. It shall be unlawful for the State analyst, while he holds his office, to furnish to any individual, firm or corporation any certificate as to the purity or excellence of any article manufactured or sold by them to be used as food or in the preparation of food.

§ 9. The salary of the commissioner shall be paid from the fund appropriated for the payment of the salaries of State officers, and his assistants shall be paid out of the State treasury from the same fund and in the same manner as the salaries of other employes of the State are paid, and their official expenses shall be paid at the end of each calendar month upon bills duly itemized and approved by the Governor, and the amount necessary to pay such salaries and expenses is hereby appropriated.

§ 10. The commissioner may, under the direction of the Governor, fit up a laboratory with sufficient apparatus for making the analysis contemplated in this act, and for such purpose the sum of fifteen hundred dollars (\$1,500), or so much thereof as may be necessary, is hereby appropriated; and for the purpose of providing materials, and for necessary expenses connected with the making of such analysis, there is also hereby appropriated so much as may be necessary, not exceeding six hundred dollars (\$600) annually. The appropriation provided for in this section shall be drawn from the State treasury upon certified bills approved by the Governor.

§ 11. The commissioner shall make an annual report to the Governor on or before the first day of January in each year, which shall be printed and published. Such report shall cover the doings of his office for the preceding year and shall show, among other things, the number of factories, creameries and other places inspected, and by whom; the number of specimens of food articles analyzed, and the State analyst's report upon each one when the analysis indicates the same to be contrary to law; the number of complaints entered against persons for violation of the laws relative to the adulteration of food; the number of convictions had, and the amount of fines imposed therefor, together with such recommendations relative to the statutes in force as his experience may justify. The commissioner may also prepare, print and distribute [to] the newspapers of the State, and to such persons as may be interested, or may apply therefor, a monthly bulletin containing results of inspections, the results of analysis made by the State analyst of articles offered by [for] sale contrary to law, with proper explanation of the same, and such other information as may come to him in his official capacity relating to the adulteration of food and drink products and of dairy products, so far as he may deem the same of benefit and advantage to the public; also a brief summary of all the work done during the month by the commissioner and his assistants in the enforcement of the laws of the State, but not more than ten thousand copies of each of such monthly bulletins shall be printed: *Provided*, the necessary printing shall be done by the State printer, and all expenses for stationery and printing shall be audited and paid from the same fund and in the same manner as other State printing and stationery.

All fines, penalties and costs recovered for violations of this act and other acts now enacted or hereafter to be enacted prohibiting or regulating the adulteration of foods shall be paid into the State treasury to the credit of the general fund of the State.

§ 12. No person shall, within this State, manufacture for sale, have in his possession with intent to sell, offer for sale, or sell, any article of food which is adulterated within the meaning of this act.

§ 13. The term "food," as used herein, shall include all articles, whether simple, mixed or compound, used for food, candy, drink or condiment by man or domestic animals.

§ 14. An article shall be deemed to be adulterated within the meaning of this act:

First—If any substance or substances has or have been mixed with it so as to depreciate, lower or injuriously affect its quality, strength or purity.

Second—If any inferior or cheaper substance or substances has or have been substituted wholly or in part for the article.

Third—If any valuable necessary constituent or ingredient has been wholly or in part abstracted from it.

Fourth—If it be an imitation of and sold under the name of another article.

Fifth—If it is mixed, colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is.

Sixth—If it contains any added substance or ingredient which is poisonous or injurious to health.

Seventh—If it consists wholly or in part of a decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or if it is the product of a diseased animal, or if of an animal that has died otherwise than by slaughter: *Provided*, that an article of food which does not contain any ingredient injurious to health, and in the case of mixtures or compounds, which may be now, or from time to time hereafter, known as articles of food under their own distinctive names, or which shall be labeled so as to plainly indicate that they are mixtures, combinations, compounds or blends, and not included in definition fourth of this section, shall not be deemed to have been adulterated: *Provided further*, that all manufactured articles of food offered for sale shall be distinctly labeled, marked or branded with the name of the manufacturer and place of manufacture, or the name and address of the packer or dealer who sells same.

§ 15. No person shall manufacture for sale, offer or expose for sale, sell or deliver, or have in his possession with intent to sell or deliver, any vinegar not in compliance with the provisions of this act. No vinegar shall be sold as apple, orchard or cider vinegar which is not the product of pure apple juice, known as apple cider and apple,

or orchard [orchard] or cider vinegar upon test shall contain not less than one and three-fourths per cent, by weight, of cider vinegar solids upon full evaporation at the temperature of boiling water.

