
Ordinances

OF THE

VILLAGE OF EVANSTON,
IN COOK COUNTY, ILLINOIS.

PUBLISHED BY AUTHORITY OF THE PRESIDENT
AND BOARD OF TRUSTEES.

Issued February 20th, 1874.

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VILLAGE ORDINANCES.

Animals Running at Large.

AN ORDINANCE

In Relation to Certain Animals Running at Large.

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Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. No cows, horses, mules, swine, sheep, goats, geese or cattle of any kind, shall be permitted to run at large within the Village of Evanston; and any owner or owners of any such animal

or animals, who shall permit the same to run at large, contrary to the provisions of this section, shall forfeit and pay a penalty of three dollars for each animal so permitted to run at large, together with the costs of impounding, and the expense of sustenance for such animal or animals, when impounded, as hereinafter provided.

SEC. 2. It shall be the duty of the pound-master of said village to take up any such animal or animals found running at large as aforesaid, and confine the same in a secure pen, pound or place provided by him for that purpose, and for so doing he shall receive from the treasurer of said village, when collected, an impounding fee of fifty cents for each animal so taken up and impounded by him; and for each neglect or refusal so to do, he shall forfeit and pay a penalty of five dollars.

SEC. 3. There shall be charged for each animal impounded an impounding fee of fifty cents, and also fifty cents for each day or part of a day for providing sustenance for each animal impounded.

SEC. 4. At any time before the sale of any animal or animals impounded, the owner or owners thereof may redeem the same by paying to the pound-master the penalty prescribed in this ordinance, together with the impounding fee and costs of sustenance as prescribed in the last section, and in case proceedings shall have been instituted before a judicial officer, the cost of such proceedings, and the amount of the judgment, if judgment shall have been recovered under the ordinance, together with subsequently accrued costs of sustenance, shall be the redemption money to be paid.

SEC. 5. When any animal or animals shall be impounded, as aforesaid, it shall be the duty of the said pound-master forthwith to make complaint before the police magistrate, or some justice of the peace of said village, against the owner or owners of such animal or animals, if known, and thereupon a warrant shall be issued, and upon the return thereof executed, or the defendant having appeared, it shall be the duty of the justice or police magistrate to inquire whether the defendant has been guilty of a violation of this ordinance; and, if the defendant be found guilty, judgment shall be rendered against him for the penalty, impounding fee and cost of sustenance herein above prescribed, and the costs of suit, and an order shall be entered that the animal or animals shall be sold to satisfy said judgment in case the same shall not be paid forthwith. Such order shall describe

the animal or animals, and state the time and place of impounding.

SEC. 6. When the owner of any animal impounded shall be unknown, it shall be the duty of the pound-master, when the same shall be impounded, to make complaint, as provided in the last section, against the unknown owner of such animal, describing the same; and thereupon the officer before whom such complaint shall be made, shall issue a notice in substance as follows, to wit:

POUND NOTICE.

WHEREAS, Complaint has this day been made before me, that the unknown owner of the following described animals, to wit: _____, impounded at _____, on the _____ day of _____, A. D. 18____, has permitted the same to run at large, contrary to the provisions of an ordinance entitled "An ordinance in relation to certain animals running at large." Now, therefore, notice is hereby given that a trial will be had upon the said complaint, at my office, in the Village of Evanston, on the _____ day of _____, A. D. 18____, at the hour of _____ m., when and where the unknown owner may appear and defend, if he sees fit so to do.

Witness my hand, this _____ day of _____, A. D. 18____.

_____, J. P. or P. M.

The day named in said notice for trial shall not be less than five nor more than ten days from the time of issuing the notice; and it shall be the duty of the pound-master upon making the complaint, forthwith to post three copies of said notice, one at the pound where the animal is impounded, one at the office of the justice or police magistrate issuing the same, and one at the door of the post-office in said village, and to return the said notice, with the time and manner of said posting.

SEC. 7. The justice or police magistrate issuing said notice shall enter the cause upon his docket as follows, to wit: "The Village of Evanston vs. The Unknown Owner of" [here specify the animals.] And upon the return of the notice prescribed in the last section, like proceedings shall be had, as in the case of personal service or appearance.

SEC. 8. In all trials for violation of this ordinance, the accused shall have the right of trial by jury, and in proceedings against unknown owners, the trial must be by jury.

SEC. 9. Upon the rendition of any judgment, as provided in section seven of this ordinance, the justice of the peace or police

magistrate rendering the same, shall issue to the pound-master an order which shall be in the following form as nearly as may be :

The People of the State of Illinois to — — Pound-Master.

WE COMMAND YOU, That of the following described goods and chattels, to wit : _____, the property of _____, you make the sum of _____ dollars and _____ cents debt, and _____ dollars and _____ cents costs, which the Village of Evanston lately recovered before me, against the said _____, and hereof make due return.

Given under my hand this, the _____ day of _____, A. D. 18 _____.

_____, J. P. or P. M.

SEC. 10. Upon the receipt of such order, the pound-master shall immediately post three notices, in like places as provided in section six of this ordinance, in substance as follows :

POUND NOTICE.

Taken up and impounded in the village pound of the Village of Evanston, the following described animals : _____ which, unless redeemed, will be sold at public auction, for cash, to the highest bidder, at said pound, at the hour of _____ o'clock in the forenoon, on the _____ day of _____, 18 _____.

_____, Pound-master.

The day of sale mentioned in said notice shall be the third day after posting the same, exclusive of Sundays, holidays and election days ; and if said animal or animals are not redeemed, the pound-master shall sell the same in accordance with said notice. It shall be the duty of the pound-master to return such order, within twenty days from its date, to the officer issuing the same, with an indorsement showing when and how the same was executed.

SEC. 11. The said pound-master shall not purchase or be interested directly or indirectly in the purchase of any animal taken up, impounded or sold by him under the provisions of this ordinance, under a penalty of not less than ten dollars nor more than fifty dollars for each offense, or the forfeiture of his office.

SEC. 12. If any person shall break open said pound, or in any manner, directly or indirectly, aid or assist in, or counsel or advise the breaking open of said village pound, he shall forfeit and pay a penalty of not less than five dollars nor more than twenty dollars for each offense.

SEC. 13. No person shall hinder, delay or obstruct said pound-master, when engaged in taking to said pound any animal or animals liable to be impounded, under a penalty of not less than five dollars nor more than ten dollars for each animal so being taken.

SEC. 14. The said pound-master shall, by the end of each quarter year, pay to the treasurer of said village all moneys received by him, over and above the necessary expenditures for the maintenance of the pound during the said quarter, by virtue of his office of pound-master, and shall at the end of each quarter year render to the treasurer of said village a full statement, on oath, of all the animals received into said pound during said quarter, describing the same, with the names of the owners, if known, the dates when received, redeemed or sold, and of all moneys received by him during said quarter for the redemption or sale of animals, or otherwise, as pound-master, and of all moneys expended by him in the maintenance of said pound, and shall attach to said statement receipts for all moneys so expended. Said pound-master shall also keep a record, in which he shall enter, from time to time as they occur, all matters required to be shown in such statements, and in which he shall cause to be written the receipts of owners of animals by them redeemed.

SEC. 15. When the proceeds of the sale of any animal or animals shall exceed the amount of judgment and costs, and the expense of sustenance which shall have accrued subsequently to the rendition of the judgment, and such excess shall have been paid to the treasurer, the owner or owners of such animal or animals shall be entitled to a warrant on the treasurer for such excess, upon presenting to him satisfactory evidence of his right thereto.

SEC. 16. The said pound-master shall, before entering upon the duties of his office, execute a bond to the Village of Evanston in the penal sum of one thousand dollars (\$1,000), to be approved by the Board of Trustees, conditioned for the faithful performance of the duties of his office, and the payment to the village of all moneys coming into his hands under this ordinance, or any ordinance amendatory thereof.

SEC. 17. Any person, who shall take or drive any such animal from any inclosed lot or tract of ground, or from any stable or other building, lawfully occupied by the owner of such animal, or from without the limits of said village, to said pound, with the

intent that such animal may be impounded, shall be liable to a fine of not less than five nor more than twenty dollars for every animal so driven or taken from the place or places aforesaid.

SEC. 18. It shall be the duty of said pound-master to keep such books, in such manner, as the treasurer shall direct; they shall show, among other things, all receipts and expenditures for his pound; and the treasurer shall, at least once each quarter year, audit and adjust the accounts of said pound-master.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Arrests, and Recovery of Fines.

AN ORDINANCE

Concerning Arrests and the Recovery of Fines, Penalties and Costs under the Ordinances of the Village of Evanston.

- SECTION 1. Arrests authorized.
2. Practice before magistrate.
 3. Duty of keeper of calaboose.
 4. Fines—how recovered.
 5. Arrests upon warrant.
 6. Commitment by magistrate.
 7. Commitment by process.
 8. Trial by jury.
 9. Boarding out fine—at what rate.
 10. Change of venue, and procedure.
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Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That the village constable, marshal, and policemen of said village are hereby severally authorized to arrest, with or without process, or on view, any person or persons who may break the peace or violate any of the ordinances of said village, and to take such person or persons forthwith before the police magistrate of said village, or any justice of the peace of Cook County, in the State of Illinois, or in case such arrest is made in the night, or on Sunday, to detain such person or persons in

custody over night or over Sunday in the village watch-house or any other safe place, until such person or persons can be brought before said police magistrate or justice for trial.

SEC. 2. Whenever any person or persons shall be arrested without process, or on view, for breaking the peace or violating any of the ordinances of said village, and shall be taken as aforesaid before the police magistrate or any justice of the peace, as prescribed in section one of this ordinance, such magistrate or justice shall note upon his docket the cause of such arrest as stated by the officer making such arrest, and proceed to hear and determine the case in the same manner as if the defendant had been arrested by a warrant, or may continue the case upon the application of either the defendant or the village attorney, for lawful cause, as provided in other actions before justices of the peace, in which case if the defendant shall give bond payable to said village, and conditioned for the appearance of the defendant before the magistrate or justice, hearing the cause, on the day and at the place named therein, and his abiding the order of the said magistrate or justice, and not departing the Court without leave, with security and in a sum to be approved by such magistrate or justice, he shall be discharged from the custody of the officer making the arrest; otherwise he shall in the discretion of the magistrate or justice be committed to the village calaboose, or other place provided for the imprisonment of offenders against the ordinances of said village, or remain in the custody of the officer making the arrest, until the time set for the trial of the case.

SEC. 3. In all cases of arrest on view for a violation of any of the ordinances of said village, in which detention in custody, of the person or persons so arrested shall be authorized by any of said ordinances, it shall be the duty of the keeper of the village calaboose or other place of confinement provided for violators of said ordinances to receive, and he is hereby authorized and empowered to receive, from any officer of said village legally empowered to make such arrests, any such person or persons, and him, her or them to safely keep until such person or persons can be safely brought before the police magistrate of said village, or some justice of the peace of said Cook County, and be tried for such violation in the manner prescribed by ordinance.

SEC. 4. That all fines, forfeitures, penalties and costs imposed against any person or persons by any of the ordinances of said village for the breach thereof, may be recovered before the police

magistrate of said village or any justice of the peace of said Cook County by action of debt in the name of "The Village of Evanston," and judgments may be rendered thereon, and collected by execution or other process, as other judgments of justices of the peace are rendered and collected; and such fines, forfeitures and penalties, when collected, shall be paid over to the treasurer of said village for the use of said village, on demand of said treasurer. In all actions for the violation of any ordinance, the first process shall be a summons, where arrest upon view is not made, or a warrant is not issued.

SEC. 5. Whenever any person shall make complaint in writing, verified by affidavit, to the police magistrate of said village, or any justice of the peace of the township of Evanston in said Cook County, and shall therein state that any ordinance of said village has been violated, and that the complainant has reasonable grounds to believe that the person charged in such complaint with such violation is guilty thereof, said police magistrate or justice may issue in the first instance a warrant for the arrest of the person or persons so charged; and any person or persons, so charged and arrested upon such warrant, shall without unnecessary delay, except as provided in section one of this ordinance, be taken before the magistrate or justice issuing such warrant, to be tried for the alleged violation. In all such cases continuances may be granted, bail taken, or commitments made as are provided for in cases of arrests under section two of this ordinance.

SEC. 6. In all cases where any person or persons, convicted of a breach of any of said ordinances, shall fail, neglect, or refuse forthwith to pay any fine, forfeiture, or penalty, and costs, which may be adjudged against such person or persons, it shall be competent and lawful for the police magistrate, justice of the peace, or other court, before whom such conviction is had, to order that such person or persons, so convicted as aforesaid, shall be committed to the jail of Cook County, the village calaboose, or other place provided by said village for the incarceration of offenders in such cases, there to remain until such fine, forfeiture, or penalty, and costs shall be fully paid or otherwise legally discharged. Provided, that no such imprisonment shall continue longer than the period of six months for any one offense.

SEC. 7. Commitment of any person or persons, as provided in either section two or six of this ordinance, shall be by process under the hand of the police magistrate, justice of the peace, or other

court, which shall have made the order for such commitment.

SEC. 8. In every case, where the trial for a breach of any of the said ordinances shall be by jury, the amount of the fine, penalty, forfeiture, or punishment, the limits of which are provided for by any ordinance, shall be assessed or fixed by the jury, if they shall find the defendant or defendants guilty; and the police magistrate, justice of the peace, or other court, before whom the same shall be tried by jury, shall record their verdict on his docket, and render judgment in accordance therewith, for the amount of the fine, penalty, forfeiture, or punishment so assessed or fixed by the jury and the costs of suit. If the jury shall return a verdict of not guilty, such magistrate, justice, or court, shall record the same and order that the defendant or defendants, if held in custody, be discharged.

SEC. 9. In all cases when judgment shall be rendered by the police magistrate, or any justice, or competent court, as aforesaid, in favor of said village against any person or persons convicted of a violation of any of the ordinances of said village, and such person or persons so convicted shall be committed to the county jail or other place of imprisonment provided by said village, and be imprisoned therein for failing, neglecting, or refusing to pay any fines, forfeitures, penalties, or costs, which may be adjudged against such person or persons, it shall be lawful and competent for any such person or persons, so convicted, committed and imprisoned, to board out in such place of confinement the amount of such fine, penalty, or forfeiture, and costs at the rate of twenty-four hours for each two dollars of such fine, penalty, or forfeiture and costs, until such fine, penalty, or forfeiture and costs be fully satisfied; provided no such imprisonment shall continue longer than six months for any one offense. And in such case, whether by satisfaction as aforesaid or by the expiration of six months from the commencement of such imprisonment, the keeper of said jail, or the place of confinement, shall endorse the writ of commitment "Satisfied in full by imprisonment," and discharge such person or persons from his custody.

SEC. 10. Changes of venue, and appeals from judgments, in all cases arising under any of said ordinances, shall be allowed before magistrates and justices of the peace; the same to be taken and granted in the same manner, and with like effect, as in other actions of debt before justices under the laws of this State. The same proceedings and practice shall be observed before magis-

trates or justices to whom changes of venue are taken, and the same powers may be exercised by them, as are provided for in this ordinance.

SEC. 11. This ordinance shall take effect and be in force, from and after its passage and due publication according to law.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

CHAS. J. GILBERT, President.

Coal and Hay.

AN ORDINANCE

In Relation to the Weighing of Coal and Hay.

- SECTION 1. Rights of purchasers.
2. A ton described.
 3. Penalty for short weight and deceit.
 4. Fees for weighing.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. That each and every person, firm or corporation who shall sell or be engaged in the business of selling coal or hay in the village of Evanston, to be delivered within said village, shall either produce and deliver to the purchaser, at the time of the delivery of the coal or hay purchased, a certificate signed by a weigher duly appointed under the ordinances of said village, showing the weight of the coal or hay so delivered; or the seller of said coal or hay shall, at the time and place of the delivery thereof, weigh, or cause to be weighed, the coal or hay so delivered, which weighing shall be done in the presence of the purchaser, or his, her or their agent, if he, she or they shall desire or see fit to be present.

SEC. 2. That every person, firm or corporation purchasing a ton of coal or hay, shall be entitled to receive two thousand pounds (and a proportionate amount for any portion of a ton purchased), and every person, firm or corporation selling the same, shall deliver two thousand pounds of coal or hay for each ton purchased

from such person, firm or corporation, and a proportionate amount for any part of a ton so purchased.