§ 16. All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded with the name of the fruit or substance from which the same is made. All vinegar made wholly or in part from distilled liquor shall be branded "distilled vinegar." All fermented vinegar not distilled shall contain not less than one and one-fourth per cent, by weight, upon full evaporation (at the temperature of boiling water), of solids contained in the fruit from which said vinegar is fermented, and said vinegar shall contain not less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. All vinegar shall be made wholly from the fruit or grain from which it purports to be or is represented to be made shall contain no foreign substance, and shall contain not less than four per cent, by weight, of absolute acetic acid.

§ 17. No person shall manufacture for sale, offer for sale or have in his possession with intent to sell, any vinegar found upon test to contain any preparation of lead, copper, sulphuric acid or other mineral acid, or other ingredients injurious to health. All packages containing vinegar shall be marked, stenciled or branded on the head of the cask, barrel or keg containing such vinegar, with the name and residence of the manufacturer or dealer, together with the brand required in section 16 of this act.

§ 18. No person shall offer for sale, sell or deliver for food or drink purposes, ice, natural or manufactured, containing any decomposed, putrid, infected, tainted or rotten animal or vegetable substance or any ingredient which is poisonous or injurious to the health. Ice intended for food or drink purposes shall not be composed of water of lower standard of purity than that required for domestic purposes by the State Board of Health.

§ 19. Any person or persons manufacturing for sale or selling or offering to sell any candies or confectioneries adulterated by the admixture of terra alba, barytes, talc or other earthy or material substances, or any poisonous colors, flavors or extracts or other deleterious ingredients detrimental to health, shall, upon proper conviction thereof, be punished by a fine of not less than ten nor more than one hundred dollars, or imprisonment in the county jail not less than ten nor more than thirty days, or both such fine and imprisonment in the discretion of the court.

§ 20. No packer or dealer in preserved or canned fruits and vegetables, or other articles of food, shall sell or offer for sale such canned or preserved fruits and vegetables or other articles of food unless they shall be entirely free from substances or ingredients deleterious to health, and unless such articles bear a mark, stamp, brand or label bearing the name and address of the firm, person or corporation that packs same, or dealer that sells same. All soaked

or bleached goods or goods put up from products dried before canning, shall be plainly marked, branded, stamped or labeled as such, with the words "soaked" or "bleached goods" in letters not less than two-line pica in size, showing the name of the article and name and address of the packer or dealer who sells same.

§ 21. No person shall manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell, as fruit, jelly, jam or fruit butter, any jelly, jam or imitation fruit butter or other similar compound made or composed, in whole or in part, of glucose, dextrine, starch or other substances, and colored in imitation of fruit jelly, jam or fruit butter; nor shall any such jelly, jam or fruit butter or compound be manufactured or sold, or offered for sale, under any name or designation whatever, unless the same shall be composed entirely of ingredients not injurious to health; and every can, pail or package of such jelly, jam or butter sold in this State shall be distinctly and durably labeled "Imitation fruit, jelly, jam or butter," with the name and address of manufacturer or dealer who sells same.

§ 22. Extracts made of more than one principle must be labeled with the name of each principle or else simply with the name of the inferior or adulterant.

In all cases when an extract is labeled with two or more names the type used is to be similar in size, and the name of any one of the articles used is not to be given greater prominence than another. The word compound can not be used. Extracts which can not be made from the fruit, berry or bean, and must necessarily be made artificially, as raspberry, strawberry, etc., shall be labeled "artificial." Chocolates and cocoas must not contain substances other than cocoa mass, sugar and flavoring and will not be required to be labeled "compound" or "mixture." Prepared cocoanut, if so labeled, shall contain nothing but cocoanut, sugar and glycerine, and shall not be classed as a compound or mixture.

§ 23. Whoever shall falsely brand, mark, stencil or label any article or product required by this act to be branded, marked, stenciled or labeled, or shall remove, alter, deface, mutilate, obliterate, imitate or counterfeit, any brand, mark, stencil or label so required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five nor more than two hundred dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment, in the discretion of the court, for each and every offense.

§ 24. The taking of orders, or the making of agreements or contracts, by any person, firm or corporation, or by any agent or representative thereof, for the future delivery of any of the articles, products, goods, wares or merchandise embraced within the provisions of this act, shall be deemed a sale within the meaning of this act.

§ 25. Every person manufacturing, offering or exposing for sale or delivery, to a purchaser any article intended for food, shall furnish to any person or analyst or other officer or agent appointed here-



under who shall apply to him for the purpose, and shall tender him the value of the same, a sample sufficient for the analysis of any such article which is in his possession. Whoever hinders, obstructs or in any way interferes with any inspector, analyst or other officer appointed hereunder in the performance of his duty, and whoever wilfully neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall, where no specific penalty is prescribed by this act, be punished by a fine not exceeding two hundred nor less than twenty-five dollars, or by imprisonment in the county jail for a period not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

§ 26. All acts and parts of acts inconsistent with this act, and section 6 of an act entitled "An act to prevent the adulteration of butter and cheese, or the sale or disposal of the same, or the manufacture or sale of any article as a substitute for butter or cheese, or any article to be used as butter and cheese," approved June 1, 1881, be, and they are hereby, repealed.

§ 27. For the purpose of enabling dealers in products affected by this act to dispose of same without loss, it is hereby expressly provided that the penalties of this act, and prosecution under same, are suspended until the first day of July, 1900.

APPROVED April 24, 1899.

## UNITED STATES.

### JURISDICTION OVER CERTAIN LANDS CEDED.

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| <p>§ 1. Consent for United States to acquire land in this State for public buildings.</p> <p>§ 2. Jurisdiction of lands ceded to the United States.</p> | <p>§ 3. When jurisdiction shall vest.</p> <p>§ 4. Emerge cy.</p> |
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*AN ACT ceding to the United States exclusive jurisdiction over certain lands acquired for public purposes within this State, and authorizing the acquisition thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the consent of the State of Illinois is hereby given, in accordance with the sixteenth clause, eighth section, of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation or otherwise, of any land in this State required for custom houses, court houses, post offices, arsenals, or other public buildings whatever, or for any other purposes of the government.

§ 2. That exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby, ceded to the United States for all purposes except the administration of the crim-

inal laws and the service of all civil processes of this State; but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands.

§ 3. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said lands by purchase, condemnation or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continued exempt and exonerated from all State, county and municipal taxation, assessment, or other charges which may be levied or imposed under the authority of this State.

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

APPROVED April 11, 1899.

## UNIVERSITIES, COLLEGES, ACADEMIES, ETC.

### ELECTION OF PRESIDING OFFICER.

- |  |                 |
|--|-----------------|
| § 1. Election of presiding officer of any educational institution possessing no capital stock. | § 2. Emergency. |
|--|-----------------|

*AN ACT to provide that the board of trustees, directors or managers, or the senate of any college, seminary, academy or other educational institution, incorporated under any general or special law of this State, solely for educational purposes, and possessing no capital stock, may elect its own presiding officer.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the board of trustees, directors or managers, or the senate of any college, seminary, academy or other educational institution, incorporated under any general or special law of this State solely for educational purposes and possessing no capital stock, may elect its own presiding officer for such term as such board or senate may determine, the provisions of any special charter to the contrary notwithstanding.

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

APPROVED April 12, 1899.

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## JOINT RESOLUTIONS.

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### ADJOURNMENT FROM JANUARY 5 TO JANUARY 10.

*Resolved, by the Senate, the House of Representatives concurring herein,* That when the two houses adjourn today they stand adjourned until Tuesday, January 10, 1899, at 5 o'clock p. m.

Adopted by the Senate January 5, 1899.

Concurred in by the House January 5, 1899.

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### ADJOURNMENT FROM JANUARY 12 TO 17.

*Resolved, by the House of Representatives, the Senate concurring herein,* That when the two houses adjourn on Thursday, January 12, they stand adjourned until Tuesday, January 17, at 5 o'clock p. m.

Adopted by the House January 13, 1899.

Concurred in by the Senate January 13, 1899.

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### ADJOURNMENT FROM FEBRUARY 10 TO FEBRUARY 14.

WHEREAS, Monday, February 13, 1899, is a legal holiday, being the anniversary of the birth of Abraham Lincoln, therefore be it

*Resolved, by the Senate, the House of Representatives concurring herein,* That when the two houses adjourn on Friday, February 10, 1899, they stand adjourned until Tuesday, February 14, 1899, at 10 o'clock a. m.

Adopted by the Senate February 9, 1899.

Concurred in by the House February 9, 1899.

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### ADJOURNMENT FROM MARCH 31 TO APRIL 5.

*Resolved, by the Senate, the House of Representatives concurring herein,* That when the two houses adjourn on Friday, March 31, 1899, they stand adjourned until Wednesday, April 5, 1899, at 10 o'clock a. m.

Adopted by the Senate March 29, 1899.

Concurred in by the House March 31, 1899.