SEC. 3. Every weigher, who shall be guilty of giving a false certificate as to the number of pounds of coal or hay weighed by him, as provided in section one, and every person, firm or corporation who shall neglect or refuse to comply with the provisions of this ordinance, or who shall deliver to any purchaser a less quantity than two thousand pounds of coal or hay for each ton purchased (or a proportionate amount for any part of a ton), or who shall practice any fraud or deceit in the sale or delivery of any coal or hay purchased, to be delivered in said village as aforesaid, shall, on conviction by any magistrate or court having jurisdiction, be fined in a sum of not less than twenty dollars nor more than fifty dollars for each offense.

SEC. 4. For weighing each ton of hay or coal and issuing a certificate thereof, the village weigher shall be entitled to demand and receive from the person having the same weighed, the sum of ten cents.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Concealed Weapons.

AN ORDINANCE

In Relation to the Carrying of Concealed Weapons.

- SECTION 1. Carrying of deadly weapons prohibited.
2. Who may arrest offenders—how.
 3. Penalty.
 3. Exception as to police officers when on duty.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. All persons, within the limits of the Village of Evanston, are hereby prohibited from carrying, or wearing under their clothes, or concealed about their persons, any pistol, revolver, slung shot, cross knuckles, knuckles of lead, brass or other

metal, bowie knife, dirk knife, dirk, dagger, or any other dangerous or deadly weapon.

SEC. 2. Any policeman, marshal, constable, police magistrate, or justice of the peace of the Village of Evanston may, within the limits of said village, without a warrant, arrest any person or persons whom such officer may find in the act of carrying or wearing under their clothes, or concealed about their persons, any or either of the above named or other dangerous or deadly weapons, and detain him, her or them in the calaboose or lock-up, or in custody, until a summons or warrant can be procured on complaint, made (under oath or affirmation) for the trial of such person or persons.

SEC. 3. Any person, who shall be adjudged to have violated any of the provisions of section one of this ordinance, shall pay a fine not exceeding one hundred dollars, or be imprisoned for a term not exceeding six months, or both, in the discretion of the magistrate or court, before whom such conviction shall be had.

SEC. 4. The prohibitions of this ordinance shall not apply to the officers of said village, named in section two of this ordinance, when on duty.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Corporate Seal.

AN ORDINANCE

In Relation to the Corporate Seal.

SECTION 1. Seal described.

2. Village clerk shall have custody of.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That a seal in a circular form, with the words, "Village of Evanston, Cook Co., Illinois," on the outer circle, and in the interior of said circle, an open book, shall be the seal of the Village of Evanston, to be used in all cases that have been or shall hereafter be provided by the laws of the United States, the laws

of the respective States of the United States, and the ordinances of the said Village of Evanston, and in all cases in which, by the laws and customs of nations, it is necessary to use a seal by a corporation.

SEC. 2. The said village seal shall be and remain in the custody of the clerk of said village, to be used by the said clerk and the president of said village, as is provided in the first section of this ordinance.

Passed Sept. 30th, 1873.

Approved Sept. 30th, 1873.

C. J. GILBERT, President.

Dogs.

AN ORDINANCE

In relation to Dogs Running at Large.

- SECTION 1. Dangerous dogs not to run at large.
2. What deemed ownership of dog.
 3. Duty of police, constable, etc. to slay.
 4. Mad dogs.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. If any owner or possessor of a fierce or dangerous dog, or slut, shall permit the same to run or be at large at any time within the limits of said village, to the danger, or annoyance of any of the inhabitants, such owner or possessor shall forfeit and pay a sun of not less than five dollars for each offense; and upon a second conviction of such owner or possessor for such offense, the said dog or slut shall be slain and buried.

SEC. 2. Any person, who shall harbor or suffer or permit any dog or slut to be and remain at or about his house, stable, store, or other premises in said village, shall be held to be the owner of the same, and subject to the penalties contained in this ordinance.

SEC. 3. It shall be the duty of the police constable, and of such persons as the President of the Board of Trustees may designate, to slay all dogs and sluts as provided in this ordinance,

and to superintend the removal and burial of the same, and to enforce the provisions of the foregoing sections of this ordinance.

SEC. 4. Whenever it shall be made to appear to the President of the Board of Trustees, that there are good reasons for believing that any dog, or dogs, within the corporate limits of said village, or one mile thereof, are mad or have been bitten by any rabid animal, it shall be the duty of said President to issue a proclamation requiring that all dogs shall, for a period to be stated in the proclamation, wear a good and substantial wire, gauze or leathern muzzle securely put on, so as to prevent them from biting; and any dog, going or being at large, during the period defined in such proclamation, without such muzzle, shall be killed and buried, or the carcass otherwise disposed of. It shall be the duty of the police constable, and of such other persons as the President may designate, to enforce the provisions of this section and of such proclamation; and the use of fire-arms by such officer or persons in so doing shall not subject them to the penalties of any ordinance relative to the discharge of fire-arms.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Elections.

AN ORDINANCE

Regulating the Election of Certain Village Officers.

- SECTION 1. Election, when to be held—Notices of.
2. Judges and Clerks of—Clerk to notify.
3. Vacancies in Judges—how filled.
4. Oath of Judges and Clerks—Form of.
5. Qualifications of voters. [Clerks.]
6. Manner of conducting—Powers of Judges and
7. Tie vote—how determined.
8. Persons elected—Clerk to notify.
9. Vacancies in special cases—how filled.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. That an election shall be held annually on the third Tuesday in April, in each year, at such place or places as shall be designated by the Board of Trustees of said village, of which the village clerk shall give at least ten days' previous notice by posting in three of the most public places in said village written or printed notices thereof. And in case of a vacancy in any of the elective offices of said village, a special election may be ordered by the Board of Trustees of said village, or the remaining member or members thereof, to fill such vacancy; whereupon, like notice, as above provided, shall be given of the time and place, when and where such election shall be held to fill said vacancy.

SEC. 2. The Board of Trustees, or the remaining member or members thereof, shall annually, at least thirty days prior to such annual election, or in case of a special election, at any time prior to such special election, appoint to act as judges of election at each poll, three, and, as clerks, two competent persons; whereupon the clerk of said village shall give them notice in writing of their appointment.

SEC. 3. If any judge of election shall refuse to act, or fail to be present at the polls at the time fixed for the opening thereof, the vacancy shall be filled by any qualified voter of the village, to be selected by the remaining judges. And if no judge shall be present, a full board may be selected by the qualified electors in like manner. The judges shall have power to appoint one or more electors of the village to act as clerks, when necessary, to fill vacancies.

SEC. 4. Judges and clerks shall severally, before receiving any votes, take and subscribe an oath or affirmation, which shall be attached to the returns and shall be in the following form, to wit :

“ I do solemnly swear [or affirm, as the case may be] that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of judge of election [or clerk as the case may be] according to the best of my ability.”

If no person shall be present at the opening of the polls, authorized to administer oaths, it shall be lawful for the judges, or either of them, to administer the oath to each other, and to the clerks. The oaths, when thus administered, shall be in form as above given, and shall be certified by the judge or judges administering the same, and prefixed to each poll book.

SEC. 5. All persons entitled to vote at any general election for State officers within said village, having resided therein thirty days next preceding thereto, may vote at any election for village officers.

SEC. 6. The manner of conducting and voting at such elections and contesting the same, the keeping of poll lists and canvassing the votes, shall be the same, as nearly as may be, as in the case of the election of county officers, under the general laws of this State. The judges and clerks of such elections shall have the same powers and authority as the judges and clerks of general State elections. After the closing of the polls, the ballots shall be counted and the returns made out and returned, under seal, to the village clerk within two days after the election; and thereupon the Board of Trustees shall examine and canvass the same and declare the result of the election, and cause a statement thereof to be entered upon its journal.

SEC. 7. The person, having the highest number of votes for any office, shall be declared elected. In case of a tie in the election of any village officer, it shall be determined by lot, in presence of the Board of Trustees, in such manner as they shall direct, which candidate or candidates shall hold the office.

SEC. 8. It shall be the duty of the village clerk, within five days after the result of the election is declared, or appointment made, to notify all persons elected or appointed to office of their election or appointment, and unless such persons shall, respectively, qualify in ten days after such notice, the office shall become vacant.

SEC. 9. In the event of a vacancy caused by the death, removal, absence, resignation or other inability to act, of all the members of said Board of Trustees, it shall be the duty of the village clerk, or, if his office be vacant, or if he be absent or refuse to act, then of the police magistrate of said village, forthwith to call a special election to fill such vacancies, and to give notice and appoint judges and clerks therefor in like manner and with like effect as provided in section one and two of this ordinance, except that the previous notice of the time and place of holding such special election may be five days instead of ten days, as in other instances. Returns of such election shall be made to, and the canvass and result thereof made and declared by the officer calling such election. In case of a tie in any such election, the same officer shall determine by lot, which candidate or candidates

shall hold the office. And he shall also, within five days after the result of such election is declared, notify the person or persons elected, as provided in section eight of this ordinance.

Passed Sept. 30th, 1873.

Approved Sept. 30th, 1873.

C. J. GILBERT, President.

Fire Limits.

AN ORDINANCE

Establishing the Fire Limits of the Village of Evanston.

- SECTION 1. Fire limits designated.
2. Construction of buildings regulated.
 3. Penalty for violation.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That the fire limits of the Village of Evanston shall begin at the center of Maple avenue and its intersection with the center of Davis street (formerly College avenue); running thence south one hundred and ninety (190) feet; thence east on a line parallel with the south line of said Davis street, and one hundred and fifty (150) feet distant, therefrom, to the center of the alley in block twenty-six (26) in the Village of Evanston; thence northerly along the center of said alley and across Davis street, and thence northerly along the center of an alley in block twenty (20), to a point one hundred and fifty (150) feet north of the north line of Davis street; thence northwesterly and westerly on a line, parallel with Davis street and one hundred and fifty (150) feet distant from the north line thereof, to the center of Maple avenue; thence south to the place of beginning.

SEC. 2. No building or structure of any kind or description shall be erected, or constructed, within the fire limits as defined in section one of this ordinance, without the permission of said Board of Trustees first obtained, unless the outside and party walls thereof shall be composed of brick, stone, iron or other

incombustible material; and all buildings which shall, or may hereafter be erected, or constructed within said fire limits, without permission, as aforesaid, shall have outside walls of not less than one foot in thickness, and if any building shall be more than two stories in height above the basement, the outside walls of the basement and first story shall be not less than sixteen inches in thickness, and the walls of the stories above the first shall be not less than twelve inches, and with the exception of the front wall shall extend at least twelve inches above the roof: *Provided, however,* that all buildings, erected in said district and used as dwellings and barns only, may be constructed (with walls always not to exceed sixteen feet in height) on wooden sills not over eighteen inches from the ground, and cased up around the outside studding with a brick wall, not less than four inches in thickness, anchored to said studding and fastened thereto.

SEC. 3. Any person or corporation who shall, without the permission by order or resolution of said Board of Trustees first obtained, violate any of the provisions of this ordinance, shall be subject to a fine of not less than five nor more than two hundred dollars, and upon failure or refusal to comply with any of the provisions of this ordinance, he, she, or they shall be liable to imprisonment not to exceed six months for the first offense, and also for all costs and expenses arising from the enforcement of this ordinance.

SEC. 4. An ordinance heretofore passed, entitled, "An Ordinance Establishing the Fire Limits in the Village of Evanston," is hereby repealed: *Provided,* that such repeal shall not affect any rights which have been acquired by, nor any penalty or forfeiture or causes of action, which have accrued to said village under said ordinance.

Passed Jan. 6th, 1874.

Approved Jan. 6th, 1874.

C. J. GILBERT, President.

Fire-Wood.

AN ORDINANCE

Requiring Fire-wood to be Measured.

- SECTION 1. Wood brought to village for sale to be measured.
 2. Wagons to be open at sides and ends.
 3. Officer to examine piling of wood.
 4. What shall be deemed a cord.
 5. Penalty for violation of ordinance, or for fraud in sale of wood, etc.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. That it shall not be lawful for any person or persons, bringing or having brought fire-wood to said village for sale, to sell the same without first having it measured by the village weigher, and obtaining from him a certificate of the quantity so measured.

SEC. 2. That all wagons or vehicles, used for delivering wood sold, or on which wood is offered for sale in said village, shall be open at the sides and ends of the bed or rack, in or upon which the said wood may be piled.

SEC. 3. It shall be the duty of said officer, in measuring any fire wood, to carefully examine the manner in which the same is piled or racked up, and make all proper deductions for loose and improper piling, and for crooked and uneven wood.

SEC. 4. The amount required to constitute a cord of wood shall be equivalent to eight feet in length, four feet in width and four feet in height, well and closely packed.

SEC. 5. Any person or persons, who shall sell any fire-wood in said village without first having the same measured and procuring the said certificate, or who shall be guilty of fraud or imposition in the sale of wood, or who shall in any manner change or alter the said certificate with intent to deceive, or who shall sell more than one load or cord on the same certificate, shall forfeit and pay a fine of not less than five dollars nor more than fifty dollars for every such offense.

SEC. 6. For measuring each cord, or load of fire-wood, and issuing a certificate thereof, the village weigher shall be entitled to

demand and receive from the person having the same measured the sum of ten cents. Provided, that for measuring wood piled in any one quantity exceeding five cords, his fees shall not exceed fifty cents.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Fiscal Year.

AN ORDINANCE

Concerning the Fiscal Year of the Village of Evanston.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That the present fiscal year of the Village of Evanston shall be held to have commenced on the fifteenth day of April, A. D. 1873, and shall end on the thirty-first day of March, A. D. 1874, and from and after said last date, the fiscal year shall commence on the first day of April in each year, and shall end by the first day of the next succeeding April, including the first and excluding the last of said days.

SEC. 2. It shall be the duty of the village treasurer, annually, on or before the first day of April, to report to the Board of Trustees the report, and to make and file with the village clerk the account, required by the tenth section of the act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10th, 1872. And it shall be the duty of the village clerk, at the close of each fiscal year, and on or before the first day of April, annually, to submit to said Board of Trustees the report of his estimates, prescribed in section seventeen of said act of the General Assembly

SEC. 3. This ordinance shall be in force from and after its passage.

Passed Jan. 20, 1874.

Approved Jan. 20, 1874.

C. J. GILBERT, President.

Gunpowder and Combustible Materials.

AN ORDINANCE

Regulating the Storage of Gunpowder, Coal Oil and Certain Combustible Materials.

- SECTION 1. How to be stored—Penalty.
2. Retailers of gunpowder regulated.
 3. Retailers of coal oil, etc., regulated.
 4. Duty of President and Fire Marshal to make search—Penalty.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. That no person or persons shall keep or store any gunpowder, coal oil, kerosene oil, benzine, naphtha, camphene or gasoline, in any store, storehouse, warehouse, cellar or other place within said village, unless the same shall be stored in a fire-proof magazine or cellar, to be located and approved of by the President and fire marshal of said village; *provided*, that this section shall not be deemed as applicable to retailers of said articles, or either of them. Every person violating the provisions of this section shall be subject to a penalty of not less than ten dollars nor more than fifty dollars.

SEC. 2. No retailers of gunpowder shall keep or store any quantity thereof, greater than twenty-five pounds weight, in any storehouse, shop or place, within the corporate limits of this village, except in a magazine or cellar as aforesaid; *provided, also*, that said quantities of twenty-five pounds weight shall be kept in close, tin or copper, canisters, containing not more than five pounds each; and all retailers of gunpowder shall place on the building containing the same, over or at the side of the front door thereof, a sign with the words "*Powder for Sale*," printed or painted thereon, in letters at least three inches in height; and no such retailer of gunpowder shall be permitted to sell, retail, or give away the same, in said village, after lamp or gas lighting in the evening; and every person, violating the provisions of this section, shall be subject to a penalty of not less than ten dollars nor more than fifty dollars.

SEC. 3. No retailer of coal oil, kerosene oil, benzine, naphtha,

camphene or gasoline, shall keep or store within the limits of said village, a quantity greater than one barrel, containing forty-five gallons, of each of said articles, which shall be kept in a cellar or place remote from fires, lighted lamps, candles or gas lights; and no such retailer shall sell or give away the same after lamp or gas lighting in the evening. Every person, violating the provisions of this section, shall be subject to a penalty of not less than ten dollars nor more than fifty dollars.

SEC. 4. It shall be the duty of the President or fire marshal, when complaint is made or information is communicated to him, by any village officer or citizen, that there is probable cause to suspect any person or corporation of keeping or having stored any gunpowder, coal oil, kerosene oil, benzine, naphtha, camphene or gasoline, contrary to the provisions of this ordinance, to make at any time a careful examination of any building or place within said village, to ascertain the truth of such allegation or suspicion; and if it be found on such examination that any of said articles are therein kept or stored, contrary to this ordinance, the person or corporation keeping or storing the same, or occupying the building or premises where the same may be found, shall, on conviction, forfeit and pay not less than ten dollars nor more than fifty dollars for every such offense, and the further sum of ten dollars, for every twenty-four hours any of said articles are allowed to remain within said village, contrary to this ordinance.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Horse Railroads.