## ADJOURNMENT SINE DIE.

*Resolved, by the Senate, the House of Representatives concurring herein, That when the two houses adjourn on Friday, April 14, 1899, they stand adjourned sine die.*

Adopted by the Senate March 9, 1899.

Concurred in by the House March 10, 1899.

## CANVASSING RETURNS FOR ELECTION OF 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 fifth day of January, 1899, at the hour of ten o'clock, a. m., for the purpose of canvassing the returns of the election of State officers held on the eighth day of November, 1898, as required by the Constitution of this State.*

Adopted by the House January 4, 1899.

Concurred in by the Senate January 5, 1899.

## COMMITTEE ON JOINT RULES.

*Resolved, by the Senate, the House of Representatives concurring herein, That there be appointed a committee of seven on Joint Rules of the Senate and House of Representatives of the Forty-first General Assembly, consisting of three members of the Senate and four members of the House of Representatives, who shall prepare and report to each house joint rules for the regulation and conduct of business between the two houses.*

Adopted by the Senate January 26, 1899.

Concurred in by the House January 31, 1899.

## CONVICT LABOR SYSTEMS—COMMISSION TO INVESTIGATE.

*Resolved, by the Senate, the House of Representatives concurring herein, That the Governor be authorized and empowered to appoint a commission of six persons, three of whom shall be members of the General Assembly, one a warden of one of the penal institutions of this State, one a representative of the labor interests and one a representative of the manufacturing interests of the State. It shall be the duty of said commission to visit the State of New York, and any other states where a system of convict labor similar to that provided for in Senate Bill 419 is established, to thoroughly investigate the same and make report thereof to the next General Assembly, which report shall be printed. Said commissioners shall serve without compensation other than their necessary traveling and other expenses, and upon presentation of vouchers of expenses of said commission, approved by the Governor, the Auditor of Public Accounts is hereby authorized to draw his warrant for the amount of such expenses upon the State Treasurer, who shall pay the same out of any funds in the State treasury not otherwise appropriated.*

Adopted by the Senate April 11, 1899.

Concurred in by the House April 11, 1899.

## INDEPENDENT COMPANIES TO PARADE WITH ARMS.

WHEREAS, There are certain independent regiments, battalions and companies organized in the State of Illinois for the purpose of recreation and to acquire military knowledge to better enable them to understand the military code, and to better enable them, if occasion should require, to serve the State; and

WHEREAS, The statute of the State of Illinois does not at present permit said independent companies to parade with arms; and

WHEREAS, There is certain legislation pending in the present Legislature to enable said companies, with the permission of the Governor, to carry arms and parade; and

WHEREAS, There are certain companies in the State of Illinois that desire to participate in certain parades on March 17th of the present year; and

WHEREAS, They do not feel at liberty to do so without permission from the Legislature to authorize said companies to parade on said day; therefore be it

*Resolved, by the Senate, the House of Representatives concurring,* That the Governor of this State be, and the same is hereby, requested, if, in his judgment, it is the proper thing to do, to authorize and permit said independent companies or organizations, or such of them as he may deem proper, to participate in any such parade or celebration on such day as to him may seem proper.

Adopted by the Senate March 14, 1899.

Concurred in by the House March 14, 1899.

## JOSEPH MEDILL, DEATH OF.

WHEREAS, By the dispensation of Providence, Joseph Medill, the founder and late editor of the Chicago Tribune, departed this life on the 16th day of March, A. D. 1899; and

WHEREAS, The deceased was in his life time a distinguished citizen of Illinois, not less prominent in private pursuits than in a long and honorable public life, a journalist to whose industry and genius the press of the country is deeply indebted; and

WHEREAS, During the life of the deceased he was the personal friend and supporter of Lincoln in the ordeal of the great rebellion, and by his voice and pen set an example of loyalty and civic duty in our common country, and in later years a member of the convention of 1870 which framed the Constitution under which this General Assembly is now in session at this capitol, and by his public services left his impression upon the organic instrument under the wise provisions of which the State of Illinois has developed in all its mental, moral and physical resources; therefore, be it

*Resolved, that the House of Representatives of the 41st General Assembly, the Senate concurring herein,* Hereby express by these tokens its profound sorrow because of his death. That the State of Illinois has lost one of its most illustrious citizens, the press one of its most typical exponents, and his family and relatives one whose affection, whose memory and kindly deeds will endure after other earthly events are effaced; and be it further

*Resolved,* That these resolutions be engrossed by the Clerk of this House and a copy transmitted to the family and immediate relatives of the deceased; and that, as a further mark of respect, this House do now adjourn.