AN ORDINANCE

Concerning Horse Railroads.

Be it Ordained by the President and Board of Trustees of the Village of Erinston:

SECTION 1. The guage of all horse railroads, that may be laid within the corporate limits of said village, is hereby fixed at four feet, eight and one-half inches, unless permission by the Board of Trustees to change the same be granted.

SEC. 2. All rails, which shall be laid on any horse railroad track, in the streets, alleys, or other public grounds of said village, shall be tram rails, of the kind, quality, and material, customarily in use for horse railroads, unless express permission be first obtained by the order or resolution of said Board of Trustees to lay a different kind and quality of rail. The upper part of all rails shall not be laid above the level of the surface of the street, and the whole manner of constructing said railways, so as carry out the provisions of this ordinance, shall be subject to the direction of said Board of Trustees. The tracks shall not be laid within twelve feet of the sidewalks upon any of the streets, without special permission of said Board of Trustees first obtained.

SEC. 3. All proprietors, or corporations, owning or operating horse railroads in said village, shall keep the tracks of their respective roads, within the limits of said village, in good condition, and in such manner that such tracks shall not at any time be elevated above the surface of the streets or public grounds, on which they are laid; and in such manner also, that vehicles can easily and freely, at all times, cross said tracks at all points, in any direction, without obstruction. They shall also keep in good repair, such portions of the streets, as they may agree with said village so to do.

SEC. 4. Whenever any proprietor, company, or corporation, owning or operating any horse railroad within the limits of said village, shall fail, neglect, or refuse, to comply with the provisions of section three of this ordinance, the street commissioner or other officer of said village, so directed by said Board of Trustees, shall cause a notice to be served upon such proprietor, company, or corporation, requiring the track or tracks, or portion of the streets required to be kept in repair by such proprietor, company, or corporation, and mentioned in such notice, to be put in the condition specified in said section three, within five days after the service of said notice.

SEC. 5. If any such proprietor, company, or corporation, shall fail, neglect, or refuse, to put the track, or tracks, or any part thereof, or portion of the streets as aforesaid, mentioned in such notice, in the condition specified in section three aforesaid, within five days after the service of said notice, such proprietor, company, or corporation, shall forfeit and pay a penalty of not less than one hundred dollars, nor more than two hundred dollars for each

offense, and a further penalty of fifty dollars for every day such neglect, failure, or refusal, shall continue, after the expiration of said five days.

SEC. 6. If any proprietor, company, or corporation, owning or operating any horse railroad in said village, shall suffer or permit any car or cars to be run on any of the streets, alleys, or public grounds, or any portion thereof, within the limits of said village, at any time, without such car or cars being in charge of and under the control of some competent conductor, or driver, such proprietor, company, or corporation shall be subject to a penalty of not less than ten dollars nor more than two hundred dollars for each offense.

SEC. 7. All proprietors, conductors, or drivers of horse railroad cars are hereby prohibited from stopping any car at any street crossing, so as to interfere with or interrupt the travel of the several streets, which such car is required to cross. In stopping cars, for the accommodation of passengers, they shall in all cases pass over the respective cross streets, and not stop until the rear of the car shall arrive at the last sidewalk crossing, in the direction in which the car shall be moving. Every person or corporation, violating the provisions of this section, shall be subject to a fine of not less than three dollars nor more than twenty dollars for each offense.

SEC. 8. In all cases, where any team or vehicle shall meet a car upon any horse railway upon the streets of said village, such team or vehicle shall give way to said car. No person shall wilfully or maliciously obstruct, hinder, or interfere with any such car, by placing, driving, or stopping, or causing to be placed or driven at a slow pace, or stopped, any team, vehicle, or other obstacle, in, upon, across, along, or near to the track of such railway, within the limits of said village, after being notified by the ringing of the car bell. Every person, who shall wilfully violate any of the provisions of this section, shall forfeit and pay a penalty of not less than five dollars nor more than twenty dollars for each offense.

SEC. 9. This ordinance shall be in force, from and after the expiration of ten days from its publication in the Evanston Index.

Passed Jan. 20th, 1874.

Approved Jan. 20th, 1874.

CHAS. J. GILBERT, President.

Ice.

AN ORDINANCE

In Relation to the Sale of Ice.

SECTION 1. Penalty for selling impure ice.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION. 1. That it shall not be lawful for any person, or persons, to sell any family, person, or corporation, within said village, any impure ice, or any ice which shall contain filth, or any other matter, substance, or thing, and which, when melted, will render the water impure, or the use of the same unhealthful ; and any person, violating this ordinance, shall forfeit and pay not less than three dollars, nor more than fifty dollars for every such offense.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Licenses.

AN ORDINANCE

Authorizing the Granting of Licences.

- SECTION 1. President may grant.
2. Licenses to be subject to ordinances of village.
 3. Bonds to be approved by president and clerk.
 4. License not transferable.
 5. When granted not to exceed one year.
 6. Clerk to register.
 7. Fees of president and clerk.
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Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. That, unless otherwise provided by ordinance, the president of said village is hereby authorized, in his discretion, to

grant all licences, provided for by the ordinances of said village, which licenses shall be signed by the president and countersigned by the clerk of said village, under the corporate seal.

SEC. 2. All licenses, which may be issued under any ordinance of this village, shall be subject to the ordinances and regulations, which may be in force at the time of issuing thereof, or which may subsequently be made by the president and Board of Trustees ; and if any person so licensed, shall violate any of the provisions thereof, he shall be liable to be proceeded against for any fine or penalty imposed thereby, and his license shall be subject to be revoked, in the discretion of the president, or of the court or magistrate, before whom he shall be convicted of such violation.

SEC. 3. That the president and clerk of said village are hereby authorized to approve of the security in all cases, where the ordinances require a bond to be given to the village before a license shall issue, and said bond, when so approved, shall be filed in the office of the village clerk.

SEC. 4. No license, granted under any ordinance, shall be assignable or transferable, without permission of the president and village clerk, nor shall any such license authorize any person to do business or act under it but the person named therein, unless such ordinance shall otherwise provide.

SEC. 5. No license shall be granted at any one time for a longer period than one year ; and, in all cases, the president shall have power to hear and grant applications therefor, upon the terms specified by the ordinances of the village ; and all licenses shall be issued to such person or persons, as shall comply in all respects with the different provisions of the ordinances of the village, and as the president, in his discretion, shall deem suitable and proper persons to exercise the occupation for which he, she, or they, apply to be licensed, and to no others.

SEC. 6. It shall be the duty of the clerk to register, in suitable books, all licenses issued under the ordinances of said village, entering the names of the person or persons licensed, the date of the license, for what purpose granted, date of expiration, the amount paid, the name of the security on the bond, and if transferred, the date of the transfer, and to whom, and a column may be set apart for remarks.

SEC. 7. That the fees of the president and clerk, for issuing a license for any purpose, shall be fifty cents each ; and all of

said fees shall be added to the amount, charged for the license, and paid over to the village treasurer.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Licenses for Various Purposes.

AN ORDINANCE

In Relation to Licenses for Various Purposes.

- SECTION 1. Auctioneers must be licensed.
2. Brokers, money-changers, and pawn-brokers must be licensed.
 3. Theatres, circuses, concerts, etc. must be licensed.
 4. Ordinaries, second-hand and junk stores must be licensed.
 5. Second-hand and junk dealers shall not purchase from minors, without consent of parents, under penalty, etc.
 6. Conditions and terms, upon which licenses may be granted.
 7. Licenses may be transferred.
 8. Persons licensed, to be governed by ordinances; when person is deemed to be licensed.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That it shall not be lawful for any person within said village to exercise the business, trade, or vocation of an auctioneer, nor to sell or vend at public auction any goods, chattels, or personal property, or any interest therein, without first having obtained from said village a license for that purpose, as herein-after provided; and any person, violating this section, shall forfeit and pay not less than five nor more than one hundred dollars for every such offense.

SEC. 2. No person shall set up or keep any broker's, loan, or money-exchanger's office, or pawn-broker's exchange, within the

limits of said village, without first having obtained a license for that purpose, as hereinafter provided; and any person, violating this section, shall forfeit and pay not less than five nor more than two hundred dollars for every such offense.

SEC. 3. It shall not be lawful for any person or persons to own, conduct, or exhibit any show, exhibition, or entertainment, within said village, where money is charged to hear or see the same, without first having obtained a license for that purpose, as hereinafter provided; and any person, violating this section, shall forfeit and pay not less than five nor more than one hundred dollars for every such offense. *Provided*, that for musical parties or concerts, and exhibitions of paintings or statuary, given or made by the citizens of this village, no license shall be required.

SEC. 4. It shall not be lawful for any person or persons to set up, or keep, any ordinary, or victualing house, or place where any second-hand furniture, clothing, jewelry, rags, old metal, or miscellaneous articles of personal property are purchased and sold, without first having obtained a license for that purpose, as hereinafter provided; and any person, violating this section, shall forfeit and pay not less than ten nor more than one hundred dollars for every such offense.

SEC. 5. It shall not be lawful for any person, having a license from said village to keep a second-hand store or junk store, to purchase or receive from minors, without the written consent of their parents or guardians, any article of property whatever; and any person, violating this section, shall forfeit and pay not less than twenty-five nor more than one hundred dollars for every such offense.

SEC. 6. Licenses may be granted for any of the purposes contemplated by this ordinance, upon the following terms and conditions, to wit: 1. To auctioneers, for the period of one year, for the sum of twenty-five dollars; and for any period less than one year at the rate of twenty-five dollars per annum. 2. To stock and exchange brokers, for the term of one year, and for a sum not less than ten dollars. 3. To pawn-brokers, for the term of one year, and for a sum not less than ten dollars. 4. To circus companies, their managers or agents, to exhibit and perform for one day, fifteen dollars; for two days, twenty-five dollars. 5. To the managers or agents of theatres, shows, concerts, or exhibitions, performances, or entertainments of any kind whatever, as contemplated by this ordinance, for a sum of not less than two dollars,

for each and every day such person shall exhibit, perform, or show. 6. To the keepers of ordinaries or victualing houses, for the term of one year, and for a sum of not less than ten dollars. 7. To the keepers of second-hand stores, or junk stores, for the term of one year, and for a sum of not less than fifteen dollars.

SEC. 7. No license, issued under this ordinance, shall be transferred, unless with the consent of the President and village clerk, and such transfer shall be indorsed on the license by said clerk, and be by him registered.

SEC. 8. All persons, taking out licenses under this ordinance, shall be subject to and be governed by the ordinances of said village now in force, or that may hereafter be passed, in relation to any of said licenses, or the business connected therewith; and no person shall be deemed to be duly licensed under this ordinance, unless he has paid the amount charged for the same, and unless the license has been actually issued and delivered to him.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Misdemeanors.

AN ORDINANCE

In Relation to Various Misdemeanors and Offenses.

- SECTION 1. Vagrancy.
2. Indecent exhibition of horses, etc. prohibited.
 3. Disorderly house.
 4. Indecent exposure, etc. prohibited.
 5. Cruelty to animals.
 6. Drunk on street, etc.—Penalty.
 7. Fire-arms, etc. not to be discharged.
 8. Immoderate riding or driving prohibited.
 9. Sale of poison regulated—Penalty.
 10. Scaffolds regulated—how constructed.
 11. Flying kites—Penalty.
 12. Leaving horses, etc. unfastened—Penalty.
 13. Dangerous sports prohibited—Penalty.
 14. Law of the road—Penalty for violation of.
 15. Penalty for defective sidewalks, open gratings, etc.

16. Penalty for selling impure milk.
17. Penalty for disorderly conduct.
18. Penalty for disturbing public worship.
19. Penalty for street noises and false alarms.
20. Penalty for killing birds, etc.
21. Penalty for getting on or off cars in motion.
22. Bill posting prohibited—Penalty.
23. Penalty for throwing stones.
24. Sale and distribution of indecent books, etc.—
Penalty.
25. Bathing prohibited—where—Penalty.
26. Additional penalties in certain cases.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. All persons, who, not having visible means to maintain themselves, are without employment, idly loitering or rambling about, or staying in groceries, railroad depots, or fire engine houses, or who shall be found trespassing in the night time upon the private premises of others, or begging, or placing themselves in the street or other thoroughfare or public place to beg or receive alms; and all persons, who go about for the purpose of gambling or watch stuffing, or who shall have in their possession any article or thing used for obtaining money under false pretences, or who shall disturb any place where public or private schools are held, either on week day or Sabbath, or place where religious worship is held, shall be deemed vagrants, and, upon conviction, shall be fined in a sum not less than two dollars, nor exceeding one hundred dollars, or be imprisoned for a term not exceeding six months, or both.

SEC. 2. No person or persons shall indecently exhibit any stud horse, or bull, or let any such horse to any mare or mares, or any bull to any cow or cows, within the limits of this village, unless in some enclosed place out of public view, under a penalty of not less than five nor more than one hundred dollars for each and every such offense.

SEC. 3. If any person shall keep a common, disorderly, or ill-governed house, or suffer any person to play at cards, or other game of chance, on his premises, for the purpose of winning or

losing money or any other article or thing, every such person, on conviction, shall be fined in a sum not less than ten dollars, nor exceeding two hundred dollars.

SEC. 4. If any person shall appear in a public place in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any lewd or indecent act or behavior, or shall exhibit, sell, or offer to sell, any indecent or lewd book, picture, or other thing, or exhibit or perform any indecent, immoral, or lewd play or representation, he or she shall be subject to a fine of not less than twenty dollars, nor exceeding one hundred dollars.

SEC. 5. If any person shall inhumanly, unnecessarily, or cruelly beat, injure, or otherwise abuse any dumb animal, or overload any team, or expose any calves or sheep, upon the streets or sidewalks, with their legs tied, he shall be subject to a fine of not less than five dollars, nor exceeding twenty dollars, in any case.

SEC. 6. If any person shall be drunk or shall be in a state of intoxication in any highway, street, thoroughfare or public place within said village, or in any private house or place, to the annoyance of any citizen or person; or shall solicit alms from any person, without written permission from the President of said board, he shall be deemed guilty of a misdemeanor, and, on conviction, pay a fine not exceeding one hundred dollars.

SEC. 7. No person shall fire or discharge any cannon, gun, fowling piece, pistol or fire arms of any description, or fire, explode or set off any squib, crackers or other thing containing powder, or other combustible or explosive material, without permission from the Board of Trustees, or written permission from the President thereof, which permission shall limit the time of such firing, and shall be subject to be revoked by the President of Board of Trustees at any time after it has been granted. Any violation hereof, shall subject the offender to a fine of not less than two dollars, nor exceeding ten dollars.

SEC. 8. No person shall immoderately ride, or drive, any horse in any avenue, street, alley, or lane, within the limits of this village, under a penalty of not less than two dollars nor more than ten dollars. And it is hereby made the duty of every officer, and it shall be lawful for any citizen, to stop any person, who may be immoderately riding or driving, as aforesaid.

SEC. 9. No person shall vend, give away, or deliver, within

this village, any deadly poison, knowing the same to be such, without marking the same, in legible characters, "POISON," under a penalty of five dollars for each offense.

SEC. 10. All scaffolds erected in this village, for use in the erection of stone, brick, or other buildings, shall be well and safely supported, and be of sufficient width and properly secured, so as to insure the safety of persons working thereon, or passing under or by the same, against the falling thereof or of such materials as may be used, placed, or deposited thereon; any scaffold, which may be otherwise erected, shall be declared a nuisance; and any person, who shall erect or use, or cause to be erected or used, any scaffold, contrary to the provisions hereof, shall be subject to a fine of not less than five dollars, and not exceeding one hundred dollars, and to like fine for every day the same shall remain after notice, given by the street commissioner or any constable of said village, to remove, or reconstruct the same.

SEC. 11. No person shall raise or fly a kite, in any part of any street, avenue or lane of this village, under a penalty of one dollar for every offense.

SEC. 12. No person shall leave any horse, horses, or other animals attached to any carriage, wagon, cart, sleigh, sled, or other vehicle, in any part of the streets, avenues, alleys or lanes of this village, without securely fastening such horse, horses, or other animal, under a penalty for each offense of not less than two dollars, nor more than ten dollars.

SEC. 13. Any person, who shall use any sport or exercise, likely to scare horses, injure passengers, or embarrass the passage of vehicles, shall be subject to a fine not exceeding fifty dollars.

SEC. 14. In all cases of persons meeting each other in vehicles, in any highway or thoroughfare, or upon or near any bridge, each person so meeting shall, in all cases, turn off and go to the right side. Whoever shall violate this section shall be subject to a fine of not less than two dollars, nor exceeding fifty dollars; he shall likewise be subject to the payment of all damages, which may arise from collision, unless he shall be able to prove that the collision was wholly owing to the fault or misconduct of the other party.

SEC. 15. Any person, who shall keep or leave open any cellar door, or grating of any vault, on any highway, or sidewalk, or suffer the same to be left or kept open, or who shall suffer any sidewalk in front of his premises to become, or continue, so broken

as to endanger life or limb, shall be subject to a fine of not exceeding fifty dollars in every case.

SEC. 16. No person shall sell, offer to sell, or dispose of, any impure, unwholesome, adulterated, or diluted milk, in said village, under a penalty of not less than twenty-five dollars, nor more than one hundred dollars for each offense.

SEC. 17. Any person, who shall make, aid, countenance, or assist in making any improper noise, riot, disturbance, breach of the peace, or diversion, or shall use threatening or abusive language toward any other person, tending to a breach of the peace, in the streets, or elsewhere, in the village, and all persons, who shall collect in bodies or crowds for unlawful purposes, or for any purpose to the annoyance or disturbance of citizens or travelers, shall be severally subject to a fine of not less than one dollar, nor exceeding one hundred dollars.

SEC. 18. Any person, who shall disquiet or disturb any congregation or assembly, met for religious worship, or other exercises, by making a noise, or by rude and indecent behavior, or profane discourse, within their place of worship, or so near the same as to disturb the order and solemnity of the meeting, shall be subject to a fine of not exceeding fifty dollars.

SEC. 19. Any person, who shall wilfully give, or make, a false alarm of fire or watch, or who shall employ any bellman, or use or caused to be used any bell, horn, or bugle, or other sounding instrument, or who shall employ any device, noise, or performance, tending in either case to the collection of persons in the streets, sidewalks, or other public places, to the obstruction of the same, for any purpose whatsoever, without permission of the President of said board, in writing, shall be subject to a fine not exceeding twenty-five dollars.

SEC. 20. Every person, who shall kill or wound, or attempt to kill or wound, by the use of fire-arms, bow and arrow, pelting with stones, or otherwise, any bird within the village limits, or shoot an arrow, or throw a stone or club, or other missile, at any bird within any private grounds, or public parks, squares or grounds, or rob or destroy the nests of any bird, or birds, or enter upon any private enclosure or public grounds belonging to the village, for the purpose of doing any act prohibited in this section, shall, upon conviction, be fined the sum of five dollars for every such offense.

SEC. 21. No person shall get upon or off, or attempt to get

upon or off, any locomotive, engine, tender, car, or train of cars, (or any platform or step thereof) while the same, or either of them, are in motion, without first having obtained, from the person or persons in charge thereof, express permission so to do. Any violation hereof shall be punished by a fine of not less than two dollars, nor more than fifty dollars for each offense.

SEC. 22. No person shall, within the limits of this village, post or paint an advertisement upon any private wall, door, gate, or fence, (without consent in writing, first obtained of the owner of such wall, door, gate, or fence), or upon any curb-stone, flagging, gutter-stone, sidewalk, gateway, telegraph pole, fire plug, hydrant, wooden or iron railing, or fence of any public grounds or buildings, of the announcement for sale or barter of any description of drugs, merchandise or medicine, or lottery, or any notices, except of a legal or general public character, without the previous written permission of said President. Any person, violating any of the provisions of this section, shall be punished by a fine of not less than twenty dollars for each and every offense.

SEC. 23. No person shall throw or cast any stone, or other missile, upon or at any building, tree, or other public or private property, or upon or at any person in any street, avenue, alley, lane, public place, or inclosed or uninclosed ground, in this village, or aid or abet in the same, or hitch or fasten any horse or team to any tree in the streets of said village, under a fine for each offense of not less than five dollars, nor more than twenty-five dollars.

SEC. 24. No person or persons shall expose, circulate, offer for sale, sell, or distribute within the limits of this village, any obscene, scandalous or libellous newspaper, book, print, pamphlet, circular, or periodical, caricature, picture, drawing, statue, or other object whatever of any immoral or scandalous nature, or calculated to excite scandal, immorality, or disturbance of the peace or public tranquillity, under a penalty of ten dollars for each and every offense.

SEC. 25. No person shall swim or bathe in Lake Michigan at any time during the day or night, between Hamilton Street on the south and Haven Street on the north, or elsewhere within the village limits, in the day time, between the hours of five o'clock A. M. and eight o'clock P. M., under a penalty of not less than two dollars nor more than ten dollars for every offense.

SEC. 26. In all cases arising under this ordinance, the court

or magistrate, before whom conviction may be had, shall have power, in addition to the penalty or fine, to cause the offenders to be imprisoned for a period not exceeding six months, in his or their discretion.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Nuisances.

AN ORDINANCE

In Relation to Nuisances.

- SECTION 1. Keeping of swine regulated—Penalty.
2. Enclosures for swine.
 3. Slaughter houses prohibited.
 4. Distilleries, etc. regulated.
 5. Depositing of dead animals prohibited.
 6. Owners to remove same.
 7. Occupant of lot must remove dead animals.
 8. Depositing of ashes, slops, etc. prohibited.
 9. Offensive matter washing through upon adjoining premises.
 10. Discharging offensive substances into Lake Michigan prohibited.
 11. Penalty for keeping offensive grounds.
 12. Privies, vaults, etc. regulated.
 13. Cellars, drains, etc. regulated.
 14. Notices for abating nuisances.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. Any person or persons, who shall own, keep or use, any yard, pen, place or premises, within the Village of Evanston, in or upon which more than ten cattle or swine shall be confined or kept, at any one time, and any person or persons who shall own, keep or use any yard, pen, place or premises, in or upon which a less number of cattle or swine than ten shall be so kept as to be offensive to those residing in the vicinity, or an annoy-

ance to the public, shall be deemed the author of a nuisance, and, on conviction, shall be subject to a fine of not less than five dollars, and not exceeding fifty dollars in every case, and to a like fine for every day he, she, or they shall neglect or refuse to abate such nuisance, when notified to abate the same, as hereinafter provided.

SEC. 2. No person or persons shall keep or have kept any one or more swine in any enclosure or pen within the distance of two hundred feet of any dwelling house or houses, within the limits of said village; and any such enclosure or pen, so kept, is hereby declared a nuisance; and any person or persons, so keeping, or having kept in any pen or enclosure on his or their premises any one or more swine, shall be deemed the author of a nuisance, and on conviction, shall be subject to a fine of not less than five dollars, nor more than twenty-five dollars in every case, and to a like fine for every day he, she, or they shall neglect or refuse to abate such nuisance, when notified to abate the same, as hereinafter provided.

SEC. 3. It shall not be lawful for any person or persons to kill, or slaughter, within the limits of said village, any neat cattle, hogs or sheep, or to keep, maintain, or use therein, any house or place in which the business of slaughtering any of said animals may be carried on, without first having obtained a license so to do, and every person, violating any of the provisions of this section, shall be deemed guilty of a nuisance, and, on conviction, shall forfeit and pay not less than five dollars nor more than fifty dollars for every offense.

SEC. 4. It shall not be lawful for any person or persons to carry on the business of distilling, or of rendering lard, tallow, offal, dead animals, or other substances of like nature, or manufacturing glue or bone dust within the limits of or within a distance of two miles of the limits of said village; and every person, violating any of the provisions of this section, shall be deemed guilty of a nuisance, and, on conviction, shall forfeit and pay not less than ten dollars, nor more than one hundred dollars for every such offense; and a like fine for every day he, she or they shall neglect or refuse to abate such nuisance, when notified to abate the same, in the manner hereinafter provided.

SEC. 5. No person or persons, shall place or deposit, or cause to be placed or deposited, at any place in said village, any dead horse, cow, hog, dog, or the carcass or remains of any animal

whatever; and every person violating the provisions of this section, shall be deemed guilty of a nuisance, and, on conviction, shall forfeit and pay not less than five dollars nor more than one hundred dollars for every such offense, and all expenses of removing and burying the same.

SEC. 6. When any dead animal shall be found in said village, it shall be the duty of the person owning such animal at the time of its death, or of the person who deposited or caused the same to be deposited, to remove said animal forthwith beyond the limits of the village, and bury the same at least four feet deep; and if such owner or person, on being notified thereof by any officer or other person, shall, after a reasonable time, refuse or neglect to remove and bury the same, as herein required, he, she, or they shall forfeit and pay not less than five dollars, nor more than fifty dollars for every such offense, and shall also pay the expense of removing and burying the same.

SEC. 7. When any dead animal shall be found on any lot or part of a lot in said village, it shall be the duty of the person or persons, owning or occupying such lot or part of lot, to cause the same to be removed forthwith; and such owner or occupant of such lot, or part of lot, or any other person removing said animal, may collect the expense of such removal from the person owning or depositing such dead animal; and if any owner or occupant of any lot, or part of lot, shall fail or neglect to remove such dead animal, he shall forfeit and pay not less than five dollars, nor more than fifty dollars for every such offense.

SEC. 8. It shall not be lawful for any person to throw or deposit, or cause to be thrown or deposited, at any place in said village, any ashes, vegetables, meat, slops, swill, animal matter, suds, garbage, filth, stable drippings, or offal of any kind, which will produce an offensive odor, or whereby the health of any portion of the community may be affected or endangered; and every person, violating the provisions of this section, shall be deemed guilty of a nuisance, and shall forfeit and pay not less than five dollars nor more than fifty dollars for every such offense.

SEC. 9. It shall not be lawful for any person in said village to throw or deposit, or cause to be thrown or deposited, any slops, suds, swill, or other liquid substance, on or about the premises or lot occupied by him or her, in such manner that the same may run or be washed through or upon any adjoining lot, premises, street, or alley; and any person, violating this section, shall be

deemed guilty of a nuisance, and, on conviction, shall forfeit and pay not less than five dollars nor more than fifty dollars for every such offense.

SEC. 10. Any person or persons, who shall discharge or throw, or cause to be discharged or thrown into Lake Michigan, within the limits of said village, any dead animal, offensive substance, or thing which shall produce an offensive or nauseous smell, or which might affect the purity of the water or endanger the health of any portion of the citizens, shall be deemed guilty of a nuisance; and every person so offending shall, on conviction, forfeit and pay not less than five dollars, nor more than fifty dollars for every such offense, and shall also pay the expense of removing the same, if removal be practicable.

SEC. 11. If any person shall own, occupy, or keep, any grounds or other premises in such condition as to be offensive to the neighborhood, he shall be deemed guilty of a nuisance, and be subject to a fine of not less than five dollars, nor more than fifty dollars, and to a like fine for every day such nuisance shall continue after the first conviction.

SEC. 12. No person shall erect, or keep, any privy within forty feet from any street, or the dwelling, shop, or well of any other person, unless the same be furnished with a substantial vault, six feet deep, and made tight, so that the contents cannot escape therefrom, and be sufficiently secured and enclosed; any person so offending shall be deemed guilty of a nuisance, and be subject to a penalty of ten dollars, and to a like penalty for every week he shall continue to keep the same after the first conviction.

SEC. 13. If any person shall suffer or permit any chicken-coop, cow-house, stable, cellar, vault, private drain, pool, privy, sewer, or sink, upon any premises belonging to or occupied by him, to become nauseous, foul, offensive, or injurious to the public health, he shall be deemed guilty of a nuisance, and be subject to a fine of not less than five dollars, nor more than fifty dollars in every case, and to a like fine for every day the same shall continue, after notice to remove and abate such nuisance, given in the manner hereinafter prescribed.

SEC. 14. All notices given for the purpose of abating nuisances as above specified, shall be signed and served by the street commissioner, or any constable of said village.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Officers.

AN ORDINANCE

Concerning their Election, Appointment, and Duties.

- SECTION 1. Officers, their election, and appointment.
2. Duties of village clerk.
 3. Duties of village treasurer.
 4. Duties of village attorney.
 5. Duties of fire marshal.
 6. Duties of street commissioner.
 7. Duties of engineer and surveyor.
 8. Duties of village weigher, sealer, and pound-master.
 9. Duties of village collector.
 10. Collector's term of office.
 11. Collector's bond.
 12. Collector to report to Trustees—when.
 13. Collector's compensation.
 14. Collector's report to county collector.
 15. Village moneys—how kept by collector.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That the officers of said village shall consist of a Board of six Trustees, one of whom shall be chosen by said Board, as President, and a village clerk, the same to be elected by the qualified voters of said village; said Trustees and clerk shall hold their offices for one year, and until their successors are elected and qualified. The other officers of said village shall be appointed by said President and Board of Trustees, and shall hold their offices until they are removed or suspended, or until their successors are appointed and qualified. Any officer, so appointed, may from time to time be suspended or removed from office for good and sufficient cause, and all vacancies may be filled by said President and Board of Trustees. Said officers shall consist of a treasurer, an attorney, a fire marshal, a street commissioner, an engineer and surveyor, a sealer of weights and measures, a pound-master, a village weigher, and a village collector; and said President and Board of Trustees may also from time to time appoint such further or other officers as they

may deem necessary, and for such term (not exceeding the fiscal year for which they are elected) as they may see fit.

SEC. 2. It shall be the duty of the village clerk to keep the seal of said village, and affix the same to all papers requiring the corporate seal; to attend the general and special meetings of the Board of Trustees; to keep a correct journal of all its proceedings, record the same in a book to be kept for that purpose; record in a separate book all ordinances, which may be passed, from time to time, by the President and Board of Trustees, and cause the same to be published (if so required by law) within one month after they shall have been passed, in such newspaper as the Board of Trustees may designate; keep and preserve safely all papers pertaining to his office; prepare and deliver all licenses and bonds, on the receipt of the proper sums of money therefor; countersign all vouchers, and deliver the same when called for, taking a proper receipt for the same; notify all officers, appointed by the Board of Trustees, of their election; and generally to do and perform such other duties, as may at any time be enjoined on him by ordinance or resolution of the Board of Trustees. It shall be the especial duty of the village clerk, at the close of each fiscal year, to make out, and publish in the newspaper selected to publish the village proceedings, a full and complete statement of the receipts and expenditures of said village during such year, and showing on what account received and expended; and such fiscal year shall commence on the first day of April in each year, and shall end on the first day of the next succeeding April, including the first, and excluding the last of said days.

SEC. 3. It shall be the duty of the village treasurer, to keep a true and accurate account of all moneys paid into the treasury, by whom and on what account received; keep a distinct account of all special assessments, and in making reports to the Board of Trustees, to make a separate and specific report of the same; pay out all such sums of moneys as may be ordered by the said Board, vouchers therefor being signed by the President of said Board, and countersigned by the village clerk; and finally, to make an annual report of the state of the treasury and of his doings, to the Board of Trustees, or oftener, if required by said Board; and the treasurer shall perform such other duties as may be prescribed by ordinances, or resolution of the Board of Trustees.

SEC. 4. It shall be the duty of the village attorney to keep a docket of all the cases, to which the said village is a party, in any

court of record, in which shall be briefly entered all steps taken in each cause (and which shall at all times be open to the inspection of said Board of Trustees) and to attend to all such matters in court. It shall also be the duty of said officer to draft all ordinances, bonds, contracts, leases, conveyances, and such other instruments of writing as may be required in the business of said village; to examine and inspect tax and assessment rolls, and all proceedings in reference to the levying and collection of taxes and assessments; to attend, when required, the meetings of the Board of Trustees, and to perform such other and further duties as the President and Board of Trustees may designate.

SEC. 5. It shall be the duty of the fire marshal to see that all chimneys are properly constructed, and kept in good order; that all stoves, furnaces, and heating apparatus are properly put up, secured, and protected; that no rubbish, shavings, or other combustible materials are thrown out on the streets and alleys, and burned up thereon, or allowed to remain thereon, contrary to the ordinances of said village in such cases made and provided; that no straw, hay, or other combustible material, is placed or stacked within the limits of said village, contrary to the provisions of the ordinances for such cases provided; also to report to said Board all fires in said village, and to examine into the probable cause thereof; and to perform such other duties as the Board of Trustees may from time to time direct.