Adopted by the House March 17, 1899.

Concurred in by the Senate March 21, 1899.

## OHIO CENTENNIAL AND NORTH-WEST TERRITORY EXPOSITION.

WHEREAS, The State of Ohio will, in 1902, commemorate the admission of that State into the organization of the Territory of the Northwest; and

WHEREAS, Certain distinguished citizens of Ohio are present who wish to be heard explaining the scope and purposes of the centennial to be so held in 1902; therefore, be it

*Resolved, by the House of Representatives,* That they be invited to attend session at 5 p. m. to present the purposes of such one hundredth anniversary. Be it further

*Resolved,* That the Senate be invited to attend at the hour named in a body to sit in joint session with the House and that the Speaker be authorized to appoint a committee of five members to arrange for such meeting, and that the Senate be requested to appoint a like committee.

Adopted by the House March 22, 1899.

Concurred in by the Senate March 22, 1899.

## PARIS EXPOSITION—APPOINTMENT OF COMMISSIONERS.

*Resolved, by the House of Representatives, the Senate concurring herein,* That the Governor of the State of Illinois is hereby authorized to appoint one Commissioner and fifteen Associate Commissioners to the Paris Industrial Exposition, to be held in Paris, France, 1900. Said commissioners to act without pay in behalf of the State of Illinois under the instructions of said Governor.

Adopted by the House April 12, 1899.

Concurred in by the Senate April 12, 1899.

## PRACTICE COMMISSION—APPOINTMENT.

WHEREAS, There is a public demand for a revision of the practice and procedure in the courts of justice in this State:

*Resolved, by the Senate and House of Representatives of the State of Illinois,* That a commission consisting of five lawyers, none of whom shall be a holder of any public office or appointment of any nature in this State, to be selected in the manner hereinafter provided, is hereby constituted, to be known as the Practice Commission. The members of such commission shall be appointed by the Governor, two from residents of the County of Cook, of whom one shall be appointed on the nomination of the Appellate Court judges of the First District and one on the nomination of the Chicago Bar Association, and two from residents of the State outside of the County of Cook, of whom one shall be appointed on the nomination of the judges of the Supreme Court, and one on the nomination of the Illinois State Bar Association and one on the Governor's own motion. Sufficient evidence of such nomination shall be a certificate under the hands of the chief justices of said Supreme and Appellate Courts, and under the hands of the president and secretary of said bar associations respectively.

*Resolved.* That the said commission shall have the power, and it shall be its duty, to diligently compare and examine all the laws of the State of Illinois relating to practice and procedure in our courts, and to submit to the Governor in the form of a report for action by the General Assembly such amendments, revisions, additions and corrections, and such compilation thereof as said commission shall deem necessary. Such commission shall hold at least one sitting open to members of the bar in each of the Appellate Court districts of the State, and shall print and distribute to the members of the bar in the State a preliminary report, inviting criticism thereon, and shall make its final report, after having considered the criticisms made upon the preliminary report.

*Resolved*, That the members of said commission shall serve without salary, fees or compensation of any kind, except that there be paid to each of them the sum of \$300 immediately on the submission of such report, to cover his personal expenses while engaged in such service.

*Resolved*, That said commission may employ a secretary, who shall be a stenographer and typewriter. He shall be paid the sum of \$2,000 in full compensation for his services and his expenses of every nature. Out of said sum he shall be paid \$100 on the first day of each month succeeding his appointment, and whatever balance may remain of the said \$2,000 shall be paid on the submission of said report.

*Resolved*, That the \$3,500 above mentioned be paid by the Auditor of Public Accounts out of moneys which may be appropriated for the expenses of such commission.

*Resolved*, That the public printer shall do all printing relating to the duties of said commission which a majority of said commission shall, in writing, require of him.

*Resolved*, That the said commission shall make its report on or before the second day of the next session of the General Assembly, or may do so during a special session thereof if one shall be called prior thereto.

Adopted by the Senate February 23, 1899.

Concurred in by the House March 15, 1899.

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PUBLICATION OF STATEMENTS OF EXPENDITURES.

*Resolved, by the Senate, the House of Representatives concurring herein*, That all money expended on account of appropriations made by the Forty-first General Assembly shall be accounted for in detail to the Auditor of State by those authorized to expend the same. That as far as practicable each warrant issued by trustees and others authorized to issue them shall be numbered consecutively. They shall state to whom paid and for what purpose, together with the amount. Where the law requires those in charge of the expenditures of appropriations to make a public statement, published annually or biennially, the report shall include the above financial statement, and in all other cases the Auditor of State shall publish expenditures in detail under proper headings in pamphlet form.

Adopted by the Senate April 14, 1899.

Concurred by the House April 14, 1899.

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B. H. ROBERTS, MEMBER OF CONGRESS FROM UTAH.

WHEREAS, B. H. Roberts, a Democratic member of Congress from the State of Utah, boasts of being the husband of four wives at this time, and

WHEREAS, His persisting in the practice of polygamy is in direct violation of the laws of the land, in shameless disregard of the morals of modern society, and flagrant contempt of public decency, and the high standard of Christian civilization; therefore, be it

*Resolved, by the House of Representatives of the Forty-first General Assembly, the Senate concurring herein*, That it is the sense of this body that said Roberts is disqualified from sitting as a representative in the House, and his seat ought to be declared vacant. Be it further

*Resolved*, That a copy of these resolutions be forwarded to the Speaker of the National House of Representatives.

Adopted by the House January 31, 1899.

Concurred in by the Senate February 2, 1899.

## SERVICE PENSIONS FOR SOLDIERS OF THE CIVIL WAR.

*Resolved, by the House of Representatives of the General Assembly of the State of Illinois, the Senate concurring,* That the Senators and Representatives of the State of Illinois in the National Congress be requested to favor, and assist in securing, a fair and liberal service pension to every Union soldier veteran of the Civil War, not already a pensioner, regardless of any disability accruing from said service or since, whenever said soldier shall have arrived at the age of sixty-two years.

Adopted by the House January 31, 1899.

Concurred in by the Senate February 2, 1899.

## SPANISH-AMERICAN WAR—CONCERNING TREATY OF PEACE.

WHEREAS, The Committee on Foreign Relations in the United States Senate has submitted the treaty of peace between this country and Spain for ratification, and

WHEREAS, We have absolute confidence in the unerring judgment, boundless patriotism and infallible statesmanship of our highly honored President, William McKinley; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herein,* That we favor the immediate ratification of said treaty of peace, to the end that order may be restored throughout all the territory ceded to the United States, for which government shall be provided by Congress most conducive to the best interests of this country and the territory acquired; and our worthy Senators, Honorables Shelby M. Cullom and William E. Mason, are requested and urged to not only vote for, but to labor zealously to secure, the early ratification of said treaty.

*Resolved,* That this preamble and resolution be properly engrossed, and the Clerk of the House is hereby instructed to forward copies to our United States Senators without delay.

Adopted by the House January 19, 1899.

Concurred in by the Senate January 31, 1899.

## SPANISH-AMERICAN WAR—PROVISIONAL REGIMENTS OF ILLINOIS VOLUNTEERS.

WHEREAS, There were a number of provisional regiments of Illinois volunteers fully recruited and organized in this State for the late war with Spain, whose services were tendered to the Governor upon muster rolls fully made out for such regiments, ready to be mustered into the service of the United States; and

WHEREAS, The officers and men of such regiments made great sacrifice of time and money, and many of them gave up good business positions and professions to serve their country in the war and gave their whole time, for three months or more, in drilling and preparing for active service in the war; and

WHEREAS, Such provisional regiments made great and patriotic sacrifice in such preparatory military service without any recognition, recompense or reward; therefore, be it

*Resolved, by the House, the Senate concurring herein,* That the Governor of this State be, and is hereby, authorized to issue complimentary commissions to the officers of such provisional regiments in their respective grades, and thereupon the commanders of such regiments shall issue warrants to the non-commissioned officers of such regiments and certificates of enlistment and service to enlisted men upon forms to be furnished by the Adjutant General.

Adopted by the House February 21, 1899.

Concurred in by the Senate February 28, 1899.



SPANISH-AMERICAN WAR—THANKING CHARITABLE ASSOCIATIONS AND OTHER SOCIETIES AND INDIVIDUALS FOR SERVICES RENDERED.

WHEREAS, The late war with Spain called forth expressions of patriotism unsurpassed in the annals of history, and

WHEREAS, Race, creed, sex, social and official positions were not considered; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herein,* That the thanks of the General Assembly are extended to the Sisters of Charity and Mercy, and to the members of the Red Cross Society, whether at home or on the battlefield, or in the hospitals, and to the organizers of all movements, solicitors and donors of all benefactions tending to ameliorate the suffering of our gallant soldiers and sailors; and we hereby extend to the relatives and friends of the following named Sisters who died ministering to the wants of our soldiers and sailors, our sincere sympathy, namely: Sister Mary Larkin, who died at San Juan, and Sister Caroline, who died from typhoid, contracted while nursing our sick soldiers at Knoxville; and our thanks are hereby extended to Clara Barton, Miss Chanler and all other ladies and charitable organizations for like services rendered.