SEC. 6. It shall be the duty of the street commissioner to superintend streets, alleys, side and cross-walks within said village; to see that the same are not dug or taken up, or otherwise injured, and to keep the same in good order and repair; to have the same kept open and free from all fences, houses, boxes, barrels, wood, coal, and everything that shall interfere with the travel thereon, and to have all rubbish, nuisances, and dead animals, removed therefrom as provided by the ordinances of said village; to oversee all laborers on the streets and alleys in said village, and keep an account of their time, and report the same monthly to the President and Board of Trustees.

SEC. 7. The village engineer and surveyor shall do and perform, within said village, all engineering and surveying and such other duties pertaining to his office, as may from time to time be prescribed to him by ordinance, order, or resolution of the President and Board of Trustees, or cause the same to be done by some competent person. He shall, when requested so to do,

survey any private lot in said village into so many parts or divisions as may be desired, and put down the necessary stakes; designate, when requested by any person about to build a house or fence, or grade, or make a sidewalk, the line of a street, lane, avenue, or alley, on which such house or fence is to be erected, or sidewalk made, and also the grade of such street, lane, avenue or alley, and make out and deliver to individuals, certificates of all surveys made at their request.

SEC. 8. The duties of the scaler of weights and measures shall be those which are prescribed by the ordinance concerning "Weights and Measures," and such as shall be required of him from time to time by order or ordinance of said Board of Trustees. The duties of the village weigher shall be those which are prescribed by the ordinance concerning "Coal and Hay" and "Firewood," and such other ordinances as may from time to time be adopted by said Board of Trustees. The duties of the poundmaster shall be such as are prescribed by the ordinance of said village, concerning "Animals running at large," and such other ordinances as may be enacted.

SEC. 9. That a village collector be appointed for said Village of Evanston, who shall perform the duties prescribed for such officer in the act of the General Assembly of the State of Illinois, entitled, "An Act to provide for the incorporation of cities and villages," approved April 10th, 1872; collect special assessments in said village, and perform such other duties appertaining to his said office as may from time to time be prescribed by ordinance, order, or resolution of the Board of Trustees of said village.

SEC. 10. Said collector's term of office shall continue until the first day of May next, and until his successor shall be appointed and qualified, and thereafter there shall be a village collector appointed at the first regular meeting of the said Board of Trustees, in May of each and every year, whose term of office shall be one year, and until his successor shall be appointed and qualified.

SEC. 11. Said collector shall execute a bond to said Village of Evanston, with two or more sureties, to be approved by said Board, in such sum as shall be from time to time prescribed by order or resolution of said Board, conditioned for the faithful performance of the duties of his office and the payment of all moneys received by him, according to law and the

ordinances of said village, and for a compliance with the orders and resolutions of said Board of Trustees.

SEC. 12. Said collector shall, upon the first day of each and every month, submit a report to the Board of Trustees of all moneys collected by him, and shall on the first day of each and every month, and as much oftener as required by order or resolution of said Board, pay over to the village treasurer all moneys received by him.

SEC. 13. Said collector shall be entitled to receive for his services as collector such compensation, as shall hereafter be agreed upon, and fixed by ordinance.

SEC. 14. Said collector shall make and return a report in writing, to the county collector of Cook County, of all the lands, town lots, and real property, on which he shall have been unable to collect special assessments, with the amount of special assessments due and unpaid, together with his warrant, or warrants, accompanied with the oath in such cases by the statute required, on or before the tenth day of March, next after the same shall have become payable, unless a different time shall be appointed by special ordinance in particular cases, in which event such cases shall be governed by the special ordinance.

SEC. 15. The said collector is hereby expressly prohibited from keeping the moneys collected by him in his hands, or in the hands of any person to his use, beyond the time which may be prescribed for the payment of the same to the village treasurer; and any violation of this provision shall subject him to immediate removal from office.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874. C. J. GILBERT, President.

Ordinances.

AN ORDINANCE

Concerning Ordinances, their publication, repeal, and Construction.

- SECTION 1. Reading, filing and proof of ordinances.
2. When Ordinances take effect.
 3. Repeal, and effect.
 4. To whom applicable.
 5. Rights saved.

6. Procedure, when different penalties for same offense are given. [dinance,
7. Fines, in cases where no penalty is fixed by or-
8. Power of President pro tem.
9. Damages resulting from breach of ordinances.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. All ordinances, passed by the President and Board of Trustees, shall be recorded by the clerk in a book, kept for village ordinances. The original shall be filed in the office of said clerk, and due proof of publication of all ordinances requiring publication shall be procured by the clerk, and such proof or affidavit of publication shall be attached to and filed away with said ordinances; and the clerk shall also note on his said book of ordinances, at the foot of the record of each ordinance, a memorandum of the date of the passage, and if published or posted, of the date of the publication or posting of such ordinance.

SEC. 2. All ordinances, passed by the President and Board of Trustees, requiring publication, shall take effect after due publication thereof as required by law, and ordinances relative thereto. Ordinances, not requiring publication, shall take effect from and after their passage, unless otherwise provided therein.

SEC. 3. When any ordinance, repealing a former ordinance, clause, or provision, shall be itself repealed, such repeal shall not be construed so as to revive such former ordinance, clause or provision, unless it shall be therein so expressly provided.

SEC. 4. All ordinances, wherein the words, "party," or "parties," "person," or "persons," "he," or "she," or "they," shall be used either jointly or separately, shall be construed to extend to and include either male or female, and also bodies corporate, unless otherwise therein provided, except where the subject matter or context of the ordinance could not be so construed without repugnancy.

SEC. 5. Whenever an ordinance shall be repealed, or modified, by a subsequent ordinance, the ordinance or part of ordinance, thus repealed or modified, shall continue in force, until the due publication or posting of the ordinance repealing or modifying the same, when such publication or posting shall be required to give effect thereto, unless therein otherwise expressly provided.

But no suit, proceeding, right, fine or penalty, instituted or created, given, secured, or accrued under any ordinance previous to its repeal, shall in anywise be affected, released or discharged, but may be prosecuted, enjoyed and recovered as fully as if such ordinance had continued in force, unless it shall be therein otherwise expressly provided.

SEC. 6. In all cases, when the same offense may be made punishable, or shall be created, by different clauses or sections of the ordinances of said village, the prosecuting officer may elect under which to proceed; but no more than one recovery shall be had against the same person for the same offense.

SEC. 7. Whenever in any ordinance the doing of any act, or the omission to do any act or duty, is declared to be a breach thereof, and there shall be no fine or penalty, declared for such breach, any person, who shall be convicted of such breach, shall be adjudged to pay a fine of not less than three dollars nor more than two hundred dollars.

SEC. 8. Whenever any power shall be vested in the President of the Board of Trustees, or he shall be required to do any act or perform any executive function, in his absence, it shall be the duty of the acting President, for the time being, to exercise such power and perform such act or executive function as fully as if especially named in the ordinance, unless it shall be therein otherwise expressly provided.

SEC. 9. Whenever in any ordinance the doing of any act, or the omission to do any act or duty, is declared to be a breach thereof, and damage, loss, expense, or injury to the village, or to any person, is a result or consequence of such doing or omission, compensation for such damage, loss, expense or injury, may be recovered from the offender by the party aggrieved.

Passed Jan. 6th, 1874.

Approved Jan. 6th, 1874.

C. J. GILBERT, President.

Plumbers.

AN ORDINANCE

For the Government of Plumbers.

SECTION 1. Must procure license—Penalty.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION. 1. That any person, who shall lay any water service pipes, or introduce into or about any building, or on any grounds, any water pipes, or do any plumbing work in any building, or on any grounds, for the purpose of connecting such pipes, or plumbing works, with the pipes of the Evanston Water Works, or of preparing them for such connections, with the view of having such premises supplied with water by the Evanston Water Works, or who shall make any addition to or any alteration of any water pipe, bath, water-closet, stop-cock, or other fixtures, or apparatus, for the supplying of any premises with water, without being duly licensed to perform said work by the President of the Board of Trustees of the village of Evanston, and without having first obtained a permit for the doing of such work from said President, shall be subject to a fine of not less than ten dollars and not exceeding fifty dollars in every case.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Police.

AN ORDINANCE

Providing for Regular and Special Policemen in the Village of Evanston.

- SECTION 1. Policemen, regular and special—how appointed.
2. Duties and authority of policemen.
 3. Powers of entry.
 4. Neglect of duty—fraud and malfeasance.
 5. Resistance of officers—Penalty.
 6. Duty to assist officers—Penalty for failure.
 7. Personating police—Penalty.
 8. Dismissal from service—when. [to Board.
 9. Appointments of special policemen to be reported

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. The Board of Trustees of said village may from time to time, in their discretion, by order or resolution, appoint

such regular policemen in and for said village, as they shall consider necessary, whose term of office and compensation shall be fixed in such order or resolution. And the President of said Board, may in cases of emergency, without the action of said Board, appoint to preserve the public peace, such special policemen as he may require, to serve under his directions for a period not exceeding forty-eight hours from the time of their appointment, and who shall receive such compensation for their services as shall be fixed by said Board. All regular and special policemen shall, before entering upon their duties, take and subscribe an oath to faithfully and impartially discharge the duties of their office, as fixed by ordinance, in addition to the requirements of the oath administered to other officers of said village, and shall in order to be qualified to act as such, be citizens of this State, and actual residents of said village, and be commissioned by warrant under the hand of said President, and the Village Clerk, attested by the corporate seal.

SEC. 2. The several members, regular and special, of the police force of said village, when on duty, shall devote their time and attention to the discharge of the duties of their stations, according to the laws and ordinances of said village, and the directions of the President of said Board, and it shall be their duty, to the best of their ability, to preserve order, peace and quiet, and enforce the ordinances of said village. They and each of them shall have power to arrest, on view, all persons in the village found in the act of violating any law or ordinance, or aiding or abetting in any such violation, and to take such persons so arrested before the police magistrate of said village, or any justice of the peace of Cook County, for trial, or to detain such offenders in custody, under the circumstances specified in the ordinances of said village, concerning "Arrests, and the Recovery of Fines, Penalties and Costs," until they can be conveniently brought to trial before such magistrate or justice. They shall have power and authority in said village to serve and execute warrants, and other process for the apprehension and commitment of persons, held for examination or trial, charged with or taken in execution for the commission of any crime, or misdemeanor, or violation of any law or ordinance of said village; and while executing, serving, or assisting in, the service of any such warrant or process, shall have all the powers and authority vested in constables by the common law or any laws of this State.

SEC. 3. They shall have power and authority, in a peaceable manner, or, if refused admittance after a demand is made, with force, to enter into any house, store, grocery, shop or other building whatever, in this village, in which any person or persons may reasonably be expected to be for unlawful purposes, and if any person or persons shall be found therein guilty of any crime or misdemeanor, or violation of any ordinance for the preservation of the peace and good order of the village, or who may reasonably be suspected thereof, or who shall be aiding or abetting such person or persons so found in any such offense, they shall apprehend, keep in custody, and bring to trial, such person or persons as in cases of other arrests.

SEC. 4. Any policeman, who shall neglect or refuse to perform any duty, required of him by the President of the Board of Trustees, or the ordinances of said village, or who shall in the discharge of his duties, be guilty of any fraud, extortion, oppression, favoritism, partiality, or wilful wrong or injustice, shall forfeit and pay a penalty not exceeding one hundred dollars for each offense.

SEC. 5. Any person, who shall in this village resist any policeman, village marshal, or constable, in the discharge of his duty, or shall in any way interfere with, hinder, or prevent him from discharging his duty as such policeman, marshal, or constable, or shall offer or attempt to do so, and every person, who, shall in any manner, assist any person in custody of any policeman, village marshal, or constable, to escape or attempt to escape from such custody, or shall rescue, or attempt to rescue any person in such custody, shall be fined not less than three dollars nor more than one hundred dollars for each offense.

SEC. 6. It shall be the duty of all persons in this village, when called upon by the village constable, marshal, or any policeman of said village, to promptly aid and assist him in the execution of his duties in preserving peace and good order, and in the apprehension of offenders; any person who shall neglect or refuse to give such aid and assistance, shall be fined not exceeding one hundred dollars.

SEC. 7. Any person, who shall within said village, falsely represent himself to be a policeman, or who shall, maliciously or with intent to deceive, use or imitate any of the signs, signals, or devices adopted and used by the police force in the discharge of their duties; or shall wear in public the uniform or badge adopted

as the uniform or badge for such policemen after having been removed or suspended from the police force, or after ceasing to be such policeman, shall be subject to a fine of not less than three dollars nor more than one hundred dollars.

SEC. 8. Any regular or special policeman may be dismissed from service, for incompetency, disobedience of orders, violation of duty, immoral conduct, or other good cause, by said Board of Trustees, or the President thereof, at his or their discretion.

SEC. 9. It shall be the duty of the President of the Board of Trustees to report to said Board all appointments of special policemen, made by him, at the first regular meeting of said board held after any such appointment.

SEC. 10. This ordinance shall take effect from and after the expiration of ten days from its publication, according to law.

Passed Feb. 5th, 1874.

Approved Feb. 5th, 1874.

C. J. GILBERT, President.

Prevention of Fires.

AN ORDINANCE

For the Prevention of Fires.

- SECTION 1. Stoves and pipes, how to be used.
2. Stoves, how and where placed—fire place.
 3. To be three inches from any wood-work.
 4. Pipe to be secured in its position.
 5. How, and where, the pipe shall discharge.
 6. Penalty for violation.
 7. Chimneys regulated.
 8. Hay, straw, etc., not to be stacked within village limits, unless by permission.
 9. Burning of hay, straw and etc., regulated.
 10. Use of lights and fires in stables, etc. regulated.
 11. Removal of chips, shavings, etc.
 12. Carrying of fire regulated.
 13. Duty of fire marshal to examine building, etc.;—penalty for disobeying.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That it shall not be lawful for any person to erect or use any stove, or stove-pipe, in the Village of Evanston, except in accordance with the following provisions of this ordinance.

SEC. 2. Every stove in use shall be placed on a floor or platform of brick, or other incombustible material, of sufficient thickness and extent to prevent all danger of fire to any floor or other wood work from such stove; and all other fire-places and hearths, of every description, shall be kept in good and sufficient repair to prevent any danger from fire.

SEC. 3. No part of any stove-pipe shall be placed or suffered to remain within the distance of three inches from any wood or wood-work whatever.

SEC. 4. Every stove-pipe, in its passage through the ceiling, floor, partition, wall, or roof, shall be secured in its position at every such passage by plates of tin or iron, or by means of cut stone or earthen safes; and all horizontal pipes, or portions of pipe not perpendicular, shall be supported by wires or other proper supporters, so as to prevent all danger of the falling of such pipes.

SEC. 5. No stove-pipe shall pass through more than one ceiling before entering a chimney, or terminate or discharge at any distance less than three feet from the roof or any other wood-work of any building, nor discharge towards any building so as to endanger the same, nor into any street or alley.

SEC. 6. Every person, who shall violate any of the provisions of the foregoing sections of this ordinance, shall, on conviction, be subject to a penalty of not less than five dollars, nor more than one hundred dollars for every offense.

SEC. 7. No person shall build, or cause to be built, a chimney resting upon any part of a building liable to settle, unless such foundation is permanently connected with the rafters where the chimney passes through the roof, so that the whole may settle together; and no chimney shall be commenced in any loft unless there are fixed stairs leading to the same, easy of access at all times, under a penalty of not less than five dollars, nor more than one hundred dollars, for every such offense and a further sum of five dollars for each week either shall remain, after notice shall be given by the fire marshal to alter the same.

SEC. 8. No person or persons shall deposit, or stack, any hay, straw, or any other combustible substance, within one hundred feet of any dwelling house, barn, stable, outhouse, or building of any description, within the limits of the Village of Evanston, without first having obtained written permission from the President and fire marshal of said village, under a penalty of twenty five dollars for every such offense, and a like penalty for every week the same may remain after notice to remove.

SEC. 9. No hay, straw, shavings, or other combustible matter shall be set fire to, or burned, within any street, alley, public or private ground, within the fire limits of said village. Nor shall any hay, straw, shavings, or other combustible matter, be set fire to, or burned, without the fire limits and within the village, nearer than sixty feet to any house, barn, shed or wooden building, unless by the direct permission, in writing, or superintendence of the fire marshal. Any person, so offending, shall be liable to a penalty of not less than five dollars, nor more than fifty dollars for every offense.

SEC. 10. No lighted candle or lamp shall be used in any stable, or other place or building, where hay, straw, or other combustible materials, shall be kept, unless the same shall be well secured in a lantern, and every person thus offending shall be liable to the penalty of five dollars for each offense; and no fire shall be kept in any stove, or otherwise, in any such building, or any room where such combustible material is kept, and any person so offending shall be liable to a penalty of ten dollars, and an additional penalty of five dollars for each and every twelve hours that said fire shall so remain.