*Resolved, further,* That William McKinley, our honored President, is to be congratulated upon the successful conduct of a war for humanity's sake and for smiting the rocks of sectionalism, that overwhelming streams of patriotism might gush forth to forever wipe out the landmarks of secession; be it further

*Resolved,* That a copy of these resolutions be properly engrossed upon parchment, suitably framed and forwarded to the President of the United States, and like copies to the parties named herein or to their nearest relatives or friends.

Adopted by the House January 31, 1899.

Concurred in by the Senate February 2, 1899.

SPANISH-AMERICAN WAR—THANKING MISS HELEN GOULD.

WHEREAS, During the late war with Spain, Miss Helen Gould, of the City of New York, was devoted and untiring in her efforts to ameliorate the condition of our sick and wounded soldiers, and gave liberally of her means to that end, and

WHEREAS, Many of the soldiers of Illinois were fortunate recipients of her patriotic benefaction; therefore, be it

*Resolved, by the House of Representatives, the Senate concurring herein,* That the thanks of the General Assembly are extended to Miss Helen Gould for her patriotic devotion to our suffering soldiers and for her unselfish philanthropy.

*Resolved,* That in token of our appreciation of her noble qualities and conduct, the Clerk of the House is hereby authorized and directed to have a copy of these resolutions properly engrossed on parchment, suitably framed and forwarded to Miss Helen Gould, and a like copy to be engrossed on parchment and suitably framed, to be hung in the Memorial Hall in the State House.

Adopted by the House January 18, 1899.

Concurred in by the Senate January 20, 1899.

## SPANISH-AMERICAN WAR—THANKING VOLUNTEER NURSES AND OTHERS.

WHEREAS, The patriotic women of the United States at the very earliest moment tendered their services to the government in the Spanish-American war, ministered to the sick in hospitals, camps and fields; furnished supplies, delicacies and necessaries that were much appreciated by the sick and helped materially toward their recovery; smoothed the pillows of the dying and cared for families left at home; therefore, be it

*Resolved, by the Senate, the House concurring herein,* That the thanks of the State of Illinois be, and are hereby, tendered to the female volunteer nurses, matrons, attendants and other women who so patriotically provided for, attended and ministered to, our sick, wounded and dying volunteer soldiers, and cared for their families left at home, without compensation during the war with Spain.

Adopted by the Senate January 25, 1899.

Concurred in by the House January 26, 1899.

## ST. ALBANS ACADEMY.

WHEREAS, The advantage and importance to the State of a thoroughly educated and drilled militia was amply demonstrated in the late war, and

WHEREAS, The teaching of military science and tactics to the young men of this State will materially aid in the instruction and efficiency of its militia, and

WHEREAS, The St. Albans academy, of Knoxville, Illinois, is thoroughly organized and equipped for this purpose and has for its object such instruction in connection with a thorough academic education; therefore, be it

*Resolved, by the Senate and House of Representatives of the State of Illinois,* That the Governor shall, from time to time, at his discretion, or upon the request of the president of said institution, cause an inspection to be made, not oftener than once each year, of the discipline, course of study and general management of the institution; and further, be it

*Resolved,* That the graduates of the said academy shall be eligible to appointment as second brevet lieutenants in the Illinois National Guard, and may be commissioned as such and assigned to companies at the discretion of the Governor upon the recommendation of the inspecting officers and of the commanding officer of the company to which any graduate may be assigned, not exceeding one to each company; and further, be it

*Resolved,* That the Governor is authorized to appoint and commission the superintendent as colonel, and the military professor as quartermaster and surgeon, each as major in the Illinois National Guard; and

*Provided,* always, that nothing in these resolutions shall at any time be construed as involving any liability, pecuniary or otherwise, to the State, or to warrant any appropriation by the State in aid of said institution.

Adopted by the Senate February 15, 1899.

Concurred in by the House February 16, 1899.