SEC. 11. Every person, keeping or occupying a shop or other building, wherein shavings or other combustible materials are made, accumulated, or may be contained, shall forfeit the sum of two dollars for every neglect to clear or remove the same out of such buildings, and the yards belonging thereto, at least three times in each week; and no stove shall be used in any such shop or building, unless the same shall be set in a box surrounded with fire proof material, with the pipe carefully set up according to the provisions of this ordinance; and no lighted candle or lamp shall be used in any such shop or building, unless the same shall be well secured in a lantern. Every person violating any of the provisions of this section shall be subject to the penalty of five dollars for every such offense.

SEC. 12. Any person, who shall carry fire, in, or through any street, or lot, or other public or private place, except the same be placed or covered in some close or secure pan, or other vessel, shall be subject to the penalty of one dollar for each offense.

SEC. 13. It shall be the duty of the fire marshal of said village to examine carefully, at all times during the year, every house, store, warehouse, shop or building, and places for the deposit of ashes, chips or shavings, and also to remove and abate any cause from which immediate danger of fire may be apprehended, and to cause all buildings, chimneys, stoves, pipes, hearths, ovens, boilers, ash-houses, ash-barrels, smoke-houses, and all fixtures, things and apparatus used in or about every building which shall be found in such condition as to be considered unsafe, to be, without delay, at the expense of the owner or occupant thereof, put in such condition as not to be dangerous in causing or promoting fires; and any person, refusing or neglecting to comply with the provisions of this section, or with the notice or request of the said fire marshal, given or made in reference to any matter or thing contained in this section, shall, on conviction, be subject to a penalty of not less than five dollars nor more than one hundred dollars for every such offense.

Passed Jan. 13, 1874.

Approved Jan. 13, 1874.

C. J. GILBERT, President.

Sanitary Ordinance.

AN ORDINANCE

Concerning a Board of Health, and Sanitary Regulations in the Village of Ecanston.

- SECTION 1. Board of Health established.
2. Prevention of contagion—Vaccination.
 3. Health officers—Duties and powers.
 4. Nuisances—how abated—Neglect to comply—Penalty.
 5. Patients having infectious diseases to be removed.
 6. Notice of small pox—Removal—Penalty.
 7. Hospitals—how supplied—Interments.

8. Physicians to report cases of infectious disease—
Penalty for failure.
9. Householders to report—Penalty.
10. Patients, with infectious disease, going abroad—
Penalty.
11. Board of Health to make rules.
12. Hospitals and quarantine stations—how and when
established—Regulations.
13. Rules and regulations—Penalty for violation.
14. Expenses—how audited and paid.

*Be it Ordained by the President and Board of Trustees of the
Village of Evanston :*

SECTION 1. That there be and there is hereby established a Board of Health in said village, which shall consist of three members, citizens of said village, to be appointed by said Board of Trustees, and who shall hold their office during the pleasure of said Board of Trustees. All vacancies in said Board of Health may be filled, and any member thereof may be removed from office, from time to time, by said Board of Trustees, at discretion.

SEC. 2. The said Board of Health, may take such measures, as they may, from time to time, deem necessary to prevent the spread of the small-pox, or other pestilential diseases, by issuing an order requiring all persons, in said village, or any part thereof, to be vaccinated, within such time as they shall prescribe, or to conform to such other reasonable sanitary regulations, as they may establish. All persons, refusing or neglecting to obey such order, shall be liable to a fine of not less than three dollars, nor more than fifty dollars for each offense; *provided*, that it shall be the duty of said Board to provide, at the expense of the village, for the vaccination of such persons as are unable to pay for the same.

SEC. 3. The said Board of Health by and with the consent of the said Board of Trustees, may from time to time appoint, and at discretion remove from office, one or more health officers, whose duty it shall be to carry out all the orders of the Board of Health, the laws of the State, and ordinances of the village relating to the sanitary regulations of the village; to proceed, from time to time, to make a thorough and systematic examination of the village, and cause all nuisances to be abated with all reasonable prompt-

ness. For the purpose of carrying out the foregoing requirements, such health officer shall be permitted at all times, from the rising to the setting of the sun, to enter into any house, store, stable, or other building, and to cause the floors to be raised, if he shall deem it necessary, in order to make a thorough examination of cellars, vaults, sinks, or drains; to enter upon all lots or grounds, and to cause all stagnant waters to be drained off, pools, sinks, vaults, drains, or low grounds to be cleansed, filled up, or otherwise improved; to cause all privies to be cleansed and kept in good condition; and to cause all dead animals, or other nauseous or unwholesome things or substances, to be buried, or removed beyond the limits of the village.

SEC. 4. In order to carry out the provisions of the foregoing section, it shall be the duty of the health officer to serve a notice in writing upon the owner, occupant, or agent, of any lot, building, or premises, in or upon which any nuisance may be found, or upon any person who may be the owner or cause of such nuisance, requiring him or them to abate the same, in such manner as said officer may prescribe, within a reasonable time after such service; *provided*, that it shall not be necessary, in any case, for the health officer to specify in his notice the manner in which any nuisance shall be abated, unless he shall deem it advisable so to do; and such notice may be served by any officer of said village, who may be deputed or directed by said health officer to serve the same. If such owner, occupant, agent, or person, so served with a copy of such notice, shall neglect or refuse to comply with the requirements of such notice, within the time specified therein, he shall be subject to a fine of not less than three dollars, nor more than fifty dollars for every violation; and it shall be the duty of said health officer to proceed at once, upon the expiration of the time specified in said notice, to cause such nuisance to be abated; *provided*, that whenever the owner, or occupant, of any premises, or his agent, in or upon which any nuisance may be found, is unknown, or cannot be found, the said health officer shall proceed to abate the same without notice; and in either case, the expense of such abatement, when made by said health officer, shall be collected from the offender in such manner as shall be provided by ordinance or resolution of said Board of Trustees.

SEC. 5. It shall be the duty of said health officer to visit and examine all sick persons, who shall be reported to him as taken, or supposed to be taken, with small-pox, cholera, or any infec-

tious or pestilential disease, and, under the advice of the Board of Health, cause all such infected persons to be removed to the cholera, small-pox, or other hospital, or to such other safe and proper place as he may think proper, or as he shall be directed by said Board of Health, and cause them to be provided with suitable nurses, medical attendance and nourishment, at their own expense, if they are able to pay for the same, but, if not, then at the expense of the village.

SEC. 6. It shall also be the duty of such health officer, when directed by the Board of Health, to cause a notice, printed or written in large letters, to be placed upon or near any house in which any person may be affected or sick with small-pox, upon which notice shall be written, or printed, the words, "SMALL-POX HERE;" and if any person or persons shall deface, alter, mutilate, destroy, or tear down such notice, without permission of the Board of Health, or of the health officer, such person or persons shall be liable, for each offense, to pay a fine of not less than twenty-five dollars, nor more than fifty dollars. The occupant of any house, upon which such notice shall be placed or posted, as aforesaid, shall be held responsible for the removal of the same, and if the same shall be removed without permission, as aforesaid, such occupant shall be subject to a fine of not less than twenty-five dollars, nor more than fifty dollars, unless he shall notify the Board of Health, or health officer, within twenty-four hours after the removal of such notice.

SEC. 7. It shall be the duty of the health officer to see that the hospital or other place, to which he shall cause sick or infected people to be removed, is supplied with suitable nurses, furniture, fuel, nourishment, and medicines, under the direction of the Board of Health, and that persons dying therein are decently and promptly buried at the expense of the village; *provided*, that such expense shall not be charged to the village unless such deceased persons have left no means to defray the expenses of their sickness and burial.

SEC. 8. Every physician, practicing in this village; who shall have any patient affected or sick with any malignant fever, cholera, small-pox, or any infectious or pestilential disease, shall forthwith make report thereof in writing to some member of the Board of Health, or to the President of the Board of Trustees, describing the locality of the house or place where said patient may be, with such certainty that the same may be easily found.

Any physician, who shall withhold such information, or neglect or refuse to comply with the provisions of this section, shall be fined in a sum not less than five dollars, nor more than fifty dollars for each day he shall neglect or refuse so to do.

SEC. 9. No person shall put out, remove, or allow to be put out or removed, from the premises or place occupied or owned by him, into any street, alley, or other public place in said village, any person having the small-pox, or any infectious or pestilential disease. Such owner or occupant shall immediately report such case to the health officer, or some member of the Board of Health, or to the President of the Board of Trustees. Any person, who shall violate any provision of this section, or neglect or refuse to report as aforesaid, shall be fined not less than ten dollars, nor more than two hundred dollars, for each offense.

SEC. 10. If any person, affected with any contagious disease, small-pox, cholera, or any infectious or pestilential disease, shall before complete recovery therefrom, wilfully go without his private premises, or other place where he may have been kept during such disease, into or upon any of the streets or public places in said village, or in any manner wantonly or recklessly expose any of the inhabitants of said village to such contagion or disease, every such person shall be fined for each offense in a sum not less than twenty-five dollars, nor more than two hundred dollars.

SEC. 11. The said Board of Health shall make such rules and regulations for the government of the quarantine or health of the village, as from time to time, they shall deem necessary, subject however to the approval of said Board of Trustees; and any physician or health officer in charge of any quarantine station, or hospital, of said village, shall have power to make and enforce such regulations as may be necessary for the proper conduct and management thereof; and it shall be the duty of all persons in quarantine, or hospital, and of all agents, officers, or other persons employed by said village in or about such quarantine or hospital, to carry out and obey the same.

SEC. 12. The Board of Trustees of said village, shall, when necessary, select, purchase, lease, or establish sites, places and boundaries for pest houses, hospitals, and for quarantine stations, and provide, lease, purchase or erect thereon, from time to time, such buildings as in their judgment may be requisite and necessary, and keep the same in good repair, and fit for their occupation by patients. The said Board of Health, whenever

they shall deem it necessary, may, by proclamation, (the approval of said Board of Trustees being first obtained) require all vessels, railroad cars, or other public conveyances, touching at or passing through the village, before the same shall land or stop at any wharf, landing, depot, or stopping place, in said village, to touch or stop at some site, place, or boundary, so selected and established for quarantine or hospital purposes, and leave all such emigrants, travelers, or persons recently from sea-board, and all such sick, diseased or unclean persons, with their stores and baggage, as in the opinion of the officers stationed at such quarantine sites, hospitals, places or boundaries shall be deemed proper, on account of the existence or general report of cholera, small-pox, contagious disease, or disease endangering the health of the inhabitants of said village; and whenever it shall be deemed necessary to issue such proclamation, it shall be the duty of the Board of Health to send the same, with the substance of the regulations of quarantine and the period of time during which the same shall be in force, to such persons and places as they shall deem proper. Said Board of Health shall also cause to be stationed at such quarantine sites, places or boundaries, one or more health officers, or physicians, whose duty it shall be to go on board and examine all cars, vessels, or other public conveyances, so as aforesaid required to stop or touch at such quarantines respectively, and then and there determine what emigrants, passengers or persons, if any, shall stop at such quarantine; and it shall be the duty of all persons in charge of such car, vessel or public conveyance, to aid any health officer or physician of said village, in the exercise of the duties aforesaid. The said health officers or physicians shall attend to all sick persons detained in quarantine as aforesaid, and provide medicines and necessaries for their use, and shall have general supervision of such quarantines, and may compel persons placed therein to purify their bodies, clothes and baggage, and do all such acts and things as shall be proper in the premises, keeping correct accounts of all necessary expenditures and services, which shall be allowed and paid by order of the Board of Trustees. And whenever the officer in charge of any such quarantine station, shall be satisfied that any persons detained there, as aforesaid, are free from disease, and their baggage and effects are properly purified; he shall discharge them.

SEC. 13. No person, master or conductor, in charge of any

vessel, car, or other public conveyance, shall knowingly bring into this village any person diseased with cholera, small-pox, or any contagious or communicable disease whatever; and no person, stopping or detained in any hospital or at any quarantine place in said village, shall leave the same without obtaining permission from the officer in charge thereof; nor shall any person aid or abet in any violation, neglect or evasion of any provision or requirement of this ordinance; nor shall any person interfere with, resist, neglect, or refuse to obey the orders of any health officer, physician, or other person in authority at any hospital or quarantine, established as aforesaid, or do any act in violation or disobedience of any of the provisions, clauses, or sections of this ordinance; nor shall any person interfere with or attempt to defeat any lawful regulation of said Board of Health, or officer in charge of any hospital or quarantine. Any person, who shall offend as aforesaid, or who shall in any manner resist any officer or agent of this village in the discharge of his duties, as contemplated in this ordinance, or attempt to defeat or interrupt the carrying into effect of the provisions of this ordinance, or any lawful regulation of said Board of Health, shall in cases where no other penalty is prescribed, be fined not less than two dollars, nor more than two hundred dollars for each offense.

SEC. 14. All necessary expenses incurred under this ordinance, or any lawful regulation of said Board of Health, shall be audited by the said Board of Trustees, and paid out of the appropriate fund, or when necessary out of the contingent fund of said village; *provided*, that when practicable, all persons, taken into hospital or quarantine, and there receiving aid and care, shall pay such moneys as shall be sufficient to meet the expenses, labor and care, incurred on their behalf; which moneys, when received, shall be faithfully kept, accounted for and paid over to the treasurer of said village, on demand, by the officer receiving the same.

SEC. 15. This ordinance shall take effect from and after the expiration of ten days from its due publication.

Passed Feb. 5th, 1874.

Approved Feb. 5th, 1874.

C. J. GILBERT, President.

Street Labor.

AN ORDINANCE

Concerning Labor on the Streets in the Village of Evanston.

- SECTION 1. Able-bodied males, between twenty-one and sixty years, required to labor.
2. Duty of street commissioner, to serve notices.
 3. Commutation for road labor.
 4. Notices—how served—Penalty for failing to comply with notices.

Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. That every able-bodied, male person, over the age of twenty-one years, and under the age of sixty years, residing within the limits of said village, be and he is hereby required to labor on the streets or public alleys of said village, under the direction of the street commissioner, three days in each year: *Provided*, every person subject to such labor, may in lieu thereof, pay into the treasury of the village, or to the street commissioner, the sum of one dollar per day for each of the three days' labor herein required; said money to be applied in opening and keeping in repair the streets and alleys of said village.

SEC. 2. It shall be the duty of the street commissioner to serve the usual notice on the person, subject to the performance of street labor, at least two days before such person shall be liable to appear and perform such labor, or to pay any sum of money in lieu thereof, which notice shall be in substance as follows, to wit:

“Mr..... Sir: you are hereby notified to appear at
 ‘.....on the .. day of A. D. 18.... at
 ‘o'clock .. M. and bring with you for the pur-
 ‘pose of laboring on the streets and alleys, as you shall then
 ‘and there be directed by me, or that you pay to me or the
 ‘Treasurer of the Village of Evanston, within two days after
 ‘the service of this notice, the sum of three dollars; otherwise
 ‘you shall become liable to pay to the said village the sum of four
 ‘dollars without further notice, unless paid before suit com-
 ‘menced for the same.”

SEC. 3. It shall be the duty of the street commissioner, or of the Treasurer, on the receipt of the sum of three dollars, to execute and deliver to the person paying the same, a receipt in writing, which shall operate as a full and complete discharge of the person, to whom it is made, for the amount of street labor, the said person shall be liable to perform for the year mentioned therein.

SEC. 4. It shall be deemed sufficient service of the notice, mentioned in the preceding section, if the same, or a copy thereof shall be delivered to such person, or left at the usual place of abode of such person, liable to perform such street labor, with some member of his family, above the age of ten years, and informing such member of the contents thereof, or by leaving a copy at his usual place of business, with some clerk, agent, or employe of the person notified. Every person, who shall, after being so notified, refuse, or neglect, to appear and perform the work required of him at the time specified in the notice aforesaid, shall forfeit and pay in lieu thereof, four dollars, to be recovered in an action of debt, in the name of said village, unless he shall, before suit be brought, pay to the treasurer or street commissioner the sum of one dollar for each day he shall be so required to labor.

Passed Jan. 20th, 1874.

Approved Jan. 20th, 1874.

CHAS. J. GILBERT, President.

Street Names.

AN ORDINANCE

Naming certain Streets, and changing the names of certain Streets and Alleys, in the Village of Evanston.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. The street running east and west through the center of the northwest quarter of Section Eighteen (18), Township forty-one (41) North, Range fourteen (14), East of the third principal meridian, and the Northwest quarter of section thirteen

(13), Township forty one (41) north, Range thirteen (13), east of the third principal meridian, so far as included in the village of Evanston, shall be and is hereby named Emerson Street.