## WAR DEPARTMENT—ADVOCATING CHANGE IN RULES AND REGULATIONS.

WHEREAS, On the 3d day of April, A. D. 1899, a committee of employes duly appointed and authorized by a large number of the civil employes at the U. S. arsenal at the city of Rock Island in this State peaceably and respectfully waited upon Major S. E. Blunt, commandant of said arsenal, for the purpose of securing redress of certain grievances complained of by them, and

WHEREAS, Said Commandant, Major S. E. Blunt, construing the rules and regulations of the U. S. War Department to preclude him from treating with said committee representing said workmen, refused an audience with said committee or to treat with them with a view to a hearing and settlement of their alleged grievances, and

WHEREAS, Said commandant's said construction of said rules and regulations has been approved and concurred in by his superior officers, the Chief of Ordnance and Acting Secretary of War, so that unless changed, said rules and regulations, so construed, remain and exist the permanent law of the department, and

WHEREAS, Said rules and regulations so construed (being adopted more than twenty years ago), are not now in harmony with, or adapted to prevailing industrial conditions or to the proper and peaceable adjustment of differences between employer and employé, and are repugnant to our sense of the rights and privileges of American workmen, and

WHEREAS, It appears that the only means of escape from the operation of said rules is their modification or repeal by the Secretary of War; therefore, be it

*Resolved, by the Senate, the House concurring herein,* That the Secretary of War be requested to so change and modify the rules and regulations of the War Department that it shall be the duty of the respective commandants at the U. S. arsenals, at all reasonable times, to grant to their civil employés, in person, or their duly constituted representatives, a respectful audience and hearing of grievances; and be it further

*Resolved,* That the Secretary of the Senate is hereby instructed to send a certified copy of these resolutions to the Secretary of War, the President of the United States, and to each of the senators and members of Congress from this State, who are requested to cooperate in the effort to secure the above modification and change of rules of the War Department.

Adopted by the Senate April 12, 1899.

Concurred in by the House April 12, 1899.

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WASHINGTON'S BIRTHDAY—USE OF CAPITOL TENDERED.

WHEREAS, The twenty-second day of this month being noted for the birth of the immortal George Washington; therefore, be it

*Resolved,* That the use of the capitol on the evening of Washington's birthday be, and the same is hereby, given, the House concurring herein, to a committee of four Representatives and three Senators, to be selected in their order and number named, by the Speaker of the House and the President of the Senate, for the majority and minority parties of the State for the purpose of securing eminent Illinois scholars, philanthropists and statesmen to address or read essays, non-sectarian and non-political in their nature.

Adopted by the Senate February 16, 1899.

Concurred in by the House February 16, 1899.

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MAJOR JOSEPH W. WHAM, HIS RESTORATION TO RANK AS PAYMASTER U. S. ARMY.

WHEREAS, An act hereto attached marked Exhibit 'A', as pursuant to reports also attached marked Exhibit 'B', was passed by common consent, not an adverse voice or vote in either House or Senate, by the 55th Congress for the restoration of Major Joseph W. Wham, Paymaster U. S. Army, a life-long citizen of Illinois, a gallant soldier of Grant's old regiment, and by him honored with his present appointment in the very last hours of his great official career, to his former status, from which the attached axiomatic reports show that he was so unjustly deposed, and

WHEREAS, As shown by said report, Major Wham discharged his duties as a soldier in the field from 1861 to 1865 so bravely that he was more than once recommended for the "Medal of Honor" by his corps and division commanders, and that he, as Paymaster U. S. Army, has faithfully accounted for public funds by him by virtue of his said office, defending same when attacked by bandits in the most gallant manner; and

WHEREAS, Said act was approved by the President, but has not yet been executed; now, therefore, be it

*Resolved, by the House of Representatives of the State of Illinois, the Senate concurring herein,* That the President be, and he is hereby, most respectfully requested to restore Major Wham as contemplated and authorized by said act, thus completing the act of justice to Major Wham as intended and purported by said act; and, be it further

*Resolved,* That Senators Cullom and Mason are hereby requested to use their influence to have Major Wham so restored.

Adopted by the House April 12, 1899.

Concurred in by the Senate April 12, 1899.

UNITED STATES OF AMERICA, } ss.  
STATE OF ILLINOIS, }

## OFFICE OF THE SECRETARY OF STATE.

I, JAMES A. ROSE, Secretary of State, of the State of Illinois, do hereby certify that the foregoing Acts and Joint Resolutions of the Forty-first General Assembly of the State of Illinois, passed and adopted at the regular session thereof, are true and correct copies of the original acts and joint resolutions, now on file in the office of the Secretary of State, save and except such words, letters and figures as are printed in brackets, thus: [ ].

[SEAL.] IN WITNESS WHEREOF, I hereto set my hand and affix the  
Great Seal of State, at the city of Springfield, this 31st  
day of May, A. D. 1899.



*Secretary of State.*

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