SEC. 2. The street running east and west through Lyons', Gilbert's, and Woodford's Addition to Evanston shall be and hereby is called Lyons Street.

SEC. 3. The Street now called College Avenue, shall be and hereby is named Davis Street. Also the street, now called Grove Avenue shall be and hereby is named Grove Street. Also the Street called Lake Avenue, shall be and hereby is named Lake Street. Also the street now called Greenwood Avenue, shall be and hereby is named Greenwood Street.

SEC. 4. That the Street, now called Ridge Street, shall be and hereby is, named Ridge Avenue ; that the Street, now called Oak Street, shall be and hereby is named Oak Avenue ; that the Street now called Maple Street shall be, and hereby is named Maple Avenue ; and that the Street, now known as Benson Street shall be and hereby is named Benson Avenue.

Passed Nov. 19th, 1872.

Approved Nov. 19th, 1874.

C. J. GILBERT, President.

Streets.

AN ORDINANCE

Concerning Streets, their Use and Obstruction.

- SECTION 1. Encumbering streets by building material.
2. Removal of encumbrances—Penalty.
 3. Proceeding to remove same.
 4. Vehicles on streets—Prohibited when.
 5. Removing buildings without permit—Penalty.
 6. Buildings on streets—Penalty.
 7. No buildings on thoroughfares.
 8. Removal of fence, etc., from streets.
 9. Obstructions declared nuisances—Removal of.
 10. Guarding excavations.
 11. Rubbish in streets—Penalty.
 12. Tearing up pavements and walks—Penalty.
 13. Injuring trees, etc.—Penalty.
 14. Permits to remove buildings—how issued.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. Any person, who shall encumber or obstruct, or cause to be encumbered or obstructed, any street, alley, or other public place in said village, by placing therein or thereon any building materials, or any article or thing whatsoever, without having first obtained written permission from the President of the Board of Trustees, or said Board, shall be subject to a penalty of not less than five dollars nor more than fifty dollars, for each offense, and a further penalty of ten dollars for each day, or part of a day, such encumbrance or obstruction shall continue.

SEC. 2. The street commissioner, President of the Board of Trustees, village constable, and each of them, is hereby authorized to order any article, or thing whatsoever, which may encumber or obstruct any street, alley, or other public place, within said village, to be removed; and if such article or thing shall not be removed within six hours after notice to the owner or person in charge thereof to remove the same, or if the owner cannot be readily found for the purpose of such notice, to cause the same to be removed to some suitable place, to be designated by the street commissioner, said President, or said Board; and the owner of any article so removed shall forfeit a penalty of ten dollars, in addition to the cost of such removal.

SEC. 3. Any article or thing which may be removed, in accordance with the preceding section, shall be advertised ten days and sold by the street commissioner or village constable, unless the same shall be sooner reclaimed, and the penalty and costs paid by the owner or owners thereof. The proceeds of such sale shall be paid into the village treasury, and the balance, if any, after deducting the penalty and costs, shall be paid to any person, or persons, furnishing satisfactory proof of ownership.

SEC. 4. No wagon, sleigh, sled, carriage, railway carriage, or vehicle of any kind or description, or any part of the same, without horses or other beasts of burden, shall be permitted to remain or stand in any improved street of this village for more than one hour, except for the purpose of being repaired, and then only in front of the premises of the person so repairing and within ten feet of the curbing, under a penalty of not less than one dollar nor more than twenty-five dollars; and any such wagon, sled, sleigh, carriage, railway car, or vehicle, or any part of the same,

may be removed by the street commissioner, village constable, or President of the Board of Trustees, as provided in section two of this ordinance.

SEC. 5. If any person shall remove or cause to be removed, or aid and assist in removing, any building into, along or across any street, alley, or public ground, in this village, without first obtaining written permission from the President and Board of Trustees of said village, or from said President, and conforming to such rules, regulations, requirements, restrictions, and conditions, as they, or he, may prescribe, such person shall be subject to a penalty of twenty-five dollars, to be recovered from the owner of the building, or any person aiding or directing in its removal, and a like penalty for every twenty-four hours the same shall remain in or upon any street, alley, or public ground.

SEC. 6. The owner of any building, or the contractor for its removal, either or both, who shall suffer the same to be or remain in any of the streets, or alleys, or upon any of the public grounds, of this village, for any time longer than may be specified in the permission of the Board of Trustees of said village, or the President thereof, shall forfeit a penalty of ten dollars and a like penalty for every twenty-four hours the same shall be continued, and such building shall be deemed a nuisance, and be proceeded against as provided in section nine of this ordinance.

SEC. 7. No person shall erect or place any building, in whole or in part, upon any street, alley, sidewalk, or public ground within this village, under a penalty of fifty dollars.

SEC. 8. The owner of any building, fence, porch, steps, gallery, or other obstruction, now standing, or which may hereafter be erected, or placed upon any street, alley, or sidewalk, or public ground, within this village, or which may be left standing upon any new street that has been or may hereafter be opened, shall remove the same within such reasonable time, not exceeding thirty days and not less than three days, as he shall be required so to do by a notice, signed by the street commissioner, or the President of the Board of Trustees, under a penalty of not less than twenty-five dollars nor more than one hundred dollars, and a further penalty of fifty dollars for every ten days the same shall so remain.

SEC. 9. Whenever the owner of any building, fence, or other obstruction, upon any street, alley, sidewalk, or public ground, in this village, shall refuse or neglect to remove the same, after

notice as prescribed in the preceding section, or without notice if the owner cannot be readily found for the purpose of such notice, the same shall be deemed a nuisance, and it shall be lawful for the street commissioner of said village, or the President of the Board of Trustees, and it is hereby made his duty to cause the same to be removed or taken down, in his discretion, and the expense thereof shall be recoverable of the owner in an action of assumpsit; and every person who shall oppose or resist the execution of the order of the street commissioner, or said President, in the premises, shall forfeit a penalty of one hundred dollars.

SEC. 10. When any part of any street, alley, sidewalk or other public place in the village of Evanston shall be torn, dug or taken up for any purpose, the person, persons or corporation, so tearing, digging or taking up any earth, paving, planking, graveling or macadamizing, shall, immediately upon the completion of such purpose, and as fast as practicable during the accomplishment thereof, return the earth, ran and pack down the same as fast as returned, to a firm and solid bearing, and in a manner, if possible, that will entirely prevent any settling of such earth, and shall also relay all paving, planking, gravelling and macadamizing in a skillful and permanent manner, and in every case to the satisfaction of the street commissioner of said village, under a penalty, for any neglect or refusal so to do, of not less than five dollars nor more than two hundred dollars.

SEC. 11. No person shall place any straw, dirt, chips, shells, ashes, swill or other rubbish, though not offensive to health, in any street or alley in this village, (except that ashes may be placed in the middle of the carriage way of streets not improved, if leveled off so as not to obstruct the street,) under a penalty of five dollars for each offense, and a like penalty for every day the same shall be suffered to remain after notice given by any officer or agent of the village to remove the same.

SEC. 12. No person shall injure or tear up any pavement, side or crosswalk, or any part thereof, dig any hole, ditch or drain in, or dig or remove any sod, stone, earth, sand or gravel from any street, alley or public ground in the village of Evanston, without having first obtained, from the President of the Board of Trustees written permission so to do; or hinder or obstruct the making or repairing any public improvement or work, ordered by the Board of Trustees of said Village, or being done under law-

ful authority for the village of Evanston, under a penalty, for each offense, of not less than ten dollars nor more than one hundred dollars.

SEC. 13. No person shall fasten any animal to or injure any fence, railing, ornamental or shade tree or shrub, in or upon any public ground, street, alley or other public place in this village, under a penalty of not less than five dollars nor more than one hundred dollars.

SEC. 14. The clerk of said village shall issue permits for the removal of buildings in pursuance of the order of the Board of Trustees or said President therefor, and upon the terms and conditions therein specified; the said Board, or President, to specify in granting such order upon what terms and conditions the same is granted, requiring in all cases such conditions and restrictions, as they or he may deem proper and just to impose for the interest and protection of the village in the premises.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

Subdivision and Platting of Lands.

AN ORDINANCE

Regulating Subdivisions and Platting of Lands in the Village of Evanston.

- SECTION 1. Plats to be submitted to Board of Trustees.
2. Not entitled to be recorded until approved.
 3. Copy of ordinance to be filed with recorder.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That any person, or persons, hereafter subdividing lands, blocks, lots, or sub-lots, or any part thereof, shall make a map or plat of such subdivision, and submit the same to the President and Board of Trustees of said village of Evanston for their approval, before recording the same in the Recorder's office of Cook County, as provided by law.

SEC. 2. When any such map or plat is submitted to the President and Board of Trustees, they shall thereupon proceed to

examine the same, and either approve or reject the same; and upon approval thereof, shall cause the village clerk to duly certify to the approval thereof under the corporate seal of said village; and until the same is so approved and certified, the said map or plat shall not be entitled to record and shall have no validity whatever.

SEC. 3. That the clerk of the village shall prepare and file a certified copy of this ordinance with the recorder of deeds for the County of Cook.

Passed Feb. 4th, 1874.

Approved Feb. 4th, 1874.

C. J. GILBERT, President.

Vending of Liquors.

AN ORDINANCE

In Relation to the Vending of Liquors.

- SECTION 1. Penalty for selling or giving away liquors.
2. Penalty for keeping open bar or place where liquors are sold.
 3. Provisions do not apply to druggists or apothecaries.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. Any person, who shall, as principal, agent, clerk, servant, or otherwise, within the corporate limits of said village, sell, barter, exchange, or give away with a view to evade any of the penalties of this ordinance, any ale, porter, lager beer, kimmel, wine, rum, brandy, gin, whisky, schnapps, or other spirituous, vinous, malt, fermented, mixed, or intoxicating liquors, or any mixture part of which is any of said liquors, in less quantity than four gallons at any one time, except as hereinafter provided; or who shall, as such principal, clerk, agent, servant, or otherwise, within said limits, upon the sale, barter, or exchange of any chattels, wares, property, choses in action, or upon any promise, or agreement, express or implied, except as hereinafter provided, deliver or furnish, or cause to be delivered or furnished,

or knowingly suffer to be taken or received, any of the liquors above mentioned, or any mixture part of which is any of said liquors, in less quantity than four gallons at one time, shall forfeit and pay to said village, on conviction, a penalty of not less than five dollars, nor more than fifty dollars for each offense.

SEC. 2. If any person shall, as principal, agent, clerk, or servant, within the limits of said village, keep open any bar, or place, where beer, ale, porter, kimmel, rum, gin, whisky, brandy, schnapps, or any other vinous, malt, spirituous, fermented, mixed or intoxicating liquors, or any mixture part of which is any of said liquors, are or may be kept for sale, exchange, barter, or traffic, or shall within said limits, suffer any other person or persons to drink any of said liquors in any such bar or place, occupied by him or her, such person, whether principal, agent, clerk, or servant, shall be adjudged guilty of a nuisance, and on conviction be fined not less than five dollars, nor more than fifty dollars for each offense.

SEC. 3. The provisions of this ordinance shall not apply to the sale or giving away of any of the liquors aforesaid, by any established apothecary or druggist in said village, his agent, clerks, or servants, for purposes strictly of a chemical, medicinal, or sacramental character, provided the same are sold in good faith, and with no intent to evade this ordinance.

SEC. 4. This ordinance shall take effect from and after its due publication.

Passed Feb. 5th, 1874.

Approved Feb. 5th, 1874.

C. J. GILBERT, President.

Water and Gas Pipes.

AN ORDINANCE

In Relation to the Use of Streets and Alleys in the Village of Evanston, by Water and Gas Companies, and others, and the Laying of Pipes in the same.

- SECTION 1. How gas pipes must be laid.
2. How water mains must be laid.
3. Excavations must be filled—how.
4. Excavations must be guarded.

5. Excavations in carriage ways regulated.
6. Companies must keep map of pipes.
7. Penalty for violation.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That hereafter any gas company, or companies, putting in pipes, shall be required to lay their street mains at a distance of not less than ten feet from the center of the streets, in said village, and on the south and west, or southerly or westerly sides of said streets, unless otherwise specially ordered by resolution of the Board of Trustees.

SEC. 2. That the mains of the Evanston water pipes shall be laid at a distance of not less than ten feet from the center of the streets, in said village, and they shall be laid on the north and east, or northerly and easterly sides of said streets.

SEC. 3. Every gas company, water company, corporation, or person, that shall make any excavation in any street or alley, in said village, for the purpose of putting down pipes, or for any other purpose, shall immediately fill up, ram, pack down, and level the same, and restore such street or alley to a condition as good as before such excavation was made; and whenever the filling of such excavation shall settle or sink down, such corporation, or person, shall restore and refill the same from time to time.

SEC. 4. In case any company, corporation, or person, shall leave any hole or excavation, in any street, or alley, in said village, open during the night, such company, corporation, or person, shall securely enclose the same, and put a light by the same in such way as to warn all persons of danger.

SEC. 5. No such company, corporation, or person, shall make any excavation, for the purpose of laying down pipes, in the carriage way, or any traveled portion of any street, in said village, other than as herein before provided, except for necessary crossings.

SEC. 6. Every gas and water company, that has heretofore laid or shall hereafter lay down pipes in any street, or alley, in said village, shall make and keep an accurate map, showing the exact location and depth of every line of pipe laid by them, which map shall at all times be accessible for public inspection.

SEC. 7. Every such company, corporation, or person, for each and every violation of the provisions of this ordinance, shall be fined not less than five dollars nor more than one hundred dollars.

Passed Jan. 13, 1874.

Approved Jan. 13, 1874.

C. J. GILBERT, President.

Weights and Measures.

AN ORDINANCE

Regulating Weights and Measures

- SECTION 1. Standard of weights and measures.
2. Board of Trustees to procure standards.
 3. Sealer to test every six months; stamp correct ones and condemn incorrect ones.
 4. Penalty for using condemned weights and measures.
 5. Fees of sealer regulated.
 6. Alteration of weights, measures and scales—Penalty.
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Be it Ordained by the President and Board of Trustees of the Village of Evanston :

SECTION 1. That there shall be a regulation of weights and measures in said village, and the standard, adopted by the State of Illinois, shall be the test by which they shall be compared and determined.

SEC. 2. That the President and the Board of Trustees of said village, shall procure correct and improved standards, with their necessary subdivisions, together with the proper beams and scales, for the purpose of testing and proving by said standards the weights and measures used in the village.

SEC. 3. It shall be the duty of the sealer of weights and measures at least once in every six months, to examine and test the accuracy of all weights, measures, scales, or other instruments or things, used by any person for weighing or measuring any article for sale in said village; to stamp with a suitable seal all weights, measures and scales, so used, which he may find correct,

and deliver to the owner thereof a certificate of their accuracy ; to condemn all weights, measures and scales which he may find incorrect on such inspection, and to cause the owner thereof to have them immediately corrected and made conformable to said standard. Any person refusing to exhibit any weights, measures, scales, or instruments for weighing or measuring to said officer for the purpose of examination or inspection as aforesaid, or obstructing him in the performance of his duty, shall forfeit and pay not less than three dollars nor more than twenty dollars for every such offense.

SEC. 4. It shall not be lawful for any person in said village to use, for the purpose of selling or buying any article in said village, any scales, weight, measure, or other instrument whatever, which has been condemned by said officer, until the same has been repaired, and approved by him ; and no person shall make use of any weight, scale, measure, or other instrument for weighing or measuring any article for sale in said village, until the same has been duly examined and sealed by said officer. Any person, violating the provisions of this section, shall forfeit and pay a sum of not less than five dollars nor more than fifty dollars for every such offense.

SEC. 5. The said officer shall receive from the owner or owners of any articles, so tested and sealed, the sum of one dollar for each and every certificate of such inspection, as fees for his services, but it shall not be lawful for said officer to make such charge for testing and sealing weights, measures and scales, as aforesaid, oftener than twice in each year, unless the same shall at any time be found not conformable to the standard of the State. Provided that with each seal sealed by the officer, he shall inspect and seal one set of weights, without any additional charge or compensation. And provided, also, that in every case, in which he may, at the request of the owner, employ labor or material in making any scale, weight or measure accurate, he shall be entitled to a just compensation therefor.

SEC. 6. Any person, who shall alter any weight, measure, or scale, after the same has been sealed as provided in this ordinance, and cause the same to weigh or measure incorrectly, except for repair, shall on conviction, be fined in a sum not less than one dollar nor more than two hundred dollars for each offense.

Passed Jan. 13th, 1874.

Approved Jan. 13th, 1874.

C. J. GILBERT, President.

MISCELLANEOUS.

Horse Railway.

AN ORDINANCE

Relating to a Horse Railway on Sherman Ave., Milburn and Church Streets.

Be it Ordained by the President and Board of Trustees of the Village of Evanston:

SECTION 1. That, by virtue of the powers in said Board of Trustees vested, the consent, permission and authority of said Board are hereby granted to Isaac R. Hitt, Merrill Ladd, George M. Huntoon and Simeon V. Kline, and such other persons as may hereafter become associated with them, and to their executors, administrators or assigns, to lay a single or double track for a horse railway, with all necessary and convenient tracks for turn-outs, side tracks and switches, in and along the course of the certain streets in said village of Evanston hereinafter mentioned; and the same to keep, maintain and use, and to operate thereon horse railway cars and carriages, for the period of twenty years from the passage of this ordinance, in the manner, and upon the conditions and provisions hereinafter expressed.

SEC. 2. That said persons named in section one, are hereby authorized to lay a single or double track, for such horse railway, in and along the course of the following streets of said village: Commencing on the north line of the corporate limits of said village, within six hundred feet of the Ridge road, and on the west side of said road, in any street that may hereafter be there laid out; thence in a southerly direction in and along any street that may be laid out to intersect said Ridge road and across said Ridge road to the intersection of said Ridge road and Center street; thence along Center street to a point where Sherman avenue, when extended, will intersect said Center street, thence south on such extension of Sherman avenue, across Greenleaf avenue, and thence south in and along said Sherman avenue to the south line of the Village of Evanston. Also in and along Milburn street from Lake Michigan to intersect the track on Sherman avenue, also in and along Church street, from the Chicago and Northwestern railroad, to intersect the track on Sherman avenue.

SEC. 3. If the said parties, their associates, successors and assigns, shall hereafter become incorporated, the rights and privileges granted by this ordinance, shall extend to such corporation in like manner and subject to the conditions of this ordinance, and when such incorporation shall have been obtained, such corporation shall have all the rights and privileges hereby granted, as the successors of said parties, without further action of said Trustees.

SEC. 4. The said horse railway on Sherman avenue, from Milburn street

to Davis street shall be completed and the cars running thereon for the carriage of passengers within nine months after the passage of this ordinance. The said railways on Church street, Milburn street, and all the other streets, avenues, or parts thereof embraced in this ordinance, in so far as the same are opened or extended, shall be fully completed within two years after the passage of this ordinance. If any part of said streets shall remain unopened or not extended for a longer period than said two years, the completion of the tracks on such part shall be made within six months after the date of such opening or extension. The construction of said railway shall be begun within six months after the passage of this ordinance. It is provided, however, that if said parties, their legal representatives, successors or assigns are necessarily delayed, or prevented from complying with this section, without their fault or connivance, by the order or injunction of a court of competent jurisdiction, the time of such delay shall be excluded from the time or times above prescribed, and the same time in addition to said prescribed periods shall be allowed for the construction and completion of said railway as that occasioned by such delay.

SEC. 5. The cars to be used upon said tracks shall be operated with animal power only; and said railways shall not connect with any other railroad on which other power is employed, and no railway car or carriage used upon any railroad in this State using steam power shall be run or passed upon said tracks.

SEC. 6. The said tracks shall be used for the transportation of passengers and their ordinary baggage, for local freight and supplies during the first five years of the grant, and for no other purpose except such as may be permitted by said Board of Trustees. The said Board of Trustees shall have power at all times to make such regulations as to the rate of speed and time of running said cars or carriages as the public safety and convenience may require. Provided that said cars and carriages shall not be required to run except in connection with trains as provided in section nine of this ordinance, oftener than once in two hours during the first year, and once in every hour during the second year after the said railroad shall go into operation.

SEC. 7. The tracks of said railways shall not be elevated above the surface of the street, shall conform in kind, quality, and material with the provisions of the general ordinance of said village concerning horse railroads, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks, at any and at all points, and in any and all directions, without obstruction. Whenever two tracks shall be constructed on the same street, they shall be laid parallel, as far as practicable.

SEC. 8. The rate of fare for any distance within the present limits of said Village of Evanston shall not exceed six cents, except when cars or carriages may be chartered for special purposes.

SEC. 9. The cars or carriages for passengers used upon said railways shall be run so as to furnish convenient connections with every passenger train of the Chicago & Northwestern Railroad Company arriving or departing in the day time at or from any depot of said company in said village.

SEC. 10. The said parties named in section one, their legal representatives, successors or assigns, shall, at their own expense, as respects grading, macadamizing, improving, filling or planking, keep eight feet in width along the line of said railways, on all streets whereon one track is constructed, and sixteen feet in width along such line on all streets where two tracks are constructed, in good repair and condition during the period of time to which the privileges granted in this ordinance shall extend, so that wagons, carriages and other vehicles can cross and re-cross at any and all points, and in any and all directions. When any new improvement, grading, macadamizing, re-macadamizing, graveling, re-graveling, filling, re-filling, planking, or re-planking, or otherwise, shall be ordered by said Board of Trustees in any of said streets, or parts of said streets, the said parties, their

legal representatives, successors or assigns, shall in the same manner, and with like material as that required of the owners of property by said Board in other parts of said streets, make such new improvements on eight feet as aforesaid where a single track is used, and on sixteen feet, as aforesaid, where a double track is used; and in case of their refusal, failure or neglect to make such new improvements within the reasonable time required by said Board of Trustees, the work may be done by said village, and the cost assessed on said parties, owning or operating said railway, and collected as other assessments, from any real or personal property of such parties. If the said Board of Trustees shall deem it inexpedient that such new improvement should be so made by said parties, then the same shall be done by said village, as in other cases, and the cost thereof assessed and collected of said parties, as in other cases; and if said parties shall refuse or neglect to make any necessary repairs, as aforesaid, after twenty days' notice from the said Board, the said village may make the repairs and collect the cost thereof by suit at law, in any court of competent jurisdiction, from said parties, their legal representatives, successors or assigns.

SEC. 11. The said parties, their legal representatives, successors or assigns, owning or operating said railways or any part thereof, shall be liable for all legal consequential damages which may be sustained by any person by reason of the carelessness, negligence, or misconduct of any of the agents or servants of them in the course of their employment in the construction or use of said railways, or any part thereof.

SEC. 12. All rights heretofore vested in said Board of Trustees, or their grantees, to use any of said streets, or parts thereof, for water-mains, pipes, gas-pipes, drains and sewers, and to regulate such use, are not to be impaired or affected by anything in this ordinance contained, but the rights and privileges hereby granted shall be subject thereto, and to the provisions of the general ordinance of said village concerning "Horse Railroads."

SEC. 13. If the said parties, their successors or assigns, shall fail to complete any of the aforesaid railways, mentioned in section two aforesaid, at the time or times provided and according to the condition prescribed in the fourth section of this ordinance, or shall willfully refuse after reasonable notice from said Board of Trustees, to conform to all the other terms and conditions of this ordinance, and the terms and provisions of the general ordinance of said village concerning horse railroads, and continue such refusal or neglect to comply for a period of thirty days after such notice, then the rights and privileges granted by this ordinance shall cease and be forfeited to said Village of Evanston; provided, however, that said Board of Trustees may grant to said parties, their successors or assigns, an extension of such time, or for good cause, by order or resolution, waive such forfeiture by any such non-compliance.

SEC. 14. The said Isaac R. Hitt, George M. Huntton, Merrill Ladd, and Simeon V. Kline, shall enter into a bond, payable to said Village of Evanston, in the penal sum of ten thousand dollars (\$10,000), conditioned for the faithful performance by said parties, their legal representatives, successors, or assigns, of all the terms and conditions of this ordinance, and that the railways aforesaid shall be completed at the time and in the manner in this ordinance specified, unless delayed by the order or injunction of some court of competent jurisdiction from so completing the same. And until such bond is made and approved by said Board of Trustees, this ordinance shall have no force or effect whatever. In case such bond or any subsequent bond taken, shall, in the judgment of said Board, from any cause become impaired as security in said sum, the said parties, their successors or assigns, shall, upon the demand of said Board, execute a new bond or bonds, from time to time, in like penalty, and conditioned as aforesaid.

Passed Jan. 20th, 1874.

Approved Jan. 20th, 1874.

C. J. GILBERT, President.

Rules and Order of Business of the President and Board of Trustees of the Village of Evanston.

Adopted September 5, 1873.

RULE I. Regular meetings of the Board of Trustees shall be held on the first Tuesday of each month, and special meetings may be called by the President or any three members of the Board.

RULE II. The order of business hereinafter set forth shall in all cases be adhered to, but the same may be temporarily suspended by unanimous consent.

ORDER OF BUSINESS.

1. The roll of members shall be first called and absentees noted; a majority of the members of the Board shall constitute a quorum.

The meeting being organized the minutes of the proceedings of the last meeting shall be read; if necessary, amended and approved.

2. The presentation of petitions and reports of officers.

3. The reports of standing committees.

4. The reports of select committees.

5. Unfinished business of preceding meetings.

6. General business.

7. Communications may be received and considered at any time.

RULE III. All questions of priority of business, order and decorum shall be decided by the President, subject to an appeal to the Board present, a majority of whom may decide.

RULE IV. All standing committees shall be appointed by the President, and also all special committees, unless otherwise specially directed by the Board, in which case they shall be appointed by the Board.

RULE V. The ayes and nays may be called and entered of record at the request of any member.

RULE VI. No member shall speak more than twice to the same general question, nor more than once to a "previous question" without leave of the Board, nor more than once in any case, until every member, choosing to speak, shall have spoken.

RULE VII. A member called to order shall immediately sit down, unless permitted to explain. If there be no appeal, the decision of the chair shall be conclusive; but if the member appeal to the Board from the decision of the chair, the Board shall decide on the case without debate.

RULE VIII. Every member, who shall be present when a question is stated from the chair, shall vote thereon, unless excused by the Board, or unless he be directly interested in the question, in which case he shall not vote.

RULE IX. No motion shall be debated or put, unless it be seconded. When a motion is seconded, it shall be stated by the President before debate; and every such motion shall be reduced to writing, if required by a member.

RULE X. In all cases when a resolution, or motion, shall be entered on the minutes of the Board, the name of the member moving the same shall be also entered on the minutes.

RULE XI. A motion to adjourn shall always be in order, except: 1st, when a member is in possession of the floor; 2d, when the yeas and nays are being called; 3d, when the members are voting; 4th, when adjournment was the last preceding motion; or, 5th, when it has been decided that the previous question shall be taken, and the "previous question" shall be as follows: "Shall the main question now be put?"

RULE XII. Standing and select committees to whom references are made shall, in all cases, report in writing the state of facts, with their opinions thereon.

RULE XIII. No person except a member of the Board shall be permitted to address the same, unless by the unanimous consent of the Board.

RULE XIV. When any motion, resolution or matter has been passed upon by the Board, the same may be reconsidered at the same or any subsequent regular meeting, upon the motion of a member who voted with the majority; but a motion to reconsider shall not be entertained unless there be present as large a number of trustees as were present when the question was passed upon.

RULE XV. No vote of the Board shall be reconsidered or rescinded at a special meeting, unless at such special meeting there be present as large a number of Trustees as were present when such vote was taken.

RULE XVI. All ordinances, petitions and communications to the Board shall, unless by a two-thirds vote otherwise directed, be referred to appropriate committees, and only be acted on by the Board at a subsequent meeting, on the report of the committee having the same in charge, unless by a vote of two-thirds of the members of the Board.

RULE XVII. Upon the passage of all orders, ordinances or resolutions appropriating money, the yeas and nays shall be entered on the record of the Board, and a majority of the votes of all the members of the Board shall be necessary to their passage.

RULE XVIII. All ordinances having for their object the repeal, amendment or alteration of any ordinance in force at the time the same is presented to the Board, shall not be taken under consideration until at least one week from the time the same is presented, unless by vote of two-thirds of the members of the Board.

RULE XIX. When amendments are offered to any question before the Board, the vote shall be first taken on the amendment last proposed.

RULE XX. All charges against the President or a trustee for improper conduct shall be made by a member of the Board and shall be reduced to writing, setting forth specifically the nature of the charge; and no remarks or debate shall be permitted on said charge until the question comes up for investigation and decision.

RULE XXI. The standing committees shall be appointed by the President, annually, on entering upon the duties of his office, unless otherwise provided by ordinance; and the person first named on the committee shall be the chairman thereof. The following shall be the standing committees, and they shall consist of three members on each committee, unless otherwise provided:

STANDING COMMITTEES.

- On Finance and Auditing Claims,
- On Water and Water Works,
- On Streets, Alleys, Side and Cross-Walks,
- On Street and Gas Lamps,
- On Special Assessments and Taxes,
- On Police and Fire Department,
- On Sewerage and Drainage,
- On Judiciary, and Plats and Subdivisions.

RULE XXII. The standing committees shall have charge of all subject-matter, properly belonging to them respectively as designated by their titles, or which may be referred to them by the Board, and shall be required to report at regular meetings, unless otherwise instructed by the Board.

RULE XXIII. The village clerk shall report at each monthly meeting, the amount of expenditures of the various departments to the date of report.

Clerk's Certificate.

STATE OF ILLINOIS, COOK COUNTY, }
Village of Evanston. } ss.

I, JULIAN R. FITCH, Clerk of the Village of Evanston, in said County, do hereby certify that the Ordinances contained in this pamphlet, and entitled therein as follows:

1. ANIMALS RUNNING AT LARGE. Published January 17th, 1874.
2. ARRESTS, AND RECOVERY OF FINES. Published January 17th, 1874.
3. COAL AND HAY. Published January 17th, 1874.
4. CONCEALED WEAPONS. Published January 24th, 1874.
5. CORPORATE SEAL. Published January 24th, 1874.
6. DOGS. Published January 17th, 1874.
7. ELECTIONS. Published January 24th, 1874.
8. FIRE LIMITS. Published January 24th, 1874.
9. FIRE WOOD. Published January 17th, 1874.
10. FISCAL YEAR. Published February 20th, 1874.
11. GUNPOWDER AND COMBUSTIBLE MATERIALS. Published January 24th, 1874.
12. HORSE RAILWAYS. Published January 24th, 1874.
13. ICE. Published January 31st, 1874.
14. LICENSES. Published January 24th, 1874.
15. LICENSES FOR VARIOUS PURPOSES. January 24th, 1874.
16. MISDEMEANORS. Published January 24th, 1874.
17. NUISANCES. Published January 31st and February 7th, 1874.
18. OFFICERS. Published February 7th, 1874.
19. ORDINANCES. Published February 7th, 1874.
20. PLUMBERS. Published February 7th, 1874.
21. POLICE. Published February 7th, 1874.
22. PREVENTION OF FIRES. Published February 14th, 1874.
23. SANITARY ORDINANCE. Published February 14th and 21st, 1874.
24. STREETS. Published February 14th, 1874.
25. STREET LABOR. Published February 14th, 1874.
26. STREET NAMES. Published February 14th, 1874.
27. SUBDIVISION AND PLATTING OF LANDS. Published February 21st, 1874.

28. VENDING OF LIQUORS. Published February 7th, 1874.

29. WATER AND GAS PIPES. Published February 21st, 1874.

30. WEIGHTS AND MEASURES. Published February 21st, 1874.

are true copies of the original ordinances and of the memoranda of the dates of their passage and approval, now on file in my office; that said ordinances were each duly adopted and passed by the President and Board of Trustees of said village, at duly assembled meetings thereof held, and approved and signed by said President, at the respective dates under said ordinances written; that said ordinances were, after their passage and approval and within thirty days from such passage, published by authority of said Board in "THE EVANSTON INDEX," a weekly newspaper, published in said village, and on the respective days herein before set forth; that said ordinances herein numbered nineteen, twenty-two, twenty-three, twenty-four, twenty-five, twenty-nine and thirty, were also re-enacted by said Board, and approved by the President thereof, at a regular meeting of said Board, held on the 17th day of February, 1874; and that the following is a true copy of an order of said Board, adopted at a regular meeting thereof held on the 17th day of February, 1874, to wit: "ORDERED, that the pamphlet, containing the published 'Ordinances of the village of Evanston, in Cook County, Illinois—published by authority of the President and Board of Trustees,' be and the same is hereby declared to be published by authority of this Board; and that the date of the issue and publication of said pamphlet be fixed as of the 20th day of February, 1874."

In witness whereof, I have hereunto set my hand, and affixed the corporate seal of said Village, this 20th day of February, A. D. 1874.

J. R. FITCH,
Village Clerk.

[L. S.]

